

RECLAMATION

Managing Water in the West

Funding Opportunity Announcement No. BOR-DO-17-F003

WaterSMART: Development of Feasibility Studies under the Title XVI Water Reclamation and Reuse Program for Fiscal Year 2017



**U.S. Department of the Interior
Bureau of Reclamation
Policy and Administration
Denver, Colorado**

October 2016

Mission Statements

The U.S. Department of the Interior protects America's natural resources and heritage, honors our cultures and tribal communities, and supplies the energy to power our future.

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, Policy and Administration
Funding Opportunity Title:	WaterSMART: Development of Feasibility Studies under the Title XVI Water Reclamation and Reuse Program (FY) 2017
Announcement Type:	Funding Opportunity Announcement (FOA)
Funding Opportunity Number:	BOR-DO-17-F003
Catalog of Federal Domestic Assistance (CFDA) Number:	15.504
Dates: (See FOA Sec. D.4)	Application due date: Thursday, January 5, 2017 4:00 p.m. Mountain Standard Time
Eligible Applicants: (See FOA Sec. C.1)	State, regional, or local authorities; Indian tribes or tribal organizations; or other entities such as a water district, wastewater district, or rural water district. Applicants must be located in the Western United States or United States Territories as identified in the Reclamation Act of June 17, 1902, as amended or Hawaii.
Recipient Cost Share: (See FOA Sec. C.2)	50 percent or more of total study costs.
Federal Funding Amount: (See FOA Sec. B.1)	Funding Group I: Up to \$150,000 per agreement for a study up to 18 months. Funding Group II: Up to \$450,000 in Federal funds for a study that can be completed within 36 months.
Estimated Number of Agreements to be Awarded: (See FOA Sec. B.1)	It is expected that most awards will be made for studies in Funding Group I and only a very small number of awards will be made for studies in Funding Group II.

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Application Checklist

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

√	What to submit	Required content	Form or format	When to submit
	Mandatory Federal Forms: Application for Federal Assistance Budget Information Assurances	See Sec. D.2.2.1	SF-424, SF-424A, and SF-424B forms may be obtained at http://apply07.grants.gov/apply/FormLinks?family=15	*
	Title page	See Sec. D.2.2.2	Page 9	*
	Table of contents	See Sec. D.2.2.3	Page 9	*
	Technical proposal:			*
	Executive summary	See Sec. D.2.2.4	Page 9	*
	Study description	See Sec. D.2.2.4	Page 9	*
	Evaluation criteria	See Sec. E.1	Pages 21 to 23	*
	Letters of support	See Sec. D.2.2.5	Page 10	*
	Required permits or approvals	See Sec. D.2.2.6	Page 10	*
	Official Resolution	See Sec. D.2.2.7	Page 10	**
	Study Budget:	See Sec. D.2.2.8	Pages 11 to 16	*
	Funding plan and letters of commitment	See Sec. D.2.2.8	Page 11	*
	Budget proposal	See Sec. D.2.2.8	Page 13	*
	Budget narrative	See Sec. D.2.2.8	Page 14	*
	Unique Entity Identifier and System for Award Management	See Sec. D.3	Page 16	***

* Submit materials with your application.

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

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

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Acronyms and Abbreviations

ASAP	Automated Standard Application for Payments
ARC	Application Review Committee
CFDA	Catalog of Federal Domestic Assistance
CFR	Code of Federal Regulations
CPA	certified public accountant
D&S	Directives and Standards
DUNS	Data Universal Number System
FAPIIS	Federal Award Performance Integrity Information System
FEMA	Federal Emergency Management Agency
FOA	Funding Opportunity Announcement
FY	fiscal year
GO	Grants Officer
Interior	U.S. Department of the Interior
P.L.	Public Law
Reclamation	Bureau of Reclamation
SAM	System of Award Management
Title XVI Act	Title XVI of Public Law 102-575, as amended
Title XVI Program	Title XVI Water Reclamation and Reuse program
U.S.C.	United States Code
WaterSMART	Sustain and Manage America's Resources for Tomorrow

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Section A: Funding Opportunity Description

A.1. Program Information

The U.S. Department of the Interior's (Interior) WaterSMART (Sustain and Manage America's Resources for Tomorrow) program establishes a framework to provide Federal leadership and assistance on the efficient use of water, integrating water and energy policies to support the sustainable use of all natural resources, and coordinating the water conservation activities of various Interior bureaus and offices. Through this program, Interior is working to achieve a sustainable water strategy to meet the Nation's water needs.

The Bureau of Reclamation's (Reclamation) Title XVI Water Reclamation and Reuse program (Title XVI Program) is an important part of WaterSMART. As authorized by Title XVI of Public Law 102-575, as amended (Title XVI Act), Reclamation works to identify and investigate opportunities to reclaim and reuse wastewater and naturally impaired ground and surface water in the 17 Western States and Hawaii. For purposes of the Title XVI Program, a water reclamation and reuse project is a project that reclaims and reuses municipal, industrial, domestic, or agricultural wastewater and naturally impaired ground water and/or surface waters. Reclaimed water can be used for a variety of purposes, such as environmental restoration, fish and wildlife, ground water recharge, municipal, domestic, industrial, agricultural, power generation, or recreation. Water reclamation and reuse is an essential tool in stretching the limited water supplies in the Western United States.

Water reclamation and reuse feasibility studies help states, tribes, and local communities tackle water supply challenges. Feasibility studies funded under the Title XVI Program support the development of water reclamation and reuse projects to supplement urban and irrigation water supplies through water reclamation and reuse, thereby improving efficiency, providing flexibility during water shortages, and diversifying the water supply. Water reclamation and reuse projects provide growing communities with new sources of clean water while promoting water and energy efficiency and environmental stewardship.

For further information on the WaterSMART Program and the Title XVI Program, see www.usbr.gov/WaterSMART.

A.2. Funding Opportunity Announcement (FOA) Objective

The objective of this Funding Opportunity Announcement (FOA) is to invite applicants to cost share the development of new water reuse feasibility studies. For the purpose of this FOA, the term "feasibility" applies only to feasibility under the Title XVI Program and feasibility study reports funded under this FOA must be developed to meet the requirements of a feasibility study as defined by Section 1604 of the Title XVI Act and further described in Reclamation's Directives and Standards. For further information on the requirements of a Title XVI feasibility study, see Reclamation Manual Directives and Standards, Title XVI Water Reclamation and Reuse Program Feasibility Study Review Process (WTR 11-01) (Reclamation Feasibility Study D&S), available at www.usbr.gov/recman/wtr/wtr11-01.pdf and included as an attachment to this FOA.

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Water reclamation and reuse project sponsors have communicated to Reclamation that developing feasibility studies that meet Title XVI program requirements is an effective way for them to investigate water reclamation and reuse opportunities, even where Federal funding is not available beyond planning efforts. This FOA makes planning support available for new water reclamation and reuse projects; however, Reclamation and the Department of the Interior cannot support the congressional authorization of new Title XVI Projects or extensions of existing authorized cost ceilings at the current time.

A.3. Statutory Authority

This FOA is issued under the authority of section 1604 of Title XVI of Public Law 102-575, as amended (43 United States Code [U.S.C.] 390h-2).

A.4. Other Related Funding Opportunities

WaterSMART: Title XVI Water Reclamation and Reuse Program Funding: Through this FOA, funding is available for planning, design, and construction of Title XVI Projects specifically authorized for funding under Title XVI of Public Law 102-575, as amended (43 U.S.C. 390h through 390h-39).

WaterSMART: Water Reclamation Research under the Title XVI Water Reclamation and Reuse Program: Through this FOA, research that supports the application of commercially available water reclamation and reuse technologies is funded jointly by Reclamation and state, regional, or local authorities; Indian tribes or tribal organizations; or other entities such as water districts, wastewater districts, or rural water districts in the Western United States or United States Territories as identified in the Reclamation Act of June 17, 1902, as amended, or Hawaii.

Desalination and Water Purification Research and Development: Research and Laboratory Studies: Through this FOA, funding is available for laboratory scale research studies to determine the viability of a novel process, new materials, or process modifications in conjunction with individuals, institutions of higher education, commercial or industrial organizations, private entities, public entities (including state and local), and Indian tribal governments.

Desalination and Water Purification Research and Development: Pilot Projects: Through this FOA, funding is available for pilot projects to test a novel process at a larger scale to determine the technology viability in conjunction with individuals, institutions of higher education, commercial or industrial organizations, private entities, public entities (including state and local), and Indian tribal governments.

Desalination and Water Purification Research and Development: Demonstration Projects – Through this FOA, funding is available for demonstration projects to determine the technical, practical, and economic ability of a novel process to assist with technology commercialization in conjunction with individuals, institutions of higher education, commercial or industrial organizations, private entities, public entities (including state and local), and Indian tribal governments.

Section B: Award Information

B.1. Total Project Funding

The President's fiscal year (FY) 2017 budget request includes \$21.5 million for the Title XVI Program. It is estimated that up to \$1,000,000 will be available for development of new water reclamation and reuse feasibility studies under this FOA. Applications submitted under this FOA also may be considered if other funding becomes available in FY 2017 or thereafter. Please refer to www.usbr.gov/WaterSMART/Title for updated funding information.

B.2. Project Funding Limitations

The Federal share (Reclamation's share in addition to any other sources of Federal funding) of any one proposed study shall not exceed 50 percent of the total study costs. Generally, the non-Federal share of study costs must be expended at the same or greater rate as the federal share of study costs. Applicants are invited to submit proposals under one of the two Funding Groups described below. It is expected that the majority of awards will be made for studies in Funding Group I compared to studies in Funding Group II.

Note: For the purposes of this FOA, the terms "project" and "study" are used interchangeably and refer to the applicant's proposed feasibility study.

B.2.1. Funding Group I

Up to \$150,000 in Federal funds provided through this FOA will be available for feasibility studies that are relatively small in scope or can otherwise meet Title XVI Program requirements with less Federal funding.

B.2.2. Funding Group II

Up to \$450,000 in Federal funds provided through this FOA will be available for feasibility studies that are relatively larger in scope, encompass a regional scale, or otherwise need more Federal funding to meet Title XVI Program requirements.

B.3. Assistance Instrument

Awards will be made through a grant or cooperative agreement as applicable to the selected project. If a cooperative agreement is awarded, the recipient should expect Reclamation to have substantial involvement in the project.

Substantial involvement by Reclamation may include:

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

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

At the request of the recipient, Reclamation can provide technical assistance after award of an agreement. If you would like to receive Reclamation technical assistance, you must account for these costs in your budget. To discuss available assistance and these costs, contact your local Reclamation office, listed at www.usbr.gov/main/offices.html.

Section C: Eligibility Information

C.1. Eligible Applicants

Applicants eligible to receive an award under this FOA include state, regional, or local authorities; Indian tribes or tribal organizations; or other entities such as a water district, wastewater district, or rural water district. Applicants must be located in the Western United States or United States Territories as identified in the Reclamation Act of June 17, 1902, as amended or Hawaii.

C.2. Cost-Sharing Requirements

Applicants must be capable of cost sharing **50** percent or more of the total feasibility study costs. Cost sharing may be made through cash or in-kind contributions from the applicant or third-party partners. Cost share funding from sources outside the applicant's organization (e.g., loans or state grants) should be secured and available to the applicant prior to award. Please see Section D.2.2.7. Official Resolution and Section D.2.2.8. Study Budget: Funding Plan and Letters of Commitment for more information regarding the documentation required to verify commitments to meet cost sharing requirements.

C.2.1. Cost Share Regulations

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

C.2.2. In-Kind Contributions

In-kind contributions constitute the value of noncash contributions that benefit a federally assisted project. These contributions may be in the form of real property, equipment, supplies, and other expendable property, as well as the value of goods and services directly benefiting and specifically identifiable to the project or program. The cost or value of in-kind contributions that have been or will be relied on to satisfy a cost-sharing or matching requirement for another Federal financial assistance agreement, a Federal procurement contract, or any other award of Federal funds may not be relied on to satisfy the cost-share requirement for an award under this FOA; except where the Federal statute authorizing a program specifically provides that Federal funds made available for such program can be applied to matching or cost sharing requirements of other Federal programs, such as awards to tribal organizations under Public Law (P.L.) 93-638, as amended. Applicants should refer to 2 CFR §200.434 for regulations regarding the valuation of in-kind donations and contributions, available at www.ecfr.gov.

C.3. Eligible Studies

C.3.1. Eligible Studies

Proposals for the development of a new water reclamation or reuse feasibility study designed to meet the requirements of a feasibility study as defined under the Reclamation Feasibility Study Directives and Standards (D&S) are eligible for funding under this FOA. This includes studies that evaluate sources and uses of reclaimed water, including but not limited to municipal, industrial, domestic, or agricultural wastewater, as well as naturally impaired ground or surface waters, including stormwater, seawater, or brackish water. Specific feasibility study content requirements are described in Section 4 of the Reclamation Feasibility Study D&S. This is available on Reclamation's website at www.usbr.gov/recman/wtr/wtr11-01.pdf and is included as an attachment to this FOA.

C.3.2. Ineligible Studies

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

- Proposals for the development of a feasibility study or project that is not designed to meet the requirements of a feasibility study as defined under the Reclamation Feasibility Study D&S.
- Proposals for development of one or more components of a feasibility study or subgroups of an interconnected regional scale study that would not result in a completed feasibility study within the timeframe listed in this FOA.
- Feasibility studies that previously have been completed, submitted for review, or are the subject of an existing financial assistance agreement with Reclamation (even where another party is conducting the study).
- Proposals for the development of appraisal studies.
- Proposals that include ground disturbing activity or construction.
- Research activities eligible under the WaterSMART: Water Reclamation Research under the Title XVI Water Reclamation and Reuse Program for Fiscal Year 2017, FOA No. BOR-DO-17-F004.

C.3.3. Length of Studies

The length of time to complete a feasibility study is determined by the Funding Group for which the study is proposed. The funding groups and respective timeframes are listed below:

- Feasibility studies in Funding Group I should be completed and submitted to Reclamation within 18 months of award
- Feasibility studies in Funding Group II be completed and submitted to Reclamation within 36 months of award.

Section D: Application and Submission Information

D.1. Address to Request Application Package

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

If you are unable to access this information electronically, you can request paper copies of any of the documents referenced in this FOA by contacting:

By mail: Bureau of Reclamation
Financial Assistance Operations Section
Attn: Matthew Reichert
Mail Code: 84-27852
P.O. Box 25007
Denver, Colorado 80225

By e-mail: mreichert@usbr.gov

By telephone: 303-445-3865

D.2. Content and Form of Application Submission

All applications must conform to the requirements set forth below.

D.2.1. Application Format and Length

The total application package shall be no more than **40** consecutively numbered pages. If an application exceeds **40** pages, only the first **40** 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. Oversized pages will not be accepted. The technical proposal and evaluation criteria section shall be limited to a maximum of **20** pages. The SF-424 forms, letters of project support, and official resolution will not be considered in the total page count.

Applications will be prescreened for compliance to the page number limitations.

D.2.2. Application Content

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

- Mandatory Federal Forms
 - SF-424, Application for Federal Assistance
 - SF-424A, Budget Information—Non-construction Programs

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- SF-424B, Assurances—Non-construction Programs

SF-424, SF-424A, and SF-424B forms may be obtained at apply07.grants.gov/apply/FormLinks?family=15.

- Title page
- Table of contents
- Technical proposal and evaluation criteria (limited to **20** pages)
 - Executive summary
 - Study description
 - Evaluation criteria
- Required permits or approvals
- Letters of project support (will not count toward the page limitation)
- Official resolution (will not count toward the page limitation)
- Study budget
 - Funding plan and letters of commitment
 - Budget proposal
 - Budget narrative

D.2.2.1. Mandatory Federal Forms

The application must include the following standard Federal forms. SF-424, SF-424A, and SF-424B forms may be obtained at apply07.grants.gov/apply/FormLinks?family=15.

SF-424 Application for Federal Assistance

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

SF-424 Budget Information

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

SF-424 Assurances

A SF-424B, Assurances—Non-Construction Programs, signed by a person legally authorized to commit the applicant to performance of the project must be included. Failure to submit a properly signed SF-424B may result in the elimination of the application from further consideration.

D.2.2.2. Title Page

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

D.2.2.3. Table of Contents

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

D.2.2.4. Technical Proposal and Evaluation Criteria

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

- (1) Executive summary
- (2) Study description
- (3) Evaluation criteria

Executive Summary

The executive summary should include:

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

State the length of time and estimated completion date for the feasibility study. *This time period should not include Reclamation review of the feasibility study report.*

Study Description

The study description should describe the work in detail, including specific activities that will be accomplished. This description should have sufficient detail to permit a comprehensive evaluation of the proposal. The study description should address the requirements of a Title XVI feasibility study described in Section 4.B of the Reclamation Feasibility Study D&S. This is available at www.usbr.gov/recman/wtr/wtr11-01.pdf and is included as an attachment to this FOA (the requirements are found on pages 4 through 11).

Evaluation Criteria

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

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

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

D.2.2.5. Letters of Support

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

D.2.2.6. Required Permits or Approvals

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

D.2.2.7. Official Resolution

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

- The identity of the official with legal authority to enter into an agreement
- The board of directors, governing body, or appropriate official who has reviewed and supports the application submitted
- The capability of the applicant to provide the amount of funding and/or in-kind contributions specified in the funding plan
- That the applicant will work with Reclamation to meet established deadlines for entering into a grant or cooperative agreement

An official resolution the requirements set forth above is mandatory. If the applicant is unable to submit the official resolution by the application deadline because of the timing of board meetings or other justifiable reasons, the official resolution may be submitted up to 30 days after the application deadline.

D.2.2.8. Study Budget

The study budget includes:

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

Funding Plan and Letters of Commitment

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

Feasibility study funding provided by a source other than the applicant shall be supported with letters of commitment from these additional sources. This is a **mandatory requirement**. Letters of commitment shall identify the following elements:

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

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

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

The funding plan must include all project costs, as follows:

- How you will make your contribution to the cost-share requirement, such as monetary and/or in-kind contributions and source funds contributed by the applicant (e.g., reserve account, tax revenue, and/or assessments).

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- Describe any project expenditures that have been incurred or may be incurred before the anticipated award date that you may seek to include as project costs. For each cost, identify:
 - The project expenditure and the amount
 - Whether the expenditure is or will be in the form of in-kind services or donations
 - The date of cost incurrence
 - How the expenditure benefits the project

- Provide the identity and amount of funding to be provided by funding partners, as well as the required letters of commitment.

- Describe any funding requested or received from other Federal partners. *Note: other sources of Federal funding may not be counted towards the cost-share unless otherwise allowed by statute.*

- Describe any pending funding requests that have not yet been approved, and explain how the project will be affected if such funding is denied.

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

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

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

Section D: Application and Submission Information

Budget Proposal

The budget proposal should include detailed information on the categories listed below and must clearly identify all study costs. Unit costs shall be provided for all budget items including the cost of work to be provided by contractors. The budget proposal should also include any in-kind contributions of goods and services that will be provided to complete the study. It is strongly advised that applicants use the budget proposal format shown below on Table 2 or a similar format that provides this information. If selected for award, successful applicants must submit detailed supporting documentation for all budgeted costs. **Costs associated with Reclamation’s review of the feasibility study report should not be included.**

Table 2.—Sample Budget Proposal Format

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

Budget Narrative

Submission of a budget narrative is mandatory. An award will not be made to any applicant who fails to fully disclose this information. The budget narrative provides a discussion of, or explanation for, items included in the budget proposal. Include the value of in-kind contributions of goods and services and donations that will be provided to complete the study. The types of information to describe in the narrative include, but are not limited to, those listed in the following subsections. Costs, including the valuation of in-kind contributions and donations, must comply with the applicable cost principles contained in 2 CFR Part §200, available at the Electronic Code of Federal Regulations (www.ecfr.gov).

Salaries and Wages

Indicate program manager and other key personnel by name and title. Other personnel may be indicated by title alone. For all positions, indicate salaries and wages, estimated hours or percent of time, and rate of compensation. The labor rates should identify the direct labor rate separate from the fringe rate or fringe cost for each category. All labor estimates, including any proposed subcontractors, shall be allocated to specific tasks as outlined in the recipient's study description. Labor rates and proposed hours shall be displayed for each task.

Include estimated hours for compliance with reporting requirements, including final performance report and evaluation. Please see Section F.3.2. Program Performance Reports for information on types and frequency of reports required.

Clearly identify any proposed salary increases and the effective date.

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

Fringe Benefits

Indicate rates/amounts, what costs are included in this category, and the basis of the rate computations. Indicate whether these rates are used for application purposes only or whether they are fixed or provisional rates for billing purposes. Federally approved rate agreements are acceptable for compliance with this item.

Travel

Include purpose of trip, destination, number of persons traveling, length of stay, and all travel costs including airfare (basis for rate used), per diem, lodging, and miscellaneous travel expenses. For local travel, include mileage and rate of compensation.

Section D: Application and Submission Information

Equipment

Itemize costs of all equipment having a value of over \$5,000 and include information as to the need for this equipment, as well as how the equipment was priced if being purchased for the agreement. If equipment is being rented, specify the number of hours and the hourly rate. Local rental rates are only accepted for equipment actually being rented or leased for the project. If equipment currently owned by the applicant is proposed for use under the proposed project, and the cost to use that equipment is being included in the budget as in-kind cost share, provide the rates and hours for each piece of equipment owned and budgeted. These should be ownership rates developed by the recipient for each piece of equipment. If these rates are not available, the U.S. Army Corp of Engineer's recommended equipment rates for the region are acceptable. Blue book, Federal Emergency Management Agency (FEMA), and other data bases cannot be used.

Materials and Supplies

Itemize supplies by major category, unit price, quantity, and purpose, such as whether the items are needed for office use, research, or construction. Identify how these costs were estimated (i.e., quotes, past experience, engineering estimates, or other methodology).

Contractual

Identify all work that will be accomplished by subrecipients, consultants, or contractors, including a breakdown of all tasks to be completed, and a detailed budget estimate of time, rates, supplies, and materials that will be required for each task. If a subrecipient, consultant, or contractor is proposed and approved at the time of award, no other approvals will be required. Any changes or additions will require a request for approval. Identify how the budgeted costs for subrecipients, consultants, or contractors were determined to be fair and reasonable.

Other Expenses

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

Indirect Costs

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

If the applicant has separate rates for recovery of labor overhead and general and administrative costs, each rate should be shown. The applicant should propose rates for evaluation purposes, which will be used as fixed or ceiling rates in any

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resulting award. Include a copy of any federally approved indirect cost rate agreement. If a federally approved indirect rate agreement is not available, provide supporting documentation for the rate. This can include a recent recommendation by a qualified certified public accountant (CPA) along with support for the rate calculation. Please note that the applicant will need to obtain a federally negotiated indirect cost rate agreement within one year of award.

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

If the applicant does not have a federally approved indirect cost rate agreement and is proposing a rate greater than the *de minimis* 10 percent rate, include the computational basis for the indirect expense pool and corresponding allocation base for each rate. Information on “Preparing and Submitting Indirect Cost Proposals” is available from Interior, the National Business Center, and Indirect Cost Services, at www.doi.gov/ibc/services/finance/indirect-cost-services.

Total Costs

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

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

All applicants (unless the applicant has an exception approved by Reclamation under 2 CFR §25.110[d]) are required to:

- (i) Be registered in SAM before submitting its application;
- (ii) Provide a valid unique entity identifier in its application; and
- (iii) Continue to maintain an active SAM registration with current information at all times during which it has an active Federal award or an application or plan under consideration by a Federal awarding agency.

Meeting the requirements set forth above is mandatory. If the applicant is unable to complete registration by the application deadline, the Data Universal Number System (DUNS) and SAM registration must be initiated within 30 days after the application deadline in order to be considered for selection and award.

Reclamation will not make a Federal award to an applicant until the applicant has complied with all applicable unique entity identifier and SAM requirements and, if an applicant has not fully complied with the requirements by the time the

Section D: Application and Submission Information

Reclamation is ready to make an award, Reclamation may determine that the applicant is not qualified to receive a Federal award and use that determination as a basis for making a Federal award to another applicant.

D.4. Submission Date and Time

Application submission date deadline:

January 5, 2017, 4:00 p.m. Mountain Standard Time

Proposals received after the application deadline will not be considered unless it can be determined that the delay was caused by Federal Government mishandling.

Please note that any application submitted for funding under this FOA may be subjected to a Freedom of Information Act request (5 USC Section 552, as amended by P.L. No. 110-175), and as a result, may be made publicly available. Following awards of funding, Reclamation will post all successful applications on the Reclamation website, www.usbr.gov/watersmart/title after conducting any redactions determined necessary by Reclamation, in consultation with the recipient.

D.4.1. Application Delivery Instructions

Applications may be submitted electronically through Grants.gov (www.grants.gov) or hard copies may be submitted to either one of the following addresses. Under no circumstances will applications received through any other method (such as email or fax) be considered eligible for award.

By mail: Bureau of Reclamation Acquisition Operations Branch
Attn: Matthew Reichert
Mail Code: 84-27852
P.O. Box 25007
Denver, Colorado 80225

By express delivery: Bureau of Reclamation mail services
Attn: Matthew Reichert
Denver Federal Center
Bldg. 67, Rm. 152
6th Avenue and Kipling Street
Denver, Colorado 80225

By courier services: Bureau of Reclamation
Attn: Matthew Reichert
Denver Federal Center
Bldg. 56, Rm. 1000
6th Avenue and Kipling Street
Denver, Colorado 80225

D.4.2. Instructions for Submission of Project Application

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

D.4.2.1. Applications Submitted by Mail, Express Delivery or Courier Services

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

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

D.4.2.2. Applications Submitted Electronically

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

- Please note that submission of an application electronically requires prior registration through Grants.gov, which may take 7 to 21 days. Please see registration instructions at 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 in SAM as both a user and an Authorized Organizational Representative.**

Section D: Application and Submission Information

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

Regardless of the delivery method used, you must ensure that your proposal arrives by the date and time deadline stated in this FOA. Applications received after this date and time due to weather or express delivery/courier performance will not be considered for award. Late applications will not be considered unless it is determined that the delay was caused by Federal Government mishandling or by a problem with the Grants.gov application system.

D.4.2.3. Acknowledgement of Application Receipt.

If an application is submitted by mail, express delivery, or courier, Reclamation will notify you in writing that your application was received and whether it was received prior to the deadline identified in the FOA.

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

D.5. Intergovernmental Review

This FOA is not subject to Executive Order 12372, “Intergovernmental Review of Federal Programs.”

D.6. Funding Restrictions: Pre-award Costs

Project pre-award costs that have been incurred prior to the date of award may be submitted for consideration as an allowable reimbursable expense or as non-Federal cost share. **In no case will pre-award costs incurred prior to July 1, 2016 be considered for reimbursement or cost-share purposes.**

Reclamation will review the proposed pre-award costs to determine if they are allowable in accordance with the authorizing legislation and applicable cost principles. To be considered allowable, any pre-award costs proposed for consideration under the new awards must comply with all applicable requirements under this FOA.

D.7. Automated Standard Application for Payments (ASAP) Registration

All applicants must also be registered with and willing to process all payments through the Department of Treasury ASAP system. All recipients with active financial assistance agreements with Reclamation must be enrolled in ASAP under the appropriate Agency Location Code(s) and the Data Universal Number System (DUNS) Number prior to the award of funds. If a recipient has multiple DUNS numbers they must separately enroll within ASAP for each unique DUNS Number and/or Agency. All of the information on the enrollment process for recipients, including the enrollment initiation form and the enrollment mailbox can be found at www.usbr.gov/mso/aamd/asap.html.

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

Section E: Application Review Information

E.1. Technical Proposal: Evaluation Criteria

The evaluation criteria portion of your application should thoroughly address each of the following criteria and subcriteria in the order presented to assist in the complete and accurate evaluation of your proposal. Note: it is suggested that applicants copy and paste the below criteria and subcriteria into their applications to ensure that all necessary information is adequately addressed.

Applications will be evaluated against the evaluation criteria listed below. The evaluation criteria will be applied to the feasibility study as a whole. Proposals, therefore, should describe the feasibility study in its entirety.

Please note, if the work described in your application is a phase of a larger project, please only discuss the benefits that will result directly from the work discussed in your application and that is reflected in the budget, not the overall project.

E.1.1. Evaluation Criterion 1—Statement of Problems and Needs (10 points)

Points will be awarded based on the presence of watershed-based water resource management problems and needs for which water reclamation and reuse may provide a solution. Describe in detail the water resource management problems and needs in the area and explain how water reclamation and reuse may address those problems and needs. Additional consideration will be given to proposals that explain how the problems and needs in the area may be impacted by climate change, and/or if the feasibility study will include climate change information in the supply and demand projections used.

E.1.2. Evaluation Criterion 2—Water Reclamation and Reuse Opportunities (15 points)

Points will be awarded based on the extent to which the proposal demonstrates that the feasibility study will explore opportunities for water reclamation and reuse in the study area.

1. Describe how the feasibility study will investigate potential uses for reclaimed water (e.g., environmental restoration, fish and wildlife, groundwater recharge, municipal, domestic, industrial, agricultural, power generation, and recreation).
2. Describe the potential water market available to use any recycled water that might be produced upon completion of a water reuse project, as well

as potential methods to stimulate recycled water demand and/or methods to eliminate obstacles for use of reclaimed water.

3. Describe the sources of water that will be investigated for potential reclamation, including impaired surface and ground waters.

E.1.3. Evaluation Criterion 3—Description of Potential Alternatives (15 points)

Points will be awarded based on the extent to which the proposal demonstrates that the feasibility study will develop descriptions of water supply alternatives, including a proposed water reuse project and other water supply alternatives.

1. Describe the objectives that all alternatives will be designed to meet. What other water supply alternatives will be investigated as part of the feasibility study?
2. Provide a general description of the proposed project that will be the subject of a feasibility study.
3. Describe alternative measures or technologies for water reclamation, distribution, and reuse that will be investigated as part of the feasibility study.

E.1.4. Evaluation Criterion 4—Stretching Water Supplies (15 points)

Points will be awarded based on the extent to which the proposal demonstrates that the feasibility study will address activities that will help to secure and stretch water supplies. For each of the following sub-criteria, include descriptions of any specific issues that will be investigated or information that will be developed as part of the feasibility study.

1. Describe the potential for the project to reduce, postpone, or eliminate the development of new or expanded water supplies.
2. Describe the potential for the project to reduce or eliminate the use of existing diversions from natural watercourses or withdrawals from aquifers.
3. Describe, if applicable, the potential for the project to reduce the demand on existing Federal water supply facilities.

E.1.5. Evaluation Criterion 5—Environment and Water Quality (15 points)

Points will be awarded based on the extent to which the proposal demonstrates that the feasibility study will address the potential for a water reclamation and reuse project to improve surface, groundwater, or effluent discharge quality;

Section E: Application Review Information

restore or enhance habitat for nonlisted species; or provide water or critical habitat for federally listed threatened or endangered species. For each of the following sub-criteria, include descriptions of any specific issues that will be investigated or information that will be developed as part of the feasibility study.

1. Describe the potential for the project to improve the quality of surface or groundwater, including description of any specific issues that will be investigated or information that will be developed as part of the feasibility study.
2. Describe the potential for the project to improve flow conditions in a natural stream channel, including a description of any specific issues that will be investigated or information that will be developed as part of the feasibility study.
3. Describe the potential for the project to provide water or habitat for federally listed threatened or endangered species, including description of any specific issues that will be investigated or information that will be developed as part of the feasibility study.

E.1.6. Evaluation Criterion 6—Legal and Institutional Requirements (10 Points)

Points will be awarded based on the extent to which the proposal demonstrates that the feasibility study will address legal or institutional requirements or barriers to implementing a project, including water rights issues and any unresolved issues associated with implementation of a water reclamation and reuse project.

E.1.7. Evaluation Criterion 7—Renewable Energy and Energy Efficiency (10 points)

Points will be awarded based on the extent to which the proposal demonstrates that the feasibility study will address methods to incorporate the use of renewable energy or will otherwise address energy efficiency aspects of the water reclamation and reuse project being investigated.

E.1.8. Evaluation Criterion 8—Watershed Perspective (10 points)

Points will be awarded based on the extent to which the proposal demonstrates that the feasibility study will address alternatives that promote and apply a regional or watershed perspective to water resource management.

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 FOA. 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 FOA. The evaluation process will be comprised of the steps described in the following subsections.

E.2.1. Initial Screening

All application packages will be screened to ensure that:

- The applicant meets the eligibility requirements stated in this FOA.
- The applicant meets the unique entity identifier and SAM registration requirements stated in this FOA (this may be completed up to 30 days after the application deadline).
- The application meets the content requirements of the FOA package, including submission of technical and budget proposals, a funding plan, letter(s) of commitment, and related forms.
- The application contains a properly executed form SF-424 Application for Federal Assistance, form SF-424A Budget Information—Non-construction Programs, and form SF-424B Assurances—Non-Construction Programs.
- The application includes an official resolution, adopted by the applicant’s board of directors, governing body, or appropriate authorized official (this may be submitted up to 30 days after the application deadline).
- The application and funding plan meets or exceeds the minimum non-Federal cost-share requirements identified in this FOA.

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

E.2.2. Application Review Committee (ARC) Review

Evaluation criteria will comprise the total evaluation weight as stated in the Section E: Application Review Information. Applications will be scored against the evaluation criteria by an Application Review Committee (ARC), made up of

Section E: Application Review Information

experts in relevant disciplines selected from across Reclamation. The ARC will also review the application to ensure that the proposed project meets the description of eligible projects and meets the objective of this FOA.

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

In addition, during this review, Reclamation will address any specific concerns or questions raised by members of the ARC.

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 FOA. Management may also prioritize projects to ensure that multiple project types are represented.

E.2.5. Pre-Award Clearances and Approvals

After completion of the Managerial Review, Reclamation will notify applicants whose proposals have been selected for award consideration and will forward their applications to the appropriate Reclamation region or area office for completion of pre-award clearances and approvals.

Reclamation will also complete a business evaluation and responsibility determination. During these evaluations, the Grants Officer (GO) 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

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- Past performance, including satisfactory compliance with all terms and conditions of previous awards, such as environmental compliance issues, reporting requirements, proper procurement of supplies and services, and audit compliance
- Adequacy of personnel practices; procurement procedures; and accounting policies and procedures, as established by applicable Office of Management and Budget circulars.

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

E.3. Federal Award Performance Integrity Information System (FAPIS)

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 System of Award Management (SAM) (currently Federal Award Performance Integrity Information System [FAPIS]) (see 41 United States Code [U.S.C.] §2313). An applicant, at its option, may review information in the designated integrity and performance systems accessible through SAM and comment on any information about itself that a Federal awarding agency previously entered and is currently in the designated integrity and performance system accessible through SAM. Reclamation will consider any comments by the applicant, in addition to the other information in FAPIS, 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.

E.4. Anticipated Announcement and Federal Award Date

Reclamation expects to contact potential award recipients and unsuccessful applicants in May 2017 or slightly later if necessary. Within one to three months after that date, financial assistance agreements will be awarded to applicants that successfully pass all pre-award reviews and clearances.

Section F: Federal Award Administration Information

F.1. Federal Award Notices

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

F.2. Administrative and National Policy Requirements

F.2.1. Submission of Feasibility Study Reports to Reclamation

All feasibility studies funded under this FOA are required to result in a feasibility study report that must be submitted to Reclamation for initial review as described in Section 5.A.(1) of the Title XVI D&S at www.usbr.gov/recman/wtr/wtr11-01.pdf and as an attachment to this FOA.

Please note that the feasibility study report should be substantially complete and submitted for Reclamation review prior to the completion of the period of performance.

F.3. Reporting—Requirements and Distribution

If the applicant is awarded an agreement as a result of this FOA, the applicant will be required to submit the following reports during the term of the agreement.

F.3.1. Financial Reports

Form SF-425—Federal Financial Report must be submitted on a semiannual basis and with the final performance report.

F.3.2. Program Performance Reports

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

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

- A comparison of actual accomplishments to the milestones established by the financial assistance agreement for the period.
- The reasons why established milestones were not met, if applicable.

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- The status of milestones from the previous reporting period that were not met, if applicable.
- Whether the project is on schedule and within the original cost estimate.
- Any additional pertinent information or issues related to the status of the project.
- Photographs documenting the feasibility study process are also appreciated. Note: Reclamation may print photos with appropriate credit to the applicant.

A final performance report encompassing the entire period of performance that includes, but is not limited to the following information:

- Whether the completed feasibility study was submitted to Reclamation for initial review
- The reasons why established goals were not met, if appropriate
- Additional pertinent information including, when appropriate, analysis and explanation of cost overruns or high unit costs

F.4. Releasing Applications

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

Section G: Agency Contacts

Organizations or individuals interested in submitting applications in response to this FOA may direct questions to the Reclamation personnel identified below.

G.1. Reclamation Financial Assistance Management Contact

Questions regarding application and submission information and award administration may be submitted to the attention of Matthew Reichert, Grants Management Specialist, as follows:

By mail: Bureau of Reclamation
Financial Assistance Services
Attn: Matthew Reichert
Mail Code: 84-27852
P.O. Box 25007
Denver, Colorado 80225

By email: mreichert@usbr.gov

By phone: 303-445-3865

G.2. Reclamation Program Coordinator Contact

Questions regarding applicant and project eligibility and application review may be submitted to the attention of Katharine Dahm, Program Analyst, as follows:

By mail: Bureau of Reclamation
Water Resources and Planning
Attn: Katharine Dahm
Mail Code: 84-51000
P.O. Box 25007
Denver, Colorado 80225

By e-mail: kdahm@usbr.gov

By phone: 303-445-2495

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Title XVI Water Reclamation and Reuse Program Feasibility Study Review Process Directives and Standards

This is also at www.usbr.gov/recman/wtr/wtr11-01.pdf.

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Directives and Standards

Subject:	Title XVI Water Reclamation and Reuse Program Feasibility Study Review Process
Purpose:	The purpose of this Directive and Standard (D&S) is to establish requirements and a review process for feasibility studies conducted under the Bureau of Reclamation's Water Reclamation and Reuse (Title XVI) Program. The benefits of this D&S are clear statements of the Title XVI feasibility study report requirements and Reclamation's review procedures leading to a more transparent and consistent Title XVI Program.
Authority:	Reclamation Projects Authorization and Adjustment Act of 1992 – Title XVI Reclamation Wastewater and Groundwater Study and Facilities Act, section 1604 (Feasibility Studies) (Pub. L. 102-575; 43 USC 390h et seq.), as amended
Approving Official:	Director, Office of Program and Policy Services (OPPS)
Contact:	Title XVI Program Manager, Program Support Services Office, 84-52000

1. **Scope.** This D&S describes the study and reporting requirements, responsibilities, and review processes for feasibility studies conducted under Reclamation's Title XVI Program. Title XVI of Pub. L. 102-575, as amended, authorizes the Secretary of the Interior (Secretary) to participate with appropriate Federal, state, regional, local authorities, and Indian tribes or tribal organizations in studies to determine the feasibility of water reclamation and reuse projects in the 17 Western States and Hawaii.
 - A. **Use of the Term Feasibility.** The term feasibility as used throughout this document applies only to feasibility under the Title XVI Program. Reclamation's responsibilities concerning traditional water resource feasibility studies not related to water reclamation and reuse are addressed in a separate Reclamation Manual (RM) D&S, *Feasibility Studies* (CMP 05-02).
 - B. **Feasibility Study Relation to the Title XVI Program.** This D&S does not apply to appraisal studies, or research and demonstration projects also authorized under Pub. L. 102-575, as amended. Appendix A highlights the relationship of the Title XVI feasibility study to the remainder of the Title XVI construction program.
 - C. **Locally Sponsored Projects.** Title XVI water reclamation and reuse projects are, primarily, locally sponsored projects with limited Reclamation participation. Specifically, the non-Federal sponsor owns the project facilities and features, and is responsible for construction, operation, maintenance, and replacement. With few exceptions, the Federal cost share for Title XVI projects is limited by law to not more than 25 percent of the total cost of planning, design, and construction not to exceed \$20 million.

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- D. **Review.** The purpose of Reclamation's review is to determine if a Title XVI feasibility study report meets the requirements of a feasibility study as defined under section 1604 of Pub. L. 102-575, as amended. Through this review, Reclamation is not recommending any action for the proposed Title XVI projects. Further, Reclamation's review of the design and cost estimates is limited to ensuring the requirements of section 1604 of Pub. L. 102-575, as amended, are met.

2. Definitions.

- A. **Feasible.** The term feasible as used throughout this document applies only to the Title XVI Program. Pub. L. 102-575, as amended, provides specific requirements for a feasible Title XVI project. Those requirements are categorized in this D&S into: (1) statement of problems and needs, (2) water reclamation and reuse opportunities, (3) description of alternatives, (4) economic analysis, (5) selection of proposed Title XVI project, (6) environmental considerations, (7) legal and institutional requirements, (8) financial capability of sponsor, and (9) research needs. Detailed reviews of the design and cost estimates are not a requirement of feasibility under Pub. L. 102-575, as amended and therefore not undertaken.
- B. **Non-Federal Project Sponsor.** Non-Federal project sponsors may include a state, regional, or local authority; Indian tribe or tribal organization; or other entities such as a water conservation or conservancy district, wastewater district, rural water district, or water association within the 17 Western States or Hawaii.
- C. **Proposed Title XVI Project.** The proposed Title XVI project is the water reuse or recycling alternative that the study lead and the non-Federal project sponsor believe best meets the identified objectives.
- D. **Review Team.** The review team is established and the members are selected jointly by the Director, OPPS, and the responsible regional director. The review team consists of at least three individuals, with one representing the Director, OPPS, one representing the reviewing office, and the third as agreed by both directors.
- E. **Reviewing Office.** The reviewing office is identified by the responsible regional director and will facilitate the review of the Title XVI feasibility study report.
- F. **Study Lead.** The study lead is the person or organization that prepares the Title XVI feasibility study report. The study lead may be a Reclamation employee, or a non-Federal project sponsor. The study lead may not be part of the review team.
- G. **Title XVI Feasibility Study Report.** A Title XVI feasibility study report is a report including any supporting documentation, which is prepared to document the results of a

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Directives and Standards

feasibility study conducted to assess proposed water reclamation and reuse projects. Title XVI has specific requirements for the content identified in Pub. L. 102-575, as amended.

H. **Water Reclamation and Reuse Project.** A water reclamation and reuse project is a project (including the necessary facilities and features) that reclaims and reuses municipal, industrial, domestic, or agricultural wastewaters, or naturally impaired groundwater and/or surface water. Reclaimed water can be used, consistent with state law, for a variety of purposes, including, but not limited to, environmental restoration, fish and wildlife, groundwater recharge, municipal, domestic, industrial, agricultural, power generation, or recreation.

3. Responsibilities.

- A. **Director, OPPS.** The Director, OPPS, is responsible for considering the recommended findings from the regional director, and determining whether a proposed Title XVI project meets the requirements of a feasibility study as defined under section 1604 of Pub. L. 102-575, as amended. The Director, OPPS, and the regional director jointly select the review team members.
- B. **Regional Director.** The regional director is responsible for reviewing and forwarding the review team's findings to the Director, OPPS. The regional director also identifies the reviewing office, and jointly selects the review team members with the Director, OPPS. The regional director chooses whether or not to concur with the findings of the review team.
- C. **Reviewing Office.** The reviewing office will facilitate the review of the Title XVI feasibility study report by announcing when the review will take place, establishing a schedule, coordinating meetings, providing copies of the report and other documents to the other team members, and communicating with the study lead.
- D. **Review Team.** The review team reviews the Title XVI feasibility study report to determine if a Title XVI feasibility study report is in compliance with section 1604 of Pub. L. 102-575, as amended, and if the resulting report contains all pertinent information. Based on the findings, the review team will recommend to the regional director one of the following findings that the Title XVI feasibility study report: (1) meets the requirements of a feasibility study, as defined under section 1604 of Pub. L. 102-575, as amended, (2) does not meet the requirements of a feasibility study as defined under section 1604 of Pub. L. 102-575, as amended, or (3) is incomplete.
- E. **Title XVI Program Manager.** The Title XVI Program Manager is responsible for monitoring the ongoing reviews, and providing periodic status updates on the reviews to the Director, OPPS.

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- F. **Study Lead.** The study lead is responsible for preparing the Title XVI feasibility study report and if a Reclamation employee, documenting whether the Title XVI feasibility study constitutes a major agency work as used in RM D&S, *Identifying Design, Cost Estimating, and Construction Projects for which Independent Oversight Review is Required, and Performing those Reviews* (FAC 10-01).
4. **Requirements for a Title XVI Feasibility Study Report.**
- A. **Flexibility Concerning Format.** Reclamation will accept for review a Title XVI feasibility study report prepared for other purposes (e.g., as part of an application for state funding programs). However, when a report prepared for other purposes is reviewed, the review team will request a crosswalk that identifies the sections and page numbers for the elements described in Paragraph 4.B. *Title XVI Feasibility Study Report Contents*. Failure to provide the crosswalk may extend the review process, and/or result in the Title XVI feasibility study report being found incomplete.
- B. **Title XVI Feasibility Study Report Contents.** To ensure that a Title XVI feasibility study report complies with Pub. L. 102-575, as amended, other Federal laws, and to otherwise allow Reclamation to assess the feasibility of the proposed Title XVI project, at a minimum the following information shall be included.
- (1) **Introductory Information.** Provide the following introductory information.
 - (a) Identification of the non-Federal project sponsor(s).
 - (b) A description of the study area and an area/project map.
 - (c) A definition of the study area in terms of both the site-specific project area where the reclaimed water supply will be needed and developed, and any reclaimed water distribution systems.
 - (2) **Statement of Problems and Needs.** Describe key water resource management problems and needs for which water reclamation and reuse may provide a solution, including the following information. All projections shall be reasonable and for a minimum of 20 years.
 - (a) Description of the problem and need for a water reclamation and reuse project.
 - (b) Description of current and projected water supplies, including water rights, and potential sources of additional water, other than the proposed Title XVI project, and plans for new facilities.
 - (c) Description of current and projected water demands.

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- (d) Description of any water quality concerns for the current and projected water supply.
 - (e) Description of current and projected wastewaters and disposal options other than the proposed Title XVI project, and plans for new wastewater facilities, including projected costs.
- (3) **Water Reclamation and Reuse Opportunities.** Address the opportunities for water reclamation and reuse in the study area, and identify the sources of water that could be reclaimed, including the following information.
- (a) Description of all uses for reclaimed water, or categories of potential uses, including, but not limited to, environmental restoration, fish and wildlife, groundwater recharge, municipal, domestic, industrial, agricultural, power generation, and recreation. Identify any associated water quality, and associated treatment requirements.
 - (b) Description of the water market available to utilize recycled water to be produced, including:
 - (i) Identification of potential users, expected use, peak use, on-site conversion costs, desire to use recycled water, including letters of intent if available.
 - (ii) Description of any consultation with potential recycled water customers.
 - (iii) Description of the market assessment procedures used.
 - (c) Discussion of considerations (for example: physical, converting systems for reused water, or public acceptance) which may prevent implementing a water reuse project. Identify methods or community incentives to stimulate recycled water demand, and methods to eliminate obstacles which may inhibit the use of reclaimed water, including pricing.
 - (d) Identification of all the water and wastewater agencies that have jurisdiction in the potential service area or over the sources of reclaimed water.
 - (e) Description of potential sources of water to be reclaimed, including impaired surface and ground waters.
 - (f) Description and location of the source water facilities, including capacities, existing flows, treatment processes, design criteria, plans for future facilities, and quantities of impaired water available to meet new reclaimed and reused water demands.

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- (g) Description of the current water reuse taking place, including a list of reclaimed water uses, type and amount of reuse, and a map of existing pipelines and use sites.
 - (h) Summary of water reclamation and reuse technology currently in use, and opportunities for development of improved technologies.
- (4) **Description of Alternatives.** The following information is required:
- (a) Description of the non-Federal funding condition. The reasonably foreseeable future actions that the non-Federal project sponsor would take if Federal funding were not provided for the proposed water reclamation and reuse project, including estimated costs.
 - (b) Statement of the objectives all alternatives are designed to meet.
 - (c) Description of other water supply alternatives considered to accomplish the objectives to be addressed by the proposed Title XVI project, including benefits to be gained by each alternative, total project cost, life cycle cost, and corresponding cost of the project water produced expressed in dollars per million gallons (MG), and/or dollars per acre-foot. An appraisal level cost estimates, or better, is acceptable for these alternatives.
 - (d) Description of the proposed Title XVI project including detailed project cost estimate; annual operation, maintenance, and replacement cost estimate; and life cycle costs shall be provided with sufficient detail to permit a more in-depth evaluation of the project, including non-construction costs. In this regard, the cost estimates shall clearly identify expenditures for major structures and facilities, as well as other types of construction and non-construction expenses, and shall be based on calculated quantities and unit prices. The estimated costs shall also be presented in terms of dollars per MG, and/or dollars per acre-foot of capacity, so as to facilitate comparison of the alternatives. References, design data, and assumptions must be identified. The level of detail shall be as required for feasibility studies in RM D&S, *Cost Estimating* (FAC 09-01).
 - (e) Description of waste-stream discharge treatment and disposal water quality requirements for the proposed Title XVI project.
 - (f) Description of at least two alternative measures, or technologies available for water reclamation, distribution, and reuse for the project under consideration. These alternatives must be approvable by the state(s) or tribal authorities in which the project will be located.

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- (5) **Economic Analysis.** A Title XVI feasibility study report must include an economic analysis of the proposed Title XVI project relative to other water supply alternatives that could be implemented by the non-Federal project sponsor. This assessment needs to identify the degree to which the water recycling and reuse alternative is cost-effective, and the economic benefits that are to be realized after implementation. The study lead must submit the following information for the economic analysis in a Title XVI feasibility study report.
- (a) The economic analysis included in the feasibility study report shall describe the conditions that exist in the area and provide projections of the future with, and without, the project. Emphasis in the analysis must be given to the contributions that the plan could make toward alleviation of economic problems and the meeting of future demand.
 - (b) The Title XVI feasibility study must include a cost comparison of alternatives that would satisfy the same demand as the proposed Title XVI project. Alternatives used for comparison must be likely and realistic, and developed with the same standards with respect to interest rates and period of analysis.
 - (c) When a Title XVI project provides water supplies for municipal and industrial use, the benefits of the Title XVI project can be measured in terms of the cost of the alternative most likely to be implemented in the absence of the project. This is assuming that the two alternatives would provide comparable levels of service.
 - (d) Some Title XVI project benefits may be difficult to quantify; for example, a drought tolerant water supply, reduced water importation, and other social or environmental benefits. These benefits shall be documented and described qualitatively as completely as possible. These qualitative benefits can be considered as part of the justification for a Title XVI project in conjunction with the comparison of project costs described above.
- (6) **Selection of the Proposed Title XVI Project.** Provide a justification of why the proposed Title XVI project is the selected alternative in terms of meeting objectives, demands, needs, cost effectiveness, and other criteria important to the decision.
- (a) Provide an analysis of whether the proposed Title XVI project would address the following:
 - (i) Reduction, postponement, or elimination of development of new or expanded water supplies;

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- (ii) Reduction or elimination of the use of existing diversions from natural watercourses, or withdrawals from aquifers;
 - (iii) Reduction of demand on existing Federal water supply facilities; and
 - (iv) Reduction, postponement, or elimination of new or expanded wastewater facilities.
- (7) **Environmental Consideration and Potential Effects.** The review of a Title XVI feasibility study report does not require National Environmental Policy Act (NEPA) compliance. The Department of the Interior categorical exclusion 1.11 “Activities which are educational, informational, advisory, or consultative to other agencies, public and private entities, visitors, individuals or the general public” applies to Reclamation’s consultative review, and preparation of the Title XVI feasibility study reports. As stated in Paragraph 1. *Scope*, Reclamation is not making a recommendation to go forward with the proposed Title XVI project, nor is Reclamation using the Title XVI feasibility study report to propose an action to the Congress.
- (a) The Title XVI feasibility study report must include sufficient information on each alternative to allow Reclamation to assess the potential measures and costs that may be necessary to comply with NEPA, and any other applicable Federal law. Accordingly, the following information is required.
 - (i) Discussion whether, and to what extent, the proposed Title XVI project will have potentially significant impacts on endangered or threatened species, public health or safety, natural resources, regulated waters of the United States, or cultural resources.
 - (ii) Discussion whether, and to what extent, the project will have potentially significant environmental effects, or will involve unique or undefined environmental risks.
 - (iii) Description of the status of required Federal, state, tribal, and/or local environmental compliance measures for the proposed Title XVI project, including copies of any documents that have been prepared, or results of any relevant studies.
 - (iv) Any other information available to the study lead that would assist with assessing the measures that may be necessary to comply with NEPA, and other applicable Federal, state or local environmental laws such as the Endangered Species Act or the Clean Water Act.

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- (v) Discussion of how the proposed Title XVI project will affect water supply and water quality from the perspective of a regional, watershed, aquifer, or river basin condition.
 - (vi) Discussion of the extent to which the public was involved in the feasibility study, and a summary of comments received, if any.
 - (vii) Description of the potential effects the project may have on historic properties. Discussion must include potential mitigation measures, the potential for adaptive reuse of facilities, an analysis of historic preservation costs, and the potential for heritage education, if necessary.
 - (b) If, at a later date, Reclamation will recommend the project to the Congress, or provide funds for construction, appropriate NEPA, and other environmental compliance, must be completed.
- (8) **Legal and Institutional Requirements.** The Title XVI feasibility study shall identify any legal or institutional requirements, or barriers to implementing the proposed Title XVI project.
- (a) Analysis of any water rights issues potentially resulting from implementation of the proposed water reclamation and reuse project. All proposed Title XVI projects must comply with state water law.
 - (b) Discussion of legal and institutional requirements (e.g., contractual water supply obligations, Indian trust responsibilities, water rights settlements, regional water quality control board requirements), state, and/or local requirements with the potential to affect implementation of the project. Title XVI projects using Reclamation project water must address contractual requirements as described in RM Policy, *Reuse of Project Water* (WTR P09).
 - (c) Discussion of the need for multi-jurisdictional or interagency agreements, any coordination undertaken, and any planned coordination activities.
 - (d) Discussion of permitting procedures required for the implementation of water reclamation projects in the study area, and any measures that the non-Federal project sponsor can implement that could speed the permitting process.
 - (e) Discussion of any unresolved issues associated with implementing the proposed water reclamation and reuse project, how and when such issues will be resolved, and how the project would be affected if such issues are not resolved.

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- (f) Identification of current and projected wastewater discharge requirements resulting from the proposed Title XVI project (e.g., brine disposal).
 - (g) Description of rights to wastewater discharges resulting from implementation of the proposed Title XVI project.
- (9) **Financial Capability of Sponsor.** At the Title XVI feasibility study stage, Reclamation must request enough information to determine that the non-Federal project sponsor is likely to demonstrate financial capability if the project moves to construction. Reclamation will request more detailed information to make a determination that the non-Federal project sponsor is financially capable of funding the non-Federal share of the project's costs before a funding agreement covering construction can be executed. Accordingly, the following information is required to be included in the Title XVI feasibility study report.
- (a) Proposed schedule for project implementation.
 - (b) Discussion of the willingness of the non-Federal project sponsor to pay for its share of capital costs and the full operation, maintenance, and replacement costs.
 - (c) A plan for funding the proposed water reclamation and reuse project's construction, operation, maintenance, and replacement costs, including an analysis of how the non-Federal project sponsor will pay construction and annual operation, maintenance, and replacement costs.
 - (d) Description of all Federal and non-Federal sources of funding and any restrictions on such sources, for example, minimum or maximum cost-share limitations. Generally, for Title XVI authorized projects, the Federal cost share is limited to 25 percent, or \$20,000,000, whichever is less.
- (10) **Research Needs.** At a minimum, the report must include a statement on whether the proposed water reclamation and reuse project includes basic research needs, and the extent that the proposed Title XVI project will use proven technologies and conventional system components. The following information is required only if further research is necessary to implement the proposed Title XVI project.
- (a) Description of research needs associated with the proposed water reclamation and reuse project, including the objectives to be accomplished through research.
 - (b) Description of the basis for Reclamation participation in the identified research.

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- (c) Identification of the parties who will administer and conduct necessary research.
- (d) Identification of the timeframe necessary for completion of necessary research.

5. Process for the Review of Title XVI Feasibility Study Reports.

A. **Review Process.** Following is a description of the Title XVI feasibility study report review process. A flow chart of the process is provided in Appendix B. The Title XVI Program Manager (84-52000) must be copied on all correspondence developed during this process.

- (1) **Review Initiation.** The study lead will submit one copy of the Title XVI feasibility study report to the appropriate Reclamation regional or area office. Upon receipt of the Title XVI feasibility study report, the receiving office will consult with the regional director to determine the appropriate reviewing office. The reviewing office will examine the report to identify any missing significant items. This review is intended to be a quick-check (without thoroughly reading the report) for determining whether the minimum requirements in Paragraph 4.B. *Title XVI Feasibility Study Report Contents* are included. This initial review shall be completed within 15 calendar days of receipt of the Title XVI feasibility study report.
 - (a) If the Title XVI feasibility study report is incomplete, the reviewing office will notify the study lead, in writing, of the items that need to be addressed prior to resubmitting the report.
 - (b) If the Title XVI feasibility study report appears to contain all the required information, the reviewing office will notify, in writing, the study lead that the formal review process will begin when two additional hard copies of the Title XVI feasibility study report are received.
- (2) **Establishment of the Review Team.** The regional director will coordinate with the Director, OPPS, to establish a review team. The review team shall consist of a minimum of three members, with at least one member having served on a previous review team. The review team must be established within 15 calendar days of the initiation of the review process.
- (3) **Review of the Title XVI Feasibility Study Report.** The review team will examine the Title XVI feasibility study report to determine whether the information contained therein meets all the requirements of Paragraph 4.B *Title XVI Feasibility Study Report Contents* of this D&S, and adequately describes a

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feasible project. The review team will strive toward consensus. If an impasse is reached, the regional director and Director, OPPS, will jointly determine how to move forward.

- (a) If the report is found to contain insufficient information, the review team shall request additional information from the study lead through the reviewing office in one request. If necessary, the reviewing office shall coordinate a meeting with the study lead to discuss the additional information. The topics requiring clarification will be described in detail. The written request for additional information or clarification shall occur within 90 calendar days of the establishment of the review team.
 - (b) The review team will examine additional information to ensure that all questions have been answered and that any inconsistencies have been resolved. Within 45 calendar days of receipt of the additional information, the reviewing office will inform the study lead whether the initial request for additional information is fulfilled, or if further clarification is necessary. If further clarification is necessary, the review team will provide examples of what is required and will offer to meet with the study lead. If, after two requests, the review team cannot obtain the additional information, the regional director and Director, OPPS, will be notified, and the review team will recommend that Reclamation: (i) continue to request information, (ii) find that the report contains insufficient information, or (iii) recommend the study lead withdraw the report which will terminate the review process.
- (4) **Timeframe.** The review of a Title XVI feasibility study report shall take no longer than 180 calendar days from the initiation of formal review process, excluding the periods when Reclamation is waiting for additional information from the study lead, and when additional information is requested more than twice.

B. Findings and Notification of the Study Lead. The review team will prepare a memorandum to document their process and findings, and to document concurrence of the regional director and the Director, OPPS. The memorandum shall have a signature line for the regional director and the Director, OPPS. One of the three findings listed below will be selected and documented in the memorandum. The reviewing office will notify the study lead of the findings.

- (1) **Finding - Meets Requirements.** If the review team finds that the proposed Title XVI project meets the established requirements and the regional director concurs, the regional director will recommend that the Director, OPPS finds the proposed Title XVI project meets the requirements of a feasibility study as defined under section 1604 of Pub. L. 102-575, as amended. Upon receipt of the signed memorandum, the responsible reviewing office will notify, in writing, the study lead of Reclamation's findings. The notification will identify any additional

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information required, or activities that must be completed prior to the non-Federal project sponsor receiving construction funding. The reviewing office will also ensure that the non-Federal project sponsor is notified that Reclamation's official position on project authority and funding will be articulated at a later time.

- (2) **Finding - Does Not Meet Requirements.** If the review team finds that the proposed Title XVI project does not meet the established requirements and the regional director concurs, the regional director will recommend that the Director, OPPS finds the proposed Title XVI project does not meet the requirements of a feasibility study as defined under section 1604 of Pub. L. 102-575, as amended. Upon receipt of the signed memorandum, the responsible reviewing office will notify the study lead, in writing, explaining why the proposed Title XVI project does not meet the requirements.
 - (3) **Finding - Title XVI Feasibility Study Report Incomplete.** If the review team determines that the Title XVI feasibility study report contains insufficient information and the regional director concurs, the regional director will recommend that the Director, OPPS finds the Title XVI feasibility study report incomplete. Upon receipt of the signed memorandum, written notification will be provided by the reviewing office to the study lead that the feasibility study report was found incomplete. A clear description of what additional information is required will also be provided. When a report is resubmitted for review, the process will start anew at the review initiation stage.
 - (4) **Timeframe.** Making the final finding, coordinating with the regional director and Director, OPPS, developing the documentation memorandum, and sending written notification to the study lead shall occur within 60 calendar days of the completion of the review process.
- C. **Funding of Reviews.** When possible, the reviewing office will anticipate reviews of feasibility study reports and fund them from funds available to the reviewing office. When the reviewing office does not have funds available, the reviewing office will request funding for the review from OPPS. The review of feasibility study reports will be subject to the availability of appropriations from the Congress. Reclamation may also receive funding from the non-Federal project sponsor to perform the review process through a Contributed Funds Agreement developed in accordance with the Sundry Civil Appropriations Act of 1922 (Pub. L. 66-389; 43 USC 395).