



— BUREAU OF —
RECLAMATION

Tribal Programs & Funding Opportunities

Tribal & Stakeholders' Workshop
October 17, 2023

Presentation Overview

Welcome and Opening Remarks – Jeff Morris (5 min)

Native American Affairs Program – Jeff Morris (5 min)

Technical Assistance Program – Kelly Titensor (10 min)

WaterSMART – Avra Morgan (10 min)

Small Storage Program – Carrie Diroll (5 min)

Inflation Reduction Act (15 min)

- \$550M Domestic Water Projects – Nathalie Washington
- \$25M Canal Improvement Projects: Solar Over Canals – Darion Mayhorn
- \$12.5M Emergency Drought Relief for Tribes – Kelly Titensor
- \$4B Drought Mitigation – Jeff Morris

Build America, Buy America (BABA) Waivers & 638 Exemptions – Nathalie Washington (5 min)

Closing Remarks – Jeff Morris

Q & A (30 min)



Mission Statements

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

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

The mission of Reclamation's Native American Affairs Program is to make the benefits of the Reclamation program available to Indian Tribes and to fulfill Reclamation's Indian Trust responsibilities.

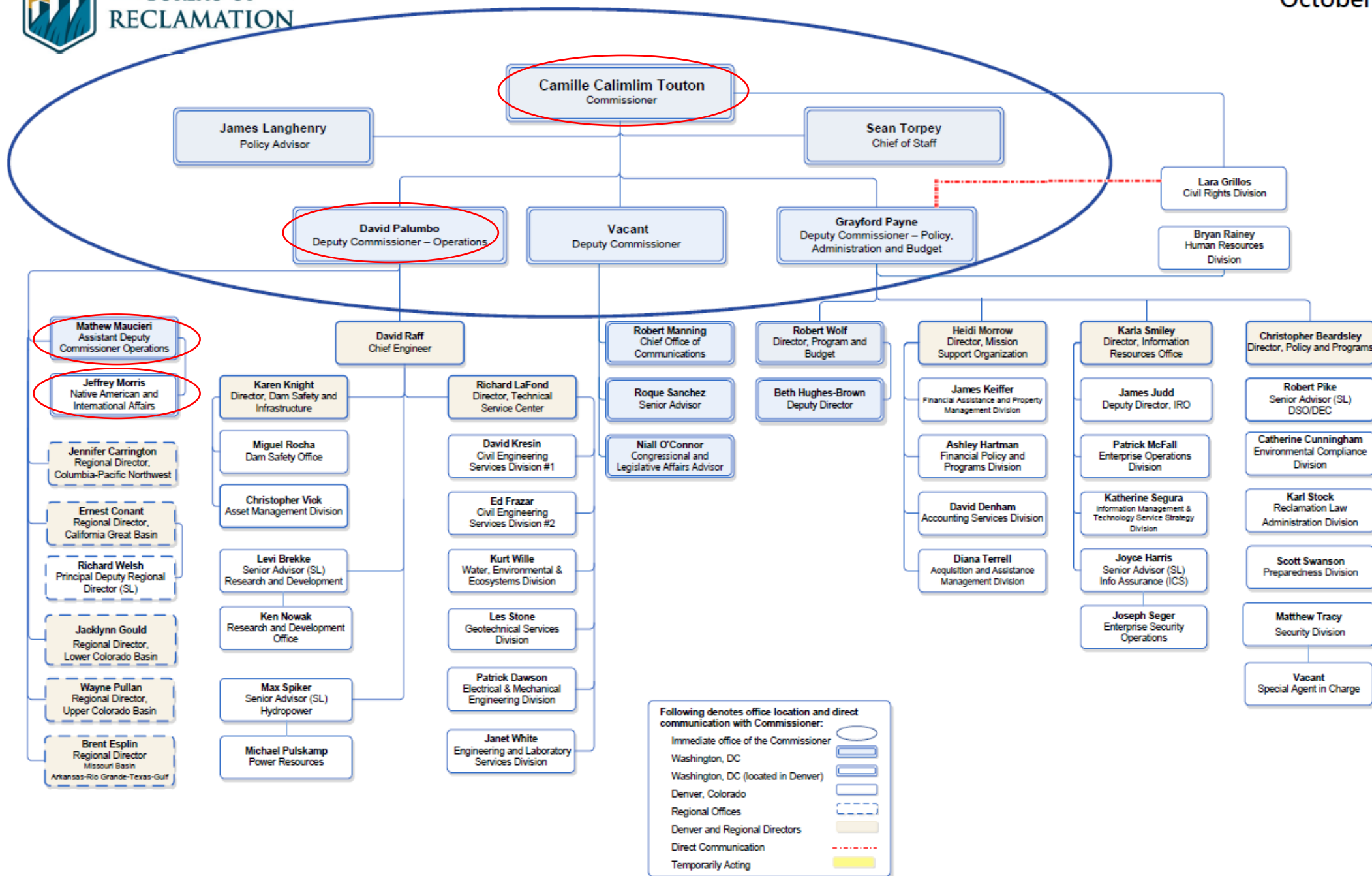


Native American Affairs Program

Ensure federally recognized Indian Tribes have the opportunity to participate in Reclamation programs in a way that:

- Respects Tribal sovereignty,
- Fulfills the Federal responsibility toward Tribes, and
- Strengthens the unique government-to-government relationship.





Reclamation Native American Affairs Program

Jeff Morris
Program Manager

Advisors

Ruth Thayer DOI Indian Water Rights Settlements Teams

Kristine Reed Indian Water Rights Settlements

Kelly Titensor Technical Assistance

Nathalie Washington 93-638

Vicki Cook 93-638

Courtney Mathews

Barbara Blackman Budget Analyst

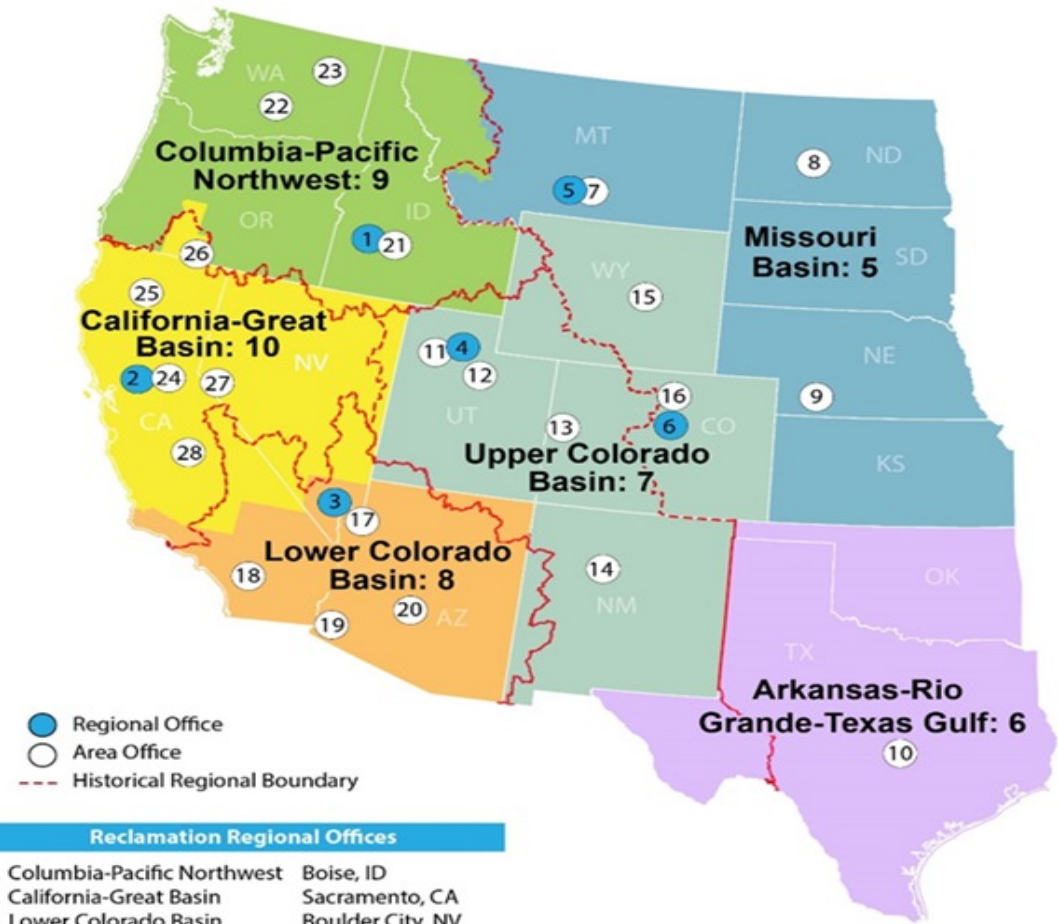


Regional Native American Affairs Program Managers

Ernie Rheume – UCB – Salt Lake City, UT
KayLee Nelson - LCB – Boulder City, NV
Kevin Clancy – CGB – Sacramento, CA
Doug Davis – MB – Billings, MT
Melinda Hernandez Burke – CPN – Boise, ID

For local office contacts:

https://www.usbr.gov/native/program_support.html



Reclamation Regional Offices

- | | |
|-------------------------------|--------------------|
| 1. Columbia-Pacific Northwest | Boise, ID |
| 2. California-Great Basin | Sacramento, CA |
| 3. Lower Colorado Basin | Boulder City, NV |
| 4. Upper Colorado Basin | Salt Lake City, UT |
| 5. Missouri Basin | Billings, MT |
| 6. Denver Offices | Denver, CO |

5 – Missouri Basin Area Offices

- | | |
|-------------------------|--------------|
| 7. Montana Area | Billings, MT |
| 8. Dakotas Area | Bismarck, ND |
| 9. Nebraska Kansas Area | McCook, NE |

6 – Arkansas-Rio Grande-Texas Gulf Area Office

- | | |
|-------------------------|------------|
| 10. Oklahoma Texas Area | Austin, TX |
|-------------------------|------------|

7 – Upper Colorado Basin Area Offices

- | | |
|---------------------------|--------------------|
| 11. Upper Colorado Power | Salt Lake City, UT |
| 12. Provo Area | Provo, UT |
| 13. Western Colorado Area | Grand Junction, CO |
| 14. Albuquerque Area | Albuquerque, NM |
| 15. Wyoming Area | Mills, WY |
| 16. Eastern Colorado Area | Loveland, CO |

8 – Lower Colorado Basin Area Offices

- | | |
|------------------------------|------------------|
| 17. Lower Colorado Dams | Boulder City, NV |
| 18. Southern California Area | Temecula, CA |
| 19. Yuma Area | Yuma, AZ |
| 20. Phoenix Area | Glendale, AZ |

9 – Columbia-Pacific Northwest Area Offices

- | | |
|----------------------------|------------------|
| 21. Snake River Area | Boise, ID |
| 22. Columbia Cascades Area | Yakima, WA |
| 23. Grand Coulee Power | Grand Coulee, WA |

10 – California-Great Basin Offices

- | | |
|------------------------------|-------------------|
| 24. Central California Area | Folsom, CA |
| 25. Northern California Area | Shasta Lake, CA |
| 26. Klamath Basin Area | Klamath Falls, OR |
| 27. Lahontan Basin Area | Carson City, NV |
| 28. South-Central California | Fresno, CA |





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Technical Assistance Program

Native American Affairs

Technical Assistance Program

Provide technical assistance to increase opportunities for Indian Tribes to develop, manage, and protect their water and related resources.

<https://www.usbr.gov/native/programs/TAPprogram.html>



Technical Assistance Program

- 43 USC 373d: Increase opportunities for Tribes to develop, manage, and protect their water and related resources.
 - Funding limited by total funds available. Typically, \$400k-\$500k/award.
 - Project duration: 2 years
- Federally-recognized Tribe or Tribal organization located in one of the 17 Western States
- Congress or the Administration may emphasize certain water resource issues in any given year (i.e. drought).
- Occasional additional requests for projects – keep running list of unmet needs
- Potential Funding mechanisms: Grants/Cooperative Agreements, PL 93-638, Direct Funding for Reclamation staff, Interagency Agreements



Technical Assistance Program NOFO

- Proposals submitted through Notice of Funding Opportunity Announcement www.grants.gov
- Grants and Cooperative Agreement Awards:
FY23 funding ~\$4M
<https://www.usbr.gov/newsroom/news-release/4587?filterBy=topic&topic=Supporting%20Tribal%20Nations>
- Anticipated 2024 funding level depends on appropriations
- Anticipate FY24 NOFO being open in www.grants.gov in Nov/Dec with proposals due Feb/Mar



Technical Assistance to Tribes

Examples of Eligible Projects

- Water needs assessments
- Water planning and management studies (drought response, conservation, efficiency improvements, etc.)
- Water quality/quantity data collection and assessments in support of project planning or water resource management
- Training for Tribal staff and managers in areas of water resources development, management and protection
- Emergency response to natural or man-made disasters affecting water related resources



Technical Assistance to Tribes

Examples of Eligible Projects

continued

- Minor rehabilitation or replacement of existing Tribally-owned, water-related structures and facilities
- Water source development/enhancement/improvement
- Preliminary Engineering Reports
- Irrigation system restoration/rehabilitation/repair
- Stock watering infrastructure improvements
- Stabilizing stream banks-erosion control



Technical Assistance to Tribes

Examples of *Ineligible* Projects

- Projects that lack definable products or deliverables
- Specific employment positions within an Indian tribe
- Projects related to water rights negotiations/litigation
- Projects related to non-federal or non-Tribal dams and associated structures
- Purchase of equipment as the sole purpose of the project
- Projects in direct support of litigation of any kind
- Projects that will obligate Reclamation to provide perpetual funding
- Biological activities



Recent Project Funding FY 2019-2023

Funding Source	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	Total
NAAP	\$5,441,614	\$3,642,548	\$4,790,693	\$8,648,683	\$6,895,480	\$29,419,018
		\$2,580,000				
				\$1,916,125		
Total	\$5,441,614	\$6,222,548	\$14,767,449	\$21,140,808	\$6,895,480	\$54,467,899

Number of Awards	Number of Tribes
220	103



Technical Assistance to Tribes

Contact Regional Native American Program Manager for assistance:

- Ernie Rheume – UCB – Salt Lake City, UT erheume@usbr.gov
- KayLee Nelson - LCB – Boulder City, NV kdnelson@usbr.gov
- Kevin Clancy – CGB – Sacramento, CA kclancy@usbr.gov
- Doug Davis – MB – Billings, MT douglasdavis@usbr.gov
- Melinda Hernandez Burke – CPN – Boise, ID mhernandezburke@usbr.gov





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WaterSMART

Water Resources and Planning Office

WaterSMART Program Grants

Building a Foundation

Planning

- Drought Contingency Plans
- Cooperative Watershed Management Program
- Planning and Project Design Grants
- Water Conservation Field Services Program
- Basin Studies
- Aquatic Ecosystems Restoration Projects
- Water Recycling and Desalination Planning

Science and Tools

- Applied Science Tools
- Drought Resiliency Projects
- Basin Studies

On-the-Ground Projects

- Drought Resiliency Projects
- Water and Energy Efficiency Grants
- Small-Scale Water Efficiency Projects
- Environmental Water Resources Projects
- Title XVI
- Large Scale Water Recycling
- Water Desalination
- Aquatic Ecosystems Restoration Projects



WaterSMART Program

General Program Information

- Most WaterSMART activities are grant programs
- Applicants include entities such as states, Tribes, cities, water districts, irrigation districts, watershed groups, non-profits, and flood control districts within the 17 Western United States, Alaska, Hawaii, the Insular Areas, and Puerto Rico
- Applications are solicited through Notice of Funding Opportunities (NOFO) and projects are selected through a competitive selection process.
- Generally, a 25-75% non-Federal cost share is required



Planning & Project Design

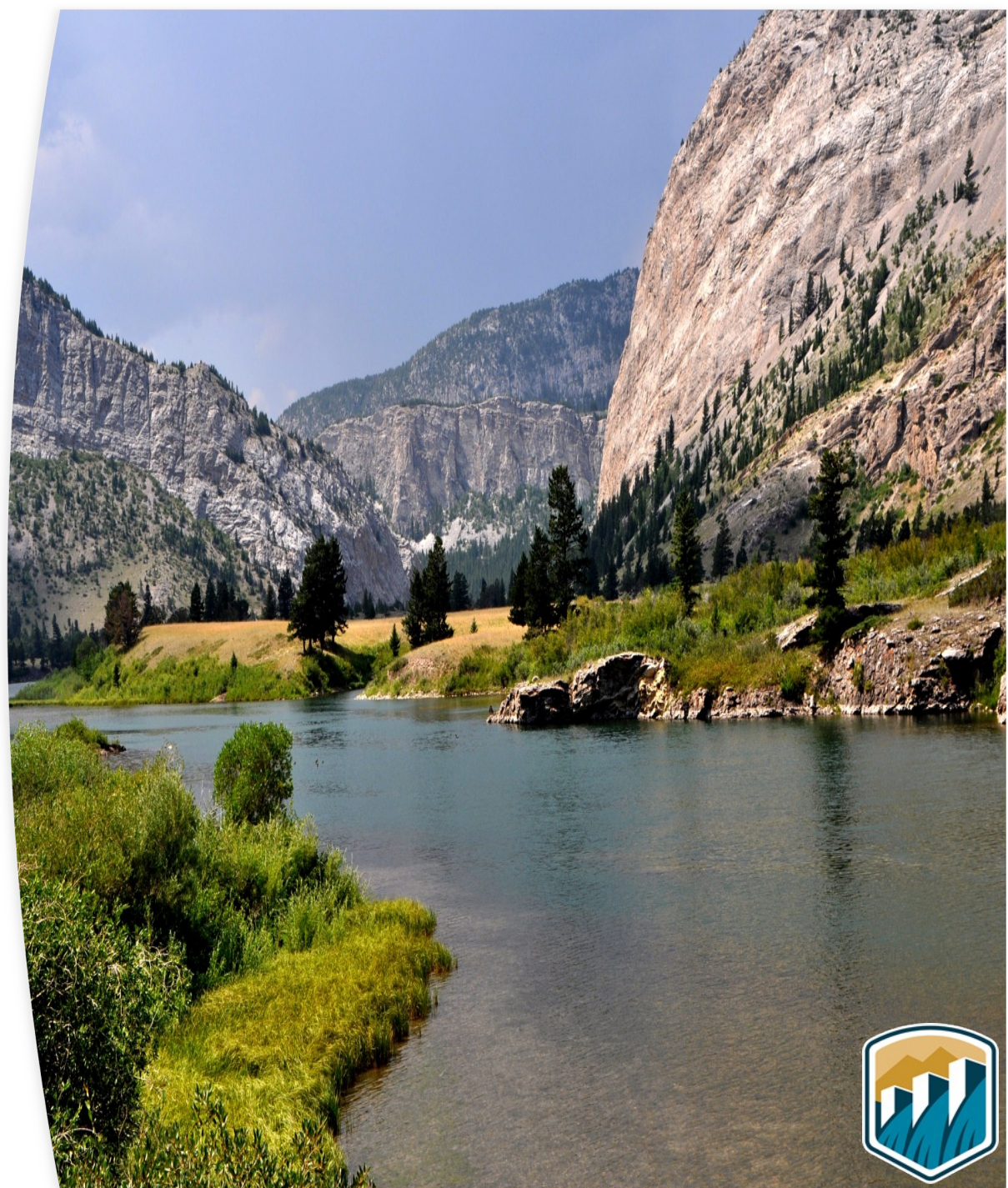
Eligible Projects

- **Water Strategy Grants:** Development of a strategy (i.e., planning) to support water marketing, river restoration, or general water supply planning.
- **Project Design Grants**
 1. Environmental Water Resources Projects
 2. Water Management and Conservation Projects
 3. Drought Resiliency Projects, including domestic water supply projects for tribes and disadvantaged communities without reliable access to water supplies (0% cost share).
- **Drought Contingency Planning**
Development or update of comprehensive drought plans

Funding

- Up to \$400,000 for projects that can be completed in 2-3 years
- Non-Federal Cost Share: 0%, 25% or 50%, dependent on project type

Funding Opportunity Closes October 17, 2023 and April 2, 2024



Drought Response Program

Drought Resiliency Projects

Eligible Project Types

Tasks A-C

- Infrastructure Improvements
- New conveyance system components
- Additional water storage
- Recharge facilities
- Capture and treat alternative supplies
- Water treatment
- Decision Support Tools & Modeling

Funding for Tasks A-C

- Non-Federal Cost Share: 50% or greater.
- Funding Level I: \$500k 2 years
- Funding Level II: \$2 million 3 years
- Funding Level III: \$5 million in 3 years

Task D

- Domestic Water Supply Projects for Tribes or disadvantaged communities that do not currently have reliable water supplies
- 5% non-Federal cost share (can request waiver)
- Up to \$10 million in Federal funds and must be completed within 3 years.

Funding Opportunity Closes October 31, 2023



WaterSMART Grants

Water and Energy Efficiency Grants

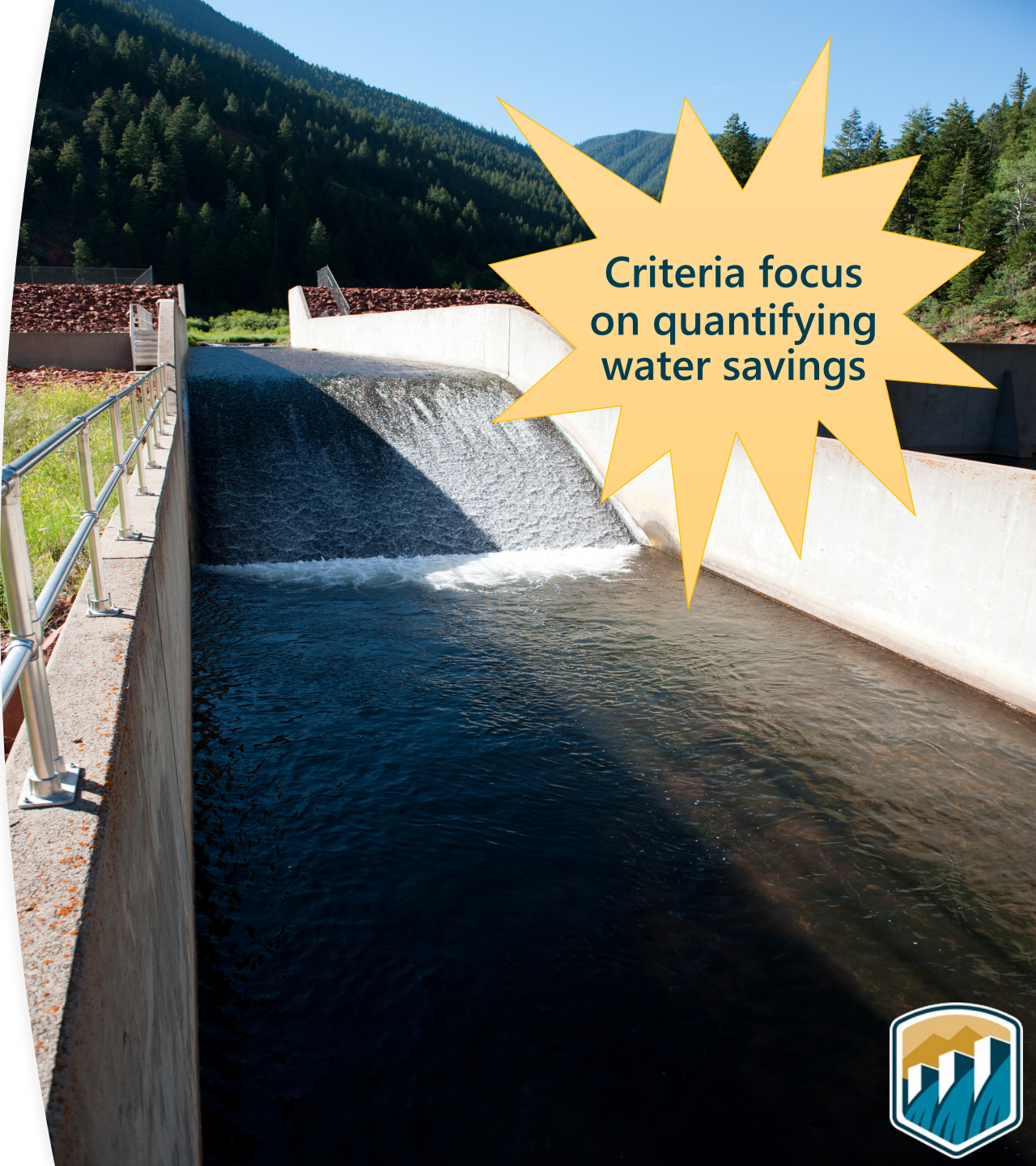
Eligible Project Types

- Water Conservation Projects
 - Canal lining/piping
 - Municipal metering
 - Irrigation flow measurement
 - Supervisory Control and Data Acquisition and Automation (SCADA)
 - Landscape irrigation measures
 - High-Efficiency Indoor Appliances and Fixtures
 - Commercial Cooling Systems
- Renewable Energy Projects
 - Hydropower
 - Solar, wind energy

Funding

- Funding Group I: Up to \$500k in 2 years
- Funding Group II: Up to \$2 million in 3 years
- Funding Group III: Up to \$5 million in 3 years
- Non-Federal Cost Share: 50% or greater

Funding Opportunity Anticipated Late October 2023



Criteria focus
on quantifying
water savings



WaterSMART Grants

Small-Scale Water Efficiency Projects

Eligible Project Types

- Canal lining/piping
- Municipal metering
- Irrigation flow measurement
- Supervisory Control and Data Acquisition and Automation (SCADA)
- Landscape irrigation measures
- High-Efficiency Indoor Appliances and Fixtures
- Commercial Cooling Systems

Funding

- Up to \$100k in Reclamation funds
- Maximum total project costs of \$225k per project
- Non-Federal Cost Share: 50% or greater

Evaluation Criteria

- Simplified evaluation criteria
- Benefits to applicant
- Previous planning efforts supporting the project

Funding Opportunity Anticipated Late October 2023



Aquatic Ecosystem Restoration Projects

Program Information

- Funds the study, design, and construction of large-scale aquatic ecosystem restoration and protection projects
- Projects should improve habitat or fish passage, including through the removal or bypass of fish barriers
- Prioritizes projects that provide regional benefits (across multiple basins), are a component of an aging infrastructure strategy, or benefit an underserved community

Funding Levels

- Task A: Planning and Design: \$500,000-\$2 million
- Task B: Construction: \$3 million-\$20 million
- Minimum 35% Non-Federal Cost Share required for both Task areas.

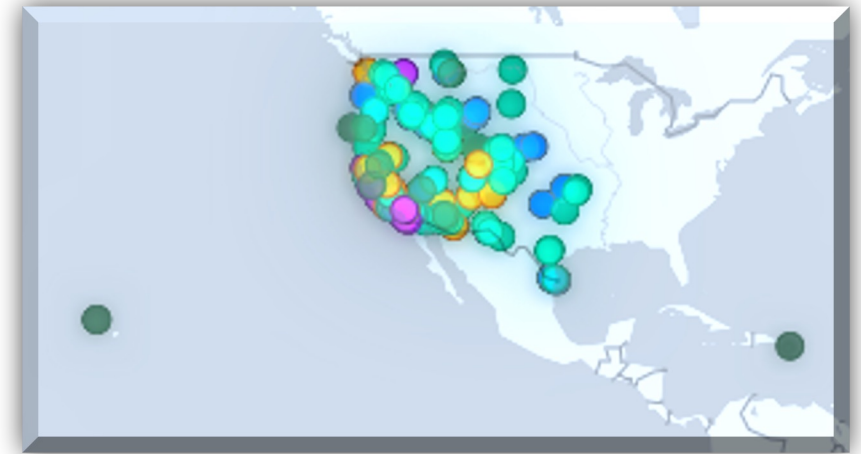
Funding Opportunity closes January 24, 2024



Bipartisan Infrastructure Law Funding for WaterSMART

WaterSMART Programs Receiving Infrastructure Funding

Program Area	Funding Amount (Over Five Years)	Activities Funded
WaterSMART Grants		Water conservation and efficiency, renewable energy, natural and nature-based features, drought, water scarcity
Title XVI Water Reclamation and Reuse Program		Water Recycling
Cooperative Watershed Management Program		projects for watershed groups
Aquatic Ecosystems Restoration and Protection Projects	\$250 million	Aquatic ecosystem restoration and protection projects to improve habitat
Multi-Benefit Projects to Improve Watershed Health	\$100 million	Restoration projects to improve watershed health



BIL Funded Projects to Date

208 Projects

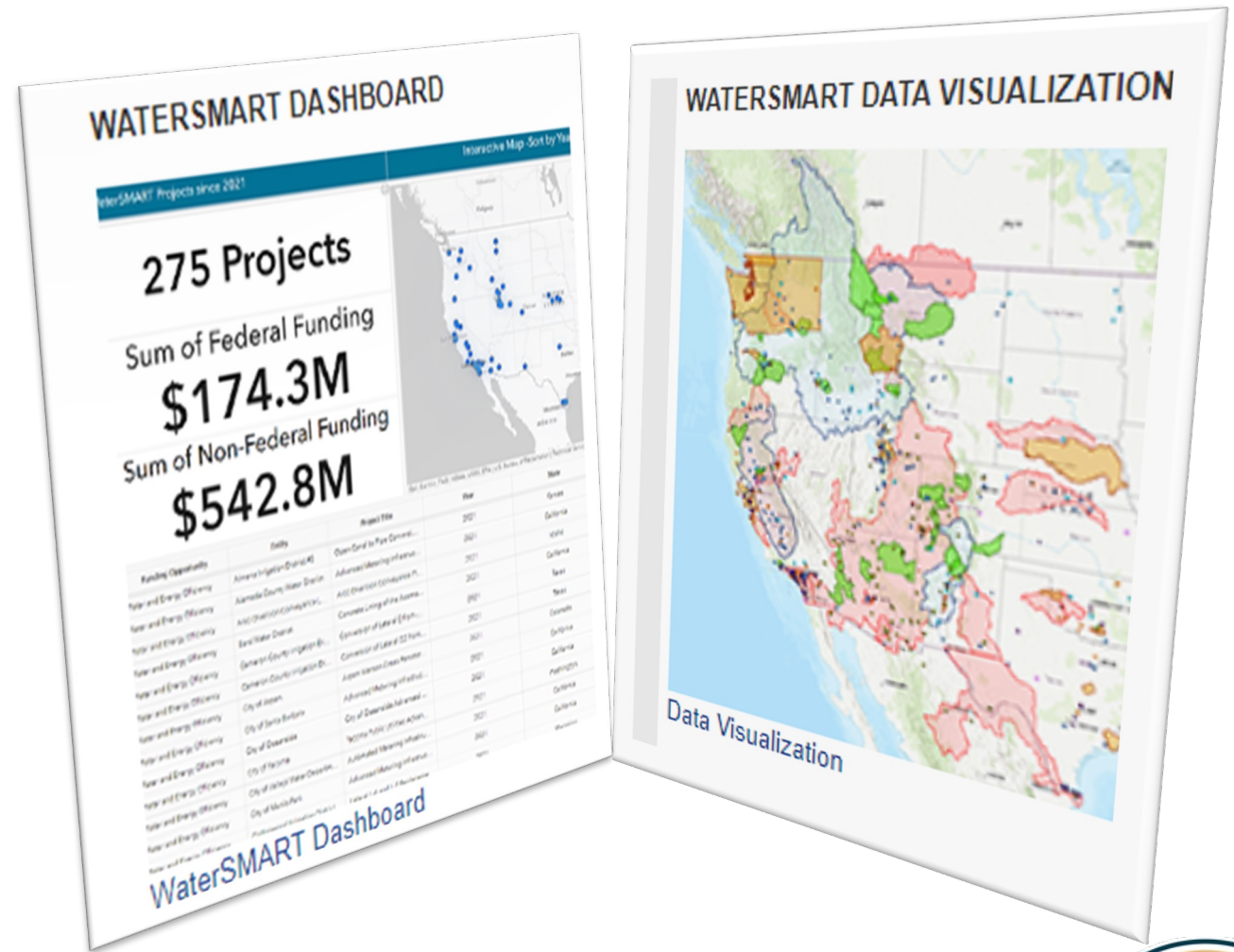
\$553.8M in BIL Funds

\$1.9B in total Project Costs



WaterSMART Program Resources

- WaterSMART Program Website:
<https://www.usbr.gov/watersmart>
- Previously funded applications for all programs
- Interactive Data Visualization Tool
- WaterSMART Dashboard
- Funding opportunity calendar
- WaterSMART mailing list
- Recent announcements





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Small Storage Program

Reclamation Law Administration Division

Small Storage Program

- Small storage projects are defined by:
 - Water storage capacity of not less than 200 acre-feet and not more than 30,000 acre-feet and:
 - increases surface or groundwater storage; or
 - conveys water, directly or indirectly, to or from surface water or groundwater storage
- Eligible Non-Federal project sponsors:
 - will include a state, regional, or local authority; Indian Tribe or Tribal organization; or other entities such as a water district or water association within the 17 Western States, Alaska, or Hawaii.
- Funding:
 - Awards are limited to the lesser of \$30 million or 25% of project costs.
 - Funding is allocated through a competitive process.



How to Become Eligible for Small Storage Project Funding

A completed feasibility study must be submitted and found to meet all requirements of Reclamation's Directives and Standards.

Directive & Standard	Reference
Small Surface Water and Groundwater Storage Projects Feasibility Study Review Process (CMP TRMR-127)	https://www.usbr.gov/recman/temporary_releases/cmpt_rmr-127.pdf
Review Process Flow Chart (CMP TRMR-127 Appendix A)	https://www.usbr.gov/recman/temporary_releases/cmpt_rmr-127-AppA.pdf



Next Steps & Resources

- Submission of Small Storage Feasibility Studies
 - Approved feasibility studies are required in order to apply for future funding opportunities
 - Reclamation accepts studies at any time; the review process can take up to 180 days
- Notice of Funding Opportunity
 - The Fiscal Year 2024 NOFO is currently open, closes November 30, 2023
 - Future funding opportunities will be made available
- Small Storage Program Website: <https://www.usbr.gov/smallstorage/>
- Program Coordinator:
 - Austin Olah, aolah@usbr.gov or (303) 445-3240; OR
 - Small Storage Mailbox, bor-sha-smallstorage@usbr.gov



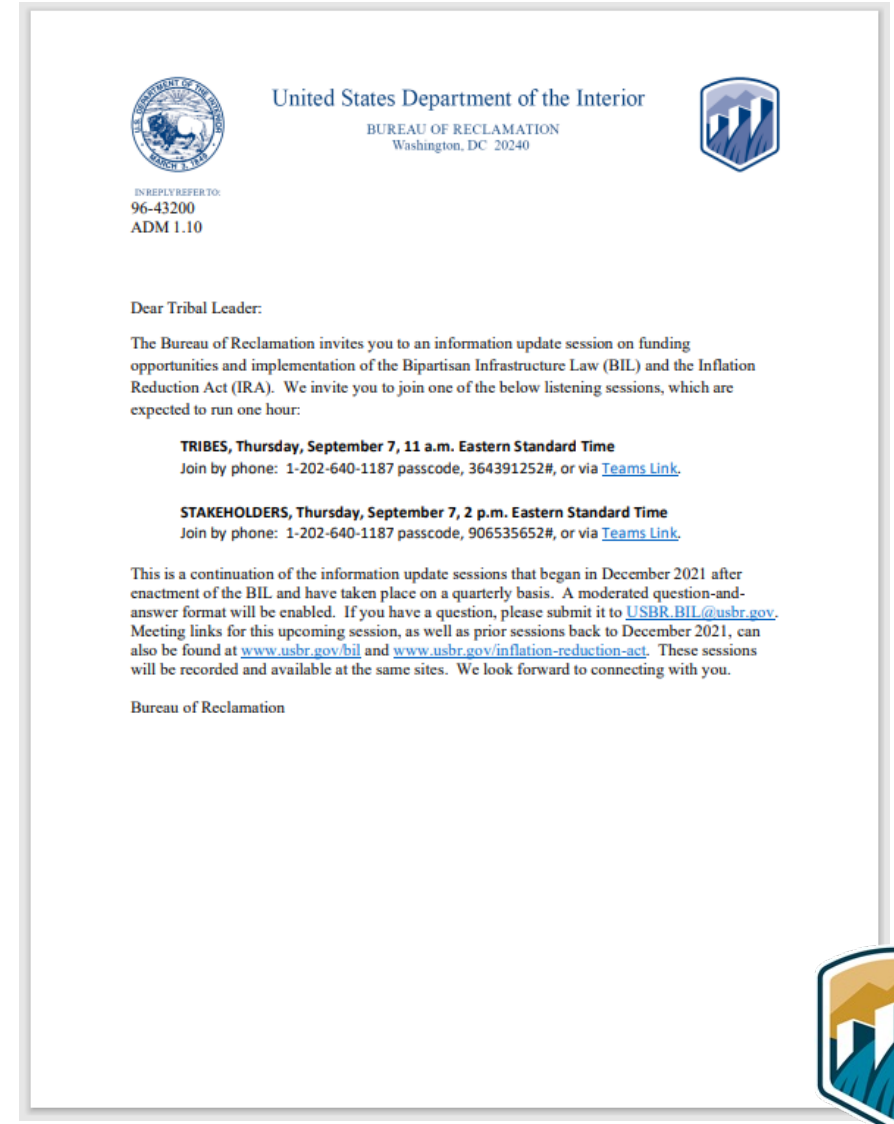


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The Inflation Reduction Act

Summary of Tribal Participation

- Tribal Listening Session:
September 30, 2022
- Tribal Consultation Session:
January 24, 2023
(invitation sent to Federally recognized Tribe in
17 Western States)
- IRA/BIL Informational Sessions:
June 8, 2023 and September 7, 2023
- Tribal Responses:
several verbal and four written submissions
from Tribes.



Summary of Tribal Comments and Input

Requests of Administration

- Non-competitive processes for funding
- Preference for streamlined application process
- "Whole of Government" approach such as collaboration with Indian Health Service and other agencies.

Tribal Priorities

- Address lack of access to reliable drinking water
- Preparation of groundwater management plans (planning in general)
- Fund authorized but incomplete Reclamation projects (i.e. water rights settlements)
- Preservation of water in key Reclamation reservoirs
- Ecosystem/habitat restoration
- Water reuse technology
- System conservation





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Domestic Water Supply Projects

The Inflation Reduction Act

Section 50231

Domestic Water Supply Projects

The Inflation Reduction Act of 2022, Public Law 117-169, § 50231

\$550 million available through September 30, 2031, for up to 100 percent of the cost of the planning, design, or construction of water projects to provide domestic water supplies to disadvantaged communities or households that do not have reliable access to domestic water supplies.

Federally recognized Tribes or Tribal Organizations, as defined by 25 U.S.C. 5304(e), in the 17 Western States (and Insular Areas) are being considered as disadvantaged communities and are eligible for consideration, including:

Washington, Oregon, Idaho, Montana, North Dakota, South Dakota, Nebraska, Wyoming, California, Nevada, Utah, Colorado, Kansas, Oklahoma, Texas, New Mexico, and Arizona.



Domestic Water Supply Projects

The Inflation Reduction Act of 2022, Public Law 117-169, § 50231

In addition to the IRA funding opportunities provided through the WaterSmart program, Reclamation is currently formulating a program for this funding based on stakeholder input and Tribal consultation.

For more information about Reclamation's implementation of IRA visit:

www.usbr.gov/inflation-reduction-act/

You may contact us at USBR.IR.Act@usbr.gov if you have any questions.





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Solar Over Canals

The Inflation Reduction Act
Section 50232

Solar Over Canals

The Inflation Reduction Act of 2022, Public Law 117-169, § 50232

- Section 50232 “Canal Improvement Projects” of the Inflation Reduction Act.
- \$25 million for the design, study, and implementation of solar panel projects over Reclamation canals.
- Few projects of this scope exist in the world.
- Reclamation to construct pilot project(s) to better understand impacts to its facilities, scale of the efforts, and potential benefits.



Solar Over Canals

The Inflation Reduction Act of 2022, Public Law 117-169, § 50232

Eligibility - *Applicants*

- Canals associated with a Reclamation project that are operated and maintained by a Transferred Works Operator.
- Canal facilities associated with an authorized Reclamation project.



Solar Over Canals

The Inflation Reduction Act of 2022, Public Law 117-169, § 50232

Eligibility - *Projects*

- Projects that study, demonstrate, apply, and construct photovoltaic (PV) solar panels over Reclamation canals.
- Selected project will be used as a pilot or demonstration for Reclamation.
- Project shall include the physical planning, design, and construction of the solar panel technology over the Reclamation canal.



Solar Over Canals

The Inflation Reduction Act of 2022, Public Law 117-169, § 50232

Selection Process

- Proposal submission due October 30, 2023, through Reclamation Regional Directors.
- Initial Screening.
- Application Review Committee – Technical Sufficiency Evaluation.
- Management Review.





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Emergency Drought Relief for Tribes

The Inflation Reduction Act
Section 80004

Emergency Drought Relief for Tribes

The Inflation Reduction Act of 2022, Public Law 117-169, § 80004

- \$12.5 million available through September 30, 2026, for near-term drought relief actions to mitigate drought impacts for Indian Tribes that are impacted by the operation of a Bureau of Reclamation water project, including through direct financial assistance to address drinking water shortages and to mitigate the loss of Tribal trust resources.
- No cost share requirement
- Funding announcement anticipated first quarter of FY 2024 to provide emergency drought relief to Tribes.





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Drought Mitigation

Colorado River Basin and American West
Section 50233

\$4B Drought Mitigation in the Reclamation States

The Inflation Reduction Act of 2022, Public Law 117-169, § 50233

Lower Colorado Buckets:

- Bucket 1: short term conservation to shore up elevations in Lake Powell and Mead. 11 agreements executed including several with Tribes. More agreements in development.
- Bucket 2: funding opportunity focused on long-term solutions to drought closed in Aug; Reclamation currently evaluating proposals. Initial announcements expected this year.

Upper Colorado Buckets:

- Bucket 1: short term conservation. \$125M available through 2026. In 2023, 64 agreements were executed for \$15.8M total. 2024 edition currently in development.
- Bucket 2: funding opportunity focused on long-term solutions to drought is in development. Expected to be open for submissions later this year.



\$4B Drought Mitigation in the Reclamation States

The Inflation Reduction Act of 2022, Public Law 117-169, § 50233

Salton Sea: Up to \$250M committed to help mitigate impacts and build technical capacity given expected impacts of additional conservation in the State of California to protect the Colorado River System.

Other Basins: project proposals solicited through Reclamation Regional offices. Reclamation is currently reviewing proposals. Selections expected this fiscal year.





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Build America, Buy America Waivers & 638 Exemptions

Buy America: Covered Reclamation Programs

Covered:

- WaterSMART:
 - Title XVI Projects
 - Desalination Construction Projects
 - Large-Scale Recycling
 - Drought Resiliency Projects
 - Water and Energy Efficiency Grants
 - Small-Scale Water Efficiency Projects
 - Environmental Water Resources Projects
- Aquatic Ecosystem Restoration
- Aging Infrastructure / XM
- Rural Water
- Other programs that include funding for infrastructure

Exempt:

- PL 93-638 Indian Tribes & Tribal Organizations
- 2021 Conservation Service Corps
- Fishing Events
- WaterSMART planning activities (Drought Contingency Planning, CWMP Phase I, Applied Science Grants, Water Marketing)
- Research & Development/Science & Technology



Buy America: BOR waivers to date

Approved General Applicability Waivers

- Tribal Consultation Waiver, approved through 9/1/2024
- DOI Small Grants Waiver (\$250,000), approved through 2/20/2028
- DOI De Minimus Purchases Waiver (5% of project costs, max of \$1 million) approved through 2/20/28
- WaterSMART (15.504,15.507 & 15.514) (pending review of comment and final approval)

Approved Project/Product Specific Waivers

- AMI Capable Water Meters – Santa Clarita Valley Water Agency
- AMI Capable Water Meters – City of Rialto



Questions & Feedback?



Jeff Morris, Program Manager
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<https://www.usbr.gov/native/index.html>



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