

# RECLAMATION

*Managing Water in the West*

Funding Opportunity Announcement No. BOR-DO-17-001

## Native American Affairs Technical Assistance to Tribes



U.S. Department of the Interior  
Bureau of Reclamation  
Native American and International Affairs Office  
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.

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

# Synopsis

<b>Federal Agency Name:</b>	Department of the Interior, Bureau of Reclamation, Native American and International Affairs Office
<b>Funding Opportunity Title:</b>	Technical Assistance to Tribes for fiscal year (FY) 2017
<b>Announcement Type:</b>	Funding Opportunity Announcement (FOA)
<b>Funding Opportunity Number:</b>	BOR-DO-17-001
<b>Catalog of Federal Domestic Assistance (CFDA) Number:</b>	15.519
<b>Dates:</b> (See FOA Sec. D.4)	Application due date: Thursday, August 31, 2017, 4:00 p.m. Mountain Standard Time
<b>Eligible Applicants:</b> (See FOA Sec. C.1)	A federally recognized Indian tribe or tribal organization in the 17 Western States identified in the Reclamation Act of June 17, 1902.
<b>Recipient Cost Share:</b> (See FOA Sec. C.2)	None required
<b>Federal Funding Amount:</b> (See FOA Sec. B.1)	Up to \$200,000 per applicant
<b>Estimated Number of Agreements to be Awarded:</b> (See FOA Sec. B.1)	20

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# Application Checklist

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

√	What to submit	Required content	Form or format	When to submit
	Mandatory Federal Forms Application for Federal Financial Assistance Budget- Non Construction Assurances Budget form	See Sec. D.2.2.1	Form SF 424, available at: < <a href="http://apply07.grants.gov/apply/FormLinks?family=15">http://apply07.grants.gov/apply/FormLinks?family=15</a> > Page 10  Form SF 424A, available at: < <a href="http://apply07.grants.gov/apply/FormLinks?family=15">http://apply07.grants.gov/apply/FormLinks?family=15</a> >	*
	Assurances	See Sec. D.2.2.1	Form SF 424B, available at: < <a href="http://apply07.grants.gov/apply/FormLinks?family=15">http://apply07.grants.gov/apply/FormLinks?family=15</a> > Page 10	*
	Title page	See Sec. D.2.2.2	Page 11	*
	Table of contents	See Sec. D.2.2.3	Page 11	*
	Technical proposal:			*
	Executive summary	See Sec. D.2.2.4	Page 11	*
	Background data	See Sec. D.2.2.4	Page 11	*
	Project description	See Sec. D.2.2.4	Page 12	*
	Required permits or approvals	See Sec. D.2.2.4	Page 12	*
	Evaluation criteria	See Sec. E.1	Pages 23 to 26	*
	Budget proposal:	See Sec. D.2.2.8	Pages 14 to 19	*
	Budget narrative	See Sec. D.2.2.8	Page 15	*

\* Submit materials with your application by August 31, 2017.

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

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## Acronyms and Abbreviations

ARC	Application Review Committee
ASAP	Department of Treasury Automated Standard Application for Payments
CFR	Code of Federal Regulations
CPA	certified public accountant
CWA	Clean Water Act
DOI	Department of the Interior
DUNS	Data Universal Number System
ESA	Endangered Species Act
FAPIIS	Federal Award Performance Integrity Information System
FEMA	Federal Emergency Management Agency
FOA	Funding Opportunity Announcement
FY	Fiscal Year
GO	Grants Officer
NEPA	National Environmental Policy Act
NHPA	National Historic Preservation Act
OMB	Office of Management and Budget
P.L.	Public Law
Reclamation	Bureau of Reclamation
TAP	Technical Assistance Program
SAM	System for Award Management
USC	United States Code

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# Contents

	Page
<b>Section A: Funding Opportunity Description .....</b>	<b>1</b>
A.1. Program Information .....	1
A.2. Objective of this Funding Opportunity Announcement (FOA) .....	1
A.3. Statutory Authority .....	1
<b>Section B: Award Information .....</b>	<b>3</b>
B.1. Total Project Funding.....	3
B.2. Project Funding Limitations .....	3
B.3. Assistance Instrument .....	3
B.4. Award Date .....	4
<b>Section C: Eligibility Information .....</b>	<b>5</b>
C.1. Eligible Applicants .....	5
C.2. Cost-Sharing Requirements .....	5
C.3. Eligible Projects .....	6
<b>Section D: Application and Submission Information.....</b>	<b>9</b>
D.1. Address to Request Application Package .....	9
D.2. Content and Form of Application Submission .....	9
D.3. Unique Entity Identifier and System for Award Management (SAM) .....	19
D.4. Submission Date and Time .....	19
D.5. Intergovernmental Review.....	22
D.6. Funding Restrictions: Pre-award Costs.....	22
D.7. Automated Standard Application for Payments (ASAP) Registration .....	22
<b>Section E: Application Review Information .....</b>	<b>23</b>
E.1. Technical Proposal: Evaluation Criteria.....	23
E.2. Review and Selection Process .....	25
E.3. Federal Award Performance Integrity Information System (FAPIS).....	27
<b>Section F: Federal Award Administration Information .....</b>	<b>29</b>
F.1. Federal Award Notices.....	29
F.2. Administrative and National Policy Requirements.....	29
F.3. Reporting—Requirements and Distribution .....	30
F.4. Releasing Applications.....	31
<b>Section G: Agency Contacts.....</b>	<b>33</b>
G.1. Reclamation Financial Assistance Management Contact .....	33
G.2. Reclamation Regional TAP Contacts .....	33

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## Section A: Funding Opportunity Description

### A.1. Program Information

The Bureau of Reclamation (Reclamation), through the Native American Affairs Technical Assistance to Tribes Program (Technical Assistance Program [TAP]), provides technical assistance to Indian tribes and tribal organizations. The TAP is intended to establish cooperative working relationships, through partnerships with Indian tribes and tribal organizations, to ensure that tribes have the opportunity to participate fully in the Reclamation Program as they develop, manage, and protect their water and related resources. Reclamation's Native American and International Affairs Office, Washington, D.C., plans to make fiscal year (FY) 2017 funds available for the TAP through Reclamation's five Regional Offices.

For further information on the Technical Assistance Program please visit:  
[www.usbr.gov/native/programs/tehasst\\_activities\\_tap.html](http://www.usbr.gov/native/programs/tehasst_activities_tap.html).

### A.2. Objective of this Funding Opportunity Announcement (FOA)

The objective of this Funding Opportunity Announcement (FOA) is to invite federally recognized Indian tribes and tribal organizations to submit proposals for financial assistance, in the form of grants and cooperative agreements, for TAP projects and activities that develop, manage, and protect tribal water and related resources.

This FOA is not applicable to:

- 1) Federal assistance that Reclamation may provide to tribes and tribal organizations through contracts and agreements under the Indian Self-Determination and Education Assistance Act (Public Law [P.L.] 93-638, as amended) or
- 2) Direct technical support from Reclamation. Do not submit proposals under this FOA for either of these two scenarios. Instead, please contact the applicable Regional Office point of contact identified in Section G. Agency Contact.

### A.3. Statutory Authority

This Program is administered in accordance with the Reclamation Act of 1902, as amended and supplemented, including 43 United States Code (USC) 373d, which authorizes Reclamation to provide financial assistance to Indian tribes and tribal organizations to increase opportunities to develop, manage, and protect tribal water and related resources.

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## Section B: Award Information

### B.1. Total Project Funding

While program direction and leadership for the TAP is provided by the Native American and International Affairs Office, the TAP is implemented through Reclamation's Regional and Area Offices. Regional and Area Office Native American Affairs Program coordinators work with tribes and tribal organizations to share information about the TAP, answer questions, and assist during the preparation of TAP proposals and implementation of TAP projects. See Section G. Agency Contacts for a list of the regional points of contact.

Budgetary constraints limit the number of projects that may be funded each year. It is anticipated that \$1,500,000 will be available in FY2017 and each region may have up to four awards for technical assistance, depending on the total amount of funding requested by successful applicants.

The total funds made available to each region may be adjusted at any time during the fiscal year in response to congressional appropriations and the needs identified in each region.

### B.2. Project Funding Limitations

Reclamation anticipates that available funding will be divided equally between the five regions, unless demand for funding is significantly higher or lower between the regions. All work on a project funded under this FOA must be completed within approximately two years from the date of the award.

The Federal funding amount per award agreement is estimated to not exceed \$200,000 total over two (2) years (\$100,000 per year).

Funding in the second year is contingent upon the availability of appropriations.

### B.3. Assistance Instrument

Project awards will be made through grants or cooperative agreements as applicable to each project. If a cooperative agreement is awarded, the recipient should expect Reclamation to have substantial involvement in the project.

Substantial involvement by Reclamation may include:

- Collaboration and participation with the recipient in the management of the project and close oversight of the recipient's activities to ensure that the program objectives are being achieved.
- Oversight may include review, input, and approval at key interim stages of the project.

## **B.4. Award Date**

Because proposals will be accepted on a continuous basis, it is not possible to establish a fixed award date. Reclamation will complete proposal reviews as soon as practicable after the proposals are submitted.

Within one to three months after selection, financial assistance agreements will be awarded to applicants that successfully pass all pre-award reviews and clearances.

Eligible proposals that are not awarded during the current fiscal year due to a lack of time or available funding may be retained by Reclamation for consideration in the next fiscal year if the applicant agrees. Reclamation will contact applicants should this circumstance arise to discuss available options.

## Section C: Eligibility Information

### C.1. Eligible Applicants

Applicants eligible to receive an award to fund activities must be:

- A federally recognized Indian tribe or tribal organization, as defined in 25 U.S.C. 450b; and
- Located in the 17 Western States identified in the Reclamation Act of June 17, 1902, as amended and supplement; specifically: Arizona, California, Colorado, Idaho, Kansas, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Texas, Utah, Washington, and Wyoming.

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

- Federal Governmental entities
- State Governmental entities
- Local Government entities
- Individuals

### C.2. Cost-Sharing Requirements

There is no requirement for a non-Federal cost share contribution. If the proposal includes financial or “in-kind” contributions, the applicant should include a description of the source, nature, amount or estimated value, and the intended use of any contributions to be provided in accordance with the following provisions.

#### 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](http://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 P.L. 93-638, as amended. Applicants should refer to

## **Funding Opportunity Announcement No. BOR-DO-17-001**

2 CFR §200.434 for regulations regarding the valuation of in-kind donations and contributions, available at [www.ecfr.gov](http://www.ecfr.gov).

### **C.3. Eligible Projects**

#### **C.3.1 *Eligible Projects***

To be eligible for funding under this FOA, projects must be directly related to the development, management, or protection of tribal water and related resources.

Eligible projects include, but are not limited to:

- Water needs assessments
- Water management studies
- Water quality data collection and assessments
- Water measurement studies
- Training to tribal staff and managers in areas of water resources' development, management and protection

#### **C.3.2 *Ineligible Projects***

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

- Feasibility studies (as defined under Reclamation law, which requires express Congressional authorization)
- Construction activities in excess of \$200,000
- Projects that lack definable products or deliverables
- Specific positions within an Indian tribe
- Projects with a duration of more than two years
- Projects that generate data or analyses that have the potential to compromise any study or activities of a Department of the Interior (DOI) Indian water rights negotiation or the Department of Justice in its pursuit of related Indian water rights claims
- Projects that are related to non-Federal dams and associated structures
- Costs associated with the administration of contracts or agreements under P.L. 93-638 for projects that are unrelated to the TAP
- 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, such as, an obligation to provide future funding for operation, maintenance, or replacement.



## Section C: Eligibility Information

- Biological activities (e.g., fisheries work, including collection, analysis and evaluation of background data), except that activities related to the water supply (i.e., quantity and/or quality) of a biological activity are eligible for TAP funding.

### **C.3.3**      *Length of Projects*

In general, proposed projects should be completed within one year of award, but may be completed within two years if second year funding is provided. Applications for projects requiring more time will be considered for funding only under limited circumstances.

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## Section D: Application and Submission Information

### D.1. Address to Request Application Package

This document contains all information, forms, and electronic addresses required to obtain the information required 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: Darren Olson  
Mail Code: 84-27852  
P.O. Box 25007  
Denver, CO 80225

By e-mail: [dolson@usbr.gov](mailto:dolson@usbr.gov)

By telephone: 303-445-3697

### 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 **35** consecutively numbered pages. If an application exceeds **35** pages, only the first **35** 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 **25** pages. The SF-424 forms 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-424 Budget (A or C Form, as applicable to the project)

## Funding Opportunity Announcement No. BOR-DO-17-001

- SF-424 Assurances (B or D Form, as applicable to the project)
- SF-424, SF-424A, SF-424B, SF-424C, and SF-424D forms may be obtained at <http://apply07.grants.gov/apply/FormLinks?family=15>.
- Title page
- Table of contents
- Technical proposal and evaluation criteria (limited to 25 pages)
  - Executive summary
  - Background data
  - Technical project description
  - Evaluation criteria
- Environmental and cultural resources compliance
- Required permits or approvals
- Project budget
  - Budget proposal
  - Budget narrative

### **D.2.2.1. Mandatory Federal Forms**

The application must include the following standard Federal forms:

#### ***SF-424 Application for Federal Assistance***

This fully completed form must be signed by a person legally authorized to commit the applicant to performance of the project. Failure to submit a properly signed SF-424 may result in the elimination of the application from further consideration.

#### ***SF-424 Budget Form***

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

#### ***SF-424 Assurances***

A SF-424B, Assurances—Non-Construction Programs, or an SF-424D, Assurances—Construction Programs, signed by a person legally authorized to commit the applicant to performance of the project shall be included. Questions regarding whether to use SF-424B or SF-424D should be referred to the Grants Management Point of Contact under Agency Contacts. Failure to submit a properly signed SF-424B or SF-424D may result in the elimination of the application from further consideration.

## Section D: Application and Submission Information

### 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 (25 pages maximum) includes:

- (1) Executive summary
- (2) Background data
- (3) Technical project description
- (4) Evaluation criteria

#### *Executive Summary*

The executive summary should include:

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

#### *Background Data*

Provide appropriate background information about the general project area. Provide a map, if appropriate, showing the geographic location of the proposed project (include pertinent information such as reservation name, state, county, and direction from nearest town).

As applicable, describe the source of water supply, the water rights involved, current water uses (i.e., agricultural, municipal, domestic, or industrial), the number of water users served, and the current and projected water demand. Also, identify potential shortfalls in water supply. If water is primarily used for irrigation, describe major crops and total acres served.

In addition, as appropriate, describe the applicant's water delivery system. For agricultural systems, please include the miles of canals, miles of laterals, and existing irrigation improvements (i.e., type, miles, and acres). For municipal

## Funding Opportunity Announcement No. BOR-DO-17-001

systems, please include the number of connections and/or number of water users served and any other relevant information describing the system.

Identify any past working relationships with Reclamation. This should include the date(s), name of the Reclamation office(s), and a description of the project(s).

### **Technical Project Description**

The technical project description should describe the work in detail, including specific activities that will be accomplished. This description shall have sufficient detail to permit a comprehensive evaluation of the proposal.

The proposal should thoroughly describe the proposed project in detail. This description should have sufficient information to permit a comprehensive evaluation of the proposal.

- Describe what the project is intended to accomplish, including goals and objectives
- Identify problems and needs
- Describe the methods to be employed
- Identify expected outcomes

### **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.2.2.4. Environmental and Cultural Resources Compliance**

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

- Will the proposed project impact the surrounding environment (e.g., soil [dust], air, water [quality and quantity], animal habitat)? Please briefly describe all earth-disturbing work and any work that will affect the air,

## Section D: Application and Submission Information

water, or animal habitat in the project area. Please also explain the impacts of such work on the surrounding environment and any steps that could be taken to minimize the impacts.

- Are you aware of any species listed or proposed to be listed as a Federal threatened or endangered species, or designated critical habitat in the project area? If so, would they be affected by any activities associated with the proposed project?
- Are there wetlands or other surface waters inside the project boundaries that potentially fall under the Clean Water Act (CWA) jurisdiction as “Waters of the United States?” If so, please describe and estimate any impacts the proposed project may have.
- When was the water delivery system constructed?
- Will the proposed project result in any modification of or effects to, individual features of an irrigation system (e.g., headgates, canals, or flumes)? If so, state when those features were constructed and describe the nature and timing of any extensive alterations or modifications to those features completed previously.
- Are any buildings, structures, or features in the irrigation district listed or eligible for listing on the National Register of Historic Places? A cultural resources specialist at your local Reclamation office or the State Historic Preservation Office can assist in answering this question.
- Are there any known archeological sites in the proposed project area?
- Will the proposed project have a disproportionately high and adverse effect on low income or minority populations?
- Will the proposed project adversely affect Indian Trust Assets?
- Will the proposed project limit access to and ceremonial use of Indian sacred sites or result in other impacts on tribal lands?
- Will the proposed project contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area?

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

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

If you have any questions regarding NEPA, ESA and NHPA requirements, please contact your regional or area Reclamation office.

#### **D.2.2.5. 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.2.2.8. Project Budget**

**The project budget includes:**

- **Budget proposal**
- **Budget narrative**

#### ***Budget Proposal***

The project budget shall include detailed information on the categories listed below and must clearly identify all project costs. Unit costs shall be provided for all budget items including the cost of work to be provided by contractors.

Additionally, applicants shall include a narrative description of the items included in the project budget, including the value of in-kind contributions of goods and services provided to complete the project. It is strongly advised that applicants use the budget proposal format shown below on Table 1 or a similar format that provides this information. If selected for award, successful applicants must submit detailed supporting documentation for all budgeted costs.



**Section D: Application and Submission Information**

**Table 1.—Sample Budget Proposal Format**

Budget Item Description	Computation		Quantity Type (hours/days)	Total Cost
	\$/Unit	Quantity		
<b>Salaries and Wages</b>				
Employee 1				\$ -
Employee 2				\$ -
Employee 3				\$ -
<b>Fringe Benefits</b>				
Full-Time Employees				\$ -
Part-Time Employees				\$ -
<b>Travel</b>				
Trip 1				\$ -
Trip 2				\$ -
Trip 3				\$ -
<b>Equipment</b>				
Item A				\$ -
Item B				\$ -
Item C				\$ -
<b>Supplies and Materials</b>				
Item A				\$ -
Item B				\$ -
<b>Contractual/Construction</b>				
Contractor A				\$ -
Contractor B				\$ -
<b>Other</b>				
Other				\$ -
<b>Total Direct Costs</b>				<b>\$ -</b>
<b>Indirect Costs</b>				
Type of rate	percentage	\$base		
<b>Total Estimated Project Costs</b>				<b>\$ -</b>

**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 sources of funds provided to complete the project. The types of information to describe in the narrative include, but are not limited to, those listed in the

## **Funding Opportunity Announcement No. BOR-DO-17-001**

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](http://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 technical project description. Labor rates and proposed hours shall be displayed for each task.

Include estimated hours for compliance with reporting requirements, including final project 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.

### ***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,

## Section D: Application and Submission Information

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.

### ***Environmental and Regulatory Compliance Costs***

Applicants must include a line item in their budget to cover environmental compliance costs. "Environmental compliance costs" refer to costs incurred by Reclamation and the recipient in complying with environmental regulations applicable to an award under this FOA, including costs associated with any required documentation of environmental compliance, analyses, permits, or approvals. Applicable Federal environmental laws could include NEPA, ESA, NHPA, CWA, and other regulations depending on the project. Such costs may include, but are not limited to:

- The cost incurred by Reclamation to determine the level of environmental compliance required for the project
- The cost incurred by Reclamation, the recipient, or a consultant to prepare any necessary environmental compliance documents or reports
- The cost incurred by Reclamation to review any environmental compliance documents prepared by a consultant
- The cost incurred by the recipient in acquiring any required approvals or permits, or in implementing any required mitigation measures

The amount of the line item should be based on the actual expected environmental compliance costs for the project, including Reclamation's cost to review

## Funding Opportunity Announcement No. BOR-DO-17-001

environmental compliance documentation. However, the minimum amount budgeted for environmental compliance should be equal to at least one to two percent of the total project costs. If the amount budgeted is less than one to two percent of the total project costs, you must include a compelling explanation of why less than one to two percent was budgeted.

How environmental compliance activities will be performed (e.g., by Reclamation, the applicant, or a consultant) and how the environmental compliance funds will be spent, will be determined pursuant to subsequent agreement between Reclamation and the applicant. The amount of funding required for Reclamation to conduct any environmental compliance activities, including Reclamation's cost to review environmental compliance documentation, will be withheld from the Federal award amount and placed in an environmental compliance account to cover such costs. If any portion of the funds budgeted for environmental compliance is not required for compliance activities, such funds may be reallocated to the project, if appropriate.

### **Other Expenses**

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

### **Indirect Costs**

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

If the applicant has separate rates for recovery of labor overhead and general and administrative costs, each rate shall be shown. The applicant should propose rates for evaluation purposes, which will be used as fixed or ceiling rates in any 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](http://www.ecfr.gov).

## Section D: Application and Submission Information

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](http://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 may be completed up to 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 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**

Proposals will be accepted, evaluated, and selections made throughout the fiscal year. The close date for this FOA is August 31, 2017. The final application submission date deadline:

August 31, 2017, 4:00 p.m. Mountain Standard Time

**Funding Opportunity Announcement No. BOR-DO-17-001**

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, 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 [www.grants.gov](http://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: Darren Olson  
Mail Code: 84-27852  
P.O. Box 25007  
Denver, CO 80225

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

By courier services: Bureau of Reclamation  
Attn: Darren Olson  
Denver Federal Center  
Bldg. 56, Rm. 1000  
6th Avenue and Kipling Street  
Denver, CO 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.

## Section D: Application and Submission Information

- Applicants shall submit one copy of all application documents for hardcopy submissions. Only use a binder clip for documents submitted.
- 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.
- 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](http://www.grants.gov)). Reclamation encourages applicants to submit their applications for funding electronically through the URL: [www.grants.gov/applicants/apply-for-grants.html](http://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](http://www.grants.gov)) and completing and submitting applications online are available at: [www.grants.gov/applicants/apply-for-grants.html](http://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](http://www.grants.gov/applicants/apply-for-grants.html).
- 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.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. **In no case will pre-award costs incurred prior to July 1, 2016 be considered for reimbursement.**

For example, such costs might include design or construction plans and environmental compliance costs directly supporting the proposed project. 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 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](http://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. Please note that projects may be prioritized to ensure balance among the program task areas and to ensure that the projects address the goals and objectives of the FOA.

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 A—Priority (30 points)*

Reclamation will evaluate the extent to which the proposal demonstrates the project or activity is intended to address the water and water-related priorities identified by the tribe or tribal organization.

- 1) Include or attach a statement of tribal water and related priorities and briefly describe how the proposed project or activity furthers one or more of those priorities; or
- 2) Briefly describe how the proposed project or activity will contribute to:
  - a) The health and safety of the Tribe and its members;
  - b) Improved development, management and/or protection of the tribe's water resources (including building or enhancing the tribe's own internal capacity to develop, manage and/or protect its water and related resources);
  - c) The creation or maintenance of important economic and/or social benefits;
  - d) The protection and/or enhancement of the environment; and/or
  - e) Compliance with regulatory requirements.
- 3) Identify any monetary, property, or in-kind contributions the tribe or tribal organization will make to the proposed project or activity.

*E.1.2. Evaluation Criterion B— Viability (30 points)*

Reclamation will evaluate the extent to which the proposal demonstrates the project or activity is economically, technically and legally viable, and capable of meeting the water-related needs of the tribe or tribal organization.

- 1) Include a brief explanation of how the tribe or tribal organization has:
  - a) Estimated the cost of successfully completing the proposed project or activity, or otherwise determined the proposed project or activity can be successfully completed within the proposed budget (e.g., engineering cost estimates, firm bids from potential contractors)
  - b) Estimated the schedule for fully implementing the proposed project or activity
- 2) If applicable, briefly describe any Reclamation involvement with the development of costs and/or schedules.
- 3) Identify whether additional monetary, property or in-kind contributions have been pledged by or will be needed from third parties.
- 4) Identify any government permits or third-party approvals (e.g., permission from adjoining property owners) needed before the proposed project or activity can be implemented, and indicate which, if any, have been secured at the time of application.
- 5) Briefly describe:
  - a) Any actions or costs associated with operating and maintaining the proposed project or activity after completion; and
  - b) The source of funds to pay for such actions and costs.
- 6) To the extent relevant and necessary, briefly describe any actions taken to identify, or planned to respond to, the reasonably foreseeable adverse impacts climate change could have on the proposed project or activity and/or the benefits it is intended to provide.
- 7) To the extent relevant and necessary, briefly describe any actions by third-parties needed to ensure the long-term sustainability of the project or activity (e.g., removal of invasive species on neighboring property or measures needed to prevent their spread).
- 8) Describe or attach the tribe's or tribal organization's project-implementation plan.

## Section E: Application Review Information

- 9) To the extent relevant and appropriate, briefly describe any steps that will be taken to identify as well as protect or restore important environmental and cultural resources.

### ***E.1.3. Evaluation Criterion C— Capability (30 points)***

Reclamation will evaluate the extent to which the proposal demonstrates the tribe or tribal organization, working through in-house experts or external contractors or consultants, is capable of completing the project or activity within the specified scope, schedule and budget.

- a) Indicate whether the proposed project or activity will be executed, managed and/or overseen by the tribe's or tribal organization's employees, outside contractors, or a combination of the two.
- b) Briefly describe any past experience the tribe, tribal organization, or outside contractors have managing similar projects or activities.
- c) Identify staff with appropriate technical and project management expertise and describe their qualifications and roles in the proposed project or activity. Describe any plans to request additional technical assistance from Reclamation or by contract. For contracted activities, describe the procurement standards that will be used to select successful contractors.

## **E.2. Review and Selection Process**

The 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 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 application meets the content requirements of the FOA package, including submission of technical and budget proposals and related forms.
- The application contains a properly executed SF-424, SF-424A – Budget Non-Construction Programs or SF-424C – Budget Construction Programs—Application for Financial Assistance and

## **Funding Opportunity Announcement No. BOR-DO-17-001**

form SF-424B—Assurances—Non-Construction Programs, or SF-424D—Assurances—Construction Programs.

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 5. Criteria. Applications will be scored against the evaluation criteria by an Application Review Committee (ARC), made up of Regional Native American Affairs Program Managers 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 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

## Section E: Application Review Information

their applications to the appropriate Reclamation region or area office for completion of environmental compliance as well as negotiation and award of the financial assistance agreement.

Reclamation will also complete a business evaluation and determination of responsibility. During these evaluations, the Grants Officer (GO) will also consider several factors that are important, but not quantified, such as:

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

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 (FAPIIS)**

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 [FAPIIS]) (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 FAPIIS, in making a judgment about the applicant's integrity, business ethics, and record of performance under Federal awards when completing the review of risk posed by applicants as

**Funding Opportunity Announcement No. BOR-DO-17-001**

described in 2 CFR §200.205 Federal awarding agency review of risk posed by applicants.

## Section F: Federal Award Administration Information

### F.1. Federal Award Notices

Successful applicants will receive by electronic mail, a notice of selection signed by a Program Manager, Native American and International Affairs Office. This notice is not an authorization to begin performance.

### F.2. Administrative and National Policy Requirements

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

Reclamation will be the lead Federal agency for NEPA compliance and will be responsible for evaluating technical information and ensuring that natural resources, cultural, and socioeconomic concerns are appropriately addressed. As the lead agency, Reclamation is solely responsible for determining the appropriate level of NEPA compliance. Further, Reclamation is responsible to ensure that findings under NEPA, and consultations, as appropriate, will support Reclamation's decision on whether to fund a project. Environmental and cultural resources compliance costs are considered project costs. These costs will be considered in the ranking of applications.

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

### **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 quarterly basis, unless negotiated otherwise, and with the final financial status 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 quarterly basis, that include the following information:

- A comparison of actual accomplishments to the milestones established by the financial assistance agreement for the period
- The reasons why established milestones were not met, if applicable
- The status of milestones from the previous reporting period that were not met, if applicable
- Whether the project is on schedule and within the original cost estimate
- Any additional pertinent information or issues related to the status of the project

Final performance report, including, but not limited to, the following information

- Whether the project objectives and goals were met
- Discussion of the benefits achieved by the project, including information and/or calculations supporting the benefits
- How the project met the objectives of the Tribe
- Photographs documenting the project, if available



## **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.

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## Section G: Agency Contacts

### G.1. Reclamation Financial Assistance Management Contact

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

By mail: Bureau of Reclamation  
Financial Assistance Services  
Attn: Darren Olson  
Mail Code: 84-27852  
P.O. Box 25007  
Denver, CO 80225

By email: [dolson@usbr.gov](mailto:dolson@usbr.gov)

By phone: (303) 445-3697

### G.2 Reclamation Regional TAP Contacts

Indian tribes and tribal organizations that are interested in submitting an application in response to this FOA, or learning more about the other forms of technical assistance that Reclamation provides to tribes and tribal organizations, are invited to direct questions about the TAP to the appropriate regional point of contact. Please use the link to the list of tribes located each region to determine the appropriate point of contact.

#### **Pacific Northwest Region**

By mail: Matt Howard  
Pacific Northwest Regional Office  
1150 North Curtis Road  
Boise, Idaho 83706-1234

By email: [mhoward@usbr.gov](mailto:mhoward@usbr.gov)

By phone: (208) 378-5003

*List of tribes in the region:*

[www.usbr.gov/native/regions/pn/Pacific%20Northwest%20Region%20Indian%20Tribes.pdf](http://www.usbr.gov/native/regions/pn/Pacific%20Northwest%20Region%20Indian%20Tribes.pdf)

## Mid-Pacific Region

By mail: Kevin Clancy  
Mid-Pacific Regional Office  
Federal Office Building  
2800 Cottage Way  
Sacramento CA 95825-1898

By email: [kclancy@usbr.gov](mailto:kclancy@usbr.gov)

By phone: (916) 978-5194

*List of tribes in the region:* [www.usbr.gov/native/regions/mp/Mid-Pacific%20Region%20Tribes.pdf](http://www.usbr.gov/native/regions/mp/Mid-Pacific%20Region%20Tribes.pdf)

## Lower Colorado Region

By mail: Ruth Thayer, Program Manager  
Lower Colorado Regional Office  
P.O. Box 61470  
Boulder City, NV 89006-1470 --or--  
500 Fir Street  
Boulder City, NV 89005-2403

By email: [rthayer@usbr.gov](mailto:rthayer@usbr.gov)

By phone: (702) 293-8426

*List of tribes in the region:*  
[www.usbr.gov/native/regions/lc/Lower%20Colorado%20Region%20Tribes.pdf?region=LC%20](http://www.usbr.gov/native/regions/lc/Lower%20Colorado%20Region%20Tribes.pdf?region=LC%20)

## Upper Colorado Region

By mail: Brian Parry, Program Manager  
Upper Colorado Regional Office  
125 South State Street, Room 6107  
Salt Lake City, UT 84138-1102

By email: [bparry@usbr.gov](mailto:bparry@usbr.gov)

By phone: (801) 524-3674

*List of tribes in the region:*  
[www.usbr.gov/native/regions/uc/Upper%20Colorado%20Region%20Indian%20Tribes.pdf](http://www.usbr.gov/native/regions/uc/Upper%20Colorado%20Region%20Indian%20Tribes.pdf)

## Great Plains Region

By mail: Douglas Davis, Native American Affairs Specialist  
Great Plains Regional Office  
2021 4th Avenue North  
Billings, MT 59101 -- or --  
P.O. Box 36900  
Billings, MT 59107-6900

By email: [douglasdavis@usbr.gov](mailto:douglasdavis@usbr.gov)

By phone: (406) 247-7710

*List of tribes in the region:*

[www.usbr.gov/native/regions/gp/Great%20Plains%20Region%20Tribes.pdf](http://www.usbr.gov/native/regions/gp/Great%20Plains%20Region%20Tribes.pdf)