

# Watershed and Flood Prevention Operations Proposal Guidance

## FY 2020 Funding Announcement

### Purpose

The [2020 Further Consolidated Appropriations Act](#) provided funding for Watershed and Flood Prevention Operations (WFPO) as follows:

*“For necessary expenses to carry out preventive measures, including but not limited to surveys and investigations, engineering operations, works of improvement, and changes in use of land, in accordance with the Watershed Protection and Flood Prevention Act (16 U.S.C. 1001–1005 and 1007–1009) and in accordance with the provisions of laws relating to the activities of the Department, \$175,000,000, to remain available until expended: Provided, That for funds provided by this Act or any other prior Act, the limitation regarding the size of the watershed or subwatershed exceeding two hundred and fifty thousand acres in which such activities can be undertaken shall only apply for activities undertaken for the primary purpose of flood prevention (including structural and land treatment measures): Provided further, That of the amounts made available under this heading, \$70,000,000 shall be allocated to projects and activities that can commence promptly following enactment; that address regional priorities for flood prevention, agricultural water management, inefficient irrigation systems, fish and wildlife habitat, or watershed protection; or that address authorized ongoing projects under the authorities of section 13 of the Flood Control Act of December 22, 1944 (Public Law 78– 534) with a primary purpose of watershed protection by preventing floodwater damage and stabilizing stream channels, tributaries, and banks to reduce erosion and sediment transport.*

In selecting projects for funding, the agency is expected to balance the needs of addressing the project backlog, remediation of existing structures, and new projects. All request must be submitted to the WFPO SharePoint site using the following link <https://bit.ly/2WSeVxu>. All proposals for new and backlog projects are due by **April 17, 2020**. States are encouraged to only submit proposals and request for projects that they have the staff capacity to work on immediately.

States who submitted requests last year that were not approved for funding, will need to re-enter data on the SharePoint site and upload all required attachments. All required files including sponsor letters and the CPA-52 from previous years, can be re-uploaded so long as all of the information continues to reflect the details of the proposal and any issues that caused the proposal to previously be considered deficient are addressed. Guidance for developing project proposals is attached.

**Remedial Work** — Assistance needed to correct problems caused as a result of a mistake or misjudgment by NRCS during the installation of a measure, or as a result of latent site conditions unknown to NRCS or the project sponsor at the time of installation (National Watershed Program Manual (NWPM), Section 505.20).

**Remedial funding requests can be submitted at any time; however, funding allocations will be considered on a case-by-case basis and as funds are available. Remedial work is 100-percent-NRCS funded.**

States requesting remedial assistance should submit their requests through the *Remedial Funding Request* link on the WFPO Sharepoint site (<https://bit.ly/2WSeVxu>). The amount of technical and

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financial assistance requested and an approved NRCS engineering report must be submitted at the same time as the request for remedial assistance is made. The report must include the findings, recommendations for repair and a cost estimate (National Engineering Manual, Part 504, Subpart A).

**Project Backlog**—These projects must be associated with an NRCS-authorized watershed plan. States are required to submit a proposal for each measure, or group of measures, being proposed for implementation. Priority will be given to projects ready for construction. Backlog projects with an authorized plan more than 5 years old, will be required to reaffirm the feasibility of the effort prior to receiving funding for design or construction. You must use the WFPO SharePoint to request funding to reaffirm the feasibility of a project.

Environmental documents older than 5 years are generally considered obsolete. When submitting proposals from the Project Backlog, state NRCS staff should evaluate existing Plans (EIS, EA) and determine if the analysis they include still sufficiently represents the project setting. To determine if a supplement or revision to the Plan is needed the following documents should be referenced for guidance: *NWPM Part 503, Subpart A and Subpart B*; National Watershed Program Handbook (NWPH) *Part 601, Subpart C; Part 603, Subpart A* and National Environmental Compliance Handbook (NECH) *610.14 and Subpart D*.

**New Projects** – Includes new requests with no existing plan and meets the eligible purposes for a watershed plan. States are required to submit a proposal for each project to be considered for funding. New projects included on the attached list must also submit a proposal. Proposals are to be submitted to the WFPO Sharepoint site (<https://bit.ly/2WSeVxu>) by **COB April 17, 2020**. Guidance for developing project proposals is attached.

Clearly outline your NRCS staff capacity to implement the proposal. Flood prevention projects greater than 250,000 acres can be divided into subwatersheds of less than 250,000 acres. Each subwatershed must be able to function independently and will require a separate watershed plan. Any plan with construction cost over \$25 million will require Congressional approval. This approval may take up to 12 months.

The timeframe for completing a watershed plan depends on the complexity of the project. NRCS strives to streamline the planning process so that policy does not delay projects. However, watershed projects are subject to numerous statutes that require coordination with Federal, State, Tribal, and local agencies, and includes extensive public involvement. These statutes may significantly impact the time it takes to authorize a watershed plan, complete designs, and begin construction. The 2020 Further Consolidated Appropriations Bill does not include any congressionally directed projects so there are no project exemptions from these statutory requirements.

### Approximate timeframes for plan completion and authorization

- Plan-EIS – 18months – 2 years if estimated construction cost is less than \$25 million
- Plan-EIS – 18months – 4 years if estimated construction cost is more than \$25 million. Additional time reflects required OMB review and Congressional Approval.
- Plan EA – 1 year
- Plan EE – 9 months

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**Preliminary Investigation Reports** – Funding will be provided to assist states who have sponsors interested in the PL-566 program and have a need to prepare a Preliminary Investigation Report (NWPM 500.20, 501.20 and NWPB 600.20, 601.20, 606.11) before submitting an actual New Project funding proposal. These reports are not mandatory and are not necessary if there is enough information to proceed with a full planning effort/project funding proposal.

It is expected that the reports will be completed by NRCS staff (not IDIQ contractors) and a spreadsheet will be provided to assist in estimating the funds needed for a state led preliminary investigation effort. NHQ will set a maximum amount that states can request for preliminary investigation reports. As described in the NWPM these reports are a decision support tool for the State Conservationist and State Program staff, NHQ will not review Preliminary Investigation Reports.

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SECTION	RANKING CRITERIA	DESCRIPTION
<p><b>General Eligibility</b></p> <p><i>NOTE: Limit two paragraphs</i></p>	<ol style="list-style-type: none"> <li>1. The Sponsor meets eligibility requirements.</li> <li>2. The Sponsor is ready willing and able to commence with the construction project.</li> <li>3. The request is for \$25million or less in NRCS funds.</li> <li>4. There is a signed letter of request from the Sponsor or Standard Form (SF) 424. (must attach)</li> <li>5. Agricultural benefits, including those to rural communities comprise at least 20 percent of benefits</li> <li>6. The project will have an authorized PL 83-566 Watershed Plan.</li> <li>7. The project acreage follows 2020 appropriation guidelines – flood prevention projects less than 250,000 acres in size.</li> <li>8. The project does not include any single structure that provides more than 12,500 acre-feet of floodwater detention capacity.</li> <li>9. The project provides no more than 25,000 acre-feet of total capacity.</li> <li>10. Ability to complete the watershed Plan/EIS within 24 months.</li> <li>11. Regulatory permits have been obtained or can be obtained within 48 months. The amount of NRCS Technical Assistance requested.</li> </ol>	<p>These general requirements must be met for proposals to be considered. Provide a brief narrative that confirms the conditions of your proposal and qualifies how it meets each requirement.</p>

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SECTION	RANKING CRITERIA	DESCRIPTION
<p><b>Project Overview</b> <i>NOTE: Limit one page</i></p>	<ol style="list-style-type: none"> <li>1. The sponsor demonstrates sufficient experience managing projects, programs, and solutions of a similar size, scope and budget</li> <li>2. The sponsor demonstrated that the participants are interested and willing to adopt the solutions proposed.</li> <li>3. There is a clear and defined purpose and need for action.</li> <li>4. The percentage of the NRCS share of the project proposal.</li> <li>5. There is a positive economic, environmental and social benefit.</li> <li>6. Estimated project timeline provided.</li> </ol>	<p>The project overview must include the following elements:</p> <ul style="list-style-type: none"> <li>• Abstract describing the issue, background, and solution</li> <li>• The Sponsors participation and public engagement.</li> <li>• Proposed Action</li> <li>• Purpose and Need for Action (up to 10 lines):</li> <li>• Description of purposes for which the project is planned (should include one or more purposes listed in Title 390, National Watershed Program Manual (NWPM), Part 500, Subpart A, Section 500.3). Indicate which of the identified needs the project will address.</li> <li>• Description of the need for action in terms of what problems need to be solved and what opportunities need to be realized such as, erosion and sedimentation (downstream damage, loss of productivity), flood damage (agricultural, urban), water quality impairment (in terms of beneficial uses), and others.</li> <li>• Description of the proposed action (up to 5 lines):</li> <li>• Estimated Project costs: <ul style="list-style-type: none"> <li>○ PL 83-566 funds (\$ and %)</li> <li>○ Other funds (\$ and %)</li> <li>○ Total (\$ and %)</li> </ul> </li> <li>• Estimated monetary benefits</li> <li>• Estimated Benefit to Cost Ratio</li> </ul>

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SECTION	RANKING CRITERIA	DESCRIPTION
<p><b>Sponsor Request</b>  <b>NOTE:</b> <i>Limit one page</i>  <i>(Attach as addendum)</i></p>	<ol style="list-style-type: none"> <li>1. The sponsor demonstrates sufficient experience managing projects, programs, and solutions of a similar size, scope and budget</li> <li>2. The sponsor demonstrates sufficient knowledge, skill, and understanding of NRCS Watershed Program</li> <li>3. The sponsor demonstrates that the participants are interested and willing to adopt the proposed solutions.</li> </ol>	<p>The sponsor request letter must:</p> <ul style="list-style-type: none"> <li>• Be signed by the Sponsor</li> <li>• Include a statement of the Sponsor’s related experience, readiness, willingness to meet their requirements, and ability to complete this project.</li> </ul>
<p><b>Environmental Evaluation</b>  <b>NOTE:</b> <i>One complete Form NRCS-CPA-52 must be included for each project request.</i></p>		<p>At a minimum, complete form NRCS-CPA-52. Identify all known problems. Identify any T&amp;E species and cultural resource concerns. Identify any cultural or historical resources. Please provide information of any existing Plan/EIS documents developed by other federal agencies.</p>
<p><b>Alternatives</b>  <b>NOTE:</b> <i>In the table provided, list all evaluated alternatives.</i></p>	<ol style="list-style-type: none"> <li>1. There is a clear and defined purpose and need for actions.</li> <li>2. All reasonable alternatives listed and properly evaluated.</li> <li>3. There is a summary and comparison of alternative plans.</li> <li>4. There is a complete and thorough description of the potential/preferred alternative including the rationale, measures to installed, mitigation, permits and compliance, cost-sharing, operation, maintenance and replacement, economic table.</li> </ol>	<p>Thoroughly complete the table provided. For each alternative:</p> <ul style="list-style-type: none"> <li>• Describe the alternative</li> <li>• Describe the purpose of the alternative</li> <li>• List the elements of the alternative</li> <li>• Provide the cost-sharing breakdown for each alternative.</li> </ul>

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<p><b>Partnership, Consultation, Coordination, and Public Participation.</b>  <i>NOTE: Limit one page</i></p>	<ol style="list-style-type: none"> <li>1. NRCS state staff role and capacity to provide the technical assistance necessary to implement the project.</li> <li>2. The NRCS National Center Coordination.</li> <li>3. Other Local, state, and Federal Partnerships.</li> <li>4. Other Local, state, and Federal coordination required.</li> <li>5. The sponsor demonstrates that the participants are interested and willing to adopt the proposed solutions.</li> </ol>	<p>Thoroughly describe the role, resources and contributions of each partner involved. Identify any federal, state, local, private, or corporate partners involved. Discuss past or present public participation. Discuss diversity amongst partners and participants. Discuss leveraging of any partner resources that would make this proposal more attractive.</p>
<p><b>Equal Opportunity</b>  <i>NOTE: Limit one paragraph</i></p>	<ol style="list-style-type: none"> <li>1. The project provides direct benefits to a historically underserved or socially disadvantaged community.</li> <li>2. The project team include input from a diverse team of organizations including local, state, tribal, corporate, and academic organizations</li> </ol>	<p>Discuss how this project will contribute to the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income. Include any direct benefits to historically underserved or socially disadvantage groups.</p>

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SECTION	RANKING CRITERIA	DESCRIPTION
<p><b>The Potential or Preferred Alternative</b></p> <p><i>NOTE: Limit one page</i></p>	<ol style="list-style-type: none"> <li>1. The project funds are needed in order to protect a prior NRCS investment.</li> <li>2. The performance outcome measures that are quantifiable and can be evaluated at completion of the project to assess the success of each performance measure</li> <li>3. The proposed works of improvement does not include any single structures that provide more than 12,500 acre-feet of floodwater detention or has a total capacity in excess of 25,000 acre-feet.</li> <li>4. The project acreage follows 2018 appropriation guidelines – flood prevention projects less than 250,000 acres in size.</li> <li>5. The project does not include more than the legal number of recreation developments within a watershed.</li> <li>6. Agriculture and rural communities account for at least 20 percent of the total benefits of the project.</li> </ol>	<p>A narrative description of:</p> <ol style="list-style-type: none"> <li>1. Rationale for alternative preference</li> <li>2. Proposed measures to be installed</li> <li>3. Estimated costs and cost sharing</li> <li>4. Responsibilities</li> <li>5. Potential mitigation needs</li> <li>6. Permits and Compliance requirements</li> <li>7. Outcomes</li> <li>8. Budget and Installation timeline</li> <li>9. Leveraging of other funds</li> </ol>

All proposals must be submitted to the WFPO Sharepoint site (<https://bit.ly/2WSeVxu>) by **COB April 17, 2020**. A cover page with the name of the project, state and partner must be included.

**2020 WFPO Funding Proposal Questions and Responses**

**March 2020**

<b>Session</b>	<b>Question #</b>	<b>Question</b>	<b>Response</b>
4	1	Will you email out this presentation upon request?	Yes this will be record and link will be sent to where its located.
4	2	Are in kind contributions frowned upon by FPAC?	In-Kind contributions are not being frowned up, but we do want clarity and consistency in determining what constitutes in-kind contributions.
4	3	What is the maximum amount that can be requested per sponsor?	There is not a hard and fast limit however, in giving consideration for ranking, we asked that request be limited to \$25M annually. Considerations can be given to higher request but with limited funds, we do seek to keep the NRCS cost share annually to \$25M.
4	4	For water quality/reservoir projects, would incentive payments for releases to address high stream temperatures be eligible under PL-566?	Incentive payments to improve water quality would not be eligible. Planning, designing, and installing conservation measures or purchasing floodplain easements that would help to address water quality would be eligible activities for NRCS cost share.
4	5	Are proposals accepted only once per year?	Proposals have traditionally been accepted annually for new and backlog projects. Remedial request which do not require a single proposal and are funded year round. We are exploring the feasibility of having two Notices of Funding Availability in a given fiscal year.
4	6	Who determines the percentage match for items under the construction category?	The Federal cost share rates are established in the National Watershed Program Manual, <a href="#">Figure 500-E2: Federal Cost-Sharing Percentage Provisions by Purpose</a> .
4	7	Is April 17 deadline to propose to the State Conservationist or to NHQ?	April 17th deadline is for State Conservationist to submit proposals to NHQ.
4	8	Should we only be asking for planning funds and not detailing out the total funds that may be needed to design and construct the project?	The proposals require an initial cost estimate for all phases. Then the proposals will show what is being requested this year. The actual request needs to be for planning first. But the entire cost needs to be estimated and included in the request.
4	9	How do the changes to RCPP - including PL-566 in all eligible projects impact program management?	Changes in RCPP do not impact the PL-566 program. Proposals for funding can be submitted for project measures that were planned, or part of, an RCPP project. But WFPO funds may no be used to cover the agreed partner share of an RCPP project.
4	10	Does RCPP using PL-566 funding require a watershed plan?	Yes RCPP projects using Watershed Authorities do require a watershed plan.
4	11	Do backlogged 2019 proposals get preference in 2020?	Yes, backlog projects are associated with an authorized plan/project. They represent an unmet federal commitment and recieve higher priority.
4	12	Due to COVID-19 issues do you expect the deadline to be changed?	There is currently no plan to change the deadline to submit funding proposal requests.
4	13	In the Alternatives Comparison Table for the WFPO Application, how mandatory is it there to be practices listed under alternatives? Realistically through WFPO planning is when you would find out what practices are needed or high priority.	Some idea of what is planned should be provided. If there truly is no understanding of the possible measures or practices that the proposal is requesting funds for, consider completing a preliminary investigation report.
4	14	When will the notice of funding availability will go out and what we would need to include or be sure we have ready for that application?	The notice of funding was released on March 13, 2020 via the NRCS eDirectives. Guidance on preparing proposals is included in the bulletin.
4	15	When will a Sponsor know if they are successful in receiving 2020 funding?	NHQ plans to notify the States if their projects were selected and provide funds by June 12.
4	16	What factors are considered in the ranking of proposed projects?	The ranking criteria is provided in the WFPO Funding Proposal Announcement Guidance (see eDirectives).

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<b>Session</b>	<b>Question #</b>	<b>Question</b>	<b>Response</b>
4	17	Are there rule of thumb suggestions for project need in the cost benefit analysis? Question is both in terms of a minimum %, and a suggested length of analysis (e.g.should it be in length of life expectancy of structures, or municipality planning (40 years))?	See the National Watershed Planning Manual - 501.12 Planning Formulation, C. Evaluation Period and the NRCS, National Resource Economics Handbook, Part 611 Water Resources Handbook for Economics, Chapter 5 - Selected Evaluations and Benefits Procedures.
4	18	Is the 25M limit amount only for construction costs or does it include the TA planning, design, and Construction engineering?	16 USC 18 - "No appropriation shall be made for any plan involving an estimated Federal contribution to construction costs in excess of \$25,000,000," without the appropriate congressional committee approvals.
4	19	Do you expect the entire CPA-52 Evaluation Worksheet to be completed in the application?	Yes the CPA-52 must be completed in the application.
4	20	Did the 2018 Farm Bill change any of the watershed planning requirements for PL566?	The 2018 Farm Bill included language about the Secretary having the authority to waive duplicative plans. It does not relieve NRCS of any water resources regulations.
4	21	The E2 table is great, but what if a project is say flood, water quantity, and recreation purpose? Is there a formula to calculate a general construction percentage?	The calculation would be project specific and depend on the portion each purpose represented in the implemented measure(s).
4	22	Is a watershed feasibility study needed before submitting a planning phase project proposal?	A preliminary investigation can be done to help the State Conservationist determine if a potential project meets program requirements. It is up to the State conservationist and state program manager to determine what is needed to respond to a Sponsor request for assistance for planning.
4	23	How are available funds apportioned amongst the states? Equally divided?	Projects are selected by merit and not divided equally among the states.
4	24	Who could tell us if the Watershed Plan that has been approved will allow our project to be considered a backlogged project? Do the projects have to have been reviewed in the approved Watershed Plan? So we can determine if we need a update or a supplemental plan?	<a href="#">The State Watershed Pogram manager - Listed here.</a>
4	25	Who performs the preliminary investigation report, the NRCS or Sponsor?	Preliminary investigations must be done by NRCS staff not by sponsors. The preliminary investigation can be done by IDIQ Federal Contract or by NRCS Staff, requests that call for NRCS staff must show staff capabilities to do in house investigations.
4	26	Do we need to provide the SF424 now or later if you have been notified that your proposal was successful?	A request for assistance must accompany the Project Funding Proposal, this can be a letter or the SF 424.
4	27	Should Sponsors be using the same application templates as were used in 2019?	<a href="#">The updated guidance is provided in the NRCS eDirectives Bulletin - NB 390 20 7.</a>
4	28	How can we see new guidance regarding waivers?	A decision memo is being developed on the waiver policy.
5	29	With that said, is it reasonable to have a deadline of April 17, 2020? From the time of announcement to deadline for submitting, there are only 36 days. This is an extremely short time to respond. Why is this necessary?	While the notice of funding availability was published on March 13, 2020; State program managers were encouraged in January 2020 to begin working with Sponsors to develop proposals. There is currently no plan to extend the April 17th deadline, however, a second round of funding is being scheduled with a tentative deadline of July 31.

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**March 2020**

<b>Session</b>	<b>Question #</b>	<b>Question</b>	<b>Response</b>
5	30	Can 566 funding be applied to a structure owned by bureau of reclamation? I also noticed that your slide deck said the "project" cannot be more than 250,000 acres -- rather than that the watershed must be 250k or less. The reg also says that the size may be applied based on the "irrigation problem area" rather than watershed.	As far as PL-566 funds being used on a Bureau of Rec dam, it depends. Contact the WS Ops Program Manager. For the second question see the National Watershed Planning Manual - 506.50 Glossary, TTT. Watershed ... "In the case of irrigation or salinity projects, the watershed boundary may be based on the irrigation problem area or subsurface hydrologic area, respectively. A watershed area may comprise the land and water of two or more minor drainageways that are separate tributaries to a stream, artificial waterway, lake, or tidal area. Areas from which water is brought in by diversion may be excluded from the watershed if these sources of water have no significant effect on the flood prevention and water management problems of the watershed area."
5	31	How different are the 2020 proposal requirements from the proposal submitted through NRCS state office in 2018? We were told of a second round of funding in 2018/2019 and we never received any feedback on the proposal submitted then (July 31, 2018).	There is not a substantial difference in the information being requested during this proposal period from that that was requested in 2018. There are some additional information that is needed.
5	32	Will NRCS supply the required CPA-52 for the proposals?	CPA-52 should be completed by NRCS Staff.
5	33	how are you managing backlog vs. new projects? (prioritizing, in other words.)	Backlog projects have a higher priority than new projects.
5	34	Can you please define a sponsor?	The definition of a sponsor can be found in National Watershed Program Manual Subpart B, 500.11 Sponsor Responsibilities.
5	35	Can you tell us about the Preliminary Investigations funds?	Preliminary investigations must be done by NRCS staff not by sponsor agreements. The preliminary investigation can be done by IDIQ or by NRCS Staff, requests that call for NRCS staff must show staff capabilities to do in house investigations.
5	36	Is there a template for the proposal format posted on the SharePoint site?	<a href="#">The template is available in the NRCS eDirectives Bulletin - NB 390 20 7.</a>
5	37	Is it possible for sponsors to get that template too?	<a href="#">See the NRCS eDirectives Bulletin - NB 390 20 7.</a>
5	38	What if the proposal is for both Ag and flooding how does the 250K work? do we have to show two different watershed maps?	The limitation regarding the size of the water-shed or subwatershed exceeding two hundred and fifty thousand acres in which such activities can be undertaken shall only apply for activities undertaken for the primary purpose of flood prevention (including structural and land treatment measures). If the rimary purpose of the plan if flood protection and there is land treatment too, the limit would still apply.