

- (i) A letter from the water-quality management agency designated by the Governor to carry out the approved agricultural portion of the 208 water quality management plan for the area or source certifying that the BMPs to be cost shared are consistent with the BMP's in the 208 plan,
- (ii) A letter from the designated management agency which assures and sets out a strategy for reaching an adequate level of participation (§ 634.5(a)).
- (iii) As appropriate, the preapplication for Federal assistance (OMB Circular A-102) from the identified administering agency, and
- (iv) A listing of the prevailing cost-share levels of other programs in the project area.

**§ 634.14 Review and approval of project applications.**

- (a) In reviewing applications and recommending priorities, the NRCWCC will consider the following:
  - (1) Severity of the water quality problem caused by agricultural and silvicultural related pollutants, including:
    - (i) State designated uses of the water affected,
    - (ii) Kinds, sources, and effects of pollutants, and
    - (iii) Miles of stream or acres of water bodies affected,
  - (2) Demonstration of public benefits from the project, including:
    - (i) Effects on human health,
    - (ii) Population benefited by improved water quality,
    - (iii) Effects on the natural environment, and
    - (iv) Additional beneficial uses of the waters that result from improvement of the water quality,
  - (3) Economic, and technical feasibility to control water quality problems within the life of the project, including:
    - (i) Cost effectiveness of BMP's,
    - (ii) Size of the area and BMP's needed, and
    - (iii) Cost per participant and cost per acre for solution of problem,
  - (4) State and local input in the project area, including:
    - (i) Funds for cost-sharing, technical, and administrative costs. States or local governments with their own cost-

share programs may receive greater consideration for the funding of RCWP projects,

- (ii) Commitment of local leadership to promote the program, and
- (5) The project area's contribution to meeting the national water quality goals.
- (b) Based on the project applications, the NRCWCC is to recommend an upper limit of the Federal contribution to the total cost of the project.
- (c) All project applications will be reviewed by EPA. Project applications approval for funding require written EPA concurrence, except that the Administrator, NRCS, may assume EPA's concurrence if EPA does not act within 45 days following receipt of the project application. EPA review of project applications will occur concurrently with review by the NRCWCC.

(d) The Administrator, NRCS, will approve projects for funding. The NRCWCC acting through the Chairman will announce the approval of the project. The State Conservationist, NRCS, through the SRCWCC, will also inform the other involved Federal, State, and local agencies of the approval.

**§ 634.15 Agreements.**

The State Conservationist, NRCS, upon receiving notice of an approved project, is to enter into a grant agreement with the administering agency, except in those cases where USDA is to administer the program. When USDA retains administration, the State Conservationist, NRCS, is to enter into a fund transfer agreement with the State Executive Director, ASCS.

(a) *Grant agreements.* Grant agreements detail the working arrangements and applicable operating regulations between NRCS and the administering agency. A written grant agreement identifying the parties involved, their responsibilities for carrying out the program, and the amount of program funds to be encumbered by NRCS is to be executed by the parties. This agreement is the fund obligating document. It also sets out the necessary working arrangements between parties for determining and allocating the administering agency's costs. All grants to administering agencies are to be in