



*Montana Fish,
Wildlife & Parks*



FISHERIES RESTORATION AND IRRIGATION

MITIGATION PROGRAM

Montana Fish Screening or Passage Project Application

Fisheries Restoration and Irrigation Mitigation Program

Instructions for Consideration for Fish Screening and Passage Project Cost-share Funding

The Fisheries Restoration and Irrigation Mitigation Act of 2000 (PL 106-502) has created a new federal partnership fish screening and passage program in Idaho, Oregon, Washington and western Montana administered by the U.S. Fish and Wildlife Service. The purpose of this program is to match federal funds with local, state, and tribal programs to increase fish survival, reduce entrainment in water distribution systems, and increase access to productive fish habitat. To be eligible for consideration under this program a proposed fish screening or passage project must be associated with a water diversion and benefit fish species native to the project area. The project proposal may include other modifications to the water diversion that are directly associated with screening or passage improvements. Project sponsors must identify at least 35% matching funds for the design and construction of an eligible project and must assume responsibility for operation and maintenance costs of the project. Matching funds may include in kind contributions such as easements, materials, equipment, or labor. This is a partnership program and all applications must include a local, state, tribal or federal government sponsor or co-applicant. Some special provisions apply for projects on federal lands and for proposals involving tribal lands and governments. This is also a voluntary program and must include the involvement and approval of the project operator and affected landowners. All projects must meet applicable state and federal regulatory requirements and must not involve requests for funding in lieu of already existing federal funding commitments. No funds will be dispersed for approved projects until all regulatory clearances are granted.

A team of local, state, tribal, and federal reviewers will rank project applications in Montana and recommend projects for funding under this program. In making their recommendations the review team will determine whether the application clearly documents that the project meets program eligibility requirements. The review team will also consider the magnitude of benefits anticipated to native fish species including improved survival and habitat access, cost effectiveness in achieving those benefits, and likelihood of success of the project as proposed.

Additional consideration will be given to projects that benefit species in special conservation status such as federally endangered species and projects that are elements of conservation or recovery plans. Applications will also be evaluated on the degree of partner involvement and contribution, the thoroughness of coordination with other affected or interested parties, opportunities for additional biological benefits or water use efficiencies, and the status of completion of applicable regulatory reviews. Preference will be given to projects sponsored by local governments and to fish passage and screening associated with irrigation water diversions.

In order to be considered for cost-share funding under this partnership program an applicant or co-applicants must complete the appropriate application package for Montana. This package includes application forms in use by state agencies within Montana plus a supplemental information sheet to assist in developing successful applications and to facilitate project review for eligibility and ranking under this program. The use of appropriate application materials for Montana are intended to reduce required formats for project descriptions and to facilitate coordination with local and state government. Attached are a list of several state and federal points of contact who can advise you regarding project eligibility and the application process. These individuals can also provide additional application materials.

Project proposals are being sought for consideration for cost share funding in both 2002 and 2003. To be considered for 2002 funding projects must be in an advanced state of development and capable of completion of all pre-construction requirements on an accelerated schedule. In order to be considered for 2002 funding please submit your project proposal to one of the listed points of contact no later than May 30, 2002. To be considered for 2003 funding please submit your proposal no later than July 15, 2002. Proposals submitted for 2002 funding will also be considered for 2003 funding unless your application indicates otherwise.

State agencies in each of the involved states have existing expertise regarding fish screen and fishway design requirements as well as fabrication and installation. The U. S. Fish and Wildlife Service anticipates that most screening and passage projects will be designed and constructed in partnership with existing state, tribal and local government programs. We encourage you to work closely with state and local government points of contact in the planning of your proposed fish screening or passage project. Projects on tribal lands require close coordination with or sponsorship by tribal governments.

Eligibility

Please refer to the eligibility criteria listed in Addendum 1 to determine if your proposal is eligible under the program. To receive any federal funding one must ensure all appropriate federal and state permitting and consultations are completed (see Addendum 3).

Points of contact list for Montana

Mr. Mark Lere
Montana Fish, Wildlife and Parks
P.O. Box 200701
Helena, MT 59601
(406) 444-2432
mlere@state.mt.us

Ms. Lynn DuCharme
Confederated Salish and Kootenai Tribes
P.O. Box 278
Pablo, MT 59855
(406) 675-2700
lynnd@cskt.org

Ms. Morgan McCosh Elmer
U.S. Fish and Wildlife Service
P.O. Box 25486, DFC
Denver, CO 80225
(303) 236-7862 X 286
morgan_elmer@fws.gov

**Application packets can be found on Montana Fish, Wildlife and Parks web page:
fwp.state.mt.us/habitat/fishhabitat.asp**

**Application packets can also be found on the U.S. Fish and Wildlife Service web page:
www.r6.fws.gov/fisheries/**

**FISH RESTORATION AND IRRIGATION MITIGATION ACT (FRIMA)
PROJECT APPLICATION**

I. APPLICANT INFORMATION

- A. Applicant Name:
- B. Mailing Address: City or Town:
- C. State: Zip: Telephone:
- D. Contact Person:
Address if different from Applicant:
Telephone:
- E. Landowner and/or lessee name, address, telephone (if other than Applicant):
- F. Water rights owners name, address and telephone (if other than Applicant):

II. PROJECT INFORMATION*

- A. Project Name: River, stream, or lake:
Location Township: Range: Section: County:
Latitude (decimal degrees): Longitude (decimal degrees):
- B. Purpose of Project:
- C. Brief Project Description (Please address all criteria presented in Addendum 2):
- D. Type of Project:
Passage:
Screening: Flow Rate (screens only):
Water Use Purpose: Water Use Months:
- E. Project Budget
Funding Request (Dollars):
Contribution by Applicant (Dollars or In-kind):
Contribution from other Sources (Dollars):
(attach verification)
Total Project Cost:

- F. Attach itemized (line item) budget – see templates.
- G. Attach specific project plans, detailed sketches, photographs, maps, evidence of landowner and water rights owner consent, evidence of public support and/or other information necessary to evaluate the merits of the project.
- H. Attach maintenance plans that will ensure protection of the project.

III. PROJECT BENEFITS*

- A. What species of fish will benefit from this project?:
- B. How will the project protect or enhance wild fish habitat?:
- C. Will the project improve fish populations and/or fishing? To what extent?:
- D. If the project requires maintenance, what is your time commitment to this project?:
- E. What was the cause of habitat degradation in the area of this project and how will the project correct the cause?:
- F. What water use benefits will be realized from this project?:
- G. Will the project interfere with water or property rights of adjacent landowners? (Explain):

IV. AUTHORIZING STATEMENT

I (we) hereby declare that the information and all statements to this application are true, complete, and accurate to the best of my (our) knowledge and that the project or activity complies with rules of the Fish Restoration and Irrigation Mitigation Act.

Applicant Signature: _____ Date: _____

Sponsor (if applicable): _____

***Use extra paper, if necessary. Incomplete or late applications will be returned to the applicant.**

Be sure to complete: "Supplemental Information Sheet for Consideration for Project Cost-share Funding"

MAIL TO: Any point of contact as listed on the application instruction form.

BUDGET TEMPLATE SHEET FOR FRIMA APPLICATIONS

WORK ITEMS	NUMBER OF UNITS	COST PER UNIT	TOTAL COST	CONTRIBUTIONS			
				FRIMA	IN-KIND SERVICES	IN-KIND CASH	TOTAL
Personnel							
Survey							
Design							
Engineering							
Permitting							
Oversight							
Labor							
Travel							
Mileage							
Per diem							
Construction							
Materials							
Supplies							
Equipment							
Mobilization							
Easements (need appraisal)							
TOTALS							

FISH RESTORATION AND IRRIGATION MITIGATION ACT (FRIMA)

CONTRIBUTORS TOWARDS FRIMA BUDGET

SOURCE	IN-KIND SERVICES	CASH	TOTAL
Applicant			
Other Sources			
TOTALS			

Identify contacts that have been made with USFWS, state F&W agency, and/or tribal F&W office concerning this project (attach communications if appropriate)

Identify regulatory reviews or approvals that will be needed prior to the construction or installation of this project, indicate steps already completed to accomplish this.

Are the project operator and the owner of lands where the project will be sited and lands required for construction access project applicants or co-applicants? (if not, attach documentation indicating coordination and concurrence)

Y N

Additional project information -

(attach supplemental or explanatory information where appropriate)

Identify the fish species native to the project area that will benefit from this proposal, indicate if any of those species are listed on the federal Endangered Species List or have other special conservation status

Estimate the increase in survival to native fish species in percentage and/or number of fish attributable to the proposed project (identify the basis for your estimate)

Estimate the amount and type of additional habitat that will be accessed or more completely utilized as a result of this project

Indicate why you believe that the proposal will be both successful and cost effective in achieving the above benefits

Does installation of this project provide additional opportunities for other biological benefits or increase efficiency of water use?

Identify the time period within which project design, pre-construction approvals, and project construction can be completed (indicate the basis of your estimate)

Do you wish the proposal considered for 2002 funding? Y N For 2003 funding? Y N

Addendum 1
Project Eligibility Criteria
Fish Restoration and Irrigation Mitigation Program

1. Project includes design, construction, and installation of fish screens, fish passage devices and other related features* which are associated with an irrigation or other water diversion or is a project inventory proposal from a lead state agency (typically a state fish and wildlife agency or federally recognized tribe in partnership with a state)
2. Project is located in the states of Idaho, Oregon, Washington, or in Montana west of the continental divide
3. Project intent is to reduce fish mortality, reduce entrainment of fish in water distribution systems, or increase subsequent survival and reproductive success of fish species native to the project area
4. Project application includes commitment by one or more project operators or sponsors to assume all operation and maintenance costs for the life of the project
5. For most projects, one or more applicants or co-sponsors must be regional government entities within the above geographic area (tribal, state, county, municipal, or service district). Projects on tribal lands are to be sponsored or co-sponsored by tribal governments. Projects at federally owned facilities may be sponsored by the owning agency with regional co-sponsor support.
6. Project application demonstrates commitment of at least 35% of total project cost from funding sources other than FRIMA. In the case of projects not under federal ownership, this cost share must be from a non-federal funding source. (Non-program cost share may include in kind costs such as labor, equipment, fill material, material disposal areas, lands, easements, right-of-ways, relocations and other such project requirements)
7. Project application states that federal funding is not being received from any other source for the same specific project purpose and that the action is not for compliance with conditions of an existing FERC license.
8. Project application demonstrates prior coordination with applicable state fish screening entity (normally state fish and wildlife agency) and appropriate FWS field office.
9. Project application demonstrates coordination underway or completed for all regulatory review or approval actions with state and federal resource managers necessary for project construction or installation.
10. Project application demonstrates coordination with and documents approval by project owner/operator and, if necessary, by adjacent landowner(s) for required construction access.

* related project features include modifications to associated water diversion structures which are required for effective operation of upstream or downstream fish passage improvements or restoration

Addendum 2

Project Ranking Criteria Fish Restoration and Irrigation Mitigation Program

1. Project increases survival and reproductive success of fish species native to the project area.
2. Project increases area of productive habitat accessible or utilized by native fish species present in the project area, consider benefits to multiple species or other watershed productivity implications.
3. Project benefits fish species in depleted or special conservation status (including ESA listings)
4. Project is a measure identified in specific fish management, conservation, or recovery plan
5. Proposed project techniques and methodology have a high degree of likelihood of achieving proposed results under the full range of normally experienced operating conditions.
6. Project demonstrates cost effectiveness in achieving project purposes compared to similar projects and alternative means of achieving the same proposed result (preference for projects under \$5 million in total cost).
7. Project is associated with an irrigation water diversion or point of irrigation water withdrawal.
8. Project provides additional opportunities for biological benefits or saving of water for other instream or agricultural uses.
9. Project proposal makes maximum effective use of program funds by involving other local and regional funding sources in the proposed project and in related restoration activities.
10. Project applicant or participating co-sponsor is a locally based government entity such as a county, municipal government, or local service district (such as a soil and water conservation district)
11. Project application demonstrates thorough coordination with appropriate federal, state, local, and private entities including local landowners.
12. Project can be completed and yield proposed benefits in a timely manner. Assess whether project application identifies and demonstrates approval or substantial progress toward approval of all regulatory requirements required for construction or installation.

Addendum 3

FEDERAL FUNDING REQUIREMENTS

NARRATIVE

- End date of 30 Sept
- Correct placement of budget/cost figures.
- Federal funding share of no more than 65% and a State share no less than 35%.
- E.O. 12372 check-off.
- Signature by an authorized official.
- All application questions addressed
- Need
- Objective
- Expected Results and Benefits
- Approach
- Cost
- No more than a 10% difference between funding/cost figures on AFA form and itemized budget in back-up documentation.
- Adequate documentation of in-kind match, if applicable.
- Statement addressing program income, if applicable.

ENVIRONMENTAL COMPLIANCE

NEPA

- Statement that NEPA Worksheet was prepared and is on file.
- A completed, signed NEPA Checklist with the applicable NEPA Categorical Exclusion cited -or- draft EA, if appropriate.

Floodplains and Wetlands

- Citation of reference or source used to determine the presence of floodplains or wetlands.
- Identification of floodplains or wetlands that occur in or adjacent to project area.
- If proposed action would take place in floodplain or wetland, then:
- The total amount of wetlands or floodplain (acres) directly or indirectly affected.
- If wetland, identification of type.
- A description of the actions that will be taken to avoid, minimize, and/or mitigate adverse effects.

Prime or Unique Farmland

- Citation of reference or source used to determine the presence of prime/unique farmland.
- Identification of prime/unique farmland that occurs in or adjacent to project area.
- If proposed action would take place in prime/unique farmland, then:
- Form AD-1006 A Farmland Conversion Impact Rating. @
- Description of effects.
- Explanation of how effects will be avoided, minimized, and/or mitigated as established through consultation with the Natural Resource Conservation Service.

Federally-listed Endangered, Threatened, Proposed, or Candidate Species or Critical Habitat

- List of Federally-listed endangered, threatened, proposed, or candidate species and critical habitat considered.
- Identification of species or habitat that occur in or adjacent to the project area.
- Description of possible effects to these species or habitat from proposed project.
- Description of measures to be taken to avoid, minimize, and/or mitigate effects.

Cultural, Historical, or Archaeological Resources

- Statement regarding compliance with the National Historic Preservation Act (NHPA).
- Copy of outgoing correspondence to SHPO requesting review of proposed project.
- Copy of SHPO's written response.

Invasive Species (E.O. 13112)

- Statement addressing the potential for the proposed project to cause or promote the introduction or spread of

invasive species

Animal Welfare Act

- Statement addressing whether proposed project includes activities that are subject to the Animal Welfare Act and, if so, how compliance with the Act will be ensured.

Migratory Bird Treaty Act

- Statement regarding compatibility of the planned work activities with the MBTA, if applicable.

Environmental Justice

- Statement addressing whether proposed project would have A disproportionately high and adverse human health or environmental effects on low income populations, minority populations or Indian tribes.

SPECIFIC FUNDING ACTIVITIES

Operations and Maintenance

- A statement that a written agreement O & M is covered by grantee or landowner for life of project.

Habitat Management

- A statement that the proposed project is not mitigation for fish and wildlife habitat losses caused by another federal or state agency.
- A statement regarding the state agency's control of areas on which proposed activities are to be done (control may be achieved by written agreement with the landowner or other legally-binding document) .
- A statement regarding the use of pesticides in conjunction with the proposed project to include the registered used of the pesticide, label instructions about its application, and its application under the supervision of a certified applicator.
- A statement that a qualified engineer will approve engineering plans and estimates, approve the feasibility determination, supervise the construction, and furnish a report of final inspection for construction costing more than \$100,000.
- A statement regarding compliance with Federal dam standards, if applicable.

Facilities Construction

- The size or capacity of the facilities to be constructed.
- A statement addressing how the proposed facilities will interface with existing developments.
- The length of the expected life of the facilities.
- A statement about control of the land on which the facilities will be constructed. If land is owned by another entity, a statement about how the state will exercise its control.
- A statement that a qualified engineer will approve engineering plans and estimates, approve the feasibility determination, supervise the construction, and furnish a report of final inspection for construction costing more than \$5,000,000 or 25% of total Program funding.
- A statement addressing the operation and maintenance of the facility, and agreements with third parties for the operation and maintenance, if applicable.
- A statement regarding compliance with Federal dam standards, if applicable.
- A statement regarding how program income from any user fees will be handled.
- A site plan with the proposed FA facilities clearly marked.

YEARLY FUNDING AGREEMENT REQUIREMENTS

- End date of no more than 2 years from start date for small construction projects and no more than 1 year from start date for all others.
- Correct placement of figures on Funding Agreement form.
- A federal cost share of no more than 65% and a state share no less than 35%.
- Signature by an authorized official.
- Accurate correlation between figures on ga form and itemized budget in back-up documentation.
- Adequate documentation of in-kind match, if applicable.
- Statement addressing program income, if applicable.

YEARLY FUNDING AGREEMENT REPORTING REQUIREMENTS

Habitat Management

- A description of the progress made toward accomplishment of the stated objective for the project with an explanation for any deviations.
- A summary of the work completed related to the work identified in the project statement or the Funding Agreement, including, as appropriate, the number of acres/hectares or miles/kilometers of stream created or improved and the location.
- The location where the work was done by county and other descriptions or maps as appropriate.
- The costs incurred during the funding agreement period.

Facilities Construction

- A description of the progress made toward accomplishment of the stated objective for the project with an explanation for any deviations.
- A summary of the work completed related to the work identified in the project statement or the Funding Agreement.
- Specific location of the facilities constructed or developed.
- The costs incurred during the funding agreement period.