§ 404.44 What criteria will Reclamation apply to determine whether it is appropriate to recommend that a feasibility study be conducted?

In reviewing an appraisal investigation, Reclamation will apply the following criteria to determine whether at least one of the alternatives identified is appropriate for further analysis through a feasibility study, or whether the investigation should be terminated without conducting a feasibility study, including:

(a) Whether a reasonable range of alternatives (structural or non-structural) have been formulated and evaluated;

(b) Whether the recommendation for further study of one or more alternatives is clearly supported by the analysis in the appraisal investigation; and

(c) For each alternative considered in the investigation, whether the alternative:
   (1) Identifies viable water supplies and water rights sufficient to supply the proposed service area, including all practicable water sources such as lower quality waters, non-potable waters, and water-reuse-based water supplies;
   (2) Has a positive effect on public and health and safety;
   (3) Will meet water demand, including projected future needs;
   (4) Provides environmental benefits, including source water protection;
   (5) Applies a regional or watershed perspective and promotes benefits in the region in which the project is carried out;
   (6) Implements an integrated water resources management approach;
   (7) Enhances water management flexibility, including providing for local control of water supplies and, where applicable, encouraging participation in water banking and markets;
   (8) Promotes long-term protection of water supplies;
   (9) Includes preliminary cost estimates that are reasonable and supported;
   (10) Is cost-effective and generates national net economic benefits as required under the Principles and Guidelines (incorporated by reference at §404.4);
   (11) For each alternative proposed for further evaluation in a feasibility study, whether the project sponsor has the capability to pay 100 percent of the costs associated with the operation, maintenance, and replacement of the facilities constructed or developed; and
   (12) Other factors that Reclamation deems appropriate.

§ 404.45 What will be included in the appraisal report prepared by Reclamation?

The appraisal report prepared by Reclamation will include Reclamation’s finding as to whether or not it is appropriate to proceed to a feasibility study, based on Reclamation’s review of the appraisal investigation and application of the criteria set forth in §404.44, and the reasons supporting that finding.

§ 404.46 Who will the appraisal report be provided to?

A copy of the appraisal report will be provided to you. Reclamation will also publish a notice of availability of the appraisal report in the FEDERAL REGISTER and will make a copy of the report available to the public upon request.