

CHAPTER 6-220
AMENDMENTS AND POST-AWARD CHANGES
FOR A WATERSHED COOPERATIVE AGREEMENT

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6-220-00 What does this chapter do?

This chapter explains our policies and procedures for amendments and changes after you have received a cooperative agreement under the Watershed Cooperative Agreement Program (WCAP) from us, the Office of Surface Mining Reclamation and Enforcement (OSMRE).

6-220-10 When should you send us your request for a change?

- A. You must submit proposed changes to the official watershed cooperative agreement to us for approval before you make the actual change or obligate the funds. Costs you incurred before we approve the change may be unallowable.
- B. We will not approve your request to change a watershed cooperative agreement (including a time extension) which we receive after the end of the performance period, unless there are unforeseen circumstances not under your direct control. You must provide justification for such extenuating circumstances to the satisfaction of our designated awarding office official.
- C. We should receive your request for an extension of the cooperative agreement's performance period at least 30 days prior to the scheduled ending date.

6-220-20 What changes require an amendment?

You will need to submit an application for us to amend your cooperative agreement for the following changes.

- A. To add or decrease funding under the agreement.
- B. To revise the agreement's performance period.

6-220-30 How must you request and we approve an amendment?

- A. Either you or we may initiate an amendment. However, we must both agree on the amendment terms.

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- B. You may send your application by regular mail or e-mail to the Watershed Coordinator or Financial Specialist at our awarding office. Your application must include the following items.
1. A signed or approved application face sheet, form [SF-424](#), identifying the type of change you are requesting in item 8.
 2. A narrative explanation and justification for the requested change. You may use the optional [OSM-51](#) form or plain paper, or you may include the explanation in your transmittal letter.
 3. If you are requesting any change to the project budget or our funding level, include a revised budget information report. See chapter [6-200](#) for more information.
 4. If you are requesting additional funding that would raise our total funding level above \$100,000, or would reduce the ratio of partners to WCAP funding to less than 2.5 to 1, you must provide adequate information to enable our Watershed Coordinator to respond to the following questions:
 - a. Have you made every reasonable effort to secure the additional needed funds from other sources?
 - b. What will the impact be on the proposed project if the additional funds are not provided?
 - c. Does the project have a broad partnership in funding and locally participating individuals, companies or organizations?
 - d. Does the project present the potential for exceptional benefits in stream and watershed improvements?
 - e. Is the project part of a comprehensive watershed restoration plan, in which there has been a substantial investment of time and funding by other partners?
 - f. Is our contribution being leveraged by a substantial contribution from other partners?
 - g. Does the technology and design selected for the project have a high likelihood of success in treating the water quality and quantity without the need for frequent and expensive system renovations?
- C. We will review your amendment application. We will process the award the same way we process a new cooperative agreement, as outlined in Chapter [6-210](#). We will approve the amendment within 30 days of receiving your application and notify you of our approval.

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- D. The amendment is effective when our designated official approves it. It applies to the entire agreement performance period unless otherwise stated. The approved amendment becomes part of the original agreement.

6-220-40 How must you request and we approve a change in the scope of your program?

- A. A scope change is any change in the objectives of the program or the work to be performed that is outside the plans approved in the original grant and that has the potential to affect the success of the program. Examples of scope changes are a significant change in your partners or their contributions, or unforeseen site conditions which require you to change your reclamation approach.
- B. You must get our written approval before you make a scope change. However, a scope change does not require a formal amendment to your cooperative agreement.
- C. You should send a written request for our approval of a scope change to our awarding office as soon as you determine the change is needed. An authorized official of your organization must send a letter or e-mail requesting the change. Your request must include a narrative explanation and justification for the requested change, either in your letter or on the optional [OSM-51](#) form.
- D. Our awarding office will notify you in writing whether or not we approved your request. We will send the decision letter no later than 15 days after we receive your request. If the request is still under consideration at the end of 15 days, the awarding office must inform you in writing when a decision on the request may be expected and the reasons for the delay.