Paperwork Reduction Act Statement. We are collecting this information in accordance with the Comprehensive Environmental Response, Compensation and Liability Act, 42 U.S.C. § 9601 *et seq*. Your response is required to obtain or retain a benefit. We will use the information you provide to conduct a review and assessment of application materials and make selections for funding. We may not conduct or sponsor and you are not required to respond to a collection of information unless it displays a currently valid OMB control number. We estimate that it will take applicants under this program about 4 hours to complete an application. We estimate it will take recipients under this program about 4 hours to complete required reporting and 1 hour for required recordkeeping. All burden estimates include the time to review instructions, search existing data resources, gather data needed and complete and review the submission. You may send comments on the burden estimate or any other aspect of this information collection to the Information Collection Clearance Officer, U.S. Fish and Wildlife Service, MS BPHC, 5275 Leesburg Pike, Falls Church, VA 22041-3803.

U.S. Fish and Wildlife Service
Northeast Region
Division of Ecological Services

Natural Resources Damage Assessment, Restoration and Implementation
Catalog of Federal Domestic Assistance (CFDA) Number: 15.658
Notice of Funding Opportunity

I. Description of Funding Opportunity

The U.S. Fish and Wildlife Service's Natural Resource Damage Assessment and Restoration (NRDAR) Program's purpose is to restore natural resources and their services that have been injured by an oil discharge or hazardous substance release for the benefit of the American people.

NRDAR meets several of the Department of the Interior (DOI) Priorities and Key Initiatives for Financial Assistance. We work collaboratively with our natural resource co-trustees (select federal government agencies with natural resource trusteeship, as well as states, territories, and federally recognized tribes) to form a case (or site) specific Trustee Council and conduct damage assessment and restoration activities. These activities rely upon expanded lines of communication within the Trustee Council and collaboration between the Trustee Council and the general public to establish mutual interest. Specifically, NRDAR activities include working cooperatively with all members of the Trustee Council to: identify which natural resources and services have been injured, determine the extent of the injuries, recover damages from those responsible, and plan and carry out restoration activities to offset the injuries and lost services. As a part of the restoration planning, the Trustee Council is required to seek and consider public comment regarding proposed restoration actions and projects, furthering open lines of communication to stakeholders that aren't on the Trustee Council and increasing mutual interest. Through the collaborative nature of the Trustee Council and the requirement to seek public input into restoration planning, all NRDAR activities meet two DOI Priorities: 3(b) expand the lines of communication with governors, state natural resource offices, fish and wildlife offices, water authorities, county commissioners, tribes, and local communities; and 4(b) solidify mutual interests between the U.S. and the freely associated states and territories.

The NRDAR Trustee Council for the Combe Fill South Landfill Superfund Site, acting on behalf of the public and with the approval of the public, finalized an Addendum to the Final Restoration Plan and Environmental Assessment (Final Addendum), which selected the removal of the

Columbia and Remnant Dams for restoration implementation. The Final Addendum is available at: www.fws.gov/northeast/njfieldoffice/ pdf/ CombeFill_ FinalAddendum.pdf.

This is an announcement for issuing a single source financial assistance award to The Nature Conservancy-New Jersey (TNC) for conducting the Columbia and Remnant Dam Removals, Warren County, New Jersey (NJ). This announcement is for notification purposes only. The intent of the award is to improve water quality, fish passage, and recreational opportunities of the lower Paulins Kill River through the removal of the Remnant Dam, the removal of the Columbia Dam, and the initiation of the restoration and stabilization of the river channel within the project area (as necessary), and within the 44.5-acre floodplain of the Columbia impoundment. The Columbia and Remnant Dams are located on the Paulins Kill River just upstream of the confluence with the Delaware River, and are situated within 1,098 acres of state-owned land (*i.e*., the Columbia Wildlife Management Area). The Paulins Kill River is the third largest NJ tributary draining to the Delaware River, and has a major impact on the people and wildlife that live within its watershed and on nearby stretches of the Delaware River. The Columbia and Remnant Dam removals are ranked in the top 5% of all dams prioritized for removal by the Northeast Association of Fish and Wildlife Agencies, due to their profound impact on migratory fish.

The Columbia and Remnant Dams significantly contribute to the degradation of water quality in the lower Paulins Kill River, and also degrade aquatic habitat, block migratory fish passage from the Delaware River (*i.e*., American shad, blueback herring, American eel), and diminish public fishing and recreational opportunities. Dam removal will improve water quality and aquatic habitat for fish and wildlife resources, and will provide fish passage for migratory aquatic species. This project will shift the balance towards providing greater public access to public lands, by improving fishing and boating access and by enhancing nature-based recreational opportunities within the project area (*e.g*., hiking, hunting, wildlife viewing), thereby meeting DOI Priority 1(g), and DOI Key Initiative 4: providing access to outdoor recreation opportunities. Dam removal will additionally reduce the regulatory burden placed on the dam owner for licensure and inspection, and will eliminate future costs associated with maintenance, liability, and mandatory upgrades (DOI Priority 7(a)).

Criteria for funding was based, in part, on the projects ability to yield the greatest return on investment by taking advantage of existing project planning efforts, financial investments, and in-kind contributions by TNC and its partners; and the likelihood of successful enhancement of fish and wildlife resources and their habitats. TNC and the Service have developed this project in close collaboration with various state, Federal, private, and non-governmental partners who have provided technical expertise in science-driven dam removal, fish passage, and aquatic restoration projects in NJ, thereby meeting DOI Priority 1(e): foster relationships with conservation organizations advocating for balanced stewardship and use of public lands, and 1(a): utilize science to identify best practices to manage land and water resources and adapt to changes in the environment.

Funds provided by this award will be used in conjunction with monies and in-kind donations from multiple other sources, making this project cost-effective to the government. This project can be implemented and completed within a short timeframe because many precursory components of the dam removal process are complete, including, but not limited to: sediment investigation and analysis; hydraulics modeling; 90% engineering and design plans; state and local permit approvals; and federal compliance documentation.

NRDAR restoration activities create jobs and support local economies (DOI Priority 5(c) and Key Initiative 3). A 2016 USGS study analyzed the economic benefits from restoration projects, including NRDAR specific projects. The study found for every $1 million invested in ecosystem restoration, between 13 and 32 job-years and $2.2 to $3.4 million in total economic output are contributed to the U.S. economy. Dam removal projects, in particular, are known to generate significant economic benefits for the American people. Each mile of river opened so that fish can move freely can contribute an estimated $515,000 in social and economic benefits once fish populations are at their full productivity (Charbonneau and Caudill 2010). The proposed dam removals will open up 11 miles of mainstem river and 22 miles of tributary streams, with the potential to generate an estimated $16.9 million in social and economic benefits.

Legal authorities: the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), as amended (42 U.S.C. §§ 9601, *et seq*.); the Oil Pollution Act (OPA) (33 U.S.C. §§ 2701, *et seq*.); the Federal Water Pollution Control Act or Clean Water Act (CWA), as amended (33 U.S.C. §§ 1251, *et seq*.); the Final Restoration Plan and Environmental Assessment for the Combe Fill South Landfill Superfund Site, Morris County, New Jersey (June 2016); and the Final Restoration Plan and Environmental Assessment Addendum for the Combe Fill South Landfill Superfund Site, Morris County, New Jersey (December 2017).

II. Award Information

The Service intends to make a sole source award of a Cooperative Agreement to TNC. This award is for the amount of $3,926,960. The anticipated start date of this award is July 2018. The period of performance for this award is 3 years.

Criteria for sole source funding were based, in part, on TNC's unique qualifications to support and implement the proposed project. TNC is a non-profit organization whose mission is to protect the lands and waters of New Jersey. One of TNC's current goals is to work with partners to improve the lower Paulins Kill River, in part, by removing obsolete dams that impede water flow, degrade water quality, increase non-native species abundance, block fish passage, and diminish public fishing and recreational opportunities. TNC has successfully led efforts over the past decade (in cooperation with state, Federal, private, and non-governmental partners) to fund and remove multiple dams throughout the State of New Jersey.

TNC's has acted as the lead non-governmental entity for the Columbia and Remnant Dam removal project since 2013, and has demonstrated a high level of proficiency in previous and ongoing project planning and management. TNC has provided in-kind and financial contributions for feasibility studies, 90% engineering design plans, permits, and has provided in-kind staff time and resources for ongoing scientific monitoring services. TNC has successfully acquired additional funds to support cost-sharing for this project, significantly reducing the overall cost of this project to the government. TNC has developed this project in close collaboration with various state, Federal, private, and non-governmental partners who have provided technical expertise in science-driven dam removal, fish passage, and aquatic restoration projects in NJ. As such, TNC possesses the necessary skills and expertise to organize and complete the proposed project.

The Service will be substantially involved in efforts undertaken with this funding opportunity. In particular, the Service will be responsible or the following: (1) review and approval of final design plans and other project-related documents related to dam removal efforts, fish passage elements, and stream restoration activities to ensure that project activities are appropriate to reach conservation goals and meet the requirements for compliance with federal laws; (2) review and approval of sub-awards (*e.g*., construction bids); (3) review and approval of proposed modifications to project activities; (4) determine scope, timing, and prioritization of project activities in the event of budget shortfalls; (5) facilitate weekly construction oversight meetings (in person or via phone) between TNC and project partners (*e.g.*, New Jersey Department of Environmental Protection, Princeton Hydro, sub-awardee(s)); (6) provide technical support during any public meetings and/or outreach events to inform the public of project activities and review feedback from the public.

III. Basic Eligibility Requirements

Eligible Applicants:

TNC is eligible to apply. TNC is a non-profit 501(c)(3) organization whose mission is to protect the lands and waters of New Jersey, including improving the health of the Paulins Kill River and its watershed, and its natural resources.

U.S. non-profit, non-governmental organizations with 501(c)(3) Internal Revenue Service (IRS) status must provide a copy of their status determination letter received from the IRS.

Federal law mandates that all entities applying for Federal financial assistance must have a valid Dun & Bradstreet Data Universal Number System (DUNS) number and have a current registration in the System for Award Management (SAM). See Title 2 of the Code of Federal Regulations (CFR), Part 25 for more information. Exemptions: the SAM registration requirement does not apply to individuals submitting an application on their own behalf and not on behalf of a company or other for-profit entity, state, local or Tribal government, academia or other type of organization.

A. DUNS Registration

Request a DUNS number at http://fedgov.dn.com/webform. For technical difficulties, contact Dun & Bradstreet by email at: govt@dnb.com, or by calling the Government Customer Resource Center at voice phone: 866-705-5711 or TTY line: 877-807-1679 (hearing impaired customers only). Once assigned a DUNS number, entities are responsible for maintaining up-to-date information with Dun & Bradstreet.

B. Entity Registration in SAM

Register in SAM at www.sam.gov. Once registered in SAM, entities must renew and revalidate their SAM registration at least every 12 months from the date previously registered. Entities are strongly urged to revalidate their registration as often as needed to ensure that their information is up to date and in synch with changes that may have been made to DUNS and IRS information. Foreign entities who wish to be paid directly to a United States bank account must enter and maintain valid and current banking information in SAM.

Note: The official U.S. government website address for SAM is www.sam.gov. There is NO COST to register in or access SAM.gov. There are third-party vendors who charge a fee in exchange for registering entities in SAM; please be aware that you can register to do business with the U.S. government FOR FREE directly in SAM at www.sam.gov.

C. Excluded Entities

Applicant entities or their key project personnel identified in the SAM.gov Exclusions database as ineligible, prohibited/restricted or excluded from receiving Federal contracts, certain subcontracts, and certain Federal assistance and benefits will not be considered for Federal funding, as applicable to the funding being requested under this Federal program. The Service conducts a review of the SAM.gov Exclusions database for all applicant entities and their key project personnel prior to award.

D. Cost Sharing or Matching:

Cost-sharing is not a requirement, but priority is given to projects that leverage technical and financial assistance through voluntary partnerships.

IV. Application Requirements

To be considered for funding under this funding opportunity, an application must contain:

A. A completed, signed and dated Application for Federal Assistance form (SF-424). The SF-424 can be found at http://www.grants.gov/web/grants/forms/sf-424-family.html#sortby=1 (form name: "Application for Federal Assistance (SF-424)"; OMB Number 4040-0004).

Do not include other Federal sources of funding, requested or approved, in the total entered in the "Federal" funding box on the Application for Federal Assistance form. Enter only the amount being requested under this program in the "Federal" funding box. Include any other Federal sources of funding in the total funding entered in the "Other" box.

B. Project Summary

Title: Columbia and Remnant Dam Removals, Warren County, New Jersey

Project Overview and Tasks: This project consists of: (1) the removal of the Remnant Dam; (2) the removal of the Columbia Dam; and (3) the initiation of active restoration and stabilization of the river channel within the project area (as necessary), and within the 44.5 acre floodplain of the Columbia impoundment.

Expected Outcomes: The proposed restoration actions will improve an impaired aquatic system and provide environmental and recreational benefits including, but not limited to: restoration of historic connectivity between the Paulins Kill and Delaware Rivers; fish passage for resident migratory fishes and other migratory aquatic taxa; access to 11 miles of historic spawning/rearing grounds for imperiled diadromous fish species; restoration of native free-flowing riverine habitat; wetland and floodplain restoration; improved water quality and reduction of algal/weed blooms; reduced localized flooding; increased public fishing and boating access and increased nature-based recreation; reduced long-term maintenance and liability costs for the dam owner and public; and the elimination of a public health and recreational safety hazard.

C. Project Narrative

1. Statement of Need:

Several key issues contribute to the need for the removal of the Columbia and Remnant Dams. These needs include those associated with: 1) the negative effect of the dams on aquatic habitat connectivity and fish populations; 2) the negative effect of the dams on water quality; 3) the negative effect of the dams on fishing and aquatic recreational activities; 4) the age and existing condition of the dams; and 5) the opportunity for beneficial ecological restoration of the Lower Paulins Kill River.

The Remnant Dam failed within one-year of its construction (1901), and remains partially breached and abandoned to current times. The Columbia Dam was built in 1909, and currently creates a 44.5-acre impoundment that is rapidly infilling with sediment, has poor water quality, and is burdened by excessive weed growth. The Columbia Dam, in particular, contributes to several aspects of ecosystem degradation. First, the Columbia Dam fragments aquatic habitats by eliminating connectivity between the Delaware and Paulins Kill River. The Columbia Dam is located 0.3 miles upstream of the Delaware confluence, and has blocked fish passage for over 100 years. Aquatic habitat connectivity is extremely important to many resident and migratory fish species that require the use of multiple habitat types throughout the larger Delaware River Basin to complete their life history requirements. Diadromous migratory fishes such as American shad, blueback herring, and American eel that spend time at sea, but also require freshwater habitats to spawn and/or grow, have been substantially negatively impacted by Delaware River tributary dams that block their migratory efforts. Pre dam removal monitoring efforts (2015-2016) indicate that American shad, blueback herring, and American eel occur below the Columbia Dam, but are unable to move further upstream due to the complete barrier.

Secondly, the Columbia and Remnant Dams degrade water local water quality. Man-made impoundments such as the one located just upstream of the Columbia Dam (*i.e.*, Columbia Impoundment) are not intended to last forever, they typically have a life span that is largely contingent on the rate of natural infilling with sediments from upstream sources. River systems are naturally designed to convey sediments from upstream to downstream reaches; these sediments are ultimately captured in deltas and help to create beneficial wetland areas near the ocean. When rivers are dammed, these sediments are blocked and begin to accumulate in the impoundments behind dams. As a result, impoundments become shallower over time. As impoundments get shallower, they also become warmer. Water temperatures increase due to direct solar radiation from the sun. Impoundments also ‘stratify’, meaning that colder, denser water settles near the bottom, and warmer, less dense water is near the top. During stratification, the colder, denser water often becomes anoxic, meaning that aquatic biota cannot survive at depth in the absence of oxygen and are therefore constrained to the warmer waters of the surface which are unsuitable for many species. Dams also trap nutrients, such as nitrogen and phosphorus, which are derived from plants and leaves that fall in upstream waters and are transported downstream. Too many nutrients can cause negative impacts, such as algal blooms and excessive weed growth. All of these indicators of water quality degradation are observed at the Columbia Impoundment.

Third, fishing and aquatic recreational activities are diminished in the lower Paulins Kill River, largely due to the Columbia Dam. Degraded aquatic habitat and water quality have impacted the structure and abundance of the current game fish assemblage, thereby reducing successful fishing opportunities, particularly in the summer months when water temperatures become too hot and dissolved oxygen levels become too low for many species. In addition, boating and other aquatic recreational activities are severely limited in the Columbia Impoundment due to sediment infilling and excessive algae and weed growth.

Fourth, dams age and become obsolete over time. The Remnant Dam failed over 100 years ago, and has never served any purpose beyond diverting river flow and causing erosional issues. The Columbia Dam will soon be 110 years old. The original function of the dam is obsolete; it is no longer used to produce electricity through hydropower. The spillway and powerhouse are ageing and will continue to deteriorate over time. The costs for repairs and maintenance will be realized into the indefinite future and will continue to increase as the dam gets older. These costs would be indirectly incurred by NJ taxpayers.

Fifth, the removal of the Columbia and Remnant Dams has a high probability of providing large ecological and recreational benefits to the lower Paulins Kill River. The proposed restoration actions will improve an impaired aquatic system and provide environmental and recreational benefits including, but not limited to: restoration of historic connectivity between the Paulins Kill and Delaware Rivers; fish passage for resident migratory fishes and other migratory aquatic taxa; access to 11 miles of historic spawning/rearing grounds for imperiled diadromous fish species; restoration of native free-flowing riverine habitat; wetland and floodplain restoration; improved water quality and reduction of algal/weed blooms; reduced localized flooding; increased public fishing and paddling access and increased nature-based recreation; reduced long-term maintenance and liability costs for the dam owner and public; and the elimination of a public health and recreational safety hazard.

TNC has worked closely with numerous local, Federal, state, non-government, and private partners over the last 3 years towards the removal of the Columbia and Remnant Dams. TNC has developed 90% design and engineering plans that appropriately outline a well-organized plan for dam removal, fish passage, and restoration activities. The Service has been actively involved with the planning process, and approves of the current design and work plan. TNC and their partners have laid the groundwork for a successful dam removal project by completing the required regulatory permitting, and acquiring the additional funding necessary to complete the proposed project.

2. **Project Goals and Objectives:**
   The overarching goal of the proposed project is to restore the lower Paulins Kill River in the vicinity of the Columbia and Remnant Dams, located in Knowlton Township, Warren County, New Jersey. The specific objectives are: (1) the removal of the Remnant Dam; (2) the removal of the Columbia Dam; and (3) the initiation of active restoration and stabilization of the river channel within the project area (as necessary), and within the floodplain of the 44.5-acre impoundment upstream of the Columbia Dam.

3. **Project Activities, Methods and Timetable:**
   The proposed action includes the removal of the Remnant Dam, the removal of the Columbia Dam, and the initiation of the restoration and stabilization of the river channel within the project area (as necessary), and within the 44.5-acre floodplain of the Columbia impoundment. With Service oversight and approval, TNC will work with project partners to finalize dam removal design plans, hire a contractor for removal activities, and complete planned construction and channel/floodplain restoration activities.

   The Remnant Dam would be removed first. The structure will be removed to a distance of 10 feet from the existing bank, and to a minimum depth of three feet below the adjacent river bed. The Columbia Dam removal would begin with an initial dewatering period accomplished by opening turbine conduits. Further dewatering will be accomplished by dam notching and installation of a bypass channel. Once water levels meet the elevation of the downstream concrete apron, the apron will be further saw cut and/or hammered to allow the water surface to be further lowered. Rip-rap will be added as necessary to stabilize exposed subgrades below the concrete apron and dam foundation. Finally the remainder of the dam will be demolished, and associated structures would be removed.

   As water levels decrease during the dewatering phase and during construction, a channel would begin to form through the former impoundment. It is anticipated that channel formation will occur in approximately the same location as the current thalwag. Active restoration of the channel and floodplain would be accomplished through channel excavation (as necessary), and the formation of floodplain benches that transition from low floodplain, high floodplain, and potentially to upland. Scour protection measures would be implemented at 3 bridges within the project area. Fish passage structures, including weirs, would be installed in a high-velocity area.

   The proposed dam removals would result in the passive/controlled release of approximately 50,000 cubic yards of sediment. Sediment would be mobilized slowly, and the new channel would self-adjust to an overall stream width of approximately 50 feet and a depth of 2-3 feet during baseflow conditions. An additional 19,454 cubic yards of sediment would be actively managed in the vicinity of the dam and at bridge locations.

The total timeframe for project deliverables under this Cooperative Agreement is approximately 3 years, ending summer 2021. Project planning and preparation activities will be ongoing until the time of dam removal, which is tentatively scheduled for fall 2018. Construction activity will take approximately 6 months. Channel and floodplain restoration activities are tentatively scheduled for spring/summer of 2019. Project oversight and post-restoration channel/floodplain management activities will continue for approximately 2 years after dam removal, concluding in the summer of 2021.

4. Stakeholder Coordination/Involvement:

TNC has coordinated with, and will continue to coordinate with American Rivers; the Service; the State of New Jersey Department of Environmental Protection and the Division of Fish and Wildlife; and other government, non-government, and private partners to remove the Columbia and Remnant Dams. TNC, along with their partners, have engaged in various components of project planning since 2013. TNC and their partners have successfully completed most precursory components of this project, including: an approval of a petition to surrender FERC license P-8396; NJDOT and County permit approvals regarding bridge impacts and construction activities; and approvals of applicable NJDEP regulatory permits (*e.g.*, Dam Safety Permit; General Permits 16 and 18). TNC and partners have additionally completed all required feasibility studies and 90% construction design elements, and worked closely with the Service on fish passage design elements. TNC will continue to work with their partners through the duration of the project, and ecological monitoring activities will be conducted for multiple years after the removals are complete.

5. Project Monitoring and Evaluation:

TNC has established clear performance goals, and implemented a rigorous monitoring program associated with this project that began in 2015, and will continue for 3-4 years after dam removal. All monitoring activities are being conducted and funded by TNC or one of their project partners, and are therefore not included as a line item in the budget for this Cooperative Agreement. TNC plans to compile the monitoring results and outcomes in a peer-reviewed publication.

Performance goals include:

A. increased abundance of migratory fish including American shad, river herring, sea lamprey and American eel upstream of the dam;
B. increased relative abundance and diversity of riverine fish species;
C. increased abundance of macroinvertebrates and mussels indicative of good water quality;
D. improved water quality in the lower Paulins Kill, particularly with respect to temperature and dissolved oxygen;
E. and increased recreational fishing and boating in the lower Paulins Kill.

TNC will use the following quantitative implementation and performance metrics to determine whether goals have been met and to evaluate the overall success of the project:

A. TNC will confirm that removal of the Columbia and Remnant dams, as well as restoration activities, were implemented as designed. TNC will accomplish this by documenting structural changes at the site through an "as-built" survey of reach-scale geomorphic data including cross-sections, average channel width, slope, and maximum jump height as described on the NOAA Restoration Center Fish Passage Barrier Removal Performance Measures and Monitoring Worksheet.

B. TNC will demonstrate the effectiveness of dam removal at restoring access for migratory fish using pre- and post-removal monitoring of the presence/absence of target species upstream and downstream of dams. Response variables include:
   - presence/absence and relative abundance of adult and young-of-the-year American shad (*Alosa sapidissima*) upstream and downstream of the dam using field surveys*;*
   - presence/absence and relative abundance of adult and larval sea lamprey (*Petromyzon marinus*) upstream and downstream of the dam using field surveys;
   - presence/absence and relative abundance of age classes (based on length-frequency) of American eel (*Anguilla rostrata*) using field surveys; and
   - presence of adult alewife (*Alosa pseudoharengus*) and blueback herring (*Alosa aestivalis)* using field surveys and from observations of spawning and dead fish.

C. TNC will demonstrate the impact of dam removal on fish community structure by measuring the relative abundance and diversity of resident fish species using field surveys.

D. TNC will demonstrate the effectiveness of dam removal at restoring water quality by measuring:
   - macroinvertebrate community data (*i.e.*, taxa richness, EPT richness, % EPT, % dominant taxa, % tolerant taxa, biotic index score) from field surveys;
   - abundance and diversity of freshwater mussels from SCUBA surveys;
   - continuous physiochemical data including temperature (°C), dissolved oxygen (% sat and mg L-1), and turbidity (NTU) using data loggers and multi-metric sondes; and
   - whole system metabolism (gross primary productivity and community respiration; mg O2 d-1) calculated from physiochemical data.

E. TNC will record changes in habitat by collecting reach scale data including depth, flow, particle size and embeddedness.

F. TNC will evaluate the impact of dam removal on recreational uses utilizing the best available social science techniques, through means such as conducting angler and boater counts, interviewing users at key times of the year (*e.g.*, opening day for trout fishing, during shad run, weekends), and/or surveying local recreation-based businesses.

6. **Description of Entities Undertaking the Project**:
   TNC is a non-profit organization whose mission is to protect the lands and waters of New Jersey. One of the current goals of TNC is to improve the Paulins Kill River, in part, by removing obsolete dams that degrade water quality, degrade aquatic habitat, reduce public fishing opportunities, and block fish migrating from the Delaware River. TNC has acted as the lead entity for the planning and management of the Columbia and Remnant Dam removal project since 2015. TNC's responsibilities include, but are not limited to: issuing and managing contracts for project design and construction; working with partners to complete regulatory permitting activities; working with the public to accomplish outreach and educational goals; developing and implementing a dam removal monitoring program; and acquiring project funding to support cost sharing. TNC staff have successfully led efforts over the past decade (along with state, Federal, private, and non-governmental partners) to remove five dams throughout the State of New Jersey, and TNC is a lead organizer for the NJ Statewide Dam Removal Partnership. As such, TNC and their staff possess the necessary skills and expertise to organize and lead dam removal efforts in NJ.

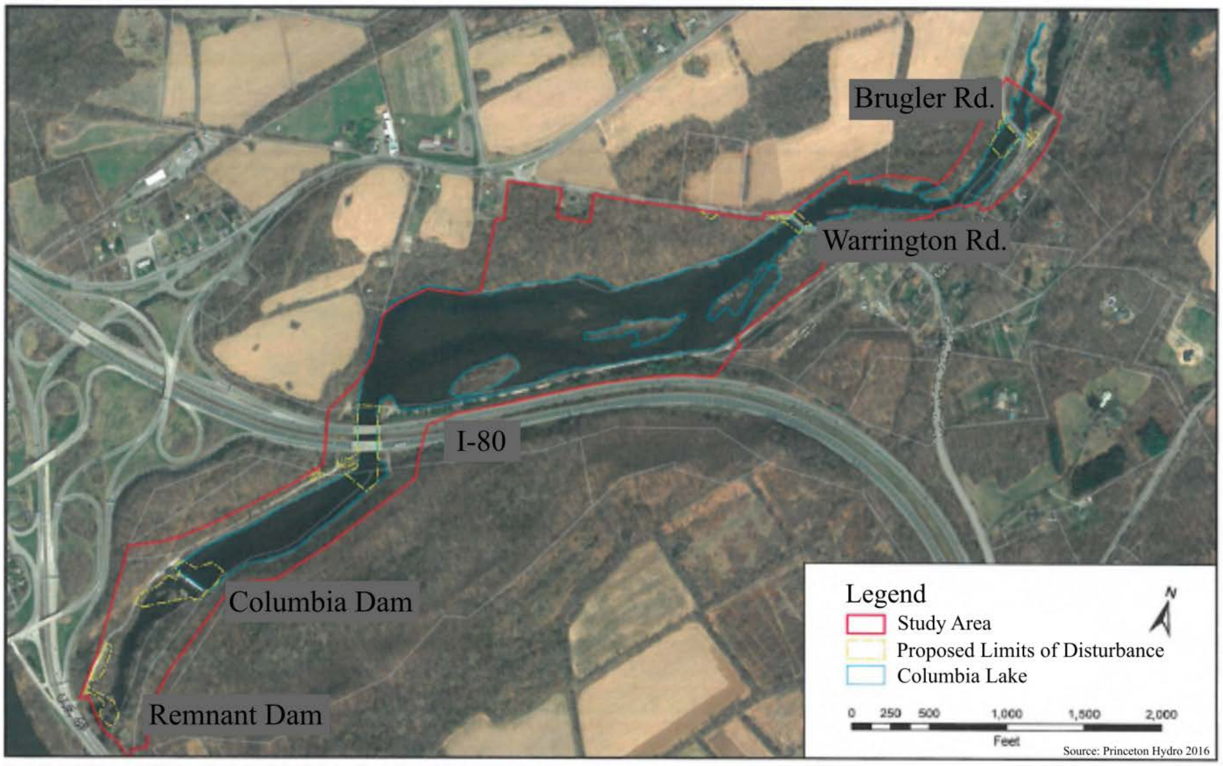
   The project is receiving additional technical assistance from American Rivers, the Service; the State of New Jersey Department of Environmental Protection and Division of Fish and Wildlife, and various private partners.

7. **Sustainability:**
   The proposed dam removal project is aligned Service priorities, including: conserving aquatic species and aquatic habitats through aquatic connectivity; conserving at-risk species; and enhancing recreational fishing and other public uses of aquatic resources. The proposed dam removals are strongly supported by the State of new Jersey, local governments, and local community non-governmental organizations.

   The proposed project will have lasting impacts on the ecosystem and recreational activities, with little to no need for future maintenance beyond the first few years of project implementation.

8. **Single Audit Reporting Statement:**
   The Nature Conservancy (TNC) is not exempt from single audit reporting requirements under OMB A-133 because the organization expended $750,000 USD or more in Federal award funds in our most recently closed fiscal year. A Single Audit report for TNC's most recently closed fiscal year (ending June 30, 2017) is available on the Federal Audit Clearinghouse Single audit database website under EIN Number 53-0242652.

9. **Map of Project Area:** Aerial photo of proposed project area showing Columbia and Remnant Dams, Columbia impoundment, road crossings, and proposed limits of disturbance.



D. Budget Form

Complete the Budget Information for Construction Programs (SF-424C) form. The SF-424C is available on the Internet at http://www.grants.gov/web/grants/forms/sf-424-family.html#sortby=1 (form name: "Budget Information for Construction Projects"; OMB Number: 4040-0008). When developing your budget, keep in mind that financial assistance awards and subawards are subject to the Federal cost principles in Title 2 of the Code of Federal Regulations Part 200, as applicable to the recipient organization type. Links to the full text of the Federal cost principles are available on the Internet at http://www.ecfr.gov/.

Note on Multiple Federal Funding Sources: If the project budget includes multiple Federal funding sources, you must show the funds being requested from this Federal program on the budget form *separately* from any other requested/secured Federal sources of funding. Enter the funds being requested from this Federal program in the first row of the Budget Summary section of the form, and then enter funding related to other Federal programs in the subsequent row(s). Be sure to enter each Federal program's CFDA number in the corresponding fields on the form. The CFDA number for this Federal program appears on the first page of this funding opportunity.

E. Budget Justification

In a separate narrative titled "**Budget Justification**", explain and justify all requested budget items/costs. Detail how the SF 424 Budget Object Class Category totals were determined and demonstrate a clear connection between costs and the proposed project activities. For personnel salary costs, include the base-line salary figures and the estimates of time (as percentages) to be directly charged to the project. Describe any item that under the applicable Federal cost principles requires the Service's approval and estimate its cost.

If Federally-funded equipment will be used for the project, provide a list of that equipment, including the Federal funding source.

Required Indirect Cost Statement: Recipients that do not have an approved indirect cost rate cannot charge indirect costs to their Federal award. All applicants except individuals applying for funds separate from a business or non-profit organization he/she may operate must include in the budget justification narrative one of the following statements and attach to their application any required documentation identified in the applicable statement:

"We are:

1. A U.S. state or local government entity receiving more than $35 million in direct Federal funding each year with an indirect cost rate of [insert rate]. We submit our indirect cost rate proposals to our cognizant agency. A copy of our most recently approved rate agreement/certification is attached.
2. A U.S. state or local government entity receiving less than $35 million in direct Federal funding with an indirect cost rate of [insert rate]. We are required to prepare and retain for audit an indirect cost rate proposal and related documentation to support those costs.
3. A [insert your organization type; U.S. states and local governments, please use one of the statements above or below] that has previously negotiated or currently has an approved indirect cost rate with our cognizant agency. Our indirect cost rate is [insert rate]. [Insert either: "A copy of our most recently approved but expired rate agreement is attached. In the event an award is made, we will submit an indirect cost rate proposal to our cognizant agency within 90 calendar days after the award is made." *or* "A copy of our current, approved rate agreement(s) is attached."]
4. A [insert your organization type] that has never submitted an indirect cost rate proposal to our cognizant agency. Our indirect cost rate is [insert rate]. In the event an award is made, we will submit an indirect cost rate proposal to our cognizant agency within 90 calendar days after the award is made.
5. A [insert your organization type] that has never submitted an indirect cost rate proposal to our cognizant agency and has an indirect cost rate that is lower than 10%. Our indirect cost rate is [insert rate; must be lower than 10%]. However, in the event an award is made, we will not be able to meet the requirement to submit an indirect cost rate proposal to our cognizant agency within 90 calendar days after award. We request as a condition of award to charge a flat indirect cost rate of [insert rate; must be lower than 10%] of [insert a clear description of the direct cost base against which your rate is charged (e.g., salaries; salaries and fringe benefits; or modified total direct costs). However, please note that your organization cannot charge indirect costs in excess of the indirect costs that would be recovered if applied against modified total direct costs as defined in 2 CFR 220.68]. We understand that we must notify the Service in writing immediately if we establish an approved rate with our cognizant agency at any point during the award period.

6. A [insert your organization type] that has never submitted an indirect cost rate proposal to our cognizant agency and has an indirect cost rate that is 10% or higher. Our indirect cost rate is [insert your organization's indirect rate; must be 10% or higher]. However, in the event an award is made, we will not be able to meet the requirement to submit an indirect cost rate proposal to our cognizant agency within 90 calendar days after award. We request as a condition of award to charge a flat *de minimis* indirect cost rate of 10% of modified total direct costs as defined in 2 CFR 200.68. We understand that we must notify the Service in writing immediately if we do establish an approved rate with our cognizant agency at any point during the award period. We understand that additional Federal funds may not be available to support an unexpected increase in indirect costs during the project period and such changes are subject to review, negotiation, and prior approval by the Service.
7. A [insert your organization type] that is submitting this proposal for consideration under the [insert either "Cooperative Fish and Wildlife Research Unit Program" or "Cooperative Ecosystem Studies Unit Network"], which has a Department of the Interior-approved indirect cost rate cap of [insert program rate]. If we have an approved indirect cost rate with our cognizant agency, we understand that we must apply this reduced rate against the same direct cost base as identified in our approved indirect cost rate agreement. If we do not have an approved indirect cost rate with our cognizant agency, we understand that the basis for direct costs will be the modified total direct cost base defined in 2 CFR 200.68 "Modified Total Direct Cost (MTDC)". We understand that we must request prior approval from the Service to use the MTDC base instead of the base identified in our approved indirect cost rate agreement, and that Service approval of such a request will be based on: 1) a determination that our approved base is only a subset of the MTDC (such as salaries and wages); and 2) that use of the MTDC base will still result in a reduction of the total indirect costs to be charged to the award. In accordance with 2 CFR 200.405, we understand that indirect costs not recovered due to a voluntary reduction to our federally negotiated rate are not allowable for recovery via any other means.
8. A [insert your organization type] that will charge all costs directly.

All applicants are hereby notified of the following:

- Recipients without an approved indirect cost rate are prohibited from charging indirect costs to a Federal award. Accepting a flat *de minimis* rate as a condition of award is an approved rate.
- Failure to establish an approved rate during the award period renders all costs otherwise allocable as indirect costs unallowable under the award.
- Recipients may not charge to their Service award any indirect costs calculated against the portion of total direct project costs paid by any other Federal funding source or non-Federal partner.
- Recipients must have prior written approval from the Service to transfer unallowable indirect costs to amounts budgeted for direct costs or to satisfy cost-sharing or matching requirements under the award.
- Recipients are prohibited from shifting unallowable indirect costs to another Federal award unless specifically authorized to do so by legislation.

Applicants who are individuals applying for funds separate from a business or non-profit organization he/she may operate are not eligible to charge indirect costs to their award. If you are an individual applying for funding, do not include any indirect costs in your proposed budget.

For more information on indirect cost rates, see the Service's **Indirect Costs and Negotiated Indirect Cost Rate Agreements** guidance document on the Internet at https://www.fws.gov/grants/atc.html.

Negotiating an Indirect Cost Rate with the Department of the Interior: Entities that do not have a NICRA must first have an open, active Federal award before they can submit an indirect cost rate proposal to their cognizant agency. The Federal awarding agency that provides the largest amount of direct funding to your organization is your cognizant agency, unless otherwise assigned by the White House Office of Management and Budget (OMB). If the Department of the Interior is your cognizant agency, your indirect cost rate will be negotiated by the Interior Business Center (IBC). For more information, contact the IBC at:

Indirect Cost Services
Acquisition Services Directorate, Interior Business Center
U.S. Department of the Interior
650 Capitol Mall, Suite 7-400
Sacramento, CA 95814
Phone: 916-930-3803
Email: Through https://www.doi.gov/ibc/contactus/ibcfeedback web form
Internet address: https://www.doi.gov/ibc/services/finance/indirect-cost-services

F. Single Audit Reporting Statements: As required in Title 2 of the Code of Federal Regulations Part 200, Subpart F, all U.S. states, local governments, federally-recognized Indian tribal governments, and non-profit organizations expending $750,000 USD or more in Federal award funds in a fiscal year must submit a Single Audit report for that year through the Federal Audit Clearinghouse's Internet Data Entry System. All U.S. state, local government, federally-recognized Indian tribal government and non-profit applicants must provide a statement regarding if your organization was/was not required to submit a Single Audit report for the organization's most recently closed fiscal year and, if so, state if that report is available on the Federal Audit Clearinghouse Single Audit Database website (https://harvester.census.gov/facweb/) and provide the EIN under which that report was submitted. Include these statements at the end of the Project Narrative in a section titled "**Single Audit Reporting Statements**".

F. Assurances: Complete the Assurances for Construction Programs (SF-424D) from for construction and land acquisition projects. The SF-424D form is available on the internet at http://www.grants.gov/web/grants/forms/sf-424-family.html#sortby=1. (form name: "Assurances for Construction Programs SF-424D"; OMB Form Number: 4040-0009. The form includes a statement that some of the assurances may not be applicable to your organization and/or your project or program. Signing this form does not make you or your organization subject to laws that are otherwise not applicable to you or your organization.

Changing, crossing out, or making notations on the form before signing has no impact on the applicability of law.

H. **Certification and Disclosure of Lobbying Activities:** Under Title 31 of the United States Code, Section 1352, an applicant or recipient must not use any federally appropriated funds (both annually appropriated and continuing appropriations) or matching funds under a grant or cooperative agreement award to pay any person for lobbying in connection with the award. Lobbying is defined as influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress connection with the award. Submission of an application also represents the applicant's certification of the statements in 43 CFR Part 18, Appendix A-Certification Regarding Lobbying. If you/your organization have/has made or agrees to make any payment using non-appropriated funds for lobbying in connection with this proposal AND the Federal share exceeds $100,000, complete and submit the **SF LLL, Disclosure of Lobbying Activities** form available at http://www.grants.gov/web/grants/forms/post-award-reporting-forms.html#sortby=1 (form name: "Disclosure of Lobbying Activities (SF-LLL)"; OMB Number: 4040-0013). See 43 CFR, Subpart 18.100 for more information on when additional submission of this form is required.

I. **Conflict of Interest Disclosures:** Applicants must notify the Service in writing of any actual or potential conflicts of interest that are known at the time of application or that may arise during the life of this award, in the event an award is made. Conflicts of interest include any relationship or matter which might place the recipient, the recipient's employees, or the recipient's subrecipients in a position of conflict, real or apparent, between their responsibilities under the award and any other outside interests. Conflicts of interest may also include, but are not limited to, direct or indirect financial interests, close personal relationships, positions of trust in outside organizations, consideration of future employment arrangements with a different organization, or decision-making affecting the award that would cause a reasonable person with knowledge of the relevant facts to question the impartiality of the applicant, the applicant's employees, or the applicant's future subrecipients in the matter. Applicants must notify the Service in writing in their application if any key project personnel, including subrecipient and contractor personnel, are known to be related to, married to, or have a close personal relationship with any Federal employee in or associated with the program to which you are applying for funding or who otherwise may be involved in the review and selection of the application. Upon receipt of such a notice, the Service program in consultation with their Ethics Counselor will determine if a conflict of interest exists and, if so, if there are any possible actions to be taken by the applicant to reduce or resolve the conflict. Failure to disclose and resolve conflicts of interest in a manner that satisfies the Service may result in the project not being select for funding.

J. **Required Overlap/Duplication Statement:** Applicants must provide a statement that addresses if there is any overlap between the proposed project and any other active or anticipated projects in terms of activities, costs, or time commitment of key personnel. If any overlap exists, applicants must provide a description of the overlap in their application. Applicants must also state if the proposal submitted for consideration under this program is/is not in any way duplicative of any proposal that was/will be submitted for funding consideration to any other potential funding source (Federal or non-Federal). If such a circumstance exists, applicants must detail when the other duplicative proposal(s) were submitted, to whom (entity name and program), and when funding decisions are expected to be announced. If at any time a proposal is awarded funds that would be duplicative of the funding requested from the Service, applicants must notify the Service point of contact for this funding opportunity immediately.

Application Checklist

- ☐ **Evidence of non-profit status**: If a non-profit organization, a copy of their Section 501(c)(3) or (4) status determination letter received from the Internal Revenue Service.
- ☐ **SF-424, Application for Federal Assistance**: A complete, signed and dated SF 424 form.
- ☐ **Project proposal**
- ☐ **Single Audit Reporting statement**: If a U.S. state, local government, federally-recognized Indian tribal government, or non-profit organization, statements regarding applicability of and compliance with Single Audit reporting requirements.
- ☐ **SF-424C budget form**: A complete 424C Budget Information form.
- ☐ **Budget justification**
- ☐ **Indirect cost statement**
- ☐ **NICRA**: When applicable, a copy of the organization's current Negotiated Indirect Cost Rate Agreement.
- ☐ **SF-424D Assurances form:** Signed and dated SF 424D Assurances form.
- ☐ **SF-LLL form:** If applicable, completed SF-LLL Disclosure of Lobbying Activities form.
- ☐ **Conflict of Interest disclosure,** when applicable.
- ☐ **Overlap/Duplication statement**

Failure to provide complete information may cause delays, postponement, or rejection of the application.

V. Submission Instructions
SUBMISSION DEADLINE: N/A this is a notice of intent.

Intergovernmental Review: Before submitting an application, U.S. state and local government applicants should visit the following website (http://www.whitehouse.gov/omb/grants_spoc/) to determine whether their application is subject to the state intergovernmental review process under Executive Order (E.O.) 12372 "Intergovernmental review of Federal Programs." E.O. 12372 was issued to foster the intergovernmental partnership and strengthen federalism by relying on state and local processes for the coordination and review of proposed Federal financial assistance and direct Federal development. The E.O. allows each state to designate an entity to perform this function. The official list of designated entities is posted on the website. Contact your state's designated entity for more information on the process the state requires to be followed when applying for assistance. States that do not have a designated entity listed on the website have chosen not to participate in the review process.

Download the Application Package linked to this Funding Opportunity on Grants.gov to begin the application process. Downloading and saving the Application Package to your computer makes the required government-wide standard forms fillable and printable. Completed applications may be submitted by mail, by email, electronically through Grants.gov, or as otherwise described in the Grants.gov funding opportunity. Please select **ONE** of the submission options:

To submit an application by e-mail:
Format all of your documents to print on Letter size (8 ½" x 11") paper. Format all pages to display and print page numbers. Scanned documents should be scanned in Letter format, as black and white images only. Where possible, save scanned documents in .pdf format. E-mail your application to the Service program point of contact identified in the Grants.gov funding opportunity.

The required SF 424 Application for Federal Assistance and Assurances forms and any other required standard forms MUST be signed by your organization's authorized official. The Signature and Date fields on the standard forms downloaded from Grants.gov are pre-populated with the text "Completed by Grants.gov upon submission" or "Completed on submission to Grants.gov". Remove this text (manually or digitally) before signing the forms.

To submit an application through Grants.gov:
Go to the Grants.gov Apply for Grants page (http://www.grants.gov/web/grants/applicants/apply-for-grants.html) for an overview of the process to apply through Grants.gov. You/your organization must complete the Grants.gov registration process before submitting an application through Grants.gov. Registration can take between three to five business days, or as long as two weeks if all steps are not completed in a timely manner.

Important note on Grants.gov application attachment file names: Please do not assign application attachments file names longer than 20 characters, including spaces. Assigning file names longer than 20 characters will create issues in the automatic interface between Grants.gov and the Service's financial assistance management system.

VI. Application Review Information

Criteria: This is a notice of a single source financial assistance award. This announcement is for notification purposes only. TNC is eligible to apply based on their unique qualifications to complete the proposed project. Funds for this agreement are derived, in part, from a Natural Resources Damage Assessment and Restoration (NRDAR) settlement, and are jointly-owned and administered by the Combe Fill South Landfill NRDAR Trustee Council, a multi-agency body composed of DOI and the State of New Jersey. The Trustee Council, acting with input and approval from the public, selected the removal of the Columbia and Remnant Dams for restoration implementation. The Trustee Council has reviewed and approved the budget for the proposed project, and has selected TNC as the appropriate recipient for project implementation.

TNC has acted as the lead non-governmental entity for the Columbia and Remnant Dam removal project since 2013, and has demonstrated a high level of proficiency in ongoing project planning and management. TNC has provided in-kind and financial contributions for feasibility studies, 90% engineering design plans, permits, and has provided in-kind staff time and resources for long-term scientific monitoring services. TNC has successfully acquired additional construction funds to support cost-sharing for this project, significantly reducing the overall cost of this project to the government. TNC has worked closely with and will continue to work with various state, Federal, private, and non-governmental partners who have provided technical expertise in science-driven dam removal, fish passage, and aquatic restoration projects in New Jersey. As such, TNC demonstrates unique qualifications, skills, and expertise to organize and complete the proposed project.

Through the collaborative nature of the NRDAR Trustee Council with state governors, state natural resource offices, fish and wildlife offices, and tribes; and the requirement to seek public input from local communities into restoration planning, all NRDAR activities meet DOI Priorities 3(b) and 4(b).The proposed project was developed in collaboration with non-governmental conservation groups, and was developed with input from experts in dam removal science, fish passage design, and aquatic restoration, thereby meeting DOI Priorities 1(e) and 1(a). This project will provide greater public access to public lands, by improving fishing/boating access and enhancing nature-based recreational opportunities within the project area, thereby meeting DOI Priority 1(g), and Key Initiative 4. Dam removal will reduce the regulatory burden placed on the dam owner for licensure and inspection, and eliminate future costs associated with maintenance, liability, and mandatory upgrades (DOI Priority 7(a)).Dam removals are known to generate significant economic benefits for the American people. Each mile of river opened can contribute $515,000 in social/economic benefits once fish populations fully productive (Charbonneau and Caudill 2010). The proposed project will open 33 miles of river and tributary streams, potentially generating $16.9 million in social/economic benefits, thereby meeting DOI Priority 5(c) and Key Initiative 3.

Review and Selection Process:
The Service has established a written merit review and selection process following the requirements in Department policy DOI-AAAP-0009; *Financial Assistance Application and Merit Review Process*.

Prior to participating in any review or evaluation process, all staff and peer reviewers, evaluators, panel members, and advisors must sign and return to the program office point of contact the "Department of the Interior Conflict of Interest Certification" form. For a copy of this form, contact the Service point of contact identified in the Agency Contact section below.

Prior to award, the Service reviews the selected applicant's statement regarding potential overlap or duplication in terms of activities, funding, or time commitment of key personnel and makes a determination regarding Service funding. Depending on the circumstances, modification of the application, other pending applications, or an active award may be necessary, or the Service might choose to not fund the proposed project.

Each fiscal year, for every entity receiving one or more awards in that fiscal year, the Service conducts a risk assessment based on eight risk categories. The result of this risk assessment is used to establish a monitoring plan for all awards to the entity in that fiscal year. For a copy of the Service's risk assessment form, go to https://www.fws.gov/grants/atc.html.

Prior to approving an award with a Federal funding amount that exceeds or is expected to exceed the simplified acquisition threshold, as adjusted (see 2 CFR 200.88), the Service must review and consider any information about the applicant that is in the designated integrity and performance system accessible through SAM (currently FAPIIS; https://www.fapiis.gov/fapiis/index.action) to determine if, at a minimum, the information found in the system for the applicant demonstrates a satisfactory record of Federal award performance and integrity and business ethics (see 2 CFR 200.205(a)(2)). The Service must also report to FAPIIS if an applicant subject to this review is found not qualified for a particular award due to its prior record of integrity or performance under Federal awards (see 2 CFR 200.212).

VII. Award Administration

Award Notices: Following review, applicants may be requested to revise the project scope and/or budget before an award is made. Successful applicants will receive written notice in the form of a notice of award document. Notices of award are typically sent to recipients by e-mail. If e-mail notification is unsuccessful, the documents will be sent by courier mail (e.g., FedEx, DHL or UPS). Award recipients are not required to sign/return the Notice of Award document. Acceptance of an award is defined as starting work, drawing down funds, or accepting the award via electronic means. Awards are based on the application submitted to, and as approved by, the Service. The notice of award document will include instructions specific to each recipient on how to request payment. If applicable, the instructions will detail any additional information/forms required and where to submit payment requests. Applicants whose projects are not selected for funding will receive written notice, most often by e-mail, within 30 days of the final review decision.

Domestic Recipient Payments: Prior to award, the Service program office will contact you/your organization to either enroll in the U.S. Treasury's Automated Standard Application for Payments (ASAP) system or, if eligible, obtain approval from the Department of the Interior to be waived from using ASAP.

Transmittal of Sensitive Data: Recipients are responsible for ensuring any sensitive data being sent to the Service is protected during its transmission/delivery. The Service strongly recommends that recipients use the most secure transmission/delivery method available. The Service recommends the following digital transmission methods: secure digital faxing; encrypted emails; emailing a password protected zipped/compressed file attachment in one email followed by the password in a second email; or emailing a zipped/compressed file attachment. The Service strongly encourages recipients sending sensitive data in paper copy to use a courier mail service. Recipients may also contact their Service Project Officer and provide any sensitive data over the telephone.

Award Terms and Conditions: Acceptance of a financial assistance award (i.e., grant or cooperative agreement) from the Service carries with it the responsibility to be aware of and comply with the terms and conditions applicable to the award. Acceptance is defined as the start of work, drawing down funds, or accepting the award via electronic means. Awards are based on the application submitted to and approved by the Service and are subject to the terms and conditions incorporated into the notice of award either by direct citation or by reference to the following: Federal regulations; program legislation or regulation; and special award terms and conditions. The Service's Standard Award Terms and Conditions are available on the Internet at https://www.fws.gov/grants/atc.html. If you do not have access to the Internet and require a full text copy of the award terms and conditions, contact the Service point of contact identified in the Agency Contacts section below.

Special Award Terms and Conditions:

Issuing Subawards
In accordance with 2 CFR 180, before issuing any subaward of any amount or any contract expected to total $25,000 or more, the Recipient must confirm that the subawardee and principals (see 2 CFR 180.995) or the contractor are/is not suspended or debarred from receiving Federal funds. The Recipient does this by:

(a) Checking SAM Exclusions;
(b) Collecting a certification from that person; or
(c) Adding a clause or condition to the covered transaction with that person.

The Recipient may check SAM Exclusions by going to http://sam.gov. Search for subrecipients by their DUNS number (see 2 CFR 25). Search for principal participants by their name(s). Search for contractors by their business name(s). If no exclusion record is found, the entity or individual is not suspended or debarred from receiving Federal funds. If an exclusion record is found that prohibits the entity from receiving Federal funds, the Recipient must not obligate funds to that entity/individual. Contact the Service Project Officer with any questions.

Hiring Contractors
The Recipient has an obligation to protect themselves from potential liability when hiring any contractor to perform work activities approved under this award by checking references and ensuring that any contractor hired is licensed, bonded, and has valid employee insurance coverage for events of injury or bodily harm.

Liability and Insurance
The Recipient shall be required to: (1) obtain liability insurance; or (2) demonstrate present financial resources in an amount determined sufficient by the United States Government to cover claims brought by third parties for death, bodily injury, property damage, or other loss resulting from one or more identified activities carried out in connection with this financial assistance agreement.

The Recipient hereby agrees to indemnify the Federal Government, Department of Interior Fish and Wildlife Service from any of omission of the Recipient, its officers, employees, or representatives against third party claims for damages arising from one or more identified activities carried out in connection with this financial assistance agreement. This obligation shall survive the termination of this Agreement.
For the purposes of this clause, "Recipient" includes such subrecipients, contractors, or subcontractors as, in the judgement of the Recipient and subject to the United States

Government's determination of sufficiency, have sufficient resources and/or maintain adequate and appropriate insurance to achieve the purposes of this clause.

Recipient Reporting Requirements:

Financial and Performance Reports:
Final Reports: Recipients are required to submit final financial and performance reports no later than 90 calendar days after the award period of performance end date or termination date, whichever comes first. For awards lasting 12 months or less, the final reports will be the only financial and performance reports required, except in unusual circumstances or if waived.

Interim Reports: For awards that last longer than 12 months, recipients are required to submit interim financial and performance reports no less frequently than annually and no more frequently than quarterly, except in unusual circumstances or if waived. Requiring a higher frequency of reporting than annual reporting will be based on the Service's assessment of higher or other unusual circumstance. Quarterly and semiannual interim reports are due within 30 calendar days of the reporting period end date. Annual interim reports are due within 90 calendar days of the reporting period end date.

Recipients must use the Standard Form 425, Federal Financial Report for financial reporting, available on the Internet at http://www.grants.gov/web/grants/forms/post-award-reporting-forms.html#sortby=1 (form name: "Federal Financial Report SF-425": OMB Number: 4040-0014).

Performance reports must contain: 1) a comparison of actual accomplishments with the goals and objectives of the award as detailed in the approved scope of work; 2) a description of reasons why established goals were not met, if appropriate; and 3) any other pertinent information relevant to the project results.

Significant Developments Reports: Events may occur between the scheduled performance reporting dates that have significant impact upon the supported activity. In such cases, recipients are required to notify the Service in writing as soon as the following types of conditions become known:

- Problems, delays, or adverse conditions that will materially impair the ability to meet the objective of the Federal award. This disclosure must include a statement of any corrective action(s) taken or contemplated, and any assistance needed to resolve the situation.
- Favorable developments that enable meeting time schedules and objectives sooner or at less cost than anticipated or producing more or different beneficial results than originally planned.

The Service will specify in the notice of award document the reporting and reporting frequency applicable to the award.

Conflict of Interest Disclosures: Recipients are responsible for notifying the Service Project Officer in writing of any actual or potential conflicts of interest that may arise during the life of this award. Conflicts of interest include any relationship or matter which might place the recipient, the recipient's employees, or the recipient's subrecipients in a position of conflict, real or apparent, between their responsibilities under this award and any other outside interests. Conflicts of interest may also include, but are not limited to, direct or indirect financial interests, close personal relationships, positions of trust in outside organizations, consideration of future employment arrangements with a different organization, or decision-making affecting the award that would cause a reasonable person with knowledge of the relevant facts to question the impartiality of the Recipient, the Recipient's employees, or the Recipient's subrecipients in the matter. Upon receipt of such a notice, the Service Project Officer in consultation with their Ethics Counselor will determine if a conflict of interest exists and, if so, if there are any possible actions to be taken by the Recipient, the Recipient's employee(s), or the Recipient's Subrecipient(s) that could reduce or resolve the conflict. Failure to resolve conflicts of interest in a manner that satisfies the Service may result in any of the remedies described in 2 CFR 200.338, Remedies for Noncompliance, including termination of this award.

Other Mandatory Disclosures: The non-Federal entity or applicant for a Federal award must disclose, in a timely manner, in writing to the Federal awarding agency or pass-through entity all violations of Federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the Federal award. Non-Federal entities that have received a Federal award including the term and condition outlined in 2 CFR 200, Appendix XII—Award Term and Condition for Recipient Integrity and Performance Matters are required to report certain civil, criminal, or administrative proceedings to SAM. Failure to make required disclosures can result in any of the remedies described in 2 CFR 200.338 Remedies for noncompliance, including suspension or debarment. (See also 2 CFR Part 180, 31 U.S.C. 3321, and 41 U.S.C. 2313.)

2 CFR Part 200, Appendix XII—Award Term and Condition for Recipient Integrity and Performance Matters is applicable to awards with a total Federal share of more than $500,000, except those to individuals and foreign public entities.

VIII. Agency Contact

Cathy Marion, Fish and Wildlife Biologist, U.S. Fish and Wildlife Service, 4 E. Jimmie Leeds Rd., Suite 4, Galloway, New Jersey 08205-4465; Tel: 609-382-5265; Cathy_Marion@fws.gov