



U.S. DEPARTMENT OF AGRICULTURE

Natural Resources Conservation Service

Easement Restoration and Stewardship

Fiscal Year (FY) 2026

Easement Restoration and Stewardship

Notice of Funding Opportunity (NOFO)

No. USDA-NHQ-ACEP-26-NOFO0001456

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A. BASIC INFORMATION for Notice of Funding Opportunity (NOFO) Title: Restoration and Stewardship Assistance for Wetland and Floodplain Easements

1. Federal Awarding Agency Name

U.S. Department of Agriculture – Natural Resources Conservation Service (NRCS)

2. Announcement Type

Initial Announcement

3. Notice of Funding Opportunity (NOFO) Number

USDA-NHQ-ACEP-26-NOFO0001456

4. Assistance Listing

This opportunity is included under 10.931 Agricultural Conservation Easement Program (ACEP), 10.928 Emergency Watershed Protection Program Floodplain Easements (EWPP-FPE), and 10.072 Wetlands Reserve Program (WRP).

5. Funding Details

The amount of Federal funding expected to be available for award(s) is \$5,000,000. However, the agency retains the discretion to award a larger or lesser amount.

The agency expects to make one to four award(s).

The agency expects the amount of each award to range from \$250,000 to \$5,000,000.

Applicants should propose projects between four and five years in duration. Plan projects based on an estimated project start date of March 1, 2027.

6. Key Dates

Application deadline: Submit via Grants.gov by 11:59 pm Eastern Time on November 19, 2026.

The agency anticipates making selections by January 2027 and expects to execute awards by March 2027. These dates are estimates and are subject to change.

7. Executive Summary

The opportunities associated with this NOFO are for lands protected through the Wetland Reserve Easements (WRE) component of the Agricultural Conservation Easement Program (ACEP) and the Floodplain Easement (FPE) component of the Emergency Watershed Protection Program (EWPP). The types of work available through this opportunity fall into three primary categories: 1) restoration of wetland and floodplain easements; 2)

stewardship of wetland and floodplain easements, and 3) onsite and offsite assessment of easement conditions.

Component 1) Wetland and Floodplain Easement Restoration.

Awardees will work with NRCS personnel, partners and landowners to develop and implement sound easement restoration plans. These plans may include structural practices, such as levees and water control structures, and/or vegetative establishment practices, such as tree planting.

Awardees are expected to complete the following easement restoration activities:

- (A) Coordination- Accept input on restoration planning from NRCS employees, NRCS partners and easement owners.
- (B) Investigation- Completion of technical surveys such as topographic, hydrological or habitat inventories.
- (C) Restoration Design- Combine data collected through coordination and technical surveys to develop functional, yet cost-effective restoration plans.
- (D) Implementation- Application of the easement restoration design using NRCS provided practice standards and specifications.

NRCS wetland and floodplain easements have varying levels of restoration planning completed by NRCS employees or partners. Awardees will receive all relevant planning information for easements included in this agreement. Awardee must be prepared to complete some or all the listed restoration activities.

Component 2) Wetland and Floodplain Easement Stewardship.

Awardees are responsible for completing easement stewardship activities on restored wetland and floodplain easements. Easement stewardship includes repair, maintenance, management, and enhancement of properties.

- (A) Repair and Enhancement- Awardee will develop repair or enhancement plans. Repair plans will be prepared when installed conservation practices fail or are damaged. Repairs may include structural and/or vegetative restoration practices, such as a dike damaged by flooding or replanting trees damaged or killed by drought. Enhancement plans are developed to improve specific aspects of a restored easement.
- (B) Maintenance and Management- Awardee will develop easement maintenance and management plans. These plans identify specific activities that will prolong life and improve the function of installed restoration practices. For example, maintenance plans describe how and when an earthen dike should be mowed to prevent the establishment of woody vegetation.

Component 3) Easement Assessments.

The Awardee will complete onsite and offsite easement assessments. Assessments will document the habitat condition of easements and determine their compliance with deed

terms and conditions. Awardees will use the data collected to determine the ecological condition of easements and, if necessary, develop repair, enhancement and/or maintenance plans to improve the condition of the assessed easements.

8. Contact Information

Grants.gov issues - Contact Grants.gov Applicant Support at 1-800-518-4726 or support@grants.gov.

For all other questions, email FPAC-BC Grants and Agreements Division (GAD):

Email: Tessa.garcia@usda.gov

Subject line of email: USDA-ACEP-NOFO0001456 Easement Stewardship and Restoration

Name: Tessa Garcia, Grants Management Specialist, FPAC Business Center (FPAC-BC)

The agency will not address questions about a potential applicant's eligibility nor the merits of a specific proposal.

To protect the integrity of the competitive process, applicants must not contact agency program staff with questions; contact GAD staff as directed above.

Subscribe to receive correspondence issued by GAD. Topics may highlight award-management issues, announce implementation of new policies or procedures, provide guides and tools for applying for awards, etc. To subscribe, visit https://public.govdelivery.com/accounts/USDAFARMERS/subscriber/new?topic_id=USDA_FARMERS_4170

B. ELIGIBILITY

1. Eligible Applicants

The following entity types are eligible to apply

- a. *City or township governments*
- b. *County governments*
- c. *For profit organizations other than small businesses*
- d. *Native American tribal governments (Federally recognized)*
- e. *Native American tribal organizations (other than Federally recognized tribal governments)*
- f. *Nonprofits having a 501(c)(3) status with the IRS (other than institutions of higher education)*
- g. *Nonprofits that do not have a 501(c)(3) status with the IRS (other than institutions of higher education)*
- h. *Private institutions of higher education*
- i. *Public and State-controlled institutions of higher education*
- j. *Small businesses*

- k. *Special district governments*
- l. *State governments*

The following applicants are considered ineligible:

- Foreign organizations and foreign public entities
- Individuals
- “Partnerships” or other similar groupings (i.e., application must be submitted by a single entity; a partner may serve as a subrecipient).

2. Other Eligibility Considerations

Eligibility for this opportunity is limited to non-Federal entities. A non-Federal entity is a state, local government, Indian tribe, institution of higher education, for-profit or nonprofit organization that carries out a federal award as a recipient or subrecipient.

Application Eligibility Considerations:

- Applications must meet submission requirements in [section E](#).
 - For new users of Grants.gov, see section E.2. of this document for information about steps required before submitting an application via Grants.gov.
- If the agency determines more than one version or substantially the same application has been submitted, the agency will only consider the last application submitted prior to the established deadline for purposes of the competition.
- An applicant organization may submit more than one application for different projects or propose different approaches.

Awards Eligibility Considerations:

- The agency will make awards only
 - To a single entity.
 - For projects selected following the competitive review process (see section F.2.).
 - To entities that:
 - Meet the eligibility criteria (see section B.) by the application deadline (see section A.6.).
 - Are not debarred, suspended, or otherwise excluded from receiving Federal awards (([2 CFR 200.206\(d\)](#))).
 - Have an active System for Award Management (SAM) registration ([2 CFR part 25](#)).
 - The agency does not determine poses an unacceptable risk related to proper management of a Federal award ([2 CFR 200.206](#)).
- Awards are not Farm Bill incentive contracts and therefore, not limited by the payment limitation in [16 USC Chapter 58](#).

Project Participant/Agricultural Producers Eligibility Considerations:

- Any producer receiving a payment through participation in a funded project must meet the eligibility requirements of 7 CFR Parts [12](#) and [1400](#) and have control of the land involved for the period of performance.
- Any producer receiving payment through participation in a funded project is subject to the Adjusted Gross Income (AGI) limitation. In addition, they must have an AGI that does not exceed \$900,000. If provided an award, the Recipient must self-certify and maintain records showing that participating producers receiving payments using Federal funding meet the eligibility and AGI requirements. [Section 1704\(a\)\(3\)](#) of the 2018 Farm Bill states the Secretary may waive the AGI limit on a case-by-case basis if the Secretary determines that environmentally sensitive land of special significance would be protected as a result of such waiver. Awardees may request waivers once their project commences.

3. Cost Sharing

There is no cost sharing requirement for this opportunity. If cost-share is included in an application, it will not be considered during the competitive review process.

C. PROGRAM DESCRIPTION

The authorizing statutes and regulations for this opportunity are:

The Agricultural Conservation Easement Program (ACEP) is authorized by Section [1265C\(b\)\(4\)](#) of the Food Security Act of 1985, as amended ([16 U.S.C. 3865](#)). ACEP provides technical and financial assistance for the conservation of eligible land and natural resources through easements or other interests in land. ACEP has two components: (1) ACEP Agricultural Land Easements, through which NRCS provides cost-share assistance to eligible entities for the entity's purchase of a conservation easement on agricultural land; and (2) ACEP-WRE through which NRCS restores, protects, and enhances wetlands and associated uplands through wetland reserve easements. According to [7 CFR §1468.30\(a\)\(3\)](#):

NRCS may provide financial and technical assistance through an easement restoration agreement for the conservation practices and eligible activities that promote the restoration, protection, enhancement, maintenance, and management of wetland functions and associated habitats.

The Emergency Watershed Protection Program, Floodplain Easements (EWPP-FPE) is authorized by [Section 403](#) of the Agricultural Credit Act of 1978 ([16 U.S.C. 2203](#)). The objective of the EWPP is to assist sponsors, landowners, and operators with implementing emergency recovery measures for runoff retardation and erosion prevention to relieve imminent hazards to life and property created by a natural disaster that causes a sudden impairment of a watershed. This authorizes NRCS to undertake emergency measures,

including the purchase of floodplain easements on a voluntary basis. The easement must be restored to the extent practicable to the natural environment and may include both structural and nonstructural practices to restore the flood storage and flow, control erosion, and improve the practical management of the easement. Under [7 CFR § 624.10\(6\)](#).

NRCS may enter into an agreement with the landowner or another third party to ensure that identified practices are implemented.... An easement acquired under this part shall provide NRCS with the full authority to restore, protect, manage, maintain, and enhance the functions and values of the floodplain.

These easement programs promote the restoration, enhancement, protection, maintenance, and management of wetland, floodplain, and other habitat and associated uplands that would contribute significantly to functions and values of these habitats. Through these easement programs, landowners may receive assistance to install or implement structural, vegetative, and associated upland restoration practices on eligible land in accordance with the respective easement program policies. The easement programs allow NRCS to request the services of and enter into cooperative agreements with non-Federal entities to assist in providing the specialized assistance necessary to implement restoration plans and monitor and manage the easement area. NRCS is directing resources toward the restoration of degraded wetlands, floodplains, and associated forestlands.

NRCS intends to award cooperative agreements pursuant to this opportunity. Depending on the nature of a particular proposal received, the agency may elect to negotiate an alternate award type with the selected applicant.

Financial assistance funds may be provided for the implementation of conservation practices to restore, enhance, manage, maintain, or repair the wetland habitat within an ACEP-WRE, WRP, or EWPP-FPE easement through an agreement in accordance with [NRCS planning procedures](#) and [practice standards and specifications](#).

Technical assistance funds may be provided for the performance of activities to support planning, design, installation, checkout, or monitoring through an agreement.

Awardee responsibilities may include assisting NRCS, partners, and landowners by providing the technical assistance necessary to plan, design, implement, and monitor ACEP-WRE and EWPP-FPE restoration plans, while simultaneously improving and protecting habitats for environmental benefits. Performance may include any part of or all operations necessary to plan, survey, conduct field inventories, design, construct, inspect, manage, and perform compliance monitoring reviews of various restoration and enhancement practices. Performance may also involve these same activities for other supporting restoration-related conservation practices that meet NRCS standards and specifications.

Recipient responsibilities may also include completing any necessary onsite and offsite easement monitoring reviews of ACEP-WRE and EWPP-FPE easements. Awardees will use data collected through monitoring reviews to assess ecological condition of easements and their compliance with NRCS deed terms and policies. If determined unacceptable, the awardee will develop recommendations or plans for improving the easement ecological condition and/or deed compliance. Any required training will be provided by NRCS.

Proposed projects are anticipated within all 50 states, The Caribbean Area (Puerto Rico and the U.S. Virgin Islands), and the Pacific Islands Area (Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands).

PLEASE NOTE: Relevant easements will be identified during the selection process outlined in section E of the NOFO. Relevant easements **cannot** be identified prior to the selection process due to legally protected Personally Identifiable Information (PII) tied to the easements.

Please also be advised that profit is **not** an eligible project cost. Therefore, any funds awarded to for-profit entities **must only be used** for reimbursement of direct and indirect costs. For more information on funding restrictions, please refer to section D.6 of this announcement.

Awardees will perform all work in close coordination with the applicable NRCS state easement manager, state engineer, assistant state conservationists, and field staff (including wetland specialist, district conservationist, soil conservationist, soil conservationist technician, civil engineering technician, or area engineer).

Recipient Responsibilities

The applicant may submit a proposal to fulfill one, multiple, or all the components and sub-components identified in the following paragraphs.

Component 1: Planning and Design of Engineering Practices and Improvements

The awardee may be responsible for developing complete, or engineering components of, new easement restoration designs or designs to repair failed or degraded engineering practices on existing easements. These activities may require the following:

- a. Onsite topographic survey and gathering of onsite and offsite data of the planned restoration area and any upland or downstream impacted areas as necessary.
- b. Design engineering practices for new easements or design of engineering repairs on existing easements, potentially including calculations, hydraulic and hydrologic modeling, and preparation of specifications/stamped engineering plans with licensure for the state of implementation, prior to construction. This sub-component also requires the preparation of solicitation packages for bid to potential construction contractors,

including coordination of any necessary pre-bid site viewings or fielding questions from prospective bidders. Typical [engineering conservation practices](#) may include, but are not limited to:

- Clearing and Snagging (326)
- Constructed Wetland (656)
- Dike (356)
- Land Clearing (460)
- Land Smoothing (466)
- Lined Waterway or Outlet (468)
- Obstruction Removal (500)
- Shallow Water Development and Management (646)
- Structure for Water Control (587)
- Subsurface drainage (606)
- Storm Water Runoff Control (570)
- Stream Habitat Improvement and Management (395)
- Streambank and Shoreline Protection (580)
- Structures for Wildlife (649)
- Underground Outlet (620)
- Wetland Creation (659)
- Wetland Enhancement (658)
- Wetland Restoration (657)

Component 2: Easement Restoration and Stewardship: Planning and Design of Vegetative Practices, Including Vegetative Maintenance or Re-Establishment

The awardee may be responsible for developing vegetative restoration plans, or vegetative maintenance/re-establishment/management plans for existing easements with failed practices or degraded conditions. Sub-component activities may include:

- a. Development of planting plans in the easement business tools for new enrollments. This may require a site assessments or wetland delineations, as needed, to promote wetland plant communities using compatible/native.
- b. Developing maintenance plans, re-establishment, or management plans for conservation easements with failed or degraded plant conditions through easement business tools.
- c. Developing and designing plant communities and wetland systems as appropriate to the current surrounding conditions of the easement to create compatible long-term restoration due to changes in long term management through easement business tools. Typical practices for the establishment or maintenance of easement vegetation may include but are not limited to the following [Conservation Practice Standards](#):

- Brush Management (314)
- Conservation Cover (327)
- Critical Area Planting (342)

Early Successional Habitat Development/Management (647)
Firebreak (394)
Forest Stand Improvement (666)
Hedgerow Planting (422)
Herbaceous Weed Treatment (315)
Mulching (484)
Prescribed Burning (338)
Restoration and Management of Rare or Declining Habitats (643)
Tree/Shrub Establishment (612)
Tree and Shrub Site Preparation (490)
Upland Wildlife Habitat Management (645)
Wetland Wildlife Habitat Management (644)
Wildlife Habitat Planting (420)
Windbreak/Shelterbelt Establishment (380)

Component 3: Monitoring of Closed and Restored Easements

The awardee may be responsible for onsite and offsite monitoring of existing ACEP-WRE, EWPP-FPE, and WRP easements in multiple states, which includes the following:

Assess the ecological condition of restored easements and their compliance with NRCS deed terms and policies as outlined in the Conservation Program Manual (CPM) under Easement Common Provisions Monitoring ([440 CPM 527, Subpart P](#)). If deficiencies in ecological conditions are identified by NRCS, the awardee may develop an NRCS policy-compliant easement enhancement or easement management plan for improving ecological conditions on the easement. If a violation of NRCS deed terms or policies is identified, the awardee may be asked to create an NRCS policy-compliant violation remediation plan so that the violation can be corrected. Communications with landowners regarding possible violations will be made by NRCS.

Through the application of onsite easement monitoring surveys, the awardee may evaluate the accuracy and effectiveness of easement monitoring survey questions and methods that are designed to gauge the effectiveness of installed restoration practices. The training required will be provided by NRCS.

Easement monitoring will follow the schedule and criteria specified for each easement type, as described in the Conservation Program Manual [440, Part 527](#) Easement Common Provisions, Subpart P Monitoring:

- a. Reviewing relevant documents that govern the easement, such as easement deeds; easement restoration, management, and conservation plans; baseline reports; restoration designs and contracts; compatible use authorizations; easement violation remediation plans; correspondence; easement administrative actions; prior year Annual Monitoring Worksheets; etc.

- b. Using Stewardship Lands Imagery databases (high-resolution aerial imagery) or the equivalent to detect potential unauthorized uses, such as structures, parked equipment, vegetation manipulation, encroachments, etc.
- c. Verifying ownership through onsite visits, phone calls, email, letters, or obtaining a copy of the public record in accordance with Conservation Program Manual 440, Part 527 Easement Common Provisions, [Subpart P](#) Monitoring.
- d. Performing an onsite investigation when instructed by NRCS including walking the perimeter and interior of the easement property to look for potential encroachments or violations; verifying physical and legal access; inspecting conservation practices to determine conditions; assessing vegetation conditions and determining if easement maintenance activities are needed; confirming compliance with existing compatible use agreements; taking photographs and GPS locations of easement conditions or violations; verifying presence and condition of easement boundary signage; etc.
- e. Recording results of monitoring activities on the Annual Monitoring Worksheet (see Title 440 CPM § [527.280\(A\)](#), Exhibits) through a Mobile Application or other Agency business tools available on government issued devices.

Other Project Needs and Requirements:

Local project needs will vary and where available, NRCS will provide construction drawings and planting plans for the awardee. NRCS will provide a package of available information, generally referred to as the Wetland Reserve Plan of Operations (WRPO), for each easement. This package could include a Conservation Plan Schedule of Operations, construction drawings, specifications, job sheets, and an overall project area plan map or planting plans. Due to the varying levels of information available for restored easements, reconnaissance site visits will be necessary in many cases. All practice standards must be met and are described in the NRCS Field Office Technical Guide located at the [NRCS Field Office Technical Guide](#).

The awardee will also provide NRCS monthly status report of work in progress and any other documentation that may be identified as required by the NRCS standards and specifications or agreement terms and conditions. The requirements for specific project sites will be identified during the award of individual agreements through this NOFO.

D. APPLICATION CONTENTS AND FORMAT

1. Pre-Applications and Letters of Intent

This NOFO does not require pre-applications or letters of intent; do not submit a pre-application or a letter of intent.

2. Content and Form of Application Submission

Notes:

- Form instructions and any available templates are provided in the FPAC-BC Grants.gov Application Guide available in the Related Documents tab of the Grants.gov Application Package on Grants.gov. Instructions provided in this NOFO will reference guidance as appropriate in the FPAC-BC Grants.gov Application Guide.
- To be considered for funding under this opportunity, an application must contain the documents identified below.

Document	Instructions
Application for Federal Assistance (SF-424)	see section V.2.*
Project Narrative Attachment Form	see section V.3.*
Project Abstract	see section V.4.*
Budget Information for Non-Construction Programs (SF-424A)	see section V.5.*
Budget Narrative Attachment Form	see section V.6.*
Other Attachments Form • Current and Pending Support • GADSUM9, Applicant Contact(s) Information • NICRA, as applicable	see section V.7.* see section V.7.1* see section V.7.2* see section V.7.3.*
Attachments • Subawards, as applicable • Conflict of Interest, as applicable	see section V.8.* see section V.8.1* see applicable section below
Grants.gov Lobbying Form	see section VI.9.*
Disclosure of Lobbying Activities (SF-LLL)	see section VI.10.*
*Applicable section of the FPAC-BC Grants.gov Application Guide	

a. Application for Federal Assistance (SF-424)

See section V.2. of the FPAC-BC Grants.gov Application Guide for instructions.

b. Project Narrative Attachment Form

- The following instructions are in addition to those included in section V.3. of the FPAC-BC Grants.gov Application Guide.
- The Project Narrative is subject to the attachment requirements noted in section III.2.1 of the FPAC-BC Grants.gov Application Guide.
- The project narrative must not exceed eight (8) pages. This page limitation applies to the project narrative only.

The Project Narrative must also include the following information:

- i. Institutional background. Describes the applicant institution in terms of its location(s), organizational structure, mission, relationship to the

- service area, and past successes with similar type projects.
- ii. Describe the applicant's history of successfully managing federal and non-federal agreements via project narratives that describe:
 - The type of project, duration, stakeholders involved, and company responsibilities undertaken.
 - Project outcomes, including meeting and complying with permitting, and/or Federal program requirements as well as project timelines and budgets.
 - Success in meeting financial reporting requirements, completing progress reports/project documentation, and submitting acceptable payment requests.
 - iii. A description of the resources of the applicant necessary to successfully perform the activities listed above including staffing capacity, equipment resources and/or support necessary to complete the identified activities.
 - iv. Describe the type of work the applicant can accomplish related to easement survey, design, restoration, repair, and monitoring.
 - v. A description of the experience of the applicant that supports the successful implementation of easement restoration and stewardship activities listed above.
 - vi. A description of the capabilities to perform the terms of the cooperative agreement, including a brief description of the qualifications, employment status, current responsibilities, applicable licensures, and proposed level of effort for the project coordinator and staff responsible for implementation.
 - vii. Resumes for key personnel in an appendix to the proposal including any related licenses or certifications the applicant's project personnel possess and for which states they are valid (e.g. Licensed Surveyor, Professional Engineer's license, Certified Professional in Erosion and Sediment Control, licensed pest applicator, etc.). Similar information requested in this paragraph may also be included for sub-awardees, contractors, subcontractors, and suppliers. Resumes are not counted toward the eight pages of project narrative.

Note: If applicant does not possess the skill or licensure required within their personnel to perform the listed activity, such as survey or providing stamped engineering designs, they may note their skillset in overseeing and managing entities and subcontractors that possess the required specialization, as applicable.

- viii. Evaluation plan. Presents a plan for determining the success of the project at interim points and at the end of the project.
- ix. References for clients of past projects including name, email, and phone number contact information.

Note: If your proposal includes information collected from non-Federal sources, ensure the collection meets the requirements of the Paperwork Reduction Act. Surveys of individuals or entities are generally prohibited without prior approval from the Office of Management and Budget. For additional guidance about allowable and unallowable activities, please visit the following website: <https://pra.digital.gov/do-i-need-clearance/>.

c. Project Abstract

See section V.4. of the FPAC-BC Grants.gov Application Guide for instructions.

d. Budget Information for Non-Construction Programs (SF-424A)

See section V.5. of the FPAC-BC Grants.gov Application Guide for instructions.

e. Budget Narrative

- The following instructions are in addition to those included in section V.6. of the FPAC-BC Grants.gov Application Guide.
- The Budget Narrative is subject to the attachment requirements noted in section III.2.1 of the FPAC-BC Grants.gov Application Guide.
- Indirect Cost Limitation for Non-Profit Organizations or Institutions of Higher Educations that receive a cooperative agreement - In accordance with USDA's annual appropriations act, indirect costs will be limited to no more than 10 percent of total direct costs that receive a cooperative or contribution agreement. See section V.6. of the FPAC-BC Grants.gov Application Guide for instructions on how to determine the allowable indirect costs when a statutory limitation is applicable.

f. Other Attachments

- See section V.7. of the FPAC-BC Grants.gov Application Guide.
- Current and Pending Support- See section V.7.1 of the FPAC-BC Grants.gov Application Guide for link to available template and instructions.
- GADSUM9, Applicant Contact(s) Information – See section V.7.2 of the FPAC-BC Grants.gov Application Guide for link to available template and instructions.
- Negotiated Indirect Cost Rate (NICRA) - See section V.7.3 of the FPAC-BC Grants.gov Application Guide for instructions.

g. Attachments

- See section V.8. of the FPAC-BC Grants.gov Application Guide.
- Subawards – if the organization intends to have subawards, see section V.8.1 of the FPAC-BC Grants.gov Application Guide for instructions.
- Conflicts of Interest – see section j. of this part for further information.

h. Grants.gov Lobbying Form

See section V.9. of the FPAC-BC Grants.gov Application Guide for instructions.

i. Disclosure of Lobbying Activities

See section V.10. of the FPAC-BC Grants.gov Application Guide for instructions.

j. Disclosure of Potential Conflict of Interest

[2 CFR 400.2](#) states that applicants must maintain written standards of conduct covering conflicts of interest and governing the performance of its employees in the selection, award, and administration of Federal awards. No employee, officer, or agent may participate in the selection, award, or administration of a Federal award if he or she has a real or apparent conflict of interest. Such a conflict of interest would arise when the employee, officer or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties referenced, has a financial or other interest in, or a tangible personal benefit from, an applicant considered for a Federal award. The standards of conduct must provide for disciplinary actions to be applied for violations of such standards by officers, employees, or agents of the applicant.

If the applicant has a parent, affiliate, or subsidiary organization that is not a state, local government, or Indian tribe, the applicant must also maintain written standards of conduct covering organizational conflicts of interest. Organizational conflict of interest means that because of the relationships with a parent company, affiliate, or subsidiary organization, the applicant is unable or appears to be unable to be impartial in conducting a Federal award action involving a related organization.

Applicants must disclose in writing any potential conflicts of interest to the USDA awarding agency or pass-through entity. Include the name of the individual, the name of the entity with which the individual has a conflict, the nature of the financial or other interest, the value of the interest, and a description of how the interest relates to the application. Upload disclosures under Other Attachments (listed separately under Optional Forms) in Grants.gov. **If no conflict exists, no submission is required.**

k. Post Submission and Post Award Documentation

During the administrative review process (refer to section F.3. of this NOFO), it may be necessary to request further documentation from the applicant (e.g., organizational information as part of the risk assessment, more detail regarding proposed costs, revised documents).

E. SUBMISSION REQUIREMENTS AND DEADLINE

1. Grants.gov Applications

- Applications must be submitted through Grants.gov.
- Grants.gov is a single site to find and apply for grant funding opportunities.
- All forms to prepare and submit an application are available through the funding opportunity on Grants.gov.

2. Grants.gov Requirements and General Guidance

Grants.gov has requirements (e.g., registration and software) that **must be met** ahead of being able to submit an application using Grants.gov. Refer to section II.1. of the FPAC-BC Grants.gov Application Guide.

- Applications must be received by Grants.gov by 11:59.59 pm Eastern Time (ET) on the established due date (see section A.6.); an application is considered late at 12:00 am ET and will be rejected.
- If the Apply button in the opportunity is not active (greyed out), [see Unlock the Mystery of the Gray “Apply” Button: Four Scenarios. – Grants.gov Community Blog \(wordpress.com\)](#) for possible scenarios.
- Grants.gov automatically records proof of submission by way of an electronic date/time stamp when the application is successfully received by Grants.gov.
- Grants.gov will send an email to the Authorized Organizational Representative (AOR) submitting an application when:
 - An error prevents the transmission of the application.
 - An application is successfully received by Grants.gov.
 - The agency retrieves and downloads the application from Grants.gov and download of submissions.
- For trouble submitting an application to Grants.gov, contact Grants.gov Applicant Support at 1-800-518-4726 or support@grants.gov.

F. APPLICATION REVIEW INFORMATION

1. Review and Selection Process

The following applications will be accepted for the competitive review process:

- Received by the established deadline.
- Meet eligibility criteria.
- Contains the applicable documents identified in section D.2.
- Compliant with the provisions of this notice. Incomplete, non-compliant, and/or applications may be eliminated from competition.

Applicants that do not meet the above criteria will be ineligible for consideration. The agency will send notification of elimination to applicants not meeting the above criteria.

A merit/technical review will be conducted by a technical review board.

The agency plans to select reviewers based on their training and experience in relevant fields, considering the following factors:

- Level of relevant formal experience of the individual, as well as the extent to which an individual is engaged in relevant activities.
- Need to include experts from various areas of specialization within relevant fields.
- Need to include reviewers who can judge the effective usefulness of each application to producers and the general public.

Risk reviews will be conducted by the FPAC-BC, Grants and Agreements Division (GAD). The approving official will make the final award decisions. The approving official for this opportunity is the Deputy Chief for Programs.

Unless the applicant desires to confine potential work projects in a specifically identified and described geographic region of the United States, the applicant must be available to coordinate projects across all 50 states, including the District of Columbia, the Caribbean Area (Puerto Rico and the U.S. Virgin Islands), and the Pacific Islands Area (Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands) as dictated by need for services.

2. Merit/Technical Criteria

Applicants will be evaluated using the following technical criteria to determine the applicant with the greatest capacity, skillset, and experience to execute this agreement efficiently and effectively. Selection will favor the applicant with the highest score based on the following Evaluation Criteria and their respective weights:

- a. Past experience in completing topographic surveys and other onsite and offsite data collection to analyze, model, develop, design, and draft restoration and/or repair alternatives on wetlands, floodplains, and forests, or to improve carbon sequestration. These criteria will be assessed through review of past project narratives and personnel resumes. (20 percent)
- b. Past experience overseeing, managing, and providing quality control of construction contractors, engineers, hydrologists, landscape architects, or other stakeholders or technical experts that may be involved with design, modeling, or implementation of alternative restoration as assessed through past project narratives. (15 percent)
- c. Availability of resources including equipment, office or team locations, personnel's availability (full-time/part-time/seasonal) and their project roles, and any in-house licensures or certifications that will be used to complete deliverables outlined in specific task orders for this agreement. This criterion may be assessed through specific personnel resumes or from other lists or attachments provided with the submission. (20 percent)
- d. Qualifications of the project manager and other project staff, including years of experience, in-house technical and administrative capabilities, knowledge and skills pertaining to the implementation of the previously identified project tasks as assessed through provided resumes of available project personnel. (20 percent)
- e. Projected cost efficiency and feasibility for performing various sub-tasks for surveying, hydrologic modeling, analyzing, designing, drafting, implementing, and overseeing restoration alternatives. (10 percent)
- f. Feedback from references provided for past projects, particularly feedback related to implementation of project requirements. (10 percent)

- g. Knowledge or experience administrating a government agreement, including successful use of FPAC Grants and Agreements' payment and reporting processes as evaluated from project personnel resumes or project narratives. (5 percent)

Both successful and unsuccessful applicants will be notified of the award decision via letter.

3. Administrative Review and Risk Criteria

The following are criteria that will be reviewed/verified prior to making an award.

- Ensure applicant meets eligibility criteria.
- Application was submitted via Grants.gov by the established deadline.
- Risk review of applicant (see [2 CFR 200.206](#)).
 - Check SAM to ensure the applicant is not suspended or debarred.
 - Review and consider information included in the designated integrity and performance system accessible through SAM (the Federal Awardee Performance Integrity Information System, FAPIIS) (see [41 USC 2313](#) and 2 CFR 200.206(a) (applies to applications to be supported with a total Federal share greater than \$250,000).
 - Assess financial stability of applicant.
 - Determine if applicant has a financial management system adequate to segregate and track federal funds.
 - Review history of Federal financial assistance award performance.
- Proposed costs are allowable, allocable, and necessary.

Based on risk assessment, the agency may impose specific award conditions in accordance with [2 CFR 200.208](#).

G. FEDERAL AWARD NOTICES

Successful Project Notification: The agency will provide notice that an application has been selected before it actually issues the Federal award. **The selection notification does not authorize the applicant to begin performance.** If the applicant chooses to begin project activities, it does so at its own risk; the risk that costs may not be reimbursed.

Notice of Award: The Notice of Grant and Agreement Award (ADS-093) contains information identified in [2 CFR 200.211](#) and is signed by the authorized agency official; it is the only authorizing document and will be provided electronically to the entity's authorized official for signature.

Unsuccessful Project Notification: The agency will provide notice to unsuccessful applicants via an email to the individual listed as the Program Director. This notification will occur following the processing of successful applications.

H. POST-AWARD REQUIREMENTS (ADMINISTRATIVE & NATIONAL POLICY)

All project funds will be used in accordance with [2 CFR Part 200](#) and the General Terms and Conditions, which are available at the following website:

<https://www.fpacbc.usda.gov/about/grants-and-agreements/award-terms-and-conditions/index.html>. The award terms and conditions includes, but is not limited to:

- Unallowable costs.
- National policy requirements.
 - If projects performed pursuant to this opportunity are subject to any of the following, the agency must work with the awardees on related matters before commencement of activities.
 - National Environmental Policy Act (NEPA).
 - National Historic Preservation Act (NHPA).
 - Endangered Species Act (ESA).
- Build America, Buy America for Construction.
- Section 508 of the Rehabilitation Act of 1973 compliance requirements.
- Reporting requirements.
 - Addresses financial and performance requirements and the reporting frequency, means of submission.
 - Reporting of matters related to recipient integrity and performance.
 - Reporting subaward and executive compensation information.
- 2 CFR 180 - [2 CFR 180.335](#) and [180.350, includes reporting requirements regarding debarment and suspension](#) audit requirements.
- The United States Department of Agriculture (USDA), to the extent permitted by law, will no longer make grants or otherwise fund programs or activities that improperly discriminate on the basis of race or sex, including discrimination in the name of Diversity, Equity, and Inclusion policies. Instead, USDA will prioritize merit and efficiency. USDA recognizes programs and initiatives will have the greatest impact when these programs and initiatives put American farmers, ranchers, and foresters first by:
 - Solving the most pressing challenges they face.
 - Protecting America's food, fuel, and fiber supply to enhance national security.
 - Supporting production of healthy and safe food for consumers.
 - Expanding and developing domestic markets.
 - Training the next generation of agriculturalists.
 - Fueling innovation to keep American farmers at the forefront of productivity.

I. OTHER INFORMATION

1. Freedom of Information Act (FOIA)

Applications are considered confidential information. Applications are not shared with individuals or entities seeking public disclosure through the Freedom of Information Act (FOIA) without the consent of the applicant. More specifically, [Executive Order 12600](#) and USDA FOIA regulation [7 CFR Part 1](#), Subpart A requires the awarding agency to provide notice to applicants that a third party has requested copies of their

business information and requires the awarding agency to consult with applicants regarding the releasing their records.

2. Government Obligation

The Federal Government is not obligated to make any Federal award as a result of this opportunity. Only authorized federal officials can bind the Federal Government to the expenditure of funds.

3. Award Counterparts

Any award made pursuant to this NOFO may be executed in any number of counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

U.S. Department of Agriculture Non-Discrimination Statement

The U.S. Department of Agriculture's Non-Discrimination Statement is incorporated by reference and can be accessed at the following location: <https://www.usda.gov/non-discrimination-statement>. USDA is an equal opportunity provider, employer, and lender.