

U.S. Fish and Wildlife Service

FWS - Wildlife and Sport Fish Restoration

<https://fws.gov/program/highlands-conservation-act>

Highlands Conservation Act - Pilot - Under-Resourced Communities Funding Round

Fiscal Year: 2024

F24AS00447

Due Date for Applications: 12/31/2024

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A. Program Description

A1. Authority

Highlands Conservation Act, Pub. L. 108-421, 118 STAT. 2375, §2(2); and Emergency Wetlands Resources Act - National Wetlands Inventory, 16 U.S.C. §3901 and §§3931-3932

A2. Assistance Listing Number

Assistance Listing Number

15.667

A3. Background, Purpose and Program Requirements

The Highlands Conservation Act Program (HCA) is administered by the US Fish and Wildlife Service (Service) to assist Connecticut, New Jersey, New York, and Pennsylvania in the permanent protection of land and natural resources in the Highlands Region. HCA grants support land conservation projects in which a State, County, or Municipal entity acquires land or an interest in land from a willing seller to conserve resources of high conservation value.

Subject to availability of funds through Federal appropriation, Governors of the four Highlands States may submit proposals for up to 50% of the total cost of land conservation projects in the Highlands Region. Highland States may also request that the Service add Municipalities from within the identified *Expanded Opportunity Area for the Highlands Landscape* to the Highlands Region. For more information, contact the Lead State Agency listed in section C.1 below.

In recent years, funding appropriated under the HCA has been divided into two separate categories – Base and Competitive. Notice of Funding Opportunities for the Base and Competitive rounds are posted separately.

This Notice of Funding Opportunity is a pilot grant round for land protection projects in under-resourced and under-served communities within the Highlands Region. Eligible areas for land conservation for this grant round are shown here: <https://northeast-sa-fws.hub.arcgis.com/pages/c6fc33bde7d049728d47f67925c2ea5a>. Land or easement acquisition projects within the “Under-Resourced Communities in the Highlands Region” layer and in the eligible Highlands Region are eligible for funding. A project may not be proposed for funding in multiple funding opportunities.

An online overview of this Notice of Funding Opportunity is scheduled for Friday, September 27 at 11:00 AM EST. Email the Service contact (Section G.1) to receive an invitation for the overview.

A4. Funding Opportunity Goals

- The HCA program supports the goals set forth in the Biden Harris Administration's America the Beautiful Initiative, including the conservation of 30 percent of America's lands and waters by the year 2030. Land conservation in the Highlands Region is increasing the climate change resiliency of the landscape and is protecting drinking water resources used by millions of people. The HCA grant program is connecting people with nature and the outdoors by creating new recreation areas in a region where one in nine Americans live or are within a two-hour drive. The HCA grant program is protecting strategically important natural areas that sustain a diversity of fish and wildlife species, including the Service's priority at-risk species.

B. Federal Award Information

B1. Total Funding

Estimated Total Funding

\$3,323,450

B2. Expected Award Amount

Maximum Award

\$830,862

Minimum Award

\$25,000

B3. Expected Award Funding and Anticipated Dates

Expected Award Funding

\$830,862

Expected Award Date

January 31, 2025

B4. Number of Awards

Expected Number of Awards

4

In FY 2023, \$3,323,450 in funding for projects in under-resourced and under-served communities is available for grants to Connecticut, New Jersey, New York, and Pennsylvania.

Each State may request up to \$830,862 in this funding round. The earliest anticipated project start date is January 31, 2025. Project periods will be no longer than 4 years from the date the grantee is notified of an award. A one-year extension may be considered under extenuating circumstances. If the funds are unspent when a grant closes and the HCA grant program is still actively funded, unspent funds will be returned to the program to be redistributed through the next Competitive Grant Round Notice of Funding Opportunity. If each of the four eligible States

does not request the full \$830,862 available, remaining funds will also be distributed through a concurrent or subsequent grant round.

B5. Type of Award

Funding Instrument Type

G - Grant

C. Eligibility Information

C1. Eligible Applicants

Eligible Applicants

00 – State governments

Additional Information on Eligibility

Only the Lead State Agency (or Agencies), as determined by the Governor of each Highlands State, may be the applicant for funding under the Highlands Conservation Act Grant Program. If the Governor assigns multiple Lead Agencies, those Agencies must coordinate on funding requests prior to submission and ensure no more than the maximum allowable amount is requested through this funding opportunity. All or part of the funds received by the Lead State Agency may be subawarded to a County or Municipality within the Highlands Region, or to another State Conservation Agency.

The current Lead State Agencies are:

- Connecticut Department of Energy and Environmental Protection. Contact Matt Starr: matthew.starr@ct.gov
- New York State Office of Parks, Recreation, and Historic Preservation. Contact Lynn Kovach: lynn.kovach@parks.ny.gov
- New Jersey Highlands Water Protection and Planning Council. Contact Liz Ward: elizabeth.ward@highlands.nj.gov
- Pennsylvania Department of Conservation and Natural Resources. Contact Dan Pierce: danipierce@pa.gov

C2. Cost Sharing or Matching

Cost Sharing / Matching Requirement

Yes

Percentage of Cost Sharing / Matching Requirement

50

50% non-Federal cost share required.

C3. Other

Foreign Entities or Projects:

State Sponsors of Terrorism: This program will not fund projects in [countries determined by the U.S. Department of State to have repeatedly provided support for acts of international terrorism](#) and therefore are subject to sanctions restricting receipt of U.S. foreign assistance and other financial transactions.

Office of Foreign Assets Control Sanctions: This program will not fund projects in countries subject to [comprehensive sanction programs administered by the U.S. Department of Treasury, Office of Foreign Asset Control](#) without proper licenses.

In-Country Licenses, Permits, or Approvals: Entities conducting activities outside the U.S. are responsible for coordinating with appropriate U.S. and foreign government authorities as necessary to obtain all required licenses, permits, or approvals before undertaking project activities. The Service does not assume responsibility for recipient compliance with the laws, regulations, policies, or procedures of the foreign country in which they are conducting work.

Excluded Parties:

The DOI conducts a review of the SAM.gov Exclusions database for all applicant entities and their key project personnel prior to award. The DOI cannot award funds to entities or their key project personnel identified in the SAM.gov Exclusions database as ineligible, prohibited/restricted or otherwise excluded from receiving Federal contracts, certain subcontracts, and certain Federal assistance and benefits, as their ineligibility condition applies to this Federal program.

D. Application and Submission Information

D1. Address to Request Application Package

This Notice of Funding Opportunity contains all the information necessary to complete the application requirements. For questions contact the Program Technical Contact listed below in section G.1.

Program Website Link

<https://fws.gov/program/highlands-conservation-act>

D2. Content and Form of Application Submission

SF-424, Application for Federal Assistance

All applicants must submit the Standard Form (SF)-424, Application for Federal Assistance. This form is available with the announcement on Grants.gov and in GrantSolutions. The form must be complete and signed by an Authorized Representative. For all applicants except individuals and commercial entities, the Authorized Representative's signature on a standard application form submitted to the Service represents their certification that the entity's financial management system meets [2 CFR §200.302](#) financial management requirements. The non-Federal entity's financial management system must be sufficient to:

1. Permit the preparation of required reports;
2. Trace funds to a level of expenditures adequate to establish that the entity has used such funds per Federal statutes, regulations, and terms and conditions of the Federal award;

3. Provide for the requirements in [2 CFR §200.302\(b\)](#); and
4. Comply with [§200.334](#) Retention requirements for records, [§200.335](#) Requests for transfer of records, [§200.336](#) Methods for collection, transmission, and storage of information, and [§200.337](#) Access to records.

If this application requests more than \$100,000 in Federal funds, the Authorized Representative's signature on or submission of the SF-424 form in GrantSolutions also represents their certification of the statements in 43 CFR Part 18, Appendix A-Certification Regarding Lobbying.

When completing the SF-424 Application form, enter only the amount requested from this Federal program in Box 18a, Estimated Federal Funding. Include any other Federal sources of funding in Box 18e. Estimated Other Funding and identify any such sources and amounts in the required Budget Narrative (see below). For individuals applying as a private citizen (i.e., unrelated to any business or nonprofit organization you may own or operate in your name), do NOT include your Social Security Number on this or any other document to be submitted with your application! When completing the SF-424 Application form, individuals must enter in Box 8b. Employee/Taxpayer Identification Number (EIN/TIN) the substitute number "444-44-4444." Individuals may register in SAM.gov but are not required to have a SAM.gov registration. For individuals without a SAM.gov registration enter in Box 8c. the substitute Unique Entity Identifier (UEI) "KA5HQCLKUVW1". For instructions on completing the SF-424, please reference the [Instructional Video: Completing the SF424](#).

Project Abstract Summary (OMB Number 4040-0019)

Applicants must complete and submit the Project Abstract Summary form. The Project Abstract Summary form must provide a brief award description. The description must be in plain language that the public can understand without viewing the full application proposal. It should include a brief, simple description of the project purpose, activities to be performed, deliverables and expected outcomes, intended beneficiaries, and subrecipient activities, if known at the time of submission.

Do not include personally identifiable, sensitive, or proprietary information in the award description as this is available to the public. Use only English characters, numbers, punctuation, and standard symbols. Use of non-English, non-standard characters (also referred to as special or extended ASCII characters) will result in the award description failing to be reported correctly to USASpending.gov. Award descriptions are limited to 4,000 characters or less. Applicants should check the length of the award description and proofread for proper grammar and spelling.

For applicants applying through Grants.gov: Applicants must download and complete the Grants.gov "Project Abstract Summary" form from the full text announcement. To submit the Grants.gov "Project Abstract Summary" form with the application, applicants must add the form as an attachment to the Grants.gov "Attachments" form that is included in the application package.

For applicants applying through GrantSolutions-Grants Management Module (GS-GMM): Applicants must enter the information in the Project Abstract Summary screen. Do not upload a document in place of entering the information directly into GS-GMM Project Abstract Screen.

Project Narrative

In addition to the information requested in this section, applicants must also provide information in response to section E1 - Criteria.

The Project Statement, which is a narrative description of your project proposal, should specifically address eligibility of each project proposed for acquisition. To be eligible for Highlands Conservation Act Grant funding, a project must be either 1) in the Highlands Region as defined in the NY-NJ Highlands Regional Study: 2002 Update or the Highlands Regional Study: Connecticut and Pennsylvania 2010 Update, or 2) in a Municipality within the Highlands Expansion Opportunity Area that has been submitted by the Lead State Agency - with Municipal concurrence - and approved by the Service. A map showing this information can be accessed here: <https://northeast-sa-fws.hub.arcgis.com/pages/c6fc33bde7d049728d47f67925c2ea5a>. Areas eligible for funding will be within the black outlined “Current Eligibility Boundary for Federal Highlands Conservation Act Grant Program” boundary. The Applicants may request the GIS datalayer of the eligible area from the Service contact listed at the end of this document (Section G.1).

The total Federal funding request cannot exceed 50% of the total project cost. The HCA Grant Program funds only land acquisition projects and associated administrative costs. The Lead State Conservation Agency (see section C.1) is the only entity eligible to apply for this grant. A State Conservation Agency, **or a County or Municipality through a subaward agreement**, may hold the interest in the land acquired. For conservation easements (CE), a State Agency may co-hold the CE with a County, Municipality, or a non-profit land conservation organization.

Applicants may propose to purchase one or multiple parcels. If multiple parcels are being proposed, applicants may write their need, purpose, objectives, and expected results and benefits section in a manner that applies to all parcels. In addition, if the approach for each parcel is the same, the State may write one approach section outlining the process to be followed for all proposed acquisitions. However, location and cost information must include details on each parcel individually.

For this Notice of Funding Opportunity only, if specific projects in under-represented and under-served communities (as shown in the above-mentioned map viewer) have not yet been identified, the applicant may still apply for full funding. In this scenario, the applicant should address the elements below in general terms. If the applicant is subsequently awarded funding by the Service, the applicant will have one year from the award date to identify parcels that qualify for this Notice of Funding Opportunity. If parcels have not been identified at that time, the funds will be returned to the HCA program and used for a subsequent grant round.

Use the following format for the Project Statement:

Need: Describe why the proposed land acquisition(s) is needed. Describe how the proposed land acquisition(s) fulfills the purposes of the Highlands Conservation Act and meets the Department of the Interior priorities (see information in Section I: Description of Funding Opportunity).

Purpose: Explain what is to be accomplished during the period of the project pursuant to the stated need. The purpose should state the desired outcome of the proposed project in general terms.

Objective: Specify the type of interest and acres to be acquired. Specify the target acquisition date.

Expected Results or Benefits: As applicable, describe how the project will provide benefits in the following areas: wildlife habitat conservation, at-risk species protection, public recreation opportunities, forest and agricultural resource conservation, waterways and drinking water sources protection, and the conservation of other natural, recreational, and cultural resources. Provide quantifiable or verifiable resource benefits when possible. If the property will be open to the public, list the allowed activities and describe how the property can be accessed. (Note: public access is encouraged but not required).

Approach: Explain how the objective(s) will be attained. Include specific procedures, schedules, key cooperators, and respective roles. Describe any subaward relationships with Counties or Municipalities.

Location: Describe and show the parcel(s) proposed for acquisition. Proposals must include at minimum an aerial map of the proposed properties and map showing the location of proposed properties in relation to the Under-resourced Communities GIS layer as shown here: <https://northeast-sa-fws.hub.arcgis.com/pages/c6fc33bde7d049728d47f67925c2ea5a>. Include the name of the Municipality and County, and the name of the Congressional District in which the property is located. If data layers or assistance with mapping is needed, the Service contact listed at the end of this document can provide additional assistance (Section G.1).

Stakeholder Coordination/Involvement: As applicable, describe how your organization has partnered, coordinated, and involved other relevant organizations or individuals in planning the project, and detail if and how they will be involved in conducting project activities and accessing the land acquisition project when completed.

Description of Entities Undertaking the Project: Provide a brief description of the applicant organization and all participating entities and individuals. Provide complete contact information for the individual within the organization that will oversee and manage the project activities.

SF-424C, Budget Information for Construction Program

Applicants must submit the appropriate SF-424C Budget Information form for Construction Programs or Projects. All required application forms are available with this announcement on Grants.gov and in GrantSolutions. Federal award recipients and subrecipients are subject to Federal award cost principles in 2 CFR 200. Applicants must show funds requested from this Federal program separately from any other Federal sources of funding. Identify any other Federal funding sources and amounts in the required Budget Narrative (see below).

SF-429 Request to Acquire, Improve, or Furnish Real Property

Applicants seeking approval to acquire real property under an award must complete and submit the SF-429, “Real Property Status Report (Cover Page)” and the SF-429-B, “Real Property Status Report Attachment B (Request to Acquire, Improve, or Furnish)” for each parcel of real property to be acquired, improved or furnished. These forms are required if the real property is acquired with Federal funds, with recipient cost share or matching funds, or as an in-kind contribution under the award. The SF-429 forms are not available with this announcement on Grants.gov; they are available on the [Grants.gov Post-Award Reporting Forms page](#). Please submit these completed forms as attachments to your application.

Alternatively, you may wait to submit the SF-429 form until the event you receive notification of a grant award and are provided more instructions from the Service at that time.

Budget Narrative

Applicants must include a budget narrative that describes and justifies requested budget items and costs. In your budget narrative, describe how the SF-424 Budget Information, “Object Class Category” totals were determined. Include a complete description of each cost category. For personnel salary costs, generally describe how estimates were determined by identifying what type of staff will support the project and how much time they will contribute to the project (in hours or workdays). Describe proposed [items of cost that require prior approval](#) under the [Federal award cost principles](#), including any anticipated subawarding, transferring, or contracting out of any work under the award. If known at the time of application, include an estimated number of subawards and the dollar amount anticipated for each subaward. If equipment previously purchased with Federal funds is available for the project, provide a list of that equipment and identify the Federal funding source. Identify any third-party cash or in-kind contributions that a partner or other entity will contribute to the project and describe how the contributions directly and substantively benefit completion of the project. For in-kind contributions, identify the source, the amount, and the valuation methodology used to determine the total value. See [2 CFR §200.306](#) for more information. Please note the prohibitions on certain telecommunications and video surveillance services or equipment in [2 CFR 200.216](#). Recipients may not earn, make, or keep any profit resulting from any financial assistance awards. These costs are not allowable and should not be included in any proposed costs.

Provide a breakdown of costs for acquiring the properties. The breakdown must show the estimated costs of each acquisition, including itemized list of transaction costs and estimates, as well as the total Federal funding requested and the proposed match contribution.

Eligible costs include the acquisition cost of the fee or conservation easement, and certain typical land transaction costs, including: appraisal to Uniform Appraisal Standards for Federal Land Acquisition (UASFLA/Yellow Book), UASFLA review appraisal, survey, title report, baseline documentation report, staff time related to activities specific to the individual acquisition, environmental assessment, and closing costs. Appraisal and Appraisal Review must be completed to UASFLA standards.

A State may use up to five percent of a grant award to administer the land conservation partnership projects funded by this award.

Pre-award eligible land transaction costs are allowed but are incurred at the applicant’s own risk as there is no guarantee those costs will be approved. **Applicants must specify in the Budget Narrative if they are seeking approval for pre-award costs, which are costs incurred before the start date of a grant award.**

Appraisals are not required to be submitted with grant proposals, but market value must be determined prior to the expenditure of funds if the project is funded. If a determination of market value that meets UASFLA Standards is not provided with the grant application and the market value is different than estimated, the Federal contribution may be modified in keeping with Federal regulations and requirements.

Conflict of Interest Disclosure

Per the Financial Assistance Interior Regulation (FAIR), [2 CFR §1402.112](#), applicants must state in their application if any actual or potential conflict of interest exists at the time of submission.

a. *Applicability.*

1. This section intends to ensure that non-Federal entities and their employees take appropriate steps to avoid conflicts of interest in their responsibilities under or with respect to Federal financial assistance agreements.
2. In the procurement of supplies, equipment, construction, and services by recipients and by sub recipients, the conflict of interest provisions in [2 CFR§200.318](#) apply.

b. *Notification.*

1. Non-Federal entities, including applicants for financial assistance awards, must disclose in writing any conflict of interest to the DOI awarding agency or pass- through entity in accordance with [2 CFR §200.112](#).
2. Recipients must establish internal controls that include, at a minimum, procedures to identify, disclose, and mitigate or eliminate identified conflicts of interest. The recipient is responsible for notifying the Financial Assistance Officer in writing of any conflicts of interest that may arise during the life of the award, including those that have been reported by sub recipients.

c. *Restrictions on lobbying.* Non-Federal entities are strictly prohibited from using funds under a grant or cooperative agreement for lobbying activities and must provide the required certifications and disclosures pursuant to [43 CFR §18](#) and [31 USC §1352](#).

d. *Review procedures.* The Financial Assistance Officer will examine each conflict of interest disclosure on the basis of its particular facts and the nature of the proposed grant or cooperative agreement, and will determine whether a significant potential conflict exists and, if it does, develop an appropriate means for resolving it.

Enforcement. Failure to resolve conflicts of interest in a manner that satisfies the government may be cause for termination of the award. Failure to make required disclosures may result in any of the remedies described in [2 CFR §200.339](#), Remedies for noncompliance, including suspension or debarment (see also [2 CFR §180](#)).

Uniform Audit Reporting Statement

All U.S. states, local governments, Indian tribes, institutions of higher education, and non- profit organizations expending \$750,000 USD or more in Federal award funds in the applicant's fiscal year must submit a Single Audit report for that year through the [Federal Audit Clearinghouse's Internet Data Entry System](#), in accordance with 2 CFR 200 subpart F. U.S. state, local government, Indian tribes, institutions of higher education, and non- profit applicants must state if your organization was or was not required to submit a Single Audit report for the most recently closed fiscal year. If your organization was required to submit a Single Audit report for the most recently closed fiscal year, provide the EIN associated with that report and state if it is available through the [Federal Audit Clearinghouse](#) website.

Certification Regarding Lobbying

Applicants requesting more than \$100,000 in Federal funding must certify to the statements in [43CFR Part 18, Appendix A-Certification Regarding Lobbying](#). If this application requests more than \$100,000 in Federal funds, the Authorized Official's signature on the appropriate SF-424, Application for Federal Assistance form also represents the entity's certification of the statements in [43 CFR Part 18, Appendix A](#).

Disclosure of Lobbying Activities

Applicants and recipients must not use any federally appropriated funds (annually appropriated or continuing appropriations) or matching funds under a Federal award to pay any person for lobbying in connection with the award. Lobbying is influencing or attempting to influence an officer or employee of any U.S. agency, a Member of the U.S. Congress, an officer or employee of the U.S. Congress, or an employee of a Member of the U.S. Congress connection with the award. Applicants and recipients must complete and submit the [SF-LLL, "Disclosure of Lobbying Activities"](#) form if the Federal share of the proposal or award is more than \$100,000 and the applicant or recipient has made or has agreed to make any payment using non-appropriated funds for lobbying in connection with the application or award. The SF-LLL form is available with this Funding Opportunity on Grants.gov. See 43 CFR, Subpart 18.100 for more information on when additional submission of this form is required.

Overlap or Duplication of Effort Statement

Applicants must provide a statement indicating if there is any overlap between this Federal application and any other Federal application, or funded project, in regard to activities, costs, or time commitment of key personnel. If no such overlap or duplication exists, state, "There are no overlaps or duplication between this application and any of our other Federal applications or funded projects, including in regard to activities, costs, or time commitment of key personnel". If any such overlap exists, provide a complete description of overlaps or duplications between this proposal and any other federally funded project or application in regard to activities, costs, and time commitment of key personnel, as applicable. Provide a copy of any overlapping or duplicative proposal submitted to any other potential funding entity and identify when that proposal was submitted, to whom (entity name and program), and when you anticipate being notified of their funding decision. When overlap exists, your statement must end with "We understand that if at any time we receive funding from another source that is duplicative of the funding we are requesting from the U.S. Fish and Wildlife Service in this application, we will immediately notify the U.S. Fish and Wildlife Service point of contact identified in this Funding Opportunity in writing."

D3. Unique Entity Identifier and System for Award Management (SAM)

Identifier and System for Award Management (SAM.gov) Registration:

This requirement does not apply to individuals applying for funds as an individual (i.e., unrelated to any business or nonprofit organization you may own, operate, or work within), or any entity with an exception to bypass SAM.gov registration with prior approval from the funding bureau or office in accordance with bureau or office policy. All other applicants are required to register as a financial assistance recipient in SAM.gov prior to submitting a Federal award application and obtain a Unique Entity Identifier (UEI). A Federal award may not be made to an applicant

that has not completed the SAM.gov registration. If an applicant selected for funding has not completed their SAM.gov registration by the time the program is ready to make an award, the program may determine the applicant is not qualified to receive an award. Federal award recipients must also continue to maintain an active SAM.gov registration with current information through the life of their Federal award(s). Entities already registered in SAM.gov should review their registration to confirm that they are registered as a financial assistance recipient, which requires completion of the SAM.gov “Financial Assistance General Certifications and Representations”. See the “Submission Requirements” section of this document below for more information on SAM.gov registration.

Applicants can register on the [SAM.gov](https://sam.gov) website. The “Help” tab on the website contains User Guides and other information to assist you with registration. Applicants can contact the supporting Federal Service Desk for help registering in SAM. Once registered in SAM, entities must renew and revalidate their SAM registration at least once every 12 months from the date previously registered. Entities are strongly encouraged to revalidate their registration as often as needed to ensure their information is up to date and reflects changes that may have been made to the entity’s IRS information. If applicable, foreign entities who want to receive payment directly to a U.S. bank account must enter and maintain valid, current banking information in SAM.

D4. Submission Dates and Times

Due Date for Applications

12/31/2024

Application Due Date Explanation

Electronically submitted applications must be submitted no later than 11:59 PM, ET, on the listed application due date.

APPLICATION CHECKLIST

- Project Abstract
- Project Narrative
- Project Criteria (section E.1)
- Separate Budget Narrative (including Request for Pre-Agreement Costs if applicable)
- Indirect Cost Statement and related documentation
- Conflict of Interest Disclosure
- Single Audit Reporting Statement
- SF-LLL, Disclosure of Lobbying Activities (when applicable)
- Overlap or Duplication of Effort Statement
- SF-424, Application for Federal Assistance
- SF-424C, Budget Information

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

D5. Intergovernmental Review

An intergovernmental review may be required for applications submissions from a U.S. state or local government prior to submission. Applicants must contact their State's Single Point of Contact (SPOC) to comply with the state's process under [Executive Order 12372](#). The State Single Point of Contact list is available on the [OMB Office of Federal Financial Management website](#).

D6. Funding Restrictions

Indirect Costs: Individuals

Individuals applying for and receiving funds separate from a business or non-profit organization they may operate are not eligible to charge indirect costs to their award. If you are an individual applying for funding, you must not include any indirect costs in your proposed budget.

Indirect Costs: Organizations

The Federal awarding agency that provides the largest amount of direct funding to your organization is your cognizant agency for indirect costs, unless otherwise assigned by the White House Office of Management and Budget (OMB). If the Department of the Interior (DOI) is your organization's cognizant agency, the Interior Business Center (IBC) will negotiate your indirect cost rate. Contact the IBC by phone 916-930-3803 or using the [IBC Email Submission Form](#). See the [IBC Website](#) for more information.

Organizations must have an active Federal award before they can submit an indirect cost rate proposal to their cognizant agency. 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 shift unallowable indirect costs to another Federal award unless specifically authorized to do so by legislation.

Required Indirect Cost Statement to be submitted by Organization:

U.S. state or local government entities receiving more than \$35 million in direct Federal funding must include the following statement in their application and attach a copy of their most recently negotiated rate agreement:

- We are a U.S. state or local government entity receiving more than \$35 million in direct Federal funding. We submit our indirect cost rate proposals to our cognizant agency. Our current indirect cost rate is [insert rate]. Attached is a copy of our most recently negotiated rate agreement/certification.

U.S. state or local government entities receiving \$35 million or less in direct Federal funding must include the applicable statement from this list:

- We are a U.S. state or local government entity receiving \$35 million or less in direct Federal funding. We prepare and retain for audit an indirect cost rate proposal and documentation per 2 CFR 200, Appendix VII. Our current indirect cost rate is [insert rate], which is charged against [insert a complete description of the direct cost base used to distribute indirect costs to the award].

- We are a U.S. state or local government entity receiving \$35 million or less in direct Federal funding. We have not prepared an indirect cost rate proposal and documentation per 2 CFR §200, Appendix VII and elect to charge the de minimis rate of 10% of Modified Total Direct Costs as defined in 2 CFR §200.1. We understand we must use this methodology consistently for all Federal awards until we choose to establish a rate per 2 CFR §200. We understand we must notify the Service in writing if we establish a rate that changes the methodology used to charge indirect costs 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 that such changes are subject to review, negotiation, and prior approval by the Service.

All other organizations must include the applicable statement from this list and any related documentation in their application. Please note, an organization with a current negotiated (including provisional) rate may not elect to charge the 10% de minimis rate of Modified Total Direct Costs during the period covered by their current negotiated rate.

- We are an organization with a current negotiated indirect cost rate. In the event we receive an award, we will charge indirect costs per our current negotiated rate agreement. Attached is a copy of our current rate agreement.
- We are an organization with a negotiated indirect cost rate that has expired. Attached is copy of our most recently negotiated rate agreement. If we receive an award, we will submit an indirect cost rate proposal to our cognizant agency within 90 calendar days after the award date. We understand we must provide the Service a copy of our approved rate agreement before charging indirect costs to the Federal award.
- We are an organization that has never negotiated an indirect cost rate with our cognizant agency. Our indirect cost rate is [insert rate], which is charged against [insert a complete description of the direct cost base used to distribute indirect costs to the award]. If we receive an award, we will submit an indirect cost rate proposal to our cognizant agency within 90 calendar days after the award date. We understand we must provide the Service a copy of our approved rate agreement before charging indirect costs to the Federal award.
- We are an organization that does not have a current negotiated (including provisional) rate. In the event an award is made, we elect to charge the de minimis rate of 10% of Modified Total Direct Costs as defined in 2 CFR §200.1. We understand we must use this methodology consistently for all Federal awards until such time as we negotiate a different rate with our cognizant agency. We understand that we must notify the Service in writing if during the award period we establish a rate that changes the methodology used to charge indirect costs to the award. We understand that additional Federal funds may not be available to support an unexpected increase in indirect costs and that such changes are subject to review, negotiation, and prior approval by the Service.
- We are an organization submitting a [insert either “Cooperative Fish and Wildlife Research Unit Program” or “Cooperative Ecosystem Studies Unit Network”] project proposal, which has an indirect cost rate cap of [insert rate; CRU is currently 15%; CESU is currently 17.5%]. In the event we receive an award, we understand that if we have a current negotiated (including provisional) indirect cost rate agreement we must charge the capped indirect cost rate to the same base identified in our approved indirect cost rate agreement. We understand we must request prior approval from the awarding program to

use the [2 CFR 200.1 Modified Total Direct Costs](#) (MTDC) base instead of our approved base and that we must submit such requests with our application, including a calculation showing how use of the MTDC base results in an overall reduction in the total indirect costs recovered. If we do not have current negotiated (including provisional) rate, we understand we must charge the capped indirect cost rate against Modified Total Direct Costs (MTDC) as defined in 2 CFR §200.1. If we have never negotiated a rate, we understand we must use the de minimis rate of 10% of MTDC.

- We are an organization that will charge all costs directly.

D7. Other Submission Requirements

GrantSolutions Application Procedures

The Service uses the GrantSolutions system to manage financial assistance applications and awards. Applicants must register in and conduct any subsequent award business with the Service in GrantSolutions. To apply, your organization and organization officials must be established in GrantSolutions. To register your organization in GrantSolutions, send an email to help@grantsolutions.gov. The following information must be included in your email and must match your organization's SAM.gov entity record:

Subject: New Organization Request

- Organization/Individual Name
- Point of Contact first and last name, email, and phone number
- Organization Type
- SAM.gov Unique Entity Identifier (not required for individuals or Service-waived entities)
- Organization Employer Identification Number (Applicants that are INDIVIDUALS DO NOT include your social security number)
- Address

To establish organization official accounts and user role(s), complete a Recipient User Account Request Form for each official and email it to help@grantsolutions.gov. The GrantSolutions entity user roles are: Authorizing Official (ADO); Principal Investigator/Program Director (PI/PD); Support Specialist (GSS); Financial Officer (FO); and Financial Support Staff (FSS). All roles can do the following: enter applications, amendments, and reports, view awards, and view and create notes. The ADO and the PI/PD roles can also submit applications, amendments, and reports. The FO role can also submit reports. At a minimum, registered organizations must assign someone to the ADO and PI/PD roles. For GrantSolutions registration, submission, and other assistance contact their Customer Support by telephone at 1-866-577-0771 or by email at help@grantsolutions.gov. To access GrantSolutions, users must establish a Login.gov account at <https://login.gov/>. For assistance, contact their customer support by telephone at (844) 875-6446 or submit a request for assistance online at <https://login.gov/contact/>.

To apply through GrantSolutions, log in to GrantSolutions. If this is your first application submission, click on the "Begin an application" link that appears on screen. If you have previously applied, click on the "Funding Opportunity" link in the blue header bar at the top of the screen. Either action should take you to the "Competing Announcements-Application Kits"

list screen. To find this Funding Opportunity, search the list for the Funding Opportunity Number and Title provided on the first page of this document (also provided on the corresponding Grants.gov Grant Opportunity Synopsis screen). To start an application, click on the “Apply” link associated with the correct Funding Opportunity on the list. For more information on how to complete and submit an application, see the [GrantSolutions Training Resources web page](#).

E. Application Review Information

E1. Criteria

The following criteria will be used by the Merit Review Panel to determine eligibility of all proposed parcels. Projects will be considered for an award only if the following criteria are met:

1. Parcel is either 1) in the Highlands Region as defined in the NY-NJ Highlands Regional Study: 2002 Update and the Highlands Regional Study: Connecticut and Pennsylvania 2010 Update, or 2) in a Municipality within the Highlands Expansion Opportunity Area that has been submitted by the Lead State Agency - with Municipal concurrence - and approved by the Service. A map showing this information can be accessed here: <https://northeast-sa-fws.hub.arcgis.com/pages/c6fc33bde7d049728d47f67925c2ea5a>. Areas eligible for funding will be within the black outlined “Current Eligibility Boundary for Federal Highlands Conservation Act Grant Program” boundary. If spatial data to determine parcel eligibility are needed, the Service contact provided at the end of this document can provide those data (Section G.1).
2. 1:1 cost share.
3. The parcel must also be within an under-resourced, under-served Community as shown in the Underserved Communities Map, which is a composite of the Executive Office of the President of the United States Council on Environmental Quality Climate and Economic Justice Screening Tool and the equivalent state government screening tool showing overburdened and underserved communities. This map can be found here: <https://northeast-sa-fws.hub.arcgis.com/pages/c6fc33bde7d049728d47f67925c2ea5a>.

Additional Criteria:

4. The project narrative must demonstrate that the project will benefit the under-resourced under-served community. The merit review plane will evaluate based on the following rating system:
 - a. Clearly demonstrates that the project will benefit marginalized groups or communities in the under-resourced and underserved community. 25-50 points
 - This may be determined by:
 - Project Statement is clear how the land acquisition project will benefit marginalized under-resourced and underserved communities or groups; and/or
 - Letters of support from groups or organizations who represent the community or groups that will benefit from the project; and/or
 - Other information the applicant uses to demonstrate fulfilling the criteria.

- b. Does not demonstrate that the project will benefit. 0-24 points
 - Project statement is unclear about or does not state how project will benefit the under-resourced and under-served community.

Projects that meet Criteria 1-3 and score 25 points or higher in Criteria 4 as determined by the Merit Review Panel will be eligible for funding.

E2. Review and Selection Process

Prior to award, the program will review any applicant statement regarding potential overlap or duplication between the project to be funded and any other funded or proposed project in terms of activities, funding, or time commitment of key personnel. Depending on the circumstances, the program may request modification to the application, other pending applications, or an active award, as needed to eliminate any duplication of effort, or the FWS may choose not to fund the selected project.

Prior to award, the program will conduct and document a review of the proposed budget to ensure figures are calculated correctly, proposed costs are clearly linked to the project narrative and seem necessary and reasonable, no obviously unallowable costs are included, costs requiring prior approval are identified and described, indirect cost are applied correctly, and any program match or cost share requirements are addressed.

The program may not make a Federal award to an applicant that has not completed the SAM.gov registration. If an applicant selected for funding has not completed their SAM.gov registration by the time the Bureau is ready to make an award, the program may determine that the applicant is not qualified to receive an award. The program can use that determination as a basis for making an award to another applicant.

Prior to award, the program will evaluate the risk posed by applicants as required in [2 CFR §200.206](#). Prior to approving awards for Federal funding in excess of the simplified acquisition threshold (currently \$250,000), the Bureau is required to review and consider any information about or from the applicant found in the Federal Awardee Performance and Integrity Information System. The Bureau will consider this information when completing the risk review. The Bureau uses the results of the risk evaluation to establish monitoring plans, recipient reporting frequency requirements, and to determine if one or more of the specific award conditions in [2 CFR §200.208](#) should be applied to the award.

The review panel will include subject matter experts from two Service programs: the Office of Conservation Investment and Science Applications. The review panel will also include a subject matter expert from the U.S Forest Service. At least three reviewers will evaluate each proposal on the criteria listed above. Additional subject matter experts may be requested to provide reviews of projects if deemed necessary by the review panel. All elements of review will be maintained electronically by the Service's Highlands Conservation Act program administrator. The Service will evaluate recommendations from the review panel and seek consensus. The Service is responsible for all final decisions.

E3. CFR – Regulatory Information

See the [Service’s General Award Terms and Conditions](#) for the general administrative and national policy requirements applicable to Service awards. The Service will communicate any other program- or project-specific special terms and conditions to recipients in their notices of award.

E4. Anticipated Announcement and Federal Award Dates

F. Federal Award Administration Information

F1. Federal Award Notices

Following review, applicants may be requested to revise the project scope and budget before an award is made. Successful applicants will receive written notice in the form of a Notice of Award letter. Notices of Award are typically sent to recipients by e-mail from GrantSolutions. Award recipients are not required to sign or return the Notice of Award document. 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. Recipient acceptance of a Federal award from the Service carries with it the responsibility to be aware of and comply with all terms and conditions applicable to the award. Recipients indicate their acceptance of the Federal award by starting work, drawing down funds, or accepting the award via electronic means.

See the Service’s “General Award Terms and Conditions”

<https://www.fws.gov/library/collections/financial-assistance-general-award-terms-and-conditions> for the administrative and national policy requirements applicable to Service awards. These terms and conditions apply to all Federal award recipients and subrecipients.

An initial determination of eligibility of proposed acquisitions will be made based on the information provided in the proposal package. Prior to acquiring any interest in land, Federal award recipients must provide the Service’s Office of Conservation Investment with all of the items listed on the “Land Acquisition Grant Document Checklist”. The documents on the list are required and must be completed in sufficient detail to enable Service staff to determine if acquisitions are consistent with the purpose of the Highlands Conservation Act and are compliant with the National Environmental Policy Act, Section 7 of the Endangered Species Act, Section 106 of the National Historic Preservation Act, and other Federal regulations. Grants will be conditionally approved with additional documentation requirements included in the grant obligation letter.

Federal award recipients may not acquire an interest in land until they have received final approval from the US Fish and Wildlife Service.

A project begins and ends on the specified date noted on the grant award document between the Federal award recipient and an authorized representative of the U.S. Government. The Highlands Conservation Act-funded acquisition must occur within this time period.

Lands purchased under the Highlands Conservation Act must be managed using Best Management Practices (i.e., consistent with the goals of Highlands Conservation Act “to protect nationally significant natural resources in the Highlands region”).

Highlands Conservation Act Base Funds must be used within 3 years from the date of a signed award document from the Service. A one-year extension may be requested under extenuating circumstances. However, an additional level of approval will be required, and clear justification of the need for the extension, including explanation of how the extension will affect the use of other obligated Highlands funds. The Federal award recipient must be able to provide strong evidence that the project will be completed during the one-year extension. If sufficient evidence that completion of the project during the one-year extension is not provided, the extension will not be approved. Extension requests must be made at least one month in advance of the grant end date.

F2. Administrative and National Policy Requirements

See the [DOI Standard Terms and Conditions](#) for the administrative and national policy requirements applicable to DOI awards.

See the [Service’s General Award Terms and Conditions](#) for the general administrative and national policy requirements applicable to Service awards.

Buy America Provision for Infrastructure: Required Use of American Iron, Steel, Manufactured Products, and Construction Materials. Per 2 CFR 184, none of the funds provided under a Federal award may be used for a project for infrastructure unless:

1. All iron and steel used in the project are produced in the United States. This means all manufacturing processes, from the initial melting stage through the application of coatings, occurred in the United States,
2. All manufactured products used in the project are produced in the United States. This means the manufactured product was manufactured in the United States, and the cost of the components of the manufactured product that are mined, produced, or manufactured in the United States is greater than 55 percent of the total cost of all components of the manufactured product, unless another standard for determining the minimum amount of domestic content of the manufactured product has been established under applicable law or regulation, and
3. All construction materials are manufactured in the United States. This means that all manufacturing processes for the construction material occurred in the United States. For construction material standards see 2 CFR §184.6.

The Buy America preference only applies to articles, materials, and supplies consumed in, incorporated into, or affixed to an infrastructure project. As such, it does not apply to tools, equipment, and supplies, such as temporary scaffolding, brought to the construction site and removed at or before the completion of the infrastructure project. Nor does a Buy America preference apply to equipment and furnishings, such as movable chairs, desks, and portable

computer equipment, used at or within the finished infrastructure project but are not an integral part of the structure or permanently affixed to the infrastructure project.

Department of the Interior General Applicability Waivers:

There may be instances where a project qualifies, in whole or in part, for an existing Department of the Interior (Department) general applicability waiver. If a project is selected for funding, recipients are responsible for determining if an approved waiver applies to their project. A list of active waivers is available on the [Department's General Applicability Waivers web page](#). For more information on the waiver process and how to request a waiver, see the [Service's General Award Terms and Conditions](#).

F3. Reporting

Financial Reports

All recipients must use the [SF-425, Federal Financial Report](#) form for financial reporting. At a minimum, all recipients must submit a **final** financial report. Final reports are due no later than 120 calendar days after the award period of performance end date or termination date. For awards with periods of performance longer than 12 months, recipients are required to submit **interim** financial reports on the frequency established in the Notice of Award. The only exception to the interim financial reporting requirement is if the recipient is required to use the SF 270/271 to request payment and requests payment at least once annually through the entire award period of performance. We will describe all financial reporting requirements in the Notice of Award. For instructions on completing the SF-425, please reference: [Instructional Video: Completing the Federal Financial Report](#).

Non-Construction Performance Reports

Performance reports must contain a comparison of actual accomplishments with the established goals and objectives of the award; a description of reasons why established goals was not met, if appropriate; and any other pertinent information relevant to the project results. **Final** reports are due no later than 120 calendar days after the award period of performance end date or termination date. For awards with periods of performance longer than 12 months, recipients are required to submit **interim performance** reports on the frequency established in the Notice of Award.

Construction Performance Reports

For construction awards, onsite technical inspections and certified percentage of completion data may be relied on to monitor progress for construction. Additional performance reports for construction activities may be required only when considered necessary. However, awards that include both construction and non-construction activities require performance reporting for the non-construction activities. See [2 CFR§200.329](#) for more information. The USFWS will describe all performance reporting requirements in the Notice of Award.

Significant Development Reports

Events may occur between the scheduled performance reporting dates which have significant impact upon the supported activity. In such cases, recipients are required to notify the Bureau in writing as soon as the recipient becomes aware of any 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. The recipient should also notify the Service in writing of any 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.

Real Property Reports

Recipients and subrecipients are required to submit status reports on the status of real property acquired under the award in which the Federal government retains an interest. The required frequency of these reports will depend on the anticipated length of the Federal interest period. The Bureau will include recipient-specific real property reporting requirements, including the required standard form or data elements, reporting frequency, and report due dates, in the Notice of Award when applicable.

Conflict of Interest Disclosures

Per 2 CFR §1402.112, non-Federal entities and their employees must take appropriate steps to avoid conflicts of interest in their responsibilities under or with respect to Federal financial assistance agreements. In the procurement of supplies, equipment, construction, and services by recipients and by subrecipients, the provisions in [2 CFR §200.318](#) apply. Non-Federal entities, including applicants for financial assistance awards, must disclose in writing any conflict of interest to the DOI awarding agency or pass-through entity in accordance with [2 CFR §200.112](#). Recipients must establish internal controls that include, at a minimum, procedures to identify, disclose, and mitigate or eliminate identified conflicts of interest. The recipient is responsible for notifying the Service Project Officer identified in their notice of award in writing of any conflicts of interest that may arise during the life of the award, including those that reported by subrecipients. The Service will examine each disclosure to determine whether a significant potential conflict exists and, if it does, work with the applicant or recipient to develop an appropriate resolution. Failure to resolve conflicts of interest in a manner that satisfies the government may be cause for termination of the 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 receive a Federal award including the terms and conditions 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 for noncompliance described in 2 CFR §200.339, including suspension or debarment.

Reporting Matters Related to Recipient Integrity and Performance

If the total value of your currently active grants, cooperative agreements, and procurement contracts from all Federal awarding agencies exceeds \$10,000,000 for any period of time during the period of performance of this Federal award, then you as the recipient during that period of time must maintain the currency of information reported to the [System for Award Management](#) that is made available in the designated integrity and performance system about civil, criminal, or administrative proceedings in accordance with [Appendix XII to 2 CFR 200](#).

G. Federal Awarding Agency Contact(s)

G1. Program Technical Contact

For **programmatic technical assistance**, contact:

First and Last Name:

Jay Rasku

Telephone:

413-800-5201

Email:

jason_rasku@fws.gov

G2. Program Administration

For **program administration assistance**, contact:

First and Last Name:

Jay Rasku

Telephone:

413-800-5201

Email:

jason_rasku@fws.gov

G3. Application System Technical Support

For Grants.gov technical registration and submission, downloading forms and application packages, contact:

Grants.gov Customer Support

Numeric Input Field: 1-800-518-4726

Support@grants.gov

For GrantSolutions technical registration, submission, and other assistance contact:

GrantSolutions Customer Support

1-866-577-0771

Help@grantsolutions.gov

H. Other Information

Payments

Domestic recipients are required to register in and receive payment through the U.S. Treasury's Automated Standard Application for Payments (ASAP), unless approved for a waiver by the Service program. Foreign recipients receiving funds to a final destination bank outside the U.S. are required to receive payment through the U.S. Treasury's International Treasury Services (ITS) System. Foreign recipients receiving funds to a final destination bank in the U.S. are required to enter and maintain current banking details in their SAM.gov entity profile and

receive payment through the Automated Clearing House network by electronic funds transfer (EFT). The Bureau will include recipient-specific instructions on how to request payment, including identification of any additional information required and where to submit payment requests, as applicable, in all Notices of Award.

PAPERWORK REDUCTION ACT STATEMENT:

OMB Control Number: 1018-0100

Per the Paperwork Reduction Act of 1995 (PRA; 44 U.S.C. 3501 et seq.), the U.S. Fish and Wildlife Service (Service) collects information in accordance with program authorizing legislation to conduct a review and select projects for funding and, if awarded, to evaluate performance. Your response is required to obtain or retain a benefit. We may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

Privacy Act Statement: This information collection is authorized by 5 U.S.C. 5701 et seq. The information provided will be used to administer all Service financial assistance programs and activities including to: (1) determine eligibility under the authorizing legislation and applicable program regulations; (2) determine allowability of major cost items under the Cost Principles at 2 CFR 200; (3) select those projects that will provide the highest return on the Federal investment; and (4) assist in compliance with laws, as applicable, such as the National Environmental Policy Act, the National Historic Preservation Act, and the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970. This information may be shared in accordance with the Privacy Act of 1974 and the routine uses listed in INTERIOR/DOI-89, Grants and Cooperative Agreements: FBMS - 73 FR 43775 (July 28, 2008). Furnishing this information is voluntary; however, failure to provide all requested information may prevent the Service from awarding funds.

Estimated Burden Statement: We estimate that it will take you on average about 40 hours to complete an initial application, about 3 hours to revise the terms of an award, and about 8 hours per report to prepare and submit financial and performance reports, including time to maintain records and gather information. Actual times for these activities will vary depending on program-specific requirements. Direct comments regarding the burden estimates or any other aspect of the specific forms to the Service Information Clearance Officer, USFWS, U.S. Department of the Interior, 5275 Leesburg Pike, MS: PRB (JAO/3W), Falls Church, VA 22041-3803, or by email to Info_Coll@fws.gov.