Highlands Conservation Act Grant Program Fiscal Year 2019 Notice of Funding Opportunity – Competitive Funding – Round 2

Notice of Funding Opportunity Number: F19AS00365

Federal Program: Department of the Interior, United States (U.S.) Fish and Wildlife Service, Wildlife and Sport Fish Restoration Program

Catalog of Federal Domestic Assistance (CFDA) Number: 15.667

Authorizing Legislation: 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

Paperwork Reduction Act Statement: We are collecting this information in accordance with the authorizing legislation identified above. Your response is required to obtain or retain a benefit. We will use the information you provide to conduct a competitive review and select projects for funding and, if awarded, to evaluate performance. We may not conduct or sponsor and you are not required to respond to a collection of information unless it displays a currently valid Office of Management and Budget (OMB) control number. 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 time for these activities will vary depending on program-specific requirements. You may send comments on the burden estimate or any other aspect of this information collection to the Information Collection Clearance Officer, U.S. Fish and Wildlife Service, MS BPHC, 5275 Leesburg Pike, Falls Church, VA 22041-3803.

OMB Control Number: 1018-0100 (Expiration Date: 7/31/2021)

I. Program Description

The Highlands Conservation Act (H.R. 1964, 2004; 16 U.S.C. 3901)(HCA) is designed to assist Connecticut, New Jersey, New York and Pennsylvania in conserving land and natural resources in the Highlands Region through Federal assistance for land conservation projects in which a State entity acquires land or an interest in land from a willing seller to permanently protect resources of high conservation value. The USDA Forest Service (USFS) has identified lands that have high conservation value through the "New York-New Jersey Highlands Regional Study: 2002 Update" and the "Highlands Regional Study: Connecticut and Pennsylvania 2010 Update." Subject to availability of funds through Federal appropriation, each year, 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. Proposed projects must be consistent with areas identified in the Study and Update as having high resource value.
This program funds land conservation by State agencies in the Highlands Region.

HCA-funded acquisitions meet Department of the Interior priorities for Federal financial assistance by helping create a conservation stewardship "second only to Teddy Roosevelt", restoring trust with local communities, and utilizing our natural resources. State land acquisition increases public access to land for recreational opportunities, including hunting and fishing. The program exemplifies the priority of utilizing our natural resources, such as drinking water, by recognizing their importance and conserving their utility for current and future generations of Americans. The program restores trust with our local communities through partnering with State agencies to fund state and local projects.

II. Federal Award Information

Funding appropriated under the Highlands Conservation Act (HCA) is divided into two separate categories – Base and Competitive. Eligible applicants may submit requests for Competitive Funding – Round 2 in response to this Notice of Funding Opportunity.

In the Competitive Funding – Round 2, a minimum of $5,497,041, in Competitive funding is anticipated to be available for grants to the States of Connecticut, New Jersey, New York, and Pennsylvania. There is no limit on the number of proposals each State may submit in response to this funding opportunity. We anticipate receiving up to 15 proposals and awarding up to 10, although the number of proposals awarded will depend heavily on the costs in the top-ranked proposals.

Competitive funding will be distributed through ranking of individual parcels based on the ranking criteria included below in Section VI (Application Review Information). Parcels submitted for competitive funding must also meet the basic eligibility requirements. Each individual parcel will be ranked and scored by a panel of USFWS and USFS staff with biological/natural resources and land acquisition expertise.

The earliest anticipated project start date is January 1, 2020. Project periods will be no longer than 4 years from the dates 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 Notice of Funding Opportunity.

III. Eligibility Information

A. Eligible Applicants

Only the lead State Agency for this Highlands Conservation Act Notice of Funding opportunity, as determined by the Governor of each Highlands State, is eligible to apply for funding under the Highlands Conservation Act Grant Program.

B. Cost Sharing or Matching

The Federal share requested may be no more than 50% of the total project cost.

C. Other Eligibility Criteria

To be eligible for FY 2019 funding, applicants must not have unspent HCA funding greater than 4 years old.

Unique Entity Identifier and System for Award Management (SAM.gov) Registration: This requirement does not apply to individuals applying for funds as a private citizen (i.e., unrelated to any business or nonprofit organization you may own or operate in your name) or any entity with an exception approved by the Service under 2 CFR 25.110(d). All other applicants are required to obtain a Data Universal Numbering System (DUNS) number from Dun & Bradstreet and then register in SAM.gov prior to submitting a Federal award application. Federal award recipients must continue to maintain an active SAM.gov registration with current information through the life of their Federal award(s). See the "Submission Requirements" section of this document below for more information on SAM.gov registration. The Service 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 Service 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.

Prohibition on Issuing Awards to Entities that Require Certain Internal Confidentiality Agreements: Domestic (U.S.) non-Federal entities requiring their employees or contractors to sign internal confidentiality agreements or statements that prohibit, or otherwise restrict, such employees or contractors from lawfully reporting waste, fraud, or abuse to a designated investigative or law enforcement representative of a Federal department or agency authorized to receive such information are not eligible to compete for or receive a Federal award. See Pub. L. 113-235, Title VII, Division E, Section 743 for more information.

Excluded Parties: The Service conducts a review of the SAM.gov Exclusions database for all applicant entities and their key project personnel prior to award. The Service 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.

IV. Application Requirements

A. Requesting Paper Application Package

Forms required for the application can be found here: https://www.grants.gov/web/grants/forms/sf-424-family.html or requested from the agency contact listed at the end of this document.

B. Application Form and Content Requirements

Applicants must submit the following:

1. **SF-424, Application for Federal Assistance**
   Applicants must submit the Standard Form SF-424, Application for Federal Assistance. All of the required application forms are available on the "Packages" tab of this Funding Opportunity on Grants.gov. The SF-424, Application for Federal Assistance must be complete, and signed and dated. Please note: Enter only the amount requested from this Federal program in the "Federal" funding box on the SF-424 Application form. Include any other Federal sources of funding in the "Other" box, and provide details on those Federal source(s) and funding amount(s) in the required Budget Narrative (see the "Budget Narrative" section below).

2. **SF 424, Assurances**
   Applicants must submit the SF-424D, Assurances for Construction Programs. All of the required application forms are available on the "Packages" tab of this Funding Opportunity on Grants.gov. The SF-424 Assurances forms include a statement that some of the assurances may not be applicable to your organization and/or your project or program. Signing the required SF-424 Assurances form does not make you or your organization subject to laws that are otherwise not applicable to you or your organization. Changing, crossing out, or making notations on the form before signing has no impact on the applicability of law.

3. **Project Narrative**
   The narrative description of your project proposal should specifically address eligibility of each parcel proposed for acquisition. As described above, to be eligible for Highlands Conservation

Act Grant funding, a parcel must be in a High Conservation Value area in the composite resource map, or in any of the individual (water, forest, wildlife, agricultural, cultural/recreational) resource maps in the NY-NJ Highlands Regional Study: 2002 Update or the Highlands Regional Study: Connecticut and Pennsylvania 2010 Update. The total Federal funding request cannot exceed 50% of the total project cost. Proposals that clearly address the specific eligibility criteria in an organized manner will facilitate efficient review. We recommend the following format for the project narrative:

Need

Describe why the proposed land acquisition is needed.

Applicants must identify how proposed acquisition(s) will both be in keeping with the requirements of the Highlands Conservation Act and meet the Department of the Interior priorities of creating opportunities for more public access to lands and/or utilizing our natural resources (see information in Section I: Description of Funding Opportunity).

Objective

Explain what is to be accomplished during the period of the project pursuant to the stated need. Specify fully what is to be accomplished with the time and money allocated, including the type of interest to be acquired. Specify the end point. Proposed acquisition(s) should occur within a reasonable and predictable time frame.

Expected Results or Benefits

Describe how the project will conserve and protect high priority conservation land in the Highlands Region. Try to provide quantifiable or verifiable resource benefits.

Approach

Explain how the objective(s) will be attained. Include specific procedures, schedules, key cooperators and respective roles.

Location

Describe and show the parcel(s) proposed for acquisition, including all the evaluation criteria found in Section VI. Proposals must include a map showing the location of proposed properties in relation to High Conservation Value Areas identified by the Studies. Include the name of the town and county. Describe how the property can be accessed. If the property will be open to the public, list the allowed activities (note: public access is encouraged but not required). If data layers or assistance with mapping is needed, the agency contact listed at the end of this document can provide additional assistance.

Estimated Cost

Provide a breakdown of costs for acquiring the targeted property. Indicate if partial funding is practicable. Eligible costs include the acquisition cost of the fee or conservation easement, and certain typical land transaction costs, including: appraisal, review appraisal, survey, title report, baseline documentation report, staff time related to activities specific to the individual acquisition, environmental assessment, and closing costs. 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.

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. Please be aware that if a determination of market value that meets Federal 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.

Stakeholder Coordination/Involvement

As applicable, describe how you/your organization has coordinated with and involved other relevant organizations or individuals in planning the project, and detail if/how they will be involved in conducting project activities, disseminating project results and/or incorporating your results/products into their activities.

Description of Entities Undertaking the Project

Provide a brief description of the applicant organization and all participating entities and/or individuals. Identify which of the proposed activities each agency, organization, group, or individual is responsible for conducting or managing. Provide complete contact information for the individual within the organization that will oversee/manage the project activities on a day-to-day basis.

4. **SF-424, Budget Information**
   Applicants must submit the SF-424C, Budget Information for Construction Programs. All of the required application forms are available on the "Packages" tab of this Funding Opportunity on Grants.gov. Federal award recipients and subrecipients are subject to Federal award cost principles as detailed in the Service's "Financial Assistance Award Terms and Conditions". Please note: Show funds requested from this Federal program separately from any other Federal sources of funding. In the "Budget Summary" section, use the first row for funding requested from this Federal program. Use subsequent row(s) for other Federal funding. Enter each Federal program's CFDA number(s) in the corresponding fields on the form. The CFDA number(s) for this Federal program appears on the first page of this Funding Opportunity.

5. **Budget Narrative**
   Describe and justify requested budget items and costs. Detail how the SF-424 Budget Information, Object Class Category totals were determined. For personnel salary costs, include the baseline salary figures and the estimates of time. Describe any item of cost that requires prior approval under the Federal cost principles. See 2 CFR 200.407 "Prior written approval (prior approval)" for more information. If equipment purchased previously with Federal funds is available for the project, provide a list of that equipment and identify the Federal funding source.

6. **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 is your organization's cognizant agency, the Interior Business Center will negotiate your indirect cost rate. Contact the Interior Business Center 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 must have prior written approval from the Service to use amounts budgeted for direct costs to satisfy cost-share or match requirements or to cover unallowable indirect costs. Recipients shall not shift unallowable indirect costs to another Federal award unless specifically authorized to do so by legislation.

Required Indirect Cost Statement
All organizations must include the applicable statement from the following list in their application to the Service, and attach to their application any documentation identified in the applicable statement:

We are:

☐ A U.S. state or local government entity receiving more than $35 million in direct Federal funding each year with an indirect cost rate of [insert rate]. We submit our indirect cost rate proposals to our cognizant agency. Attached is a copy of our most recently approved rate agreement/certification.

☐ A U.S. state or local government entity receiving less than $35 million in direct Federal funding with an indirect cost rate of [insert rate]. We have prepared and will retain for audit an indirect cost rate proposal and related documentation.

☐ A [insert your organization type; U.S. states and local governments, please use one of the statements above or below] that has previously negotiated or currently has an approved indirect cost rate with our cognizant agency. Our indirect cost rate is [insert rate]. [Insert either: "Attached is a copy of our most recently approved but expired rate agreement. In the event an award is made, we will submit an indirect cost rate proposal to our cognizant agency within 90 calendar days after the award is made." *or* "Attached is a copy of our current negotiated indirect cost rate agreement."]

☐ A [insert your organization type] that has never submitted an indirect cost rate proposal to our cognizant agency. Our indirect cost rate is [insert rate]. 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.

☐ A [insert your organization type] that has never submitted an indirect cost rate proposal to our cognizant agency and has an indirect cost rate that is lower than 10%. Our indirect cost rate is [insert rate; must be lower than 10%]. However, if we receive an award we will not be able to meet the requirement to submit an indirect cost rate proposal to our cognizant agency within 90 calendar days after award. We request as a condition of award to charge a flat indirect cost rate of [insert rate; must be lower than 10%] against [insert a clear description of the direct cost base against which your rate is charged (e.g., salaries; salaries and fringe benefits; or modified total direct costs). However, please note that your organization cannot charge indirect costs in excess of the indirect costs that would be recovered if applied against modified total direct costs as defined in [2 CFR 200.68](). We understand that we must notify the Service in writing if we establish an approved rate with our cognizant agency at any point during the award period.

☐ A [insert your organization type] that has never submitted an indirect cost rate proposal to our cognizant agency and has an indirect cost rate that is 10% or higher. Our indirect cost rate is [insert your organization's indirect rate; must be 10% or higher]. However, if we receive an award we will not be able to meet the requirement to submit an indirect cost rate proposal to our cognizant agency within 90 calendar days after award. We request as a condition of award to charge a flat *de minimis* indirect cost rate of 10% to be charged against modified total direct project costs as defined in 2 CFR 200.68. We understand that we must notify the Service in writing if we establish a negotiated rate with our cognizant agency at any point during the award period. We understand that additional Federal funds may not be available to support an unexpected increase in indirect costs during the project period and that such changes are subject to review, negotiation, and prior approval by the Service.

☐ A [insert your organization type] that is submitting this proposal for consideration under the [insert either "Cooperative Fish and Wildlife Research Unit Program" or "Cooperative Ecosystem Studies Unit Network"], which has a Department of the Interior-approved indirect cost rate cap of [insert program rate]. If we have an approved indirect cost rate with our cognizant agency, we understand that we must apply this reduced rate against the same direct cost base as identified in our approved indirect cost rate agreement. If we do not have an approved indirect cost rate with our cognizant agency, we understand that we must charge indirect costs against the modified total direct cost base defined in 2 CFR 200.68 "Modified Total Direct Cost (MTDC)". We understand that we must request prior approval from the Service to use the 2 CFR 200 MTDC base instead of the base identified in our approved indirect cost rate agreement. We understand that Service approval of such a request will be based on: 1) a determination that our approved base is only a subset of the MTDC (such as salaries and wages); and 2) that use of the MTDC base will still result in a reduction of the total indirect costs to be charged to the award. In accordance with 2 CFR 200.405, we understand that indirect costs not recovered due to a voluntary reduction to our federally negotiated rate are not allowable for recovery via any other means.

☐ A [insert your organization type] that will charge all costs directly.

7. Conflict of Interest Disclosure

Applicants must state in their application if any actual or potential conflict of interest exists at the time of submission. Conflicts of interest include any relationship or matter that might place the recipient, including their employees and subrecipients, in a position of conflict, real or apparent, between their responsibilities under the award and any other outside interests. Conflicts of interest include direct or indirect financial interests; close personal relationships; positions of trust in outside organizations; consideration of future employment arrangements with a different organization; and decision-making authority related to the proposed project. Conflicts of interest are those circumstances real or perceived that would cause a reasonable person with knowledge of the relevant facts to question the impartiality of the applicant, or the applicant's employees or subrecipients, in matters pertaining to the proposed project. Applicants may not solicit, obtain, or use non-public information that may be of competitive interest to the entity, including information regarding the funding opportunity, evaluation, award, or administration of an award to the entity. Applicants must notify the Service in writing in their application if any employees, including subrecipient and contractor personnel, are related to, married to, or have a close personal relationship with any Federal employee in the Federal program receiving this application or who otherwise may be involved in the review and selection of their proposal. The term employee means any individual to be engaged in the performance of work pursuant to the Federal award application. Applicants may not have a former Federal employee as a key project official, or in any other substantial role for the proposed project, whose participation puts them out of compliance with the legal authorities addressing post-Government employment restrictions. See the U.S. Office of Government Ethic's website at HTTPS://OGE.GOV/ for more information on these restrictions. The Service will examine each conflict of interest disclosure based on its particular facts and the nature of the proposed project and will determine whether a significant potential conflict exists. If it does, the Service may work with the applicant to determine an appropriate resolution. Failure to disclose and resolve conflicts of interest in a manner that satisfies the Service may result in the rejection or disqualification of the application.

8. **Single Audit Reporting Statement**
All U.S. states, local governments, federally recognized Indian tribal governments, and non-profit organizations expending $750,000 USD or more in Federal award funds in the applicant's fiscal year must submit a Single Audit report for that year through the Federal Audit Clearinghouse's Internet Data Entry System. U.S. state, local government, federally recognized Indian tribal government, 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.

9. **Certification Regarding Lobbying**
Applicants requesting more than $100,000 in Federal funding must certify to the statements in 43 CFR 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.

10. **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 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 on the "Packages" tab of this Funding Opportunity on Grants.gov. See 43 CFR, Subpart 18.100 for more information on when additional submission of this form is required.

11. **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 regards 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 regards 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 regards 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.*"

12. APPLICATION CHECKLIST

- ☐ **SF-424, Application for Federal Assistance**
- ☐ **SF-424D, Assurances**
- ☐ **Project Narrative**
- ☐ **Criteria** (found on pages 12-13 of this Notice)
- ☐ **SF-424C, Budget Information**
- ☐ **Budget Narrative**
- ☐ **Indirect Cost Statement and related documentation**
- ☐ **Conflict of Interest Disclosure (when applicable)**
- ☐ **Single Audit Reporting Statement**
- ☐ **SF-LLL, Disclosure of Lobbying Activities (when applicable)**
- ☐ **Overlap or Duplication of Effort Statement**

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

V. Submission Requirements

A. Unique Entity Identifier and System for Award Management (SAM.gov) Registration

These requirements do not apply to any individual applying for funds as a private citizen or any entity with an exception approved by the Federal awarding agency under 2 CFR 25.110(d). All other applicants are required to obtain a Data Universal Numbering System (DUNS) number from Dun & Bradstreet and provide that number in the application; complete SAM.gov registration before submitting an application; and continue to maintain an active SAM.gov registration with current information at all times when the entity has an active Federal award or application under consideration. **There is NO COST to register with Dun & Bradstreet or SAM.gov**. There are third-party vendors who will charge a fee in exchange for registering entities with Dun & Bradstreet and SAM.gov; **please be aware you can register and request help for free**.

1. **Obtain a DUNS Number**
   Request a DUNS Number through the Dun & Bradstreet website. The official website address is http://fedgov.dnb.com/webform. For technical difficulties, send an email to the D&B SAM Help Desk. Please ensure that you are able to receive emails from SAMHelp@dnb.com. The Grants.gov "Obtain a DUNS Number" webpage also provides detailed instructions. Once assigned a DUNS number, your organization must maintain up-to-date information with Dun & Bradstreet. Applicants must enter their DUNS number in the "Organizational DUNS" field on the SF-424, Application for Federal Assistance form.

2. **Register with SAM**
   Register on the SAM.gov website. The official website address is http://www.sam.gov. The "Help" tab on the website contains User Guides and other information to assist you with registration. The Grants.gov Register with SAM" webpage also provides detailed instructions. You can also 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 to the entity's DUNS or IRS information. Foreign entities who want to receive payment directly to a U.S. bank account must enter and maintain valid, current banking information in SAM.

B. Submission Dates and Times

Monday December 2, 2019, by 11:59 PM Eastern Daylight Time.

C. Intergovernmental Review

Prior to application submission, U.S. state and local government applicants should visit the OMB Office of Federal Financial Management website and view the "State Point of Contact (SPOC) List" to determine whether their application is subject to the state intergovernmental review process under Executive Order (E.O.) 12372 "Intergovernmental Review of Federal Programs." States not on the list do not participate in the intergovernmental review process, and therefore do not have a SPOC. If you are located within a State that does not have a SPOC, you may send application materials directly to a Federal awarding agency. If your state is on the list, contact the designated entity for more information on the state's prior review requirements for Federal assistance applications.

D. Funding Restrictions

The HCA grant program funds only land acquisition projects.

E. Submission Instructions

This program encourages applicants to submit their applications online through Grants.gov. Follow these steps to apply through Grants.gov.

1. **Register with Grants.gov**
   Applicants must first register an account with Grants.gov and complete all steps of the registration process before they can apply through Grants.gov. Grants.gov registration requires the entity to create an account, create an account profile, and establish authorized profile roles,

including the applicant's authorized representative. Registration can take three to five business days or longer, if you do not complete the required steps in a timely manner.

2. **Grants.gov Workspace Application**
Grants.gov applicants apply online using Workspace. Workspace is a shared, online environment where members of a grant team may simultaneously access and edit different webforms within an application. For each funding opportunity announcement, you can create individual instances of a workspace. To apply, the applicant will create, complete, and submit a Workspace application package for this Funding Opportunity directly on Grants.gov. Grants.gov recommends submitting your application package at least 24-48 hours prior to the close date to allow time to correct any potential technical issues that may disrupt the application submission. When attaching files to the Grants.gov application, please do not assign file names longer than 20 characters, including spaces. File names longer than 20 characters will prevent your application received by Grants.gov from automatically downloading into the Service's financial assistance management system. Applicants using slow internet, such as dial-up connections, should be aware that the transmission of the application to Grants.gov takes time. Grants.gov sends either an error message or a "successfully received" message by email to the applicant's authorized representative once the transmission is complete. Please do not end the transmission process before receiving that message.

3. **Proof of Timely Submission**
Grants.gov automatically generates an electronic date and time stamp in the system upon application receipt. Grants.gov sends an acknowledgement of receipt with the date and time stamp and a unique Grants.gov application tracking number to the authorized representative by email. This email from Grants.gov serves as your proof of timely submission.

Applicants may also submit an application by email. Follow these directions to apply via email. Format all of your documents to print on Letter size (8 ½" x 11") paper. Format all pages to display and print page numbers. Scanned documents should be scanned in Letter format, as black and white images only. Where possible, save scanned documents in .pdf format. E-mail your application to FW5FAReports@fws.gov.

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

Applicants may also submit an application by mail. Follow these directions to apply via mail. Number all pages of your printed application. Mail one, single-sided, unbound copy (do not staple or otherwise permanently bind pages) of your complete application to:

Jay Rasku
U.S. Fish and Wildlife Service
Division of Wildlife and Sport Fish Restoration
300 Westgate Center Drive
Hadley, MA 01035-9589

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

VI. Application Review Information

A. Criteria

The following criteria will be used by the project review team to first determine eligibility and then rank all proposed parcels. Proposals should be submitted with the criteria, as described below, addressed. Each proposal must meet at least the minimum criteria. Clearly addressing the specific ranking criteria in an organized manner will facilitate proposal review.

Minimum Criteria for HCA Land Acquisition Projects:

1) Parcel is in a High Conservation Value area. A parcel will be eligible for funding consideration if it is in a high conservation value area in the composite resource map, or 'high' or 'highest' value in any of the individual (water, forest, biological, agricultural, cultural/recreational) resource value maps. Source: NY-NJ Highlands Regional Study: 2002 Update – pages 129-132, and the Highlands Regional Study: Connecticut and Pennsylvania 2010 Update. If spatial data to determine parcel eligibility are needed, the agency contact provided at the end of this document can provide those data.
2) 1:1 cost share.

Ranking Criteria for Competitive Funds

1) **Water Quality**
   a) Does parcel contain streams or a river? Provide documentation to show location of streams. *More points for perennial streams/rivers, and higher number of streams/rivers.* (Up to 15 points).
   b) Does parcel contain wetlands or ponds? Provide documentation to show location of wetlands/ponds and, if possible, provide documentation to show that wetlands are on the National or State Wetlands Inventory. *More points for vegetated wetlands, more wetland area, higher number of wetlands, and wetlands or wetland types that have special recognition by federal, state, or local conservation groups. Examples include Important Birding Areas (Audubon Society), unique wetland community (Natural Heritage Program), National Natural Landmark, etc.* (Up to 15 points.)
2) **Biological Resources (Wildlife, Plants, and Biodiversity)**
   a) Does parcel contain or benefit Federal and/or State threatened or endangered species or candidate species (not just a flyover species)? If so, indicate and document which species and/or species habitats. *More points for multiple species.* (Up to 20 points).
   b) Connectivity - Does parcel improve connectivity among natural or undeveloped lands? Show connectivity to protected lands. *More points if connected to State, Federal, local, or private lands that are already under permanent protection.* (Up to 20 points).

c) Is the parcel, or a species/ecological community within the parcel, considered a priority within the State's Wildlife Action Plan (SWAP)? Provide documentation from SWAP or similarly named plan. *More points for how comprehensively the parcel acquisition fulfills SWAP objectives.* (Up to 15 points).

3) **Forest Resources**
   a) Is parcel considered a priority within the State's Forest Action Plan (SFAP)? Provide documentation from SFAP. *More points for how comprehensively the parcel acquisition addresses the "Issues, Threats, and Opportunities" and aligns with the strategies identified in the SFAP.* (Up to 15 points).
4) **Recreational Resources**
   a) Does the parcel conserve or add recreational or aesthetic/scenic/cultural value to a park, wild and scenic river, trail, wildlife refuge, nationally significant resource, or another national investment (other than the Highlands Conservation Act)? Provide documentation showing adjacency to nationally significant resources. (Up to 10 points).
   b) Does project meet recreational objectives at regional or state level, or does parcel contain recreational resources of state significance? *More points given for the level of contribution to recreational objectives.* (Up to 10 points).
5) **Planning Resources**
   a) Cost-share. Does project contribute more than the minimum 1:1 match? (Up to 10 points).
   b) Is threat of parcel development or conversion to other uses likely or imminent? If possible, provide documentation from landowner, planning board, etc. demonstrating conversion threat. (Up to 20 points).
   c) Project Readiness – Is acquisition ready for implementation and/or does applicant have a strong track record of similar projects and is expected to carry project out in a timely fashion? *More points if the applicant can demonstrate due diligence work has begun or all parties are lined up and ready to begin that work, less points if applicant cannot demonstrate that the project is poised for successful implementation.* (Up to 10 points).

B. Review and Selection Process

Each project proposal will be reviewed for eligibility and ranked using the criteria above by a panel of representatives with both land acquisition and scientific/natural resource experience from the US Forest Service and the US Fish and Wildlife Service. The panel may request additional information regarding proposals from applicants if needed for eligibility determinations. However, applicants will not have the opportunity to provide additional information for consideration in ranking after the due date.

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

Prior to award, the Service 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 Service may request modification to the application, other pending applications, or an active award, as needed to eliminate any duplication of effort, or the Service may choose not to fund the selected project.

The Service 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 Service 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 Service will evaluate the risk posed by applicants as required in 2 CFR 200.205. Service programs document applicant risk evaluations using the Service's "Financial Assistance Recipient Risk Assessment" form. Prior to approving awards for Federal funding in excess of the simplified acquisition threshold (currently $250,000), the Service is required to review and consider any information about or from the applicant found in the Federal Awardee Performance and Integrity Information System. The Service will consider this information when completing the risk review. The Service 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 200.207 should be applied the award.

VII. Federal Award Administration

A. Federal Award Notices

Following review, applicants may be requested to revise the project scope and/or budget before an award is made. Successful applicants will receive written notice in the form of a notice of award document. Notices of award are typically sent to recipients by e-mail. If e-mail notification is unsuccessful, the documents will be sent by courier mail (e.g., FedEx, DHL or UPS). Award recipients are not required to sign/return the Notice of Award document. 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.

B. Award Terms and Conditions

See the Service's "Financial Assistance Award Terms and Conditions" for the administrative and national policy requirements applicable to Service awards. The "Department of the Interior (DOI) Award Provisions" attached to this Funding Oppotunity also apply to Service awards (Attachment A).

An initial determination of eligibility of proposed acquisitions will be made based on the information provided in the proposal package. However, all required details and due diligence are generally not available at the time of proposal. Prior to acquiring any interest in land, awarded agencies must provide the Division of Wildlife and Sport Fish Restoration with all of the items listed on the "Document Checklist for Acquisition Projects Funded under the Highlands Conservation Act." 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 and additional documentation requirements included in the grant obligation letter. **Awardees should 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 awardee and an authorized representative of the U.S. Government. The Highlands Conservation Act-funded acquisition must occur within this time period.

Lands purchased under 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 Competitive Funds must be used within 4 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 competitive funds, will be required. The State 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 should be made at least one month in advance of the grant end date.

C. 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 Service 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.

D. Reporting Requirements

The Service will include recipient-specific reporting requirements, including the required reports, reporting frequency, and report due dates in all Notices of Award, as applicable.

1. 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 90 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. See Service policy 516 FW 1, Monitoring Financial and Performance Reporting for Financial Assistance for more information.

2. 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 were not met, if appropriate; and any other pertinent information relevant to the project results. At a minimum, all recipients must submit a **final** performance report. Final reports are due no later than 90 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. See Service policy 516 FW 1, Monitoring Financial and Performance Reporting for Financial Assistance for more information.

3. **Significant Developments Reports**
   Events may occur between the scheduled performance reporting dates that have significant impact upon the supported activity. In such cases, recipients are required to notify the Service in writing as soon as the 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.

4. **Real Property Reports**
   Recipients and subrecipients are required to submit status reports on the status of real property 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 Service will include recipient-specific real property reporting requirements, including the required data elements, reporting frequency, and report due dates, as applicable.

5. **Conflict of Interest Disclosures**
   Recipients must notify the Service immediately in writing of any conflict of interest that arise during the life of their Federal award, including those reported to them by any subrecipient under the award. Recipients must notify the Service in writing if any employees, including subrecipient and contractor personnel, are related to, married to, or have a close personal relationship with any Federal employee in the Federal funding program or who otherwise may have been involved in the review and selection of the award. The term employee means any individual engaged in the performance of work pursuant to the Federal award. Recipients may not have a former Federal employee as a key project official, or in any other substantial role related to their award, whose participation put them out of compliance with the legal authorities addressing post-Government employment restrictions. See the U.S. Office of Government Ethics website at https://oge.gov/ for more information on these restrictions. The Service will examine each conflict of interest disclosure based on its particular facts and the nature of the project and will determine if a significant potential conflict exists. If it does, the Service will work with the recipient to determine an appropriate resolution. Failure to disclose and resolve conflicts of interest in a manner that satisfies the Service may result in any of the remedies described in 2 CFR 200.338 Remedies for Noncompliance, including termination of the award.

6. **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 term and condition outlined in 2 CFR 200, Appendix XII—Award Term and Condition for Recipient Integrity and Performance Matters are required to report certain civil, criminal, or administrative proceedings to SAM. Failure to

make required disclosures can result in any of the remedies described in 2 CFR 200.338 Remedies for Noncompliance, including suspension or debarment.

VIII. Federal Awarding Agency Contact(s)

Jay Rasku, Wildlife and Sport Fish Restoration, 413-253-8216 or jason_rasku@fws.gov

Attachment A: DOI Award Provisions

I. Conflicts of Interest

(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 subrecipients, the conflict of interest provisions in 2 CFR 200.318 apply.

(b) Requirements.

(1) Non-Federal entities must avoid prohibited conflicts of interest, including any significant financial interests that could cause a reasonable person to question the recipient's ability to provide impartial, technically sound, and objective performance under or with respect to a Federal financial assistance agreement.

(2) In addition to any other prohibitions that may apply with respect to conflicts of interest, no key official of an actual or proposed recipient or subrecipient, who is substantially involved in the proposal or project, may have been a former Federal employee who, within the last one (1) year, participated personally and substantially in the evaluation, award, or administration of an award with respect to that recipient or subrecipient or in development of the requirement leading to the funding announcement.

(3) No actual or prospective recipient or subrecipient may solicit, obtain, or use non-public information regarding the evaluation, award, or administration of an award to that recipient or subrecipient or the development of a Federal financial assistance opportunity that may be of competitive interest to that recipient or subrecipient.

(c) 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, Conflicts of lnterest.

(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 subrecipients.

(d) Restrictions on Lobbying. Non-Federal entities are strictly prohibited from using funds under this grant or cooperative agreement for lobbying activities and must provide the required certifications and disclosures pursuant to 4 3 CFR Part 18 and 31 USC 13 52.

(e) 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.

(f) 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 200.338, Remedies for Noncompliance, including suspension or debarment (see also 2 CFR Part 180).

II. Data Availability

(a) Applicability. The Department of the Interior is committed to basing its decisions on the best available science and providing the American people with enough information to thoughtfully and substantively evaluate the data, methodology, and analysis used by the Department to inform its decisions.

(b) Use of Data. The regulations at 2 CFR 200.315 apply to data produced under a Federal award, including the provision that the Federal Government has the right to obtain, reproduce, publish, or otherwise use the data produced under a Federal award as well as authorize others to receive, reproduce, publish, or otherwise use such data for Federal purposes.

(c) Availability of Data. The recipient shall make the data produced under this award and any subaward(s) available to the Government for public release, consistent with applicable law, to allow meaningful third party evaluation and reproduction of the following:

(1) The scientific data relied upon;

(2) The analysis relied upon; and

(3) The methodology, including models, used to gather and analyze data.