

U.S. Fish and Wildlife Service

FWS - Ecological Services

<https://www.fws.gov/program/cooperative-endangered-species-conservation-fund>

Cooperative Endangered Species Conservation Fund: Habitat Conservation Plan (HCP) Land
Acquisition Grants Program

Fiscal Year: 2022

F22AS00146

Due Date for Applications: **04/26/2022**

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A. Program Description

Authority:

16 U.S.C. §1535

Assistance Listing Number:

15.615

Background, Purpose and Program Requirements:

As many species listed as endangered or threatened under the Endangered Species Act (ESA) spend at least part of their life cycle on non-Federal lands, the U.S. Fish and Wildlife Service (Service) recognizes success in conserving and recovering these species depends largely on working cooperatively with States and Territories (hereafter, "States").

Section 6 of the ESA authorizes the Service to provide Federal financial assistance to eligible State agencies to support the development and implementation of conservation programs for the benefit of resident listed species. This financial assistance, provided in the form of competitive grants, is made available through the Cooperative Endangered Species Conservation Fund (CESCF) Grant Programs. This Notice of Funding Opportunity (NOFO) applies specifically to CESCF Habitat Conservation Plan (HCP) Land Acquisition Grants.

This NOFO fully describes application eligibility, evaluation, and selection. It should be read in its entirety as much of the information has changed from previous years. Given the significant investment of time and money associated with projects funded through this program, we also recommend you coordinate with the appropriate Service contact (Section G) before starting work on a project or application.

Prior to 1982, non-Federal landowners undertaking otherwise lawful activities that were likely to take listed species risked violating section 9 of the ESA, which prohibits the "taking" of a listed species. In the 1982 amendments to the ESA, Congress established a voluntary mechanism under section 10(a)(1)(B) that authorizes the Service to issue to non-Federal entities a permit for the "incidental take" of endangered and threatened wildlife species. An HCP must accompany the application for an incidental take permit to demonstrate how the applicant intends to meet minimization and mitigation commitments to meet the permit issuance criteria under section 10(a)(2)(B) of the ESA. The commitments made by the applicant in the HCP become part of the permit.

In some States, HCPs have become a broad-based, landscape-level planning tool. In addition to conserving listed species, HCPs often include conservation measures for candidate and at-risk species, as well as other rare species in the plan area. By including these species in the HCP, developers and landowners can also help prevent their decline or need for future listing under the ESA. Should a non-listed species that is covered in the HCP become listed during the permit term, the HCP can provide a seamless process to authorize the take to the newly listed species and eliminate the need to amend the permit. Thus, landowners have an incentive to conserve listed species as well as candidate and at-risk species that are likely to be listed in the future.

HCP Land Acquisition Grants

Established by Congress in fiscal year (FY) 1997, the HCP Land Acquisition Grant program was designed to reduce conflicts between the conservation of listed species and competing land uses on specific parcels of land associated with approved and permitted HCPs. Under this program, the Service provides matching grants to States in support of land acquisition projects that will conserve species habitat in perpetuity through fee simple acquisition or the acquisition of permanent conservation easements. The Service considers the use of Federal acquisition dollars by States for habitat protection associated with HCPs to be an important and effective mechanism to promote species recovery, prevent extinction, and preclude the need to list species under the ESA in the future. All land acquired through these grants complements, but does not replace, the mitigation, minimization, and/or monitoring commitments of the HCP. Thus, this work is additive to the conservation commitments entered into when HCPs are permitted and serves as a meaningful way to leverage non-Federal investment in species recovery and connect conservation lands across the landscape.

To be considered for funding under this opportunity, the land proposed for acquisition must benefit at least one eligible species included on an active section 10(a)(1)(B) permit, hereafter “eligible covered species.” The following species are eligible for consideration under this funding opportunity if included on the section 10(a)(1)(B) permit.

- **Federally listed species:** Species listed as threatened or endangered through section 4 of the Federal Endangered Species Act (ESA).
- **Candidate species:** Species for which the Service has sufficient information on biological status and threats to propose them as endangered or threatened under the ESA, but for which development of a proposed listing regulation is precluded by other higher priority listing activities. The current list of candidate species is available at: <http://ecos.fws.gov/ecp/report/table/candidate-species.html>.
- **At-risk species:** For the purposes of this funding opportunity, at-risk species are those that are the subject of a positive 90-day finding, species that are the subject of a positive 12-month finding but not yet the subject of a proposed rule, species that are the subject of a proposed listing rule but not a final rule, and species included on the National Listing Workplan as of this opportunity's post date. A full list of at-risk species can be found in the NOFO Attachments.

These grants support the acquisition of land associated with both single-species and multiple-species HCPs. As in previous years, 10 percent of the funding available will be used to support the acquisition of land associated with single-species HCPs.

While all projects must be consistent with the conservation objectives outlined in a species' most recently approved recovery planning document, those anticipated to significantly contribute to species recovery, preclude listing of a candidate species, or address threats to an at-risk species will be prioritized.

The Service recognizes that, in the exercise of their general governmental powers, States possess broad trustee and police powers over fish, wildlife, and plants and their habitats within their borders. Unless preempted by Federal authority, States possess primary authority and responsibility for protection and management of fish, wildlife, and plants and their habitats. The Section 6 cooperative agreements entered into by the States and Service reflect a common commitment to actively advance the purpose and policies of the ESA, including providing a means to foster relationships with partners, reduce conflicts between listed species and economic development, and promote the long-term conservation of listed species and the ecosystems on which they depend. These grants encourage the cooperative implementation of the ESA by leveraging Federal investment in species recovery and demonstrate the Service's commitment to cooperative conservation at the local level. Through this collaborative and inclusive approach to conservation, these grants further the Biden-Harris administration's [*America the Beautiful*](#) initiative to conserve, connect, and restore 30 percent of our lands and waters by 2030 for the sake of the Nation's economy, health, and well-being.

B. Federal Award Information

B1. Total Funding

Estimated Total Funding

\$19,638,000

The Service may award an estimated \$19.638 million through this opportunity, contingent upon final fiscal year 2022 appropriations.

B2. Expected Award Amount

Maximum Award

\$19,638,000

Minimum Award

\$10,000

The Service may award an estimated \$19.638 million through this opportunity, contingent upon final fiscal year 2022 appropriations. There is no minimum or maximum award amount and applications compete at the national level.

B3. Expected Award Funding and Anticipated Dates

Expected Award Funding

\$19,638,000

Expected Award Date

July 29, 2022

The Service may award an estimated \$19.638 million through this opportunity, contingent upon final fiscal year 2022 appropriations. There is no minimum or maximum award amount and applications compete at the national level. As in previous years, 10 percent of available funds will be used to support the acquisition of land associated with single-species HCPs.

In FY 2021, Service awarded \$49.98 million through 10 grants with awards ranging from \$286,035 to \$12.6 million.

Applications may address new or ongoing work. If a project supports the continuation of previous or ongoing work, a brief discussion of accomplishments to date and a justification for the continuation of work must be provided. While applications for ongoing work may be approved, funding will be awarded as a new grant with discrete objectives and deliverables. If a project is selected for funding, the Service is under no obligation to provide additional funding in connection with the project in a future competitive award cycle.

The Service intends to make award recommendations within 90 days of the closing date of this opportunity. Following review and approval, the Service's Regional Offices will make pre-award notifications and outline the process for finalizing awards. The Service intends to make pre-award notifications by July 29, 2022, and obligate funds within 120 days. The maximum period of performance (PoP) for a grant awarded through this opportunity is three years, beginning on the effective date established at the time of grant approval or the date of award obligation, whichever is earlier.

Awarded grant funds must be expended in a timely manner or returned to the Service for reallocation through the next competitive award cycle. If an approved project cannot be completed within the award's PoP, the State Director/Commissioner may request an extension of up to 12 months from the Assistant Director of Ecological Services. However, the Service will not consider requests to extend the PoP for projects that received additional consideration under the project readiness evaluation criterion (see Section E1) during merit review. Requests to amend awards that will impact project scope or scoring may only be considered with appropriate justification and will require elevated review through the Director's Office, if first approved by the Assistant Director. Any project awarded funding that will not be completed, and from which funds are deobligated, may be eligible for funding in a future competitive award cycle.

B4. Number of Awards

Expected Number of Awards

4

In FY 2021, Service awarded \$49.98 million through 10 grants with awards ranging from \$286,035 to \$12.6 million. The average award was \$5 million. The Service expects to award up to four grants through this opportunity should the average grant amount remain consistent with the previous fiscal year and contingent upon final FY 2022 appropriations.

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 State agencies that have entered into a Cooperative Agreement pursuant to Section 6(c) of the ESA and have provided the information necessary for the annual renewal (reconfirmation) of their Cooperative Agreement are eligible to apply for funding. Applicants that have not fulfilled both criteria will not be considered. While funding may only be awarded to States, groups such as counties or conservation organizations may work with a State agency that has a cooperative agreement on conservation efforts that are mutually beneficial, as a subgrantee.

C2. Cost Sharing or Matching

Cost Sharing / Matching Requirement

Yes

Percentage of Cost Sharing / Matching Requirement

25

In accordance with section 6(d) of the ESA, the minimum non-Federal cost share is 25 percent of the total project cost, *i.e.*, the amount requested from the program plus the amount of non-Federal cost share. Other funds that are related to the project or are part of a larger project but are not designated as cost share should not be included in the total project costs when calculating minimum non-Federal cost share.

If a proposal involves the collaboration of two or more States, the minimum non-Federal cost share decreases to 10 percent of the total project cost. The project proposal and budget must reflect the work and responsibilities to be carried out by each of the cooperating States. The source(s) of the non-Federal cost share is up to the applicants and may come from more than one source. Each cooperating State is responsible for submitting performance and financial reports related to the joint project. Incomplete work by any one of the cooperating States may result in recovery of Federal funds from all States, if it is determined that the joint cooperative objective will not be accomplished.

In accordance with [48 United States Code \(U.S.C.\) 1469\(a\), Amendment of Subsection \(d\)](#), the Regional Director shall waive up to \$200,000 of the required match for each grant awarded to the Commonwealth of the Northern Mariana Islands and the territories of American Samoa, Guam, and the U.S. Virgin Islands.

Non-Federal cost share requirements are detailed in 50 CFR 81.8(b) and allow the cost share to be in the form of cash or in-kind contributions, including real property, in accordance with the regulations at 2 CFR 200.306. The amount of non-Federal cost share will be considered in the evaluation and ranking of applications (see Section E).

C3. Other

Projects must benefit at least one eligible covered species, as defined in Section A.

The specific parcel(s) of land proposed for acquisition with grant funds, or as non-Federal cost share, must be identified and sufficiently described to facilitate merit review based on the evaluation criteria listed in Section E. Parcels must be individually identified but can be grouped and described for evaluation purposes at the property or transaction level. Parcels not included in the proposal will not be eligible for substitution for parcels that are not acquired.

A property may not be submitted for funding consideration under both the HCP Land Acquisition Grant and Recovery Land Acquisition Grant Programs in the same fiscal year.

Applications must include a statement of commitment to funding for, and implementation of, management of the habitat in perpetuity consistent with the conservation needs of the species. Projects must involve voluntary conservation efforts within the United States.

An application cannot include Service Full-Time Equivalent (FTE) costs.

Neither funding awarded through this opportunity, nor the associated non-Federal cost share, may be used to satisfy regulatory requirements of the ESA, including complying with a biological opinion under Section 7, fulfilling Federal mitigation, minimization, and/or monitoring requirements of an HCP permitted under Section 10, or any other Federal regulatory mitigation requirement (e.g., mitigation for Clean Water Act permits).

State administrative costs must either be assumed by the State or included in the application in accordance with Federal requirements. Applications may not be submitted to cover administrative costs alone.

Federal land acquisition grant programs fund the purchase of land at market value, from willing sellers. Market value must be determined by appraisals performed in accordance with the Uniform Appraisal Standards for Federal Land Acquisitions, and all other applicable laws and regulations. Appraisals are not required to be submitted as part of the application. Appraisals to Federal standards are required prior to expenditure of funds if the project is selected for funding. Please be aware that if an appraisal to Federal standards is not provided as part of the application, the amount specified in the pre-award notification will be based on the estimate of the land value as provided in the grant proposal. However, the actual purchase price cannot be greater than the current market value as determined by an appraisal and appraisal review completed to Federal standards. States or other non-Federal partners will be responsible for ensuring that appraisal and title work are completed. The cost of conducting an appraisal(s) and completing title work, in accordance with Federal requirements, must either be assumed by the State or subgrantee (as cost share), or included as part of the Federal request in the project proposal.

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

Applicants can request paper application packages through the appropriate contact listed below in Section G. Federal Awarding Agency Contacts. Information on CESCO grants is also available from the Division of Budget & Technical Support, Ecological Services, U.S. Fish and Wildlife Service, 5275 Leesburg Pike, MS:ES Falls Church, VA 22041-3803, or electronically at <https://www.fws.gov/program/cooperative-endangered-species-conservation-fund>.

Program Website Link

<https://www.fws.gov/program/cooperative-endangered-species-conservation-fund>

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 "

SF-424D, Assurances for Construction Programs

Any applicant requesting support for a construction projects must submit as signed and dated SF-424D, Assurances for Construction Programs form. All required application forms are available with this announcement on Grants.gov and in GrantSolutions

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

Project narratives should be complete but concise, including only the information necessary to address all stated eligibility and evaluation criteria. Information must be provided for each property proposed for acquisition, whether with grant funds or non-Federal cost share. Because lands used for cost share purposes are part of the total project, reviewers must consider both when evaluating and scoring applications.

The project narrative must contain each of the elements described below to prompt applicants to address relevant eligibility and evaluation criteria. Although not required, applicants may consider including response tables to summarize information as it relates to a specific criterion. Descriptions of eligibility and evaluation criteria, as well as example response tables, are provided below and in Section E. Applicants may also consider alternate methods of identifying responses to evaluation criteria within the project narrative such as inserting “(Criterion 2)” or “(C2)” at the end of the sentence or paragraph containing the information necessary to evaluate the project under criterion 2. Narratives that clearly address all criteria in an organized manner will facilitate application review and scoring.

- **Project Title**
- **Description of entity(ies) undertaking the project**

Identify any entity that will act as a subrecipient and describe their role in meeting project objectives.

- **Statement of Need**

Describe the need for the proposed project relative to the purposes of the HCP program. Identify the species to benefit from each proposed acquisition (criteria 1 & 2) and provide evidence to demonstrate the need for the acquisition such as results from surveys, research, or other data. Identify the negative results of taking no action (criterion 6).

- **Purpose**

The purpose describes the desired future state to address the need. For example, providing permanent habitat protection to promote listed species recovery while providing regulatory assurances to landowners.

- **Objectives**

Objectives reference specific outcomes to be accomplished during the project period pursuant to the stated need. For example, acquiring real property interest (fee title) in 200 acres of occupied habitat by December 20, 2022. Objectives should be specific, measurable, attainable within the period of performance (PoP), realistic, and time-bound. The requested PoP will be considered under evaluation criterion 7.

- **Methods/Approach**

This section of the narrative should describe the specific conservation actions necessary to accomplish the project objective(s). Include the following information for each property proposed for acquisition.

- Property name/identifier and APNS
- Acreage
- The type of ownership interest (e.g., fee-simple, easement, combination)
- Entity to hold title
- Entity to manage, if different
- Intended use of property
- Occupancy status/ amount of restoration required to benefit covered species (criterion 4)
- **Anticipated Outcomes/ Expected Benefits**

This section should address evaluation criterion 3 by describing how the proposed acquisition will benefit species conservation. Describe the acquisition's potential contribution to recovering listed species, precluding the need to list candidate species, or reducing threats to at-risk species.

- **Timetable**

The project timetable describes significant milestones in successfully completing the project and should clearly demonstrate how the project is likely to be accomplished within the requested period of performance. Timetables will be used to assess project readiness (criterion 7). Applicants must include a statement acknowledging an understanding that the Service will not consider period of performance extensions for projects that receive additional consideration under this criterion. Include a brief description of any due diligence completed to date. In the absence of a willing seller letter, this section of the project narrative must describe current negotiations regarding the potential sale of the property to assess the likelihood of project success.

- **Project Location/ Maps**

This section of the narrative should address evaluation criterion 5 by providing a brief description of where the acquisition will occur in relation to the HCP plan area and existing conservation areas. Attach maps of the parcels proposed for acquisition to assist reviewers in evaluating habitat connectivity. Photographs that characterize the existing state of the project area (criterion 4) are highly recommended although not required.

- **Information to support environmental compliance review requirements**

The Service has the responsibility for making the final determination regarding compliance with Federal laws.

- National Environmental Policy Act (NEPA) – provide any information that may be relevant to compliance with NEPA.
- Endangered Species Act (ESA) – provide any information that may be relevant to compliance with the ESA.
- National Historic Preservation Act (NHPA) – provide any information that may be relevant to compliance with NHPA, such as locations of historic or cultural properties.
- Other Permits – list and provide the current status of any other required Federal permits
- **Willing Seller Letters (if applicable)**

Applications that include willing seller letter(s) for all properties proposed for acquisition will receive additional consideration under evaluation criterion 7.

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)”. 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.

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. 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 any 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 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.

Budget narratives must be sufficiently detailed to show that the project is cost effective and that costs are both necessary and reasonable for accomplishing the purposes of the proposed project. Indicate whether partial funding of the project is practicable and, if so, what specific portion(s) of the project could be implemented with what level of funding. The budget narrative should provide sufficient detail for reviewers to understand how costs were estimated. Reviewers must be able to clearly see that costs are realistic and are commensurate with the project needs and timeframe. Applications will be disqualified if reviewers cannot determine that applications meet this threshold.

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 \(UEI\)](#) which replaced the Data Universal Numbering System (DUNS) number from Dun & Bradstreet in April 2022. 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. The Grants.gov “[Register with SAM](#)” page also provides detailed instructions. 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

04/26/2022

Application Due Date Explanation

Electronically submitted applications must be submitted no later than 11:59 ET, on the listed due date. This program requires the submission of applications online through GrantSolutions.gov as applicants will receive an acknowledgement of application receipt. GrantSolutions automatically generates an electronic date and time stamp in the system upon application receipt. Applicants are encouraged to verify the completeness of their application package before submission using the checklist provided below.

APPLICATION CHECKLIST

- SF-424, Application for Federal Assistance
- SF-424D, Assurances
- Project Abstract Summary Form
- Project Narrative
- Maps
- Willing seller letters (when applicable)
- SF-424C, Budget Information
- SF-429 and SF-429-B, Request to Acquire, Improve, or Furnish Real Property
- Budget Narrative
- Indirect Cost Statement and related documentation
- Conflict of Interest Disclosure (when applicable)
- Single Audit Reporting Statement
- Certification Regarding Lobbying & SF-LLL, Disclosure of Lobbying Activities(when applicable)
- Overlap or Duplication of Effort Statement

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) rate we must charge the program’s capped indirect cost rate to the same base identified in our approved indirect cost rate agreement, per 2 CFR §1402.414. 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.

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

A property may not be submitted for funding consideration under the Habitat Conservation Plan Land Acquisition Grant and the Recovery Land Acquisition Grant Programs in the same fiscal year.

Neither the Federal funds awarded through this opportunity, nor the associated non-Federal cost share, may be used to satisfy regulatory requirements of the Endangered Species Act, including complying with a biological opinion under Section 7, fulfilling Federal mitigation, minimization, and/or monitoring requirements of an HCP permitted under Section 10, or any other Federal regulatory mitigation requirement (e.g., mitigation for Clean Water Act permits). Financial assistance Regulations at 2 CFR 200 specify that a Federal financial assistance award includes both the Federal and non-Federal contributions. This clarity regarding the inseparability of the Federal and non-Federal components means that any prohibitions on usage of either component for mitigation purposes applies to both components. An exception is granted for HCPs that include conservation obligations pursuant to State law or local ordinances that are beyond (additive to) the Federal mitigation requirements for that HCP. Proposals may be submitted that include as non-Federal match general funds, fees collected or used, lands acquired, or other actions (e.g., other State permit requirements) to satisfy State or other non-Federal conservation obligations of the HCP, above and beyond the Federal mitigation requirement.

Applications cannot include Service Full-Time Equivalent (FTE) costs.

State administrative costs must either be assumed by the State or included in the application in accordance with Federal requirements. Applications may not be submitted to cover administrative costs alone.

Generally, only expenses incurred and budgeted during the period of performance are reimbursable; the period of performance begins with the effective date established at the time the grant is approved. However, a State may request reimbursement of pre-award costs for certain necessary expenses detailed in the grant application. Pre-award costs are those incurred prior to the approval of the grant where such costs are necessary to comply with the proposed period of performance. Such costs are allowable only if the grant is awarded, only to the extent that they would have been allowable if incurred after the date of the award, and only with the written approval of the awarding agency (2 CFR 200.458).

D7. Other Submission Requirements

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 with the following information:

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

Organizational details should match those in the organization's SAM.gov registration. 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 more information, see the GrantSolutions Recipient Training and FAQs web page. 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.

E. Application Review Information

E1. Criteria

1. Number of federally listed & candidate species benefited **Maximum Points: 15**

Reviewers will evaluate the number of federally listed and candidate species included on the section (10)(a)(1)(B) permit to benefit from the proposed acquisition.

Score: Number of federally listed and candidate species benefited by the proposed acquisition.

- 6 + species (15 pts)
- 4-5 species (10 pts)
- 2-3 species (6 pts)
- 1 species (3 pts)

Example Response Table to Evaluation Criterion 1

Property	Listed and Candidate Species Benefitted
Property A: Proposed for acquisition with grant funds	Vernal pool fairy shrimp (T)
Property B: Proposed for acquisition as cost share	Vernal pool fairy shrimp (T)

Maximum Points: 10

2. Number of at-risk species benefitted

Reviewers will consider the number of at-risk species included on the section (10)(a)(1)(B) permit to benefit from the proposed acquisition.

Score: Number of at-risk species benefitted by the proposed acquisition.

- 6 + species (10 pts)
- 4-5 species (6 pts)
- 2-3 species (4 pts)
- 1 species (2 pts)
- 0 species (0 pts)

Example Response Table to Evaluation Criterion 2

Property	At-risk Species Benefitted
Property A	None.
Property B	Western pond turtle

Maximum Points: 15

3. Magnitude of Benefit: Contribution to Conservation

Reviewers will consider the proposed acquisition's potential benefit to species conservation, including the acquisition's contribution to recovering listed species, precluding the need to list candidate species, or reducing threats to at-risk species.

Score: Projects with the greatest potential contribution to species conservation will be prioritized.

- Acquisition will implement a priority recovery action (as identified in a Service recovery planning document), implement a conservation measure or action identified in a candidate species assessment, or implement an action that ameliorates or reduces an identified threat for an at-risk species identified in a State Wildlife Action Plan, State recovery plan, or similar conservation document. (5 pts for each action or measure per species)

Example Response Table to Evaluation Criterion 3

Covered Species	Applicable Priority Recovery Action/ Conservation Measure/ Other Action
Vernal pool ecosystem species	1.4.1.1 Protect species occurrences and suitable vernal pool habitat in Zone 1 core areas. (Priority 1) (Recovery Plan for Vernal Pool Ecosystems of California and Southern Oregon. USFWS. 2005)
Western Pond Turtle	3.2.3. Evaluate and, if possible, obtain easements or title to lands through purchase, land exchange, or charitable donation. (Washington State Recovery Plan for the Western Pond Turtle. Washington Department of Fish and Wildlife. 1999)

4. Ecosystem Functionality

Maximum Points: 20

Under this criterion, reviewers will consider each species' occupancy status on the lands proposed for acquisition. Greater consideration will be given to parcels with fully functioning ecosystems requiring little or no restoration to benefit species.

Score: Occupancy status and restoration requirements of lands proposed for acquisition. Additive, up to 20 points.

- Occupied habitat: no restoration required, currently supports viable population (20 pts for each species)
- Occupied habitat: some restoration required to contribute to the viability of an existing population (10 pts for each species)
- Suitable unoccupied habitat: active reintroduction plan in place (5 pts for each species)
- Suitable unoccupied habitat: no restoration required (4 pts for each species)
- Suitable unoccupied habitat: restoration required (3 pts for each species)
- Land proposed for acquisition contains no suitable habitat. (0 pts)

Example Response Table to Evaluation Criterion 4

Species	Occupancy/Restoration Requirements Property A	Occupancy/Restoration Requirements Property B
Vernal pool fairy shrimp	Occupied habitat w/ no restoration required.	Occupied habitat w/ no restoration required.
Western pond turtle	N/A	Occupied habitat: some restoration required to contribute to the viability of an existing population

5. Habitat Connectivity

Maximum Points: 15

Reviewers will reference project location information included in the project narrative and attached maps to assess how the proposed acquisition improves connectivity among existing conservation lands. Land that links two existing conservation areas together or is adjacent to an existing conservation area to reduce habitat fragmentation is preferred over isolated acquisitions.

Score: Reviewers will refer to applicant-supplied maps when evaluating this criterion.

- Proposed acquisition directly expands, connects, enhances, or consolidates the conservation lands specifically protected through the HCP to improve the management of covered species. (15 pts)

- Proposed acquisition links existing conservation areas together. (10 pts)
- Proposed acquisition lies adjacent to existing conservation areas to reduce habitat fragmentation. (5 pts)
- Proposed acquisition is isolated from existing conservation lands, but is necessary for species conservation. (0 pts)

6. Timeliness: Threat of Conversion

Maximum Points: 10

For each property proposed for acquisition, reviewers will consider the nature, extent, and level of severity of the threat of conversion to uses inconsistent with species conservation. Project narratives should include sufficient information to allow reviewers to assess the consequences of not acquiring the property for conservation.

Score: Greater consideration will be given to the acquisition of lands under imminent threat of conversion to uses inconsistent with species recovery.

- Demonstrated threat of conversion is imminent. (10 pts)
- Demonstrated threat is probable. (6 pts)
- Demonstrated threat is possible within foreseeable future. (2 pts)
- No demonstrated threat of conversion (0 pts)

Example Response Table to Evaluation Criterion 6

Property	Threat Designation	Justification
Property A	Imminent	Competing buyer, development plan in place
Property B	Probable	Property zoned for development.

7. Timeliness: Readiness of State to Proceed

Maximum Points: 10

Reviewers will evaluate the project timetable and supporting documentation submitted at time of application to assess project readiness. Timetables should clearly demonstrate how the scope of work is highly likely to be accomplished within the requested period of performance as well as any due diligence completed to date. Reviewers will also consider the past performance of applicants and subrecipients, if applicable.

Score: Projects ready for implementation will be prioritized. Additive, up to 10 points.

- Applicant commits to completing work within the requested PoP (three-year max) with the understanding that no extensions will be considered. (5 pts)
- Willing seller(s) letters provided for each property proposed for acquisition. (5 pts)

Example Response Table to Evaluation Criterion 7

Property	Timetable: Commitment to PoP	Willing Seller Letter(s)
Property A	Yes.	No.
Property B	Yes.	Yes.

8. Voluntary Non-Federal Cost Share Commitment

Maximum Points: 5

Score: Applications that include greater than minimum non-Federal cost share will be prioritized. The non-Federal cost share must be at least one percent higher than the minimum required cost share (see section C2) to receive additional consideration under this criterion.

- Greater than minimum non-Federal cost share commitment (5 pts)
- Required minimum non-Federal cost share commitment (0 pts)

9. Regional Director's Discretion

Maximum Points: 25

Each Service Regional Director will have 25 points to distribute among all applications submitted by the States in their respective Legacy Region based on considerations outlined in Section E2 to reflect Service and State priorities.

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.

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.

Applications submitted for consideration will be reviewed by representatives from Service staff with appropriate subject-matter expertise (e.g., HCPs, species recovery, ESA policy and programs, Federal financial assistance).

Initial Screening for Completeness and Eligibility

Application packages will be screened to ensure all required forms and application elements have been provided and both applicants and projects meet all basic eligibility criteria described above. The Service will review the SAM.gov Exclusion database, status of applicants' administration of other grants, including Single Audit submissions, past performance, financial strength and management capabilities, and procedures and methods for monitoring subrecipients or vendors. Applicants in poor standing may not be considered for funding. If there are any questions about the ability of the project to be completed in compliance with Federal laws and regulations, additional information may be requested from the applicant. A project may be disqualified if Service staff determine the project cannot meet Federal requirements. Incomplete applications will be returned for corrections. Corrections must be submitted within two weeks of the returned application. Applicants that do not respond within two weeks with corrected materials will be disqualified. The Service, in its sole discretion, may continue the review process for applications with non-substantive issues that may be easily rectified or cured.

Merit Review

After initial screening, applications meeting the basic eligibility requirements will undergo merit review by the National Merit Review Team based on the criteria outlined in Section E1. Applicants must provide the information necessary for reviewers to score the proposed project against all evaluation criteria as no outside information will be considered. Missing or unclear information will result in lower scores.

Prior to participating in any review or evaluation process, all merit review members must sign and return to the program office point of contact the "Department of the Interior" Conflict of Interest Certification" form. Each application will be reviewed, evaluated, and scored independently by the merit review team members with appropriate subject-matter expertise (e.g., species recovery, ESA policy and programs, Federal financial assistance). Reviewers may discuss individual applications, but all scoring will be non-consensus. Following ranking, due to limited funding or for other reasons, the Service may ask applicants to revise the project scope, timeline, and/or budget. In this event, applicants will have to submit revised SF-424 forms and project narratives prior to award.

Application Selection

The review panel will develop and recommend a ranked project list to the Assistant Director of Ecological Services, who will recommend a final list of projects to the Service Director. Projects will be recommended for funding by rank order unless an application is justified by the Assistant Director to be selected out of rank order based upon the following considerations:

- Regional/ National priority
- Applicant's ability to use partial funding
- Availability of funding

- Balance/distribution of funds geographically within a Service Region
- Balance/distribution of funds geographically across Service Regions
- Whether this project duplicates other projects funded by Service or other Department of the Interior agencies
- The applicant's prior award performance
- Partnerships with and/or participation of targeted groups The Service Director will make the final award selections.

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

The Service intends to make pre-award notifications by July 29, 2022, and obligate funds within 120 days. Applicants will assist the Service in meeting the 120-day target by providing the documents necessary for grant issuance as soon as possible following pre-award notification. Awarded funds must be expended in a timely manner or returned to the Service for reallocation through the next competitive grant cycle.

F. Federal Award Administration Information

F1. Federal Award Notices

If an application is selected for an award, the appropriate Service Regional Office will notify the applicant of the selection and outline the process for finalizing the award, including any additional information that may be required from the applicant for the satisfactory completion of compliance review. Applicants may be required to revise the project scope and/or budget before a final Notice of Award can be issued. The Notice of Award is the authorizing document for a grant and will be received through GrantSolutions upon completion of all review requirements. Acceptance of an award is defined as starting work, drawing down funds, or accepting the award via electronic means. The Notice of Award will include specific instructions on how to request payment. If applicable, the instructions will detail any additional information/forms required and where to submit payment requests.

The Service may publish one or more media releases and post information about projects selected for funding on Service websites. These releases may be made in coordination with the Department of the Interior and may be made nationally and/or regionally.

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.

As required by Section 70914 of the Bipartisan Infrastructure Law (also known as the Infrastructure Investment and Jobs Act), [P.L. 117-58](#), on or after May 14, 2022, none of the funds under a federal award that are part of a Federal financial assistance program for infrastructure may be obligated for a project unless all of the iron, steel, manufactured products, and construction materials used in the project are produced in the United States, unless subject to an approved waiver. The requirements of this section must be included in all subawards, including all contracts and purchase orders for work or products under this program.

Data Availability

Per the Financial Assistance Interior Regulation (FAIR), [2 CFR §1402.315](#):

- a. All data, methodology, factual inputs, models, analyses, technical information, reports, conclusions, valuation products or other scientific assessments in any medium or form, including textual, numerical, graphic, cartographic, narrative, or audiovisual, resulting from a financial assistance agreement is available for use by the Department of the Interior, including being available in a manner that is sufficient for independent verification.
- b. The Federal Government has the right to:
 1. Obtain, reproduce, publish, or otherwise use the data, methodology, factual inputs, models, analyses, technical information, reports, conclusions, or other scientific assessments, produced under a Federal award; and
 2. Authorize others to receive, reproduce, publish, or otherwise use such data, methodology, factual inputs, models, analyses, technical information, reports, conclusions, or other scientific assessments, for Federal purposes, including to allow for meaningful third-party evaluation.

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.

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 (currently the [Federal Awardee Performance and Integrity Information 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:

Kelly Niland (See NOFO attachment for list of Regional contacts)

Telephone:

703-359-2492

Email:

Kelly_Niland@fws.gov

G2. Program Administration

For **program administration assistance**, contact:

First and Last Name:

Kelly Niland

Telephone:

703-358-2492

Email:

Kelly_Niland@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.