U.S. Fish and Wildlife Service

FWS - Fisheries

Due Date for Letters of Interest 11/17/23. NFPP https://www.fws.gov/program/national-fish-passage

F24AS00062 National Fish Passage Program Bipartisan Infrastructure Law: Restoring River, Floodplain, and Coastal Connectivity and Resiliency

Fiscal Year: 2024

F24AS00062

Due Date for Applications: **12/31/2024**

Signature | Date

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A. Program Description

A1. Authority

Awards are authorized per the Fish and Wildlife Coordination Act (16 U.S.C. §661) and the Infrastructure Investment and Jobs Act (Pub. L. 117-58, 135 Stat. 429-1467).

A2. Assistance Listing Number

15.685

A3. Background, Purpose and Program Requirements

The Infrastructure Investment and Jobs Act of 2021 (Pub. L. 117-58, November 15, 2021, "Bipartisan Infrastructure Law," or "BIL") provided $200 million for Federal Fiscal Years (FY) 2022 to 2026 to the U.S. Fish and Wildlife Service's (Service) National Fish Passage Program (NFPP). This funding opportunity announcement outlines the deadlines, criteria, and process to select projects for NFPP BIL funding. The Service may choose to combine funding available in FY24 and FY25 for this opportunity. If combined, the total estimated amount available will be up to $70 million. This decision will be solely at the Service's discretion but will be based on the timing of the award process and funding needs as expressed through the number of applications received and the amount of funds requested. This funding will be implemented in alignment with the priorities in Executive Order 14052, Implementation of the Infrastructure Investment and Jobs Act (86 FR 64355).

The NFPP is a voluntary program that provides direct technical and financial assistance to partners to remove instream barriers, restore aquatic organism passage, and restore climate resilient aquatic connectivity in rivers, floodplains, and coastal habitats for the benefit of Federal trust resources. The program targets aquatic connectivity opportunities that rebuild productive and sustainable fisheries, contribute to the recovery and conservation of the Service's aquatic trust species, enhance watershed health, promote resilient ecosystems and communities especially in disadvantaged communities, and improve economic vitality, including local employment. NFPP aims to maintain or increase native fish populations to improve ecosystem resiliency and provide quality fishing experiences for the American people. Activities that restore aquatic connectivity and fish passage also support the modernization of the country's infrastructure such as road culverts, bridges, and water diversions contributing to enhanced community resilience to the impacts from climate change and other public safety hazards. NFPP funds a variety of project types including, but not limited to dam removals, culvert replacements, floodplain restoration and reconnection, dike breaches, and reconnection of tidal habitats.

The NFPP is delivered through the Service's Fish and Aquatic Conservation Program (FAC) across all States and territories. FAC staff coordinate with project partners, stakeholders, and other Service programs to identify and collaboratively develop and implement projects within regional priority areas. Project work plans are developed strategically, in coordination with partners, and with substantial involvement from FAC staff. Projects must be based upon sound scientific and technical principles, advance the Service mission, and promote aquatic ecosystem resilience. Applicants seeking funding under this program **should contact the regional NFPP Coordinator that corresponds to the location of the project for additional information on regional priorities and coordination with FAC staff prior to applying for funding**. Contacts are listed at: https://www.fws.gov/program/national-fish-passage/contact-us.

A principal objective of the NFPP is to provide technical assistance to partners in support of projects that aim to restore aquatic connectivity and aquatic organism passage through the removal of instream barriers and the reconnection of floodplains. We use our staff and cooperative partnerships to provide (1) information on native aquatic species habitat needs and methods for aquatic connectivity; (2) technical engineering support to develop or review project designs and recommend the most effective techniques; (3) assistance to partners in planning and prioritizing fish passage projects; and (4) assistance in fulfilling environmental compliance requirements.

The NFPP prioritizes projects that will: (1) maximize benefits to native priority species and habitats; (2) provide sustainable fish passage benefits; (3) contribute to or otherwise leverage regional or watershed priorities for habitat restoration, fish passage, or aquatic connectivity; (4) enhance community resilience to climate change, address other public safety hazards and generally, provide other co-benefits such as job creation or recreational fishing opportunities; (5) involve advance coordination on species and watershed priorities with Tribes and States; (6) provide benefits to or engage with disadvantaged communities; and (7) be supported by partners, affected stakeholders, and the local community.

Activities proposed under this award may include project planning and feasibility studies, engineering and design, permitting, on-the-ground fish passage restoration, near-term implementation monitoring, project outreach, and capacity to manage these project-related activities. Applicants may apply for funding to support any combination of these activities however, priority will be given to applications that can demonstrate a clear timeline and pathway for on-the-ground implementation within a timely manner (i.e., 1-4 years). Proposals that focus on the removal of barriers and natural channel or floodplain restoration will score higher in some evaluation criteria than proposals that focus on establishing passage around a barrier that are reliant on artificial passage structures such as fishways or fish ladders. Proposals are encouraged to maximize largescale ecosystem restoration and should do so by leveraging funding from other sources, with particular emphasis on BIL funding through other Federal agencies or may include multiple project sites throughout a watershed or other geographic area.

A4. Funding Opportunity Goals

The National Fish Passage program works to restore native fish and other aquatic species to self-sustaining levels by reconnecting habitats fragmented by barriers. The program also strives to deliver benefits to human communities through infrastructure improvements and other actions that increase resilience to climate change impacts.

B. Federal Award Information

B1. Total Funding

Estimated Total Funding

$70,000,000

There will be up to $35,000,000 available per Fiscal Year (FY) for FY 2024 and 2025. The Service may choose to recommend or award funding using FY24 or FY25 funding. Once projects are approved, Service staff will determine award levels by fiscal year. Projects may be funded entirely or partially with funding from one or multiple fiscal years (multi-year award). Once project selections are approved, recipients of multi-year awards will not need to compete for funding in subsequent years for the same award. The Service expects, but is not obligated, to provide additional funding to multi-year awards in subsequent years. In this case, a budget narrative and SF-424A that identifies each separate year of requested funding will be required prior to an award offer. Adding funds to a multi-year award is contingent on the availability of funds and satisfactory performance and is at the sole discretion of the Service. The exact amount of funds to be awarded, the final scope of activities, the project duration, and specific Service cooperative involvement with the activities of each project will be determined in pre-award negotiations among the applicant, the Financial Assistance Support and Oversight staff, and Service FAC program staff.

B2. Expected Award Amount

Maximum Award

$10,000,000

Minimum Award

$250,000

B3. Expected Award Funding and Anticipated Dates

Expected Award Funding

$1,000,000

Expected Award Date

May 01, 2024

B4. Number of Awards

Expected Number of Awards

80

Approximately 40 per fiscal year in each FY2024 and FY2025.

B5. Type of Award

Funding Instrument Type

G - Grant
CA - Cooperative Agreement
NFPP uses cooperative agreements as the primary assistance instrument, but staff may also use grants, procurement instruments, inter or intra-agency agreements, or Cooperative Ecosystem Studies Units in accordance with Federal regulations. Procurement agreements to facilitate project design in collaboration with funding recipients could include use of existing Service architectural and engineering services instruments such as Multiple-Award Task Order Contracts (MATOC) for Indefinite-Delivery, Indefinite-Quantity (IDIQ) contracts if the project meets the needs of NFPP and falls under the parameters of the current MATOCs available. Projects are developed strategically, in coordination with partners, and with substantial involvement of FAC staff.

In the case of cooperative agreements, the Service participates and collaborates jointly with the recipient partner, volunteer, scientist, technician, or other personnel, in carrying out the scope of work including:

- Training recipient personnel or detailing Federal personnel to work on the project effort;
- Reviewing and approving one stage of work before the next stage can begin;
- Reviewing and approving, prior to recipient action, proposed modifications or sub-awards;
- Helping select project staff or trainees;
- Directing or redirecting the work because of interrelationships with other projects;
- Immediately halting an activity if detailed performance specifications are not met; and
- Limiting recipient discretion with respect to scope of work, organizational structure, staffing, mode of operations, and other management process, coupled with close monitoring or operational involvement during performance under the award.

C. Eligibility Information

C1. Eligible Applicants

Eligible Applicants
00 – State governments
01 – County governments
02 – City or township governments
04 – Special district governments
05 – Independent school districts
06 – Public and State controlled institutions of higher education
07 – Native American tribal governments (Federally recognized)
08 – Public housing authorities/Indian housing authorities
11 – Native American tribal organizations (other than Federally recognized tribal governments)
12 – Nonprofits having a 501(c)(3) status with the IRS, other than institutions of higher education
13 – Nonprofits without 501(c)(3) status with the IRS, other than institutions of higher education
20 – Private institutions of higher education
21 – Individuals
22 – For profit organization other than small businesses

23 – Small businesses
25 – Others (see text field entitled “Additional Information on Eligibility” for clarification)

Additional Information on Eligibility

For eligible applicants to receive funding, NFPP BIL projects must be developed and implemented in coordination with FAC staff. FAC Program staff work collaboratively with potential applicants to identify common conservation priorities and provide technical assistance to applicants in the generation and development of projects. To be eligible for this funding, potential applicants must work with their local FAC Program staff to ensure the eligibility of their project (see Section D2 for letter of interest and proposal submission process and Section E2 for project review and selection process). Applicants may include, but are not limited to those on this list.

C2. Cost Sharing or Matching

Cost Sharing / Matching Requirement

No

Percentage of Cost Sharing / Matching Requirement

0

NFPP BIL does not require match. However, NFPP BIL seeks to maximize partner leveraging of NFPP investments by securing 50 percent or more of project costs from partners at the program level. The project evaluation criteria below (see section E) outline how the amount of leveraged funds is considered in project review and ranking. Leveraged funds can include any non-NFPP (BIL or annual allocation) funding or in-kind technical services. Applicants may attribute some or all their allowable indirect costs as voluntary committed cost-share, however recipients may only charge to the Federal award the indirect costs calculated against the allowable direct costs charged to the Federal award.

<u>Pre-Award Costs</u>

Both Federal and leveraged pre-award costs incurred up to 90 days prior to the award start date may be requested and will be considered during pre-award negotiations between the applicant and the Service. Incurring pre-award costs before the Service provides a Notice of Award is at the applicant's own risk.

C3. Other

For eligible applicants to receive funding, NFPP BIL projects must be developed and implemented in coordination with FAC staff. FAC Program staff work collaboratively with potential applicants to identify common conservation priorities and provide technical assistance to applicants in the generation and development of projects. To be eligible for this funding, potential applicants must work with their local FAC Program staff to ensure the eligibility of their project (see Section D2 for letter of interest and proposal submission process and Section E2 for project review and selection process).

Fish passage projects are not eligible for funding if they contribute to any Federal or state compensatory mitigation. Fish passage projects are not eligible for funding if fish passage is a condition mandated by Federal or State regulatory programs. Fish passage funds may not be used to construct, operate, or maintain fish passage at facilities licensed or permitted by the Federal

Energy Regulatory Commission (FERC). The BIL did not provide NFPP any new authority to remove, breach, or otherwise alter the operations of a Federal hydropower dam. Projects that have or will be surrendering their FERC license and proposing voluntary fish passage provisions or barrier removal may be eligible for funding. Any dam removal projects shall include written consent of the dam owner if ownership is established.

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

To be considered for funding under this funding opportunity, projects must be developed in collaboration with the Service region where the project is located. If you have a proposed project that meets the Proposal Review Information criteria (Section E1), **please contact your NFPP Regional Coordinator** (Contacts are listed at: https://www.fws.gov/program/national-fish-passage/contact-us.). NFPP Regional Coordinators serve as points of contact for eligible applicants wishing to initiate or continue the proposal process.

Interested applicants will follow this process:

1) Contact the appropriate NFPP Regional Coordinator (*Contacts are listed at: https://www.fws.gov/program/national-fish-passage/contact-us.)*

2) If your project meets NFPP eligibility, submit a Letter of Interest per the deadline and content *identified in Section D2*,

3) Select applicants will work with Service staff to develop a proposal that addresses the criteria in *Section E2 Review and Selection Process.*

Only applicants who have successfully completed these steps and have been selected for funding will be invited to submit an application in GrantSolutions.

For programmatic technical assistance, contact:
Pacific (ID, OR, WA, HI, the Commonwealth of the Northern Mariana Islands, and the territories of American Samoa and Guam,): John Netto, 503-724-8366, John_netto@fws.gov

Southwest (AZ, NM, OK, TX): Trevor Luna, 505-617-5872, Trevor_luna@fws.gov

Midwest (IA, IL, IN, MI, MN, MO, OH, WI): Justin Chiotti, 248-891-0087, Justin_chiotti@fws.gov

Southeast (AL, AR, FL, GA, KY, LA, MO, NC, SC, TN, Puerto Rico, U.S. Virgin Islands): Walter "Tripp" Boltin, 843-819-1229, Walter_boltin@fws.gov

Northeast (CT, DE, MA, MD, ME, NH, NJ, NY, PA, RI, VA, VT, WV): Cathy Bozek, 413-253-8661, Catherine_bozek@fws.gov

Mountain-Prairie (CO, KS, MT, ND, NE, SD, UT, WY): Kevin Johnson, 720-402-9506, Kevin_m_johnson@fws.gov

Alaska (AK): Michael Daigneault, 907-830-9649, Michael_daigneault@fws.gov

Pacific Southwest (CA, NV): Ryan Fogerty, 530-340-7900, Ryan_fogerty@fws.gov

Program Website Link
Due Date for Letters of Interest 11/17/23. NFPP https://www.fws.gov/program/national-fish-passage

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".

Do not fill out an SF-424 or submit an application in GrantSolutions unless you have been invited.

Letter of Interest

To be considered for NFPP BIL funding, interested applicants must submit a Letter of Interest (LOI) via email to their respective NFPP Regional Coordinator by **11:59 p.m. Eastern Time on November 17, 2023** (Contacts are listed at: https://www.fws.gov/program/national-fish-passage/contact-us).

The LOI shall include:

- a statement of interest in receiving funding under this NFPP BIL funding opportunity announcement,
- the project name (project name should have a 50-character limit. This name will be used in publications and web stories. Consider using geographically descriptive site names.),
- the precise location (latitude/longitude coordinates) of the project; for projects with multiple sites, include coordinates for each site,
- a brief (1-4 sentence) description of the project objectives and benefits,
- requested funding amount and expected total project cost,
- list of expected partners, and
- name and contact information of the interested applicant.

Prior to submitting a LOI, eligible applicants should contact their respective NFPP Regional Coordinator or FAC field staff to discuss how their project aligns with NFPP BIL, regional, and Service priorities. If applicants are already developing NFPP BIL projects in coordination with FAC staff, applicants may continue to do so without coordinating directly with their NFPP Regional Coordinator. However, all applicants are required to submit a LOI by the deadline to express interest in the funding opportunity for a specific project. Eligible applicants shall continue to coordinate with and discuss project information relevant to the criteria and review process steps listed in Section E with their field or regional FAC Program staff after submitting a LOI.

For select projects, the USFWS region will request more detailed project information addressing the Selection Criteria, for further multi-step review. See Section E2 Review and Selection Process for more information.

Applicants that have been selected for funding according to *Section E2 Review and Selection Process* will be notified in spring 2024. **Only those applicants selected for funding will be invited to submit** full applications in GrantSolutions, due no later than 11:59 p.m. Eastern Time on December 31, 2024 for FY 2024 funding and September 30, 2025 for FY2025 funding. If chosen, full applications in GrantSolutions must include the required standard forms, information, documentation, and statements, as described below. The Service will provide all required forms in the GrantSolutions announcement application kit, unless otherwise described below. Submission in GrantSolutions of forms requiring signature is the equivalent of a wet or digital signature.

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
Only applicants selected for funding will be asked to submit narratives in GrantSolutions. Service staff will work directly with successful applicants on narrative format.

Do not fill out a SF-424 or submit an application in GrantSolutions unless you have been invited.

SF-424A, Budget Information for Non-Construction Programs
Applicants must complete and submit the SF-424A Budget Information form for Non-Construction Programs or Projects. All required application forms are available with this announcement on Grants.gov or in GrantSolutions. Federal award recipients and subrecipients are subject to Federal award cost principles in Title 2 of the Code of Federal Regulations (CFR) part 200. Applicants must show funds requested from this Federal program separately from any

other Federal sources of funding. In “Section A – Budget Summary” on the SF-424A form enter the funding requested from this Federal program in the first row. Identify any other Federal funding sources and amounts in the required Budget Narrative (see below). In the SF-424A “Contractual” category total, do not combine estimated subawards and contractual costs. Use the “Contractual” category to reflect estimated contractual costs only. Enter estimated subaward costs in the SF-424A “Other” category. Provide a separate description and total estimated costs for both contractual and subaward costs in the required Budget Narrative (see below).

Do not fill out a SF-424 or submit an application in GrantSolutions unless you have been invited.

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).

Do not fill out a SF-424 or submit an application in GrantSolutions unless you have been invited.

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. Provide a separate description and total estimated costs for both contractual and subaward costs. If equipment previously purchased with Federal funds is available for the project, provide a list of that equipment and identify the Federal funding source. Identify any third-party cash or in-kind contributions that a partner or other entity will contribute to the project and describe how the contributions directly and substantively benefit completion of the project. For in-kind contributions, identify the source, the amount, and the valuation methodology used to determine the total value. See 2 CFR §200.306 for more information. Please note the prohibitions on certain telecommunications and video surveillance services or equipment in 2 CFR 200.216. The Department of the Interior’s Unmanned Aircraft web page provides a list of approved unmanned aircraft and related equipment and software.

Do not fill out a budget narrative in GrantSolutions unless you have been invited.

Conflict of Interest Disclosure

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

a. *Applicability*.
    1. This section intends to ensure that non-Federal entities and their employees take appropriate steps to avoid conflicts of interest in their

responsibilities under or with respect to Federal financial assistance agreements.

2. In the procurement of supplies, equipment, construction, and services by recipients and by sub recipients, the conflict of interest provisions in 2 CFR§200.318 apply.

b. *Notification*.

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

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

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

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

Uniform Audit Reporting Statement

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

Certification Regarding Lobbying

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

Disclosure of Lobbying Activities

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

Overlap or Duplication of Effort Statement

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

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

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

This requirement does not apply to individuals applying for funds as an individual (i.e., unrelated to any business or nonprofit organization you may own, operate, or work within), or any entity with an exception to bypass SAM.gov registration with prior approval from the funding bureau or office in accordance with bureau or office policy. All other applicants are required to register as a financial assistance recipient in SAM.gov prior to submitting a Federal award application and obtain a Unique Entity Identifier (UEI). A Federal award may not be made to an applicant that has not completed the SAM.gov registration. If an applicant selected for funding has not completed their SAM.gov registration by the time the program is ready to make an award, the program may determine the applicant is not qualified to receive an award. Federal award recipients must also continue to maintain an active SAM.gov registration with current information through the life of their Federal award(s). Entities already registered in SAM.gov should review their registration to confirm that they are registered as a financial assistance recipient, which requires completion of the SAM.gov "Financial Assistance General Certifications and Representations". See the "Submission Requirements" section of this document below for more information on SAM.gov registration.

Applicants can register on the SAM.gov 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
12/31/2024

Application Due Date Explanation
Interested applicants will follow this process:

1) Contact the appropriate NFPP Regional Coordinator (*see https://www.fws.gov/program/national-fish-passage/contact-us for contact information*),

2) If your project meets NFPP eligibility, submit a Letter of Interest per the deadline and content *identified in Section D2*,

3) Select applicants will work with Service staff to develop a proposal that addresses the criteria in *Section E2 Review and Selection Process.*

Regional and National review will occur in fall 2023 and winter of 2024 with final project selections announced in spring 2024. Full applications in GrantSolutions for selected projects are **by invitation only** and are due by 11:59 p.m. Eastern Time on December 31, 2024 for FY24 funding or September 30, 2025 for FY2025 funds. See *Section D2 Content and Form of Application Submission* and *Section E2 Review and Selection Process* for deadlines and specific process information. **Do not submit applications in GrantSolutions unless you have been invited.**

Due Date for Applications in GrantSolutions (Invited Applicants only)

No later than December 31, 2024, for FY24 funds; and no later than September 30, 2025, for FY25 funds.

D5. Intergovernmental Review

An intergovernmental review may be required for applications submissions from a U.S. state or local government prior to submission. Applicants must contact their State's Single Point of Contact (SPOC) to comply with the state's process under Executive Order 12372. The State

Single Point of Contact list is available on the OMB Office of Federal Financial Management website.

D6. Funding Restrictions

Indirect Costs: Individuals

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

Indirect Costs: Organizations

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

Organizations must have an active Federal award before they can submit an indirect cost rate proposal to their cognizant agency. Failure to establish an approved rate during the award period renders all costs otherwise allocable as indirect costs unallowable under the award. Recipients may not shift unallowable indirect costs to another Federal award unless specifically authorized to do so by legislation.

Required Indirect Cost Statement to be submitted by Organization:

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

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

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

- We are a U.S. state or local government entity receiving $35 million or less in direct Federal funding. We prepare and retain for audit an indirect cost rate proposal and documentation per 2 CFR 200, Appendix VII. Our current indirect cost rate is [insert rate], which is charged against [insert a complete description of the direct cost base used to distribute indirect costs to the award].
- We are a U.S. state or local government entity receiving $35 million or less in direct Federal funding. We have not prepared an indirect cost rate proposal and documentation per 2 CFR §200, Appendix VII and elect to charge the de minimis rate of 10% of Modified Total Direct Costs as defined in 2 CFR §200.1. We understand we must use this methodology consistently for all Federal awards until we choose to establish a rate per 2 CFR §200. We understand we must notify the Service in writing if we establish a rate

that changes the methodology used to charge indirect costs during the award period. We understand that additional Federal funds may not be available to support an unexpected increase in indirect costs during the project period and that such changes are subject to review, negotiation, and prior approval by the Service.

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

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

Costs (MTDC) as defined in 2 CFR §200.1. If we have never negotiated a rate, we understand we must use the de minimis rate of 10% of MTDC.

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

This section applies to projects that have been notified that they have been selected for funding. Do not submit Indirect Cost Statements unless you have been notified that your project has been funded.

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.

Only applicants selected for funding will be asked to submit applications in GrantSolutions. Do not submit any documents in GrantSolutions unless you have been invited.

E. Application Review Information

E1. Criteria

Reviewers will assign scores to proposals ranging from 0 to 100 points based on the following criteria and respective weights specified below. Proposals that best address these criteria will be most competitive. Partners who submit a LOI by the deadline may be invited to submit a full project proposal responsive to the following criteria. Partners should seek assistance from FAC staff on proposal and budget format.

Ecological Benefits (Total of 55 points)

Benefits to Priority Species and Habitats (20 points): this criterion assesses the expected benefits of the project for priority species and habitats, including how the project will enhance climate change resilience for species and habitat. To what extent is the project expected to address, mitigate, or resolve limiting factors or otherwise contribute to the recovery or sustainability of native priority species and their habitats? How significant is the expected impact of the project on the affected species and habitats? Clearly indicate if the project addresses components of established recovery, management, or state wildlife action plans, if applicable, for the species benefited.

- For the purposes of this NOFO, native priority species include Federal trust species, Service regional priority species, as well as species that may be considered Tribal trust resources (as defined in 510 FW 1 The Service's Native American Policy) and Species of Greatest Conservation Need as defined in State Wildlife Action Plans. Indicate species listing status under ESA if it applies to any species benefitted.
- This may include the number of stream miles reopened or acres of wetland or floodplain habitat restored or reconnected. If including stream miles reopened or aquatic habitat connected, please include an explanation of the geographic context, expected species use or benefits, and/or quality of the habitat to be reopened.
- Indicate if the project is expected to benefit several priority species and a variety of life stages including passage to/ restoration of spawning, rearing, and/or foraging habitats or habitats of special significance to the species life history. Projects that will benefit more than one priority species, a variety of life stages, or identified important habitat will score higher on this criterion.
- To what extent is the project expected to enhance natural system ecological resilience (the capacity to recover from or persist through disturbances or changes) for species and habitats vulnerable to climate change and extreme weather events?

Permanence of Fish Passage Benefits (15 points): This criterion focuses on the sustainability of the project benefits. Projects that focus on the removal of barriers and natural channel or floodplain restoration will score higher than projects that focus on establishing passage around a barrier using methods that are reliant on artificial passage structures such as fishways or fish ladders. Natural channel design and floodplain connection projects that restore full fluvial or ecosystem function are expected to have a higher likelihood of long-term success than projects that rely on fishways or other structures that require operations and maintenance or that may need to be modified to continue to provide passage with changing conditions. This criterion also assesses whether there are plans for monitoring the near-term implementation success to ensure the project was built as designed and on an appropriate trajectory for providing sustainable fish passage benefits.

- Describe the fish passage/restoration approach and techniques planned and discuss how the benefits provided by the project are expected to be sustainable into the future considering site and watershed characteristics and possible changing conditions.
- Describe if/how the project aims to restore full fluvial function by adhering to climate-robust design standards that maximize restoration of fluvial, floodplain, or tidal ecosystem processes or by proposing full barrier removal:
  - Design guidance examples: USFWS Culvert Design Guidelines for Ecological Function, NOAA Fisheries West Coast Region Anadromous Salmonid Passage Design Manual 2022

- Does the project propose the removal of an instream barrier rather than the installation of a structure that may require regular operations and maintenance in the future (e.g., fishway)? If a structural solution such as a fishway is proposed, the proposal must include a plan to provide the needed short and long-term operations and maintenance capacity and costs. Does the plan adequately address potential adaptive management and maintenance? Does the plan demonstrate appropriate funding and staffing capacity to implement it long-term?
- Does the project include a plan for near-term implementation monitoring to ensure site/structures were constructed according to approved designs and on an appropriate trajectory to ensure permanence of fish passage benefits?

Regional and Watershed Context (20 points): this criterion assesses the project's importance in the watershed or other geographic context and whether it leverages other investments in ecological restoration in the watershed. Projects that leverage other Federal investments in ecological restoration in the watershed and that are significant in their geographic context will score higher on this criterion.

- How is the project important relative to a watershed, landscape, or other geographic context? How does the project implement restoration priorities or compliment ongoing activities in a larger geographic context?
- Is the project expected to leverage or significantly contribute to regional or watershed restoration efforts including those outlined in a regional or watershed plan or other prioritization established by a Federal, State, local or Tribal fish and wildlife agency?
  - Examples of regional or watershed initiatives could include DOI's Keystone Initiatives, regionally identified priority watersheds, NOAA's Habitat Blueprint, Bureau of Land Management's Restoration Landscapes, or Environmental Protection Agency's Geographic Programs or others.

- In addition to the project's specific watershed context, how does it leverage other investments in the watershed from BIL, the Inflation Reduction Act (IRA), the Conserving and Restoring America the Beautiful Initiative, and other Federally funded programs as appropriate?
  - Examples of non-NFPP funding may include the National Culvert Removal, Replacement, and Restoration Grant Program (Federal Highway Administration); Restoring Tribal Priority Fish Passage through Barrier Removal under the IIJA (NOAA Fisheries); Rehabilitation of High Hazard Potential Dam Grant Program (FEMA); and Legacy Roads and Trails Program (USFS).

Human Community Benefits (Total of 30 points)

Benefits for human community resilience to climate change impacts and other co-benefits (15 points): this criterion assesses how the project will improve resiliency to the impacts of climate change and provide other social/ economic benefits for human communities.

- To what extent will the project improve resilience (the capacity to recover from or persist through disturbances or changes) to the impacts of climate change for the surrounding human community? How will the project actions reduce vulnerability to the specific climate change impacts or hazards that are most threatening to the local community?

To what extent will the project provide other co-benefits for the community such as improved public safety, benefits to public transportation systems, reduced flood risk, increased recreational opportunities, or long-term job creation?

Achieves Environmental Justice Goals of Investing in Communities (10 points): this criterion assesses whether the project will provide meaningful and measurable benefits to Tribal community or to an identified Disadvantaged community.

- Is the project located within and/or will the project benefit extend into a community identified as "disadvantaged" on the CEQ Climate and Economic Justice Screening Tool (CEJST)? https://screeningtool.geoplatform.gov/en/#3/33.47/-97.5 If so, proposals should list the community tract number(s) identified as disadvantaged in the CEJST that will benefit.
- The CEJST is the primary tool that should be used in identifying disadvantaged communities, though the following tools provide additional sources of information related to specific factors that impact disadvantaged communities and may be referenced to support narrative responses.
- Communities identified as disadvantaged through tools other than CEJST can receive partial points in this category. See reference variables listed in OMB Memo M-21-28 (Interim Definition of Disadvantaged Communities, p. 2) and supporting data from geospatial tools below for other factors that contribute to disadvantaged communities:
    - EPA EJ Screen: https://www.epa.gov/ejscreen to use EJ Screen factors in identifying a community as disadvantaged, list the national percentile of ***50th or above*** for indices relevant to variables listed in OMB memo.
    - CDC Social Vulnerability Index: https://www.atsdr.cdc.gov/placeandhealth/svi/index.html, to use CDC SVI factors in identifying a community as disadvantaged, list a 2018 Overall SVI Score of 0.5 or above, or 0.5 or above for individual themes relevant to variables listed in OMB memo.
    - If the project will benefit a community identified as disadvantaged, describe the specific, realistic, and meaningful project benefits to the community that will result from the project. Some examples of factors that may provide benefits could include transportation safety or security improvements achieved by addressing failing infrastructure (culverts or dams); removal of legacy structures that have negative impacts to public safety or water quality, reduction of flood or fire potential, improvements to greenspaces that can provide access for recreation or reduce urban heat island impacts, etc.

- Will a Tribal or Indigenous community benefit from the project? Describe clearly the specific, meaningful project benefits to the indigenous community. In addition to the factors described above, when describing benefits to indigenous communities, consider the restoration of tribal treaty rights and resources, activities on tribal lands or throughout traditional use areas, subsistence resources, as well as fish populations that are essential to indigenous culture.
  - Indigenous communities may refer to Indian Tribes (as defined in 25 U.S.C. 5304(e)), Native Hawaiian Communities, tribal commissions, tribal consortia, and other tribal organizations.

Is this a Tribal Project? (5 points):

- Is an Indian Tribe (as defined in 25 U.S.C. 5304(e)) intended to be the prime recipient of the funding, a substantially involved partner on the project, or the primary beneficiary of project benefits? Substantially involved partner is defined as a Tribe being a project signatory or contributing funding, in-kind match, or material resources to the project. Specific information related to verifying Tribal substantial involvement should be provided or will be requested during the project review and ranking phase.

Partnerships, Funding, and Timeline (Total of 15 points)

Leveraged Funds (5 points): this criterion assesses the ratio of leveraged funds to maximize species conservation.

- While there is no mandatory match requirement, projects with a higher ratio of leveraged funds will score higher on these criteria. NFPP encourages cost and resource sharing to build partnerships and demonstrate partner support for the projects. To what extent will the project leverage non-NFPP funds? Leveraged funds can include any non-NFPP funding or in-kind services or materials. List the specific funding sources and funding program, funding amounts, and status (pending, secured).
- Projects where the intended funding recipient is an Indian Tribe (as defined in 25 U.S.C. 5304(e)) will receive full points under this sub-criterion, regardless of the actual leveraged funds.

Community Support (5 points): this criterion assesses whether there is broad stakeholder and community support for the project, demonstrated through contributions of financial and technical resources, prioritization of the project in management plans or other planning efforts, or other commitments to the project’s success.

- To what extent is the project supported by partners and the local community? Include key affected stakeholders, such as state agencies managing affected species/resources and tribes with affected tribal resources.

Estimated Project Duration and Timeline of Project Milestones (5 points): this criterion assesses whether there is a clear and reasonable timeline for project completion. Projects that demonstrate that they can proceed to construction and provide fish passage benefits within 1-4 years will score higher on this criterion.

- Clearly describe what stage/s of the project and key components are being considered for funding.

- Fill out the budget table and clearly indicate the anticipated month / year planned for implementation of each key task as well as the associated NFPP requested funding amount for each task.
- If the proposal primarily includes feasibility and planning activities, does the proposal include an explanation of known or expected technical approaches and key steps and timelines for full implementation of the project? Does proposal demonstrate that the project could proceed to construction in a timely manner (ideally construction complete within 1-4 years, even if outside this funding request / award)?
- For construction projects, does the timeline for key milestones such as the status of relevant permitting and environmental compliance indicate that the project can realistically proceed to construction and provide fish passage benefits in a timely manner (ideally construction complete within 1-4 years)?

Example Budget Table

Project Component (salary, materials, subcontracts for construction, etc.)	Planned Month / Year to Implement	NFPP Funding Request
Total		

E2. Review and Selection Process

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

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

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

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

Interested applicants will follow this process:

1) Contact the appropriate NFPP Regional Coordinator (*Contacts are listed at: https://www.fws.gov/program/national-fish-passage/contact-us)*.

2) If project meets NFPP eligibility, submit a Letter of Interest per the deadline and content *identified in Section D2*,

3) Select applicants will work with Service staff to develop a proposal that addresses the criteria in *Section E2 Review and Selection Process.*

Only applicants who have successfully completed these steps and been selected for funding will be invited to submit an application in GrantSolutions.

Regional Review and Proposal Process

NFPP BIL projects should be developed and implemented in coordination with FAC field or regional staff. FAC staff work collaboratively with potential applicants to identify common conservation priorities and provide technical assistance to applicants in the generation and development of projects. After projects are discussed with FAC staff, to be eligible for this funding, interested applicants must submit a LOI to the appropriate NFPP Regional Coordinator via email by the deadline. See *Section D2 Content and Form of Application Submission* for additional information on the deadline and requirements for submitting a LOI.

Projects developed in coordination with field or regional FAC Program staff that have an LOI submitted by the deadline, may be invited to submit a full project proposal responsive to the ranking criteria outlined in Section E1. These eligible projects will be reviewed by and prioritized within each respective Service region, considering the NFPP BIL criteria included herein and other regional priorities. Service regions will submit a ranked project list to the National Review and selection process facilitated by FAC headquarters (HQ) as explained below.

Note: Applicants are encouraged to discuss projects with field or regional FAC Program staff as early as possible. NFPP Regional Coordinators serve as key points of contact for the program and can direct applicants to appropriate FAC Program staff contact in the project area. Contacts are listed at:https://www.fws.gov/program/national-fish-passage/contact-us. Applicants may also visit our website to find the nearest FAC Program facility: https://www.fws.gov/our-facilities or more information on the National Fish Passage Program https://www.fws.gov/program/national-fish-passage.

National Review and Project Selection

Projects proposed by Service regions will undergo a national level review and selection process based on how well they meet the program priorities outlined in Section A and the evaluation criteria included in Section E1 of this funding opportunity announcement. Proposed projects will be evaluated and ranked by a national subject-matter expert review panel (Panel) consisting of Service employees and other subject-matter experts. Panelists will independently review the information for each of the projects proposed by the Regions and score each project according to the project evaluation criteria (see *Section E1 Criteria*). The Panel will make recommendations regarding which proposals best meet the program objectives and criteria (sections A and E1, respectively). The Panel may convene in person or by teleconference, video conference, or other electronic means to discuss applications.

The ranked project list developed through the Panel will be reviewed by FAC program, Service, and DOI leadership for final project selection and approval. Additional selection factors that reflect FAC program, Service, and DOI leadership priorities may be applied. These selection factors may include consideration of the following:

- Offer special consideration to projects that achieve watershed-scale benefits or fit within larger geographic priority areas as defined by the Service or DOI.
- Provide balance to the distribution of funds by geographic area.
- Provide balance to the distribution of funds by partner type.
- Consider whether the project duplicates other projects funded by or considered by the Service or other funding agencies.
- Consider whether projects meet climate resilient community goals to create long-lasting and transformational benefits, such as reduction of flood or fire risk or permanent removal of a high hazard structure.

Once projects are selected and applicants have been notified that their project has been selected for funding, applicants must submit a formal application in GrantSolutions according to *Section D2 Content and Form of Application Submission*. Applicants should not submit applications to GrantSolutions until the Project Evaluation and Selection process described above is complete, and they have been notified that their project is selected.

E3. CFR – Regulatory Information

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

E4. Anticipated Announcement and Federal Award Dates

F. Federal Award Administration Information

F1. Federal Award Notices

The Service will announce project selections in spring of 2024. Successful applicants will be contacted by Service staff to negotiate a final application package. The exact amount of and fiscal year of funds to be awarded, the final scope of activities, the award duration, and specific Service cooperative involvement with the activities of each cooperative agreement award will be determined in pre-award negotiations. If additional funding subsequently becomes available, additional applications may be selected through the processes identified in this announcement without further competition. Funding for programs listed in this notice is contingent upon the availability of funds. Applicants are hereby given notice that funds may not have been appropriated yet for the programs listed in this notice. Publication of this announcement does not oblige the Service to award any specific project or to obligate any available funds.

F2. Administrative and National Policy Requirements

See the DOI Standard Terms and Conditions for the administrative and national policy requirements applicable to DOI awards.

See the Service's General Award Terms and Conditions for the general administrative and national policy requirements applicable to Service awards.

Buy America Provision for Infrastructure: Required Use of American Iron, Steel, Manufactured Products, and Construction Materials.
As required by Section 70914 of the Infrastructure Investment and Jobs Act (Pub. 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 the iron, steel, manufactured products, and construction materials used in the project are produced in the United States, unless subject to an approved waiver. Recipients conducting infrastructure projects under the award must include related requirements all subawards, including all contracts and purchase orders for infrastructure work or products under this program. For the full text term applicable to infrastructure and related waiver request standards and procedures, see the Service's General Award Terms and Conditions.

The Service may choose to recommend or award funding using FY24 or FY25 funding. Once projects are approved, Service staff will determine award levels by fiscal year. Projects may be funded entirely or partially with funding from one or multiple fiscal years (multi-year award). Once project selections are approved, recipients of multi-year awards will not need to compete for funding in subsequent years for the same award. The Service expects, but is not obligated, to provide additional funding to multi-year awards in subsequent years. In this case, a budget narrative and SF-424A that identifies each separate year of requested funding will be required prior to an award offer. Adding funds to a multi-year award is contingent on the availability of funds and satisfactory performance and is at the sole discretion of the Service. The exact amount of funds to be awarded, the final scope of activities, the project duration, and specific Service cooperative involvement with the activities of each project will be determined in pre-award negotiations among the applicant, the Financial Assistance Support and Oversight staff, and Service FAC program staff.

Recipients will be obligated to assist the Service in complying with all relevant requirements and implementing guidance issued to Federal agencies by the Office of Management and Budget (OMB), particularly with respect to any requirements related to the BIL that may be determined at a later time. The Service anticipates additional guidance may be forthcoming related to responsibilities of recipients of grants and cooperative agreements, including guidance on agency-wide or government-wide requirements.

Signage and Status Reporting Requirements

Funding for projects under this NOFO is provided through the NFPP via appropriations under the Infrastructure Investment and Jobs Act of 2021 (PL 117-58), also known as BIL. These funds will help address climate change and rebuild ecosystems to provide long-lasting benefits to the American people.

The Service will execute these funds with substantial staff involvement through cooperative agreements, grants, or other funding mechanisms in which staff will communicate closely with funding recipients to ensure timely reporting reflecting the status of significant milestones, as well as project scheduling, costs, and financial and budgetary statuses.

In addition, the DOI encourages the use of public signage on projects funded in whole or in part by BIL. Clear and prominent construction signage on projects is one of several ways to inform taxpayers about how Federal funds from these laws are being spent and advance the goals of accountability and transparency. Construction signs should be displayed, where appropriate and practical, throughout the construction phase of the project in an easily visible location that can be directly linked to the work taking place and be maintained in good condition throughout the construction period. Award-specific conditions for construction signage may require the use of official BIL Investing in America signs for which the Service may coordinate ordering and shipping.

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:
See attached Program Contact list or https://www.fws.gov/program/national-fish-passage/contact-us

Telephone:

Email:

G2. Program Administration

For **program administration assistance**, contact:

First and Last Name:
Amy Horstman

Telephone:
503-704-7508

Email:
amy_horstman@fws.gov or nfpp@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.