Columbia and Remnant Dam Removals, Paulins Kill River, Warren County, New Jersey

Notice of Funding Opportunity Number: [insert number auto-generated from PRISM]

Federal Program: Department of the Interior, United States (U.S.) Fish and Wildlife Service, Natural Resource Damage and Assessment Program

Catalog of Federal Domestic Assistance (CFDA) Number: 15.658

Authorizing Legislation: the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), as amended (42 U.S.C. §§ 9601, *et seq*.); the Oil Pollution Act (OPA) (33 U.S.C. §§ 2701, *et seq*.); the Federal Water Pollution Control Act or Clean Water Act (CWA), as amended (33 U.S.C. §§ 1251, *et seq*.); the Final Restoration Plan and Environmental Assessment for the Combe Fill South Landfill Superfund Site, Morris County, New Jersey (June 2016); and the Final Restoration Plan and Environmental Assessment Addendum for the Combe Fill South Landfill Superfund Site, Morris County, New Jersey (December 2017).

Paperwork Reduction Act Statement: We are collecting this information in accordance with the authorizing legislation identified above. Your response is required to obtain or retain a benefit. We will use the information you provide to conduct a competitive review and select projects for funding and, if awarded, to evaluate performance. We may not conduct or sponsor and you are not required to respond to a collection of information unless it displays a currently valid Office of Management and Budget (OMB) control number. We estimate that it will take you on average about 40 hours to complete an initial application, about 3 hours to revise the terms of an award, and about 8 hours per report to prepare and submit financial and performance reports, including time to maintain records and gather information. Actual time for these activities will vary depending on program-specific requirements. You may send comments on the burden estimate or any other aspect of this information collection to the Information Collection Clearance Officer, U.S. Fish and Wildlife Service, MS BPHC, 5275 Leesburg Pike, Falls Church, VA 22041-3803.

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

I. Program Description

The U.S. Fish and Wildlife Service's Natural Resource Damage Assessment and Restoration (NRDAR) Program's purpose is to restore natural resources and their services that have been injured by an oil discharge or hazardous substance release for the benefit of the American people.

NRDAR meets several of the Department of the Interior (DOI) Priorities and Key Initiatives for Financial Assistance. We work collaboratively with our natural resource co-trustees (select federal government agencies with natural resource trusteeship, as well as states, territories, and federally recognized tribes) to form a case (or site) specific Trustee Council and conduct damage assessment and restoration activities. These activities rely upon expanded lines of communication within the Trustee Council and collaboration between the Trustee Council and the general public to establish mutual interest. Specifically, NRDAR activities include working cooperatively with all members of the Trustee Council to: identify which natural resources and services have been injured, determine the extent of the injuries, recover damages from those responsible, and plan and carry out restoration activities to offset the injuries and lost services. As a part of the restoration planning, the Trustee Council is required to seek and consider public comment regarding proposed restoration actions and projects, furthering open lines of communication to stakeholders that aren't on the Trustee Council and increasing mutual interest. Through the collaborative nature of the Trustee Council and the requirement to seek public input into restoration planning, all NRDAR activities meet two DOI Priorities: 3(b) expand the lines of communication with governors, state natural resource offices, fish and wildlife offices, water authorities, county commissioners, tribes, and local communities; and 4(b) solidify mutual interests between the U.S. and the freely associated states and territories.

The NRDAR Trustee Council for the Combe Fill South Landfill Superfund Site, acting on behalf of the public and with the approval of the public, finalized an Addendum to the Final Restoration Plan and Environmental Assessment (Final Addendum), which selected the removal of the Columbia and Remnant Dams for restoration implementation. The Final Addendum is available at: www.fws.gov/northeast/njfieldoffice/ pdf/ CombeFill_ FinalAddendum.pdf.

This is an announcement for issuing an incremental funding amendment to a single source financial assistance award to The Nature Conservancy-New Jersey (TNC) for conducting the Columbia and Remnant Dam Removals, Warren County, New Jersey (NJ). This announcement is for notification purposes only. The intent of the award is to improve water quality, fish passage, and recreational opportunities of the lower Paulins Kill River through the removal of the Remnant Dam, the removal of the Columbia Dam, and the initiation of the restoration and stabilization of the river channel within the project area (as necessary), and within the 44.5-acre floodplain of the Columbia impoundment. The Columbia and Remnant Dams are located on the Paulins Kill River just upstream of the confluence with the Delaware River, and are situated within 1,098 acres of state-owned land (*i.e*., the Columbia Wildlife Management Area). The Paulins Kill River is the third largest NJ tributary draining to the Delaware River, and has a major impact on the people and wildlife that live within its watershed and on nearby stretches of the Delaware River. The Columbia and Remnant Dam removals are ranked in the top 5% of all dams prioritized for removal by the Northeast Association of Fish and Wildlife Agencies, due to their profound impact on migratory fish.

The Columbia and Remnant Dams significantly contribute to the degradation of water quality in the lower Paulins Kill River, and also degrade aquatic habitat, block migratory fish passage from the Delaware River (*i.e*., American shad, blueback herring, American eel), and diminish public fishing and recreational opportunities. Dam removal will improve water quality and aquatic habitat for fish and wildlife resources, and will provide fish passage for migratory aquatic species. This project will shift the balance towards providing greater public access to public lands, by improving fishing and boating access and by enhancing nature-based recreational opportunities within the project area (*e.g*., hiking, hunting, wildlife viewing), thereby meeting DOI Priority 1(g), and DOI Key Initiative 4: providing access to outdoor recreation opportunities. Dam removal will additionally reduce the regulatory burden placed on the dam owner for licensure and inspection, and will eliminate future costs associated with maintenance, liability, and mandatory upgrades (DOI Priority 7(a)).

Criteria for funding was based, in part, on the projects ability to yield the greatest return on investment by taking advantage of existing project planning efforts, financial investments, and in-kind contributions by TNC and its partners; and the likelihood of successful enhancement of fish and wildlife resources and their habitats. TNC and the Service have developed this project in close collaboration with various state, Federal, private, and non-governmental partners who have provided technical expertise in science-driven dam removal, fish passage, and aquatic restoration projects in NJ, thereby meeting DOI Priority 1(e): foster relationships with conservation organizations advocating for balanced stewardship and use of public lands, and 1(a): utilize science to identify best practices to manage land and water resources and adapt to changes in the environment.

Funds provided by this award will be used in conjunction with monies and in-kind donations from multiple other sources, making this project cost-effective to the government. This project can be implemented and completed within a short timeframe because many precursory components of the dam removal process are complete, including, but not limited to: sediment investigation and analysis; hydraulics modeling; 90% engineering and design plans; state and local permit approvals; and federal compliance documentation.

NRDAR restoration activities create jobs and support local economies (DOI Priority 5(c) and Key Initiative 3). A 2016 USGS study analyzed the economic benefits from restoration projects, including NRDAR specific projects. The study found for every $1 million invested in ecosystem restoration, between 13 and 32 job-years and $2.2 to $3.4 million in total economic output are contributed to the U.S. economy. Dam removal projects, in particular, are known to generate significant economic benefits for the American people. Each mile of river opened so that fish can move freely can contribute an estimated $515,000 in social and economic benefits once fish populations are at their full productivity (Charbonneau and Caudill 2010). The proposed dam removals will open up 11 miles of mainstem river and 22 miles of tributary streams, with the potential to generate an estimated $16.9 million in social and economic benefits.

II. Federal Award Information

The Service intends to amend a sole source award of a Cooperative Agreement awarded to TNC on August 7, 2018. This award is for the amount of $1,045,928 in incremental funds for payment of costs associated with the removal of the Columbia and Remnant Dams, including costs associated with the restoration and stabilization of the river channel within the project area, and within the 44.5-acre floodplain of the Columbia impoundment. This amendment covers changes to award funding only. There are no changes to other aspects of the Recipient's responsibilities, including, but not limited to: the period of performance; reporting requirements; or any other terms of the original award as outlined below and in the original Notice of Award dated August 7, 2018. The anticipated start date of this award amendment is February 2019.

Criteria for sole source funding were based, in part, on TNC's unique qualifications to support and implement the proposed project. TNC is a non-profit organization whose mission is to protect the lands and waters of New Jersey. One of TNC's current goals is to work with partners to improve the lower Paulins Kill River, in part, by removing obsolete dams that impede water flow, degrade water quality, increase non-native species abundance, block fish passage, and diminish public fishing and recreational opportunities. TNC has successfully led efforts over the past decade (in cooperation with state, Federal, private, and non-governmental partners) to fund and remove multiple dams throughout the State of New Jersey.

TNC's has acted as the lead non-governmental entity for the Columbia and Remnant Dam removal project since 2013, and has demonstrated a high level of proficiency in previous and ongoing project planning and management. TNC has provided in-kind and financial contributions for feasibility studies, 90% engineering design plans, permits, and has provided in-kind staff time and resources for ongoing scientific monitoring services. TNC has successfully acquired additional funds to support cost-sharing for this project, significantly reducing the overall cost of this project to the government. TNC has developed this project in close collaboration with various state, Federal, private, and non-governmental partners who have provided technical expertise in science-driven dam removal, fish passage, and aquatic restoration projects in NJ. As such, TNC possesses the necessary skills and expertise to organize and complete the proposed project.

The Service will be substantially involved in efforts undertaken with this funding opportunity. In particular, the Service will be responsible or the following: (1) review and approval of final design plans and other project-related documents related to dam removal efforts, fish passage elements, and stream restoration activities to ensure that project activities are appropriate to reach conservation goals and meet the requirements for compliance with federal laws; (2) review and approval of sub-awards (*e.g.*, construction bids); (3) review and approval of proposed modifications to project activities; (4) determine scope, timing, and prioritization of project activities in the event of budget shortfalls; (5) facilitate weekly construction oversight meetings (in person or via phone) between TNC and project partners (*e.g.*, New Jersey Department of Environmental Protection, Princeton Hydro, sub-awardee(s)); (6) provide technical support during any public meetings and/or outreach events to inform the public of project activities and review feedback from the public.

III. Eligibility Information

A. Eligible Applicants

TNC is eligible to apply. TNC is a non-profit 501(c)(3) organization whose mission is to protect the lands and waters of New Jersey, including improving the health of the Paulins Kill River and its watershed, and its natural resources.

U.S. non-profit, non-governmental organizations with 501(c)(3) Internal Revenue Service (IRS) status must provide a copy of their status determination letter received from the IRS.

B. Cost-Sharing or Matching

Cost-sharing is not a requirement, but leveraging technical and financial assistance through voluntary partnerships is encouraged.

C. Other Eligibility Criteria

TNC is eligible to apply. Federal law mandates that all entities applying for Federal financial assistance must have a valid Dun & Bradstreet Data Universal Number System (DUNS) number and have a current registration in the System for Award Management (SAM). See Title 2 of the Code of Federal Regulations (CFR), Part 25 for more information.

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

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

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

IV. Application Requirements

A. Requesting Paper Application Package

Application forms can be found at: https://www.grants.gov/web/grants/forms/sf-424-family.html#sortby=1, or by a written/verbal request submitted to the agency officer listed in section VIII below.

B. Application Form and Content Requirements

The Applicant must submit all of the SF-424 forms listed below; an Amendment Project Narrative; an Amendment Budget; and any additional required materials listed below that have been revised or updated since the applicant's original award, dated August 7, 2018. For example, the Applicant may need to submit an updated NICRA agreement.

1. SF-424, Application for Federal Assistance

Applicants must submit the appropriate Standard Form (SF)-424, Application for Federal Assistance. Individuals applying as a private citizen (i.e., unrelated to any business or nonprofit organization you may own or operate in your name), must complete the SF-424, Application for Federal Assistance-Individual form. All other applicants must complete the standard SF-424, Application for Federal Assistance. All of the required application forms are available on the "Packages" tab of this Funding Opportunity on Grants.gov. The SF-424, Application for Federal Assistance must be complete, and signed and dated. Please note: Enter only the amount requested from this Federal program in the "Federal" funding box on the SF-424 Application form. Include any other Federal sources of funding in the "Other" box, and provide details on those Federal source(s) and funding amount(s) in the required Budget Narrative (see the "Budget Narrative" section below).

2. SF 424, Assurances

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

3. Amendment Project Narrative

The Amendment Project Narrative should include the following information:

- Project title;
- Reason(s) why the amendment is requested;
- Description of the activities and anticipated products/outcomes to result from the additional incremental funding; and
- Description of how funding will complete, make up for a deficiency, or strengthen the already described and approved project scope of work.

4. SF-424, Budget Information

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

5. Amendment Budget Narrative

Describe and justify requested budget items and costs. Detail how the SF-424 Budget Information, Object Class Category totals were determined.

6. Indirect Costs: Organizations

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

Organizations must have an active Federal award before they can submit an indirect cost rate proposal to their cognizant agency. Failure to establish an approved rate during the award period renders all costs otherwise allocable as indirect costs unallowable under the award. Recipients must have prior written approval from the Service to use amounts budgeted for direct costs to satisfy cost-share or match requirements or to cover unallowable indirect costs. Recipients shall not shift unallowable indirect costs to another Federal award unless specifically authorized to do so by legislation.

Required Indirect Cost Statement

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

We are:

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

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

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

☐ A [insert your organization type] that has never submitted an indirect cost rate proposal to our cognizant agency. Our indirect cost rate is [insert rate]. If we receive an award, we will submit an indirect cost rate proposal to our cognizant agency within 90 calendar days after the award date.

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

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

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

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

7. Conflict of Interest Disclosure

Applicants must state in their application if any actual or potential conflict of interest exists at the time of submission. Conflicts of interest include any relationship or matter that might place the recipient, including their employees and subrecipients, in a position of conflict, real or apparent, between their responsibilities under the award and any other outside interests. Conflicts of interest include direct or indirect financial interests; close personal relationships; positions of trust in outside organizations; consideration of future employment arrangements with a different organization; and decision-making authority related to the proposed project. Conflicts of interest are those circumstances real or perceived that would cause a reasonable person with knowledge of the relevant facts to question the impartiality of the applicant, or the applicant's employees or subrecipients, in matters pertaining to the proposed project. Applicants must notify the Service in writing in their application if any employees, including subrecipient and contractor personnel, are related to, married to, or have a close personal relationship with any Federal employee in the Federal program receiving this application or who otherwise may be involved in the review and selection of their proposal. The term employee means any individual to be engaged in the performance of work pursuant to the Federal award application. Failure to disclose and resolve conflicts of interest in a manner that satisfies the Service may result in the rejection or disqualification of the application.

8. Single Audit Reporting Statement

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

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

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

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

12. **APPLICATION CHECKLIST**

    ☐ **SF-424, Application for Federal Assistance or Application for Federal Assistance-Individual**

    ☐ **SF-424D, Assurances**

    ☐ **Amendment Project Narrative**

    ☐ **SF-424C, Budget Information**

    ☐ **Amendment Budget Narrative**

    ☐ **Indirect Cost Statement and related documentation (when applicable)**

    ☐ **Conflict of Interest Disclosure (when applicable)**

☐ **Single Audit Reporting Statement (when applicable)**

☐ **SF-LLL, Disclosure of Lobbying Activities (when applicable)**

☐ **Overlap or Duplication of Effort Statement (when applicable)**

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

V. Submission Requirements

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

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

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

2. **Register with SAM**
   Register on the SAM.gov website. The official website address is http://www.sam.gov. The "Help" tab on the website contains User Guides and other information to assist you with registration. The Grants.gov Register with SAM" webpage also provides detailed instructions. You can also contact the supporting Federal Service Desk for help registering in SAM. Once registered in SAM, entities must renew and revalidate their SAM registration at least once every 12 months from the date previously registered. Entities are strongly encouraged to revalidate their registration as often as needed to ensure their information is up to date and reflects changes that may have been to the entity's DUNS or IRS information. Foreign entities who want to receive payment directly to a U.S. bank account must enter and maintain valid, current banking information in SAM.

B. Submission Dates and Times

SUBMISSION DEADLINE: [Enter submission deadline date(s) or open period start and end dates and any other related information following the instructions for this section in 2 CFR 200, Appendix I, section D (4).]

C. Funding Restrictions

The performance period of this award has previously been established as August 7, 2018 through March 31, 2021. Pre-award costs have previously been approved for June 1, 2018 through the period of performance start date. This award amendment is for the notification of incremental funding only.

D. Submission Instructions

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

1. **Register with Grants.gov**

   Applicants must first register an account with Grants.gov and complete all steps of the registration process before they can apply through Grants.gov. Grants.gov registration requires the entity to create an account, create an account profile, and establish authorized profile roles, including the applicant's authorized representative. Registration can take three to five business days or longer, if you do not complete the required steps in a timely manner.

2. **Grants.gov Workspace Application**

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

3. **Proof of Timely Submission**

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

VI. Application Review Information

A. Criteria

This is a notice of a single source financial assistance award. This announcement is for notification purposes only. TNC is eligible to apply based on their unique qualifications to complete the proposed project. Incremental funds for this agreement are derived, in part, from a Natural Resources Damage Assessment and Restoration (NRDAR) settlement, and are jointly-owned and administered by the Combe Fill South Landfill NRDAR Trustee Council, a multi-agency body composed of DOI and the State of New Jersey. The Trustee Council, acting with input and approval from the public, selected the removal of the Columbia and Remnant Dams for restoration implementation. The Trustee Council has reviewed and approved the budget for the proposed project, and has selected TNC as the appropriate recipient for project implementation.

TNC has acted as the lead non-governmental entity for the Columbia and Remnant Dam removal project since 2013, and has demonstrated a high level of proficiency in ongoing project planning and management. TNC has provided in-kind and financial contributions for feasibility studies, 90% engineering design plans, permits, and has provided in-kind staff time and resources for long-term scientific monitoring services. TNC has successfully acquired additional construction funds to support cost-sharing for this project, significantly reducing the overall cost of this project to the government. TNC has worked closely with and will continue to work with various state, Federal, private, and non-governmental partners who have provided technical expertise in science-driven dam removal, fish passage, and aquatic restoration projects in New Jersey. As such, TNC demonstrates unique qualifications, skills, and expertise to organize and complete the proposed project.

Through the collaborative nature of the NRDAR Trustee Council with state governors, state natural resource offices, fish and wildlife offices, and tribes; and the requirement to seek public input from local communities into restoration planning, all NRDAR activities meet DOI Priorities 3(b) and 4(b).The proposed project was developed in collaboration with non-governmental conservation groups, and was developed with input from experts in dam removal science, fish passage design, and aquatic restoration, thereby meeting DOI Priorities 1(e) and 1(a). This project will provide greater public access to public lands, by improving fishing/boating access and enhancing nature-based recreational opportunities within the project area, thereby meeting DOI Priority 1(g), and Key Initiative 4. Dam removal will reduce the regulatory burden placed on the dam owner for licensure and inspection, and eliminate future costs associated with maintenance, liability, and mandatory upgrades (DOI Priority 7(a)).Dam removals are known to generate significant economic benefits for the American people. Each mile of river opened can contribute $515,000 in social/economic benefits once fish populations fully productive (Charbonneau and Caudill 2010). The proposed project will open 33 miles of river and tributary streams, potentially generating $16.9 million in social/economic benefits, thereby meeting DOI Priority 5(c) and Key Initiative 3.

B. Review and Selection Process

The Service has established a written merit review and selection process following the requirements in Department policy DOI-AAAP-0009; *Financial Assistance Application and Merit Review Process*.

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

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

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

VII. Federal Award Administration

A. Federal Award Notices

Notices of award are typically sent to recipients by e-mail. If e-mail notification is unsuccessful, the documents will be sent by courier mail (e.g., FedEx, DHL or UPS). Award recipients are not required to sign/return the Notice of Award document. Awards are based on the application submitted to and approved by the Service and are subject to the terms and conditions incorporated into the Notice of Award either by direct citation or by reference to the following: Federal regulations; program legislation or regulation; and special award terms and conditions. Recipient acceptance of a Federal award from the Service carries with it the responsibility to be aware of and comply with all terms and conditions applicable to the award. Recipients indicate their acceptance of the Federal award by starting work, drawing down funds, or accepting the award via electronic means.

B. Award Terms and Conditions

See the Service's "Financial Assistance Award Terms and Conditions" for the administrative and national policy requirements applicable to Service awards. Acceptance of a financial assistance award (i.e., grant or cooperative agreement) from the Service carries with it the responsibility to be aware of and comply with the terms and conditions applicable to the award.

Special Award Terms and Conditions:

Issuing Subawards

In accordance with 2 CFR 180, before issuing any subaward of any amount the Recipient must confirm that the subrecipient and principals or the contractor are/is not suspended or debarred from receiving Federal funds. The Recipient does this by: 1) checking SAM Exclusions, 2) collecting a certification from the subrecipient; or 3) adding a clause or condition to the subaward. To check SAM Exclusions, go to www.SAM.gov. Search for entities by their DUNS number. Search for principal participants by their names. Search for contractors by their business names. If an exclusion is found that prohibits the entity from receiving Federal award funds, the Recipient is prohibited from entering into a subaward with that entity.

Hiring Contractors

The Recipient has an obligation to protect themselves from potential liability when hiring any contractor to perform work activities approved under this award on property owned by the Recipient by checking references and ensuring that any contractor hired is licensed, bonded, and has valid employee insurance coverage for events of injury or bodily harm. In accordance with 2 CFR 180, for any contract expected to total $25,000 or more the Recipient must confirm that the contractor is not suspended or debarred from receiving Federal funds. The Recipient does this by: 1) checking SAM Exclusions, 2) collecting a certification from the contractor; or 3) adding a clause or condition to the contract. To check SAM Exclusions, go to www.SAM.gov. Search for entities by their DUNS number. Search for principal participants by their names. Search for contractors by their business names. If an exclusion is found that prohibits the entity from receiving Federal award funds, the Recipient is prohibited from entering into a subaward with that entity.

Liability and Insurance

The Recipient shall be required to: (1) obtain liability insurance; or (2) demonstrate present financial resources in an amount determined sufficient by the United States Government to cover claims brought by third parties for death, bodily injury, property damage, or other loss resulting from one or more identified activities carried out in connection with this financial assistance agreement.

The Recipient hereby agrees to indemnify the Federal Government, Department of Interior Fish and Wildlife Service from any of omission of the Recipient, its officers, employees, or representatives against third party claims for damages arising from one or more identified activities carried out in connection with this financial assistance agreement. This obligation shall survive the termination of this Agreement.

For the purposes of this clause, "Recipient" includes such subrecipients, contractors, or subcontractors as, in the judgement of the Recipient and subject to the United States Government's determination of sufficiency, have sufficient resources and/or maintain adequate and appropriate insurance to achieve the purposes of this clause.

C. Payments

Domestic recipients are required to register in and receive payment through the U.S. Treasury's Automated Standard Application for Payments (ASAP), unless approved for a waiver by the Service program. Foreign recipients receiving funds to a final destination bank outside the U.S. are required to receive payment through the U.S. Treasury's International Treasury Services (ITS) System. Foreign recipients receiving funds to a final destination bank in the U.S. are required to enter and maintain current banking details in their SAM.gov entity profile and receive payment through the Automated Clearing House network by electronic funds transfer (EFT). The Service will include recipient-specific instructions on how to request payment, including identification of any additional information required and where to submit payment requests, as applicable, in all Notices of Award.

D. Reporting Requirements

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

1. Financial Reports

All recipients must use the SF-425, Federal Financial Report form for financial reporting, found at http://www.grants.gov/web/grants/forms/post-award-reporting-forms.html#sortby=1 (form name: "Federal Financial Report SF-425": OMB Number: 4040-0014). At a minimum, all recipients must submit a **final** financial report. Final reports are due no later than 90 calendar days after the award period of performance end date or termination date. For awards with periods of performance longer than 12 months, recipients are required to submit **interim** financial reports on the frequency established in the Notice of Award. See Service policy 516 FW 1, Monitoring Financial and Performance Reporting for Financial Assistance for more information.

2. **Performance Reports**
   Performance reports must contain a comparison of actual accomplishments with the established goals and objectives of the award; a description of reasons why established goals were not met, if appropriate; and any other pertinent information relevant to the project results. At a minimum, all recipients must submit a **final** performance report. Final reports are due no later than 90 calendar days after the award period of performance end date or termination date. For awards with periods of performance longer than 12 months, recipients are required to submit **interim** financial reports on the frequency established in the Notice of Award. See Service policy 516 FW 1, Monitoring Financial and Performance Reporting for Financial Assistance for more information.

3. **Significant Developments Reports**
   Events may occur between the scheduled performance reporting dates that have significant impact upon the supported activity. In such cases, recipients are required to notify the Service in writing as soon as the recipient becomes aware of any problems, delays, or adverse conditions that will materially impair the ability to meet the objective of the Federal award. This disclosure must include a statement of any corrective action(s) taken or contemplated, and any assistance needed to resolve the situation. The recipient should also notify the Service in writing of any favorable developments that enable meeting time schedules and objectives sooner or at less cost than anticipated or producing more or different beneficial results than originally planned.

4. **Real Property Reports**
   Recipients and subrecipients are required to submit status reports on the status of real property in which the Federal government retains an interest. The required frequency of these reports will depend on the anticipated length of the Federal interest period. The Service will include recipient-specific real property reporting requirements, including the required data elements, reporting frequency, and report due dates, as applicable.

5. **Conflict of Interest Disclosures**
   Recipients must notify the Service immediately in writing of any actual or potential conflicts of interest that arise during the life of their Federal award. Conflicts of interest include any relationship or matter that might place the recipient, including their employees and subrecipients, in a position of conflict, real or apparent, between their responsibilities under the award and any other outside interests. Conflicts of interest include direct or indirect financial interests; close personal relationships; positions of trust in outside organizations; consideration of future employment arrangements with a different organization; and decision-making authority related to the award. Conflicts of interest are those circumstances real or perceived that would cause a reasonable person with knowledge of the relevant facts to question the impartiality of the recipient or the recipients's employees or subrecipients in matters pertaining to the award. Recipients must notify the Service in writing if any employees, including subrecipient and contractor personnel, are related to, married to, or have a close personal relationship with any Federal employee in the Federal funding program or who otherwise may have been involved in the review and selection of the award. The term employee means any individual engaged in the performance of work pursuant to the Federal award. Failure to disclose and resolve conflicts of interest in a manner that satisfies the Service may result in any of the remedies described in 2 CFR 200.338 Remedies for Noncompliance, including termination of the award.

6. **Other Mandatory Disclosures**
   The non-Federal entity or applicant for a Federal award must disclose, in a timely manner, in writing to the Federal awarding agency or pass-through entity all violations of Federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the Federal award. Non-Federal entities that receive a Federal award including the term and condition outlined in 2 CFR 200, Appendix XII—Award Term and Condition for Recipient Integrity and Performance Matters are required to report certain civil, criminal, or administrative proceedings to SAM. Failure to make required disclosures can result in any of the remedies described in 2 CFR 200.338 Remedies for Noncompliance, including suspension or debarment.

VIII. Federal Awarding Agency Contact(s)

Cathy Marion, Fish and Wildlife Biologist, U.S. Fish and Wildlife Service, 4 E. Jimmie Leeds Rd., Suite 4, Galloway, New Jersey 08205-4465; Tel: 609-382-5265; Cathy_Marion@fws.gov