

**U.S. Fish and Wildlife Service
New England Field Office**

Natural Resource Damage Assessment and Restoration Program
Catalog of Federal Domestic Assistance (CFDA) Number: 15.658

Notice of Funding Opportunity

I. Description of Funding Opportunity

THIS IS A NOTICE OF INTENT TO AWARD TO A SINGLE SOURCE, AND THERE IS NO FULL ANNOUNCEMENT ASSOCIATED WITH THIS NOTICE. This Notice is NOT a request for competitive proposals. This is a notice of intent to award a Cooperative Agreement between the U.S. Fish and Wildlife Service and the Massachusetts Audubon Society, Inc. to develop new trails and improve the existing trail system at the Massachusetts Audubon Society, Inc.'s Allens Pond Wildlife Sanctuary (Sanctuary) in Dartmouth, MA, as well as to control approximately 4.6 acres of the invasive, non-native grass, *Phragmites australis*, located within the sanctuary. This work is being conducted to compensate for natural resources injured as a result of the oil discharged from the Bouchard Barge-120 oil spill under the authority CFDA 15.658 Natural Resource Damage Assessment, Restoration, and Implementation. A determination by the Government not to compete this proposed assistance is based upon Departmental Manual 505DM2, paragraph 2.14 (B) (4) and is solely within the discretion of the Government. Questions concerning this announcement should be directed to Artela Jacobs at (404) 679-7197 or by email at artela_jacobs@fws.gov.

II. Award Information

The total amount of funding for this award is \$142,000. Only one award will be funded in the form of a cooperative agreement between the Service and Massachusetts Audubon Society, Inc. The U.S. Fish and Wildlife Service (Service) will be substantially involved in the project under this funding opportunity. In particular, the Service will be responsible for, 1) providing up to \$142,000 to complete the activities; 2) participating and collaborating jointly with the recipient partner, volunteer, scientist, technician or other personnel, in carrying out the scope of work, ensuring project is in compliance with all federal laws, training recipient personnel, or detailing Federal personnel to work on the project effort; 3) reviewing and approving one stage of work before the next stage can begin; 4) reviewing and approving proposed modifications or sub-grants, prior to award; 5) helping to select project staff or trainees; and 6) directing or redirecting the work because of interrelationships with other projects.

III. Basic Eligibility Requirements

Eligible Applicants:

Unrestricted (i.e. open to any type of entity above), subject to any clarification in test field entitled "Additional Information on Eligibility"

Additional Information on Eligibility:

This opportunity is not a request for applications. The determination not to compete is based on Departmental policy (505 DM 2.14,B(4) and is within the discretion of the Agency.

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

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. Exemptions: The SAM registration requirement does not apply to individuals submitting an application on their own behalf and not on behalf of a company or other for-profit entity, state, local or Tribal government, academia or other type of organization.

A. DUNS Registration

Request a DUNS number online at <http://fedgov.dnb.com/webform>. U.S.-based entities may also request a DUNS number by telephone by calling the Dun & Bradstreet Government Customer Response Center, Monday – Friday, 7 AM to 8 PM CST at the following numbers:

U.S. and U.S Virgin Islands: 1-866-705-5711

Alaska and Puerto Rico: 1-800-234-3867 (Select Option 2, then Option 1)

For Hearing Impaired Customers Only call: 1-877-807-1679 (TTY Line)

Once assigned a DUNS number, entities are responsible for maintaining up-to-date information with Dun & Bradstreet.

B. Entity Registration in SAM

Register in SAM online at <http://www.sam.gov/>. Once registered in SAM, entities must renew and revalidate their SAM registration at least every 12 months from the date previously registered. Entities are strongly urged to revalidate their registration as often as needed to ensure that their information is up to date and in synch with changes that may have been made to DUNS and IRS information. Foreign entities who wish to be paid directly to a United States bank account must enter and maintain valid and current banking information in SAM.

C. Excluded Entities

Applicant entities or their key project personnel identified in the SAM.gov Exclusions database as ineligible, prohibited/restricted or excluded from receiving Federal contracts, certain subcontracts, and certain Federal assistance and benefits will not be considered for Federal funding, as applicable to the funding being requested under this Federal program.

D. Cost Sharing or Matching:

Cost sharing is not required under this award

IV. Application Requirements

To be considered for funding under this funding opportunity, an application must contain:

- A. A completed, signed and dated Standard Form (SF) 424, Application for Federal Assistance form (<http://apply07.grants.gov/apply/FormLinks?family=15>). Do not include other Federal sources of funding, requested or approved, in the total entered in the "Federal" funding box on the Application for Federal Assistance form. Enter only the amount being requested under this program in the "Federal" funding box. Include any other Federal sources of funding in the total funding entered in the "Other" box.

B. Project Summary

Title: "Sanctuary Trail Improvements and *Phragmites* Control at Allens Pond Wildlife Sanctuary (LU-5)"

Geographic Location: Dartmouth, MA

Summary: This project will develop new trails and improve the existing trail system at the Massachusetts Audubon Society, Inc.'s Allens Pond Wildlife Sanctuary (Sanctuary) in Dartmouth, MA, as well as to control approximately 4.6 acres of the invasive, non-native grass, *Phragmites australis*, located within the sanctuary.

C. Project Narrative

1. **Statement of Need:** Funds under this award are to be used to compensate for natural resources injured as a result of the 2003 Bouchard Barge-120 oil spill in Buzzards Bay, Massachusetts and Rhode Island. The oil spill damaged shoreline habitats and injured wildlife. The Bouchard B-120 Trustees (NOAA, USFWS, Commonwealth of Massachusetts and State of Rhode Island) are responsible for restoring natural resources and resource services injured by the spill and spill clean-up, as authorized by the Oil Pollution Act. As a designated Trustee, each agency is authorized to act on behalf of the public under state and/or federal law to assess and recover natural resource damages, and to plan and implement actions to restore, rehabilitate, replace, or acquire the equivalent of the natural resources or services injured or lost as a result of an unpermitted discharge of oil. To that end, the Bouchard B-120 Trustees are required to work with the public to develop a restoration plan that identifies how the B-120 settlement will be used to implement restoration projects.

Through an initial competitive process, this project was awarded funds in the Final Programmatic Restoration Plan and Environmental Assessment for the Buzzards Bay Bouchard Barge-120 (B-120) Oil Spill, Shoreline, Aquatic and Natural Resource Use Injuries Massachusetts and Rhode Island (2014). A multitude of projects were considered for inclusion in the plan and this project was chosen through a highly selective, public process based upon multiple criteria.

2. **Project Goals and Objectives:** The specific objectives of this Cooperative Agreement are to, 1) create a 0.5-mile all-persons accessible trail and a 0.6-mile connector trail; 2) improve the existing 7.4 miles of trails in the Sanctuary in order to correct problem wet spots that seasonally impede foot travel; 3) design and install educational interpretive signage to highlight the Sanctuary's natural features and address natural resource restoration being undertaken to compensate for the Buzzards Bay B-120 oil spill; and 4)

use a combination of herbicide application and mowing to control approximately 4.6 acres of non-native, invasive *Phragmites australis*.

2. Project Activities, Methods and Timetable:

YEAR ONE: 2016-2017

May - August 2016

- ***Trail Project***
 - Contract with Peter Jensen, Inc.
 - Complete detailed alignments, soil investigation, and project materials determination
 - Secure local, state and federal regulatory permits and ensure project is in compliance with all federal laws and regulations, including but not limited to NEPA, ESA, CWA, and the NHPA.
 - Begin clearing vegetation and preparing substrate for all-persons trail

September – November 2016

- ***Trail Project***
 - Install 2,000 feet of tread for all-persons trail
 - Construct 5-foot wide boardwalk across 190 feet of wetlands
 - Create ADA-compliant access route from parking lot to Stone Barn
 - Fabricate the 2-panel orientation set to highlight accessibility features and update other existing outreach materials at the Stone Barn site
 - Complete new trail work and carry out improvements to existing trail segments
 - Stabilize existing 60 feet of boardwalk, engage current and new volunteers to assist and learn trail maintenance techniques
- ***Phragmites Control***
 - Apply herbicide to *Phragmites* foliage within target acres using contracted gas-powered sprayer, follow-up backpack sprayer application to be deployed as warranted

December 2016 – March 2017:

- ***Trail Project***
 - Recruit new volunteers, engage students to clear connector trail through upland woods and shrub land
 - Design and fabricate two, weather-proof, 3-ft x4-ft interpretive panels with frames
 - One at Stone Barn Farm describing energy costs, alternatives and sustainability
 - One at beach entrance with orientation to Buzzards Bay, information about the spill and vulnerability of coastal areas, shorebirds in harm's way, etc.
 - Finish installing posts, signs, interpretive materials and related features for all-persons trail
- ***Phragmites Control***
 - Mow treated areas using a tractor

March – May 2017

- ***Trail Project***
 - Host a trail opening event for the all-person's trail
 - Restore trail over dam

- Address intermittently wet areas by completing site improvements
- Design for all audiences and fabricate map of and directional signage for expanded trail system from all three trailheads in digital format (Mapcraft)
- Create a black and white visitors' interpretive guide
- Design and fabricate two, weather-proof, framed, 3-ft x4-ft panels that interpret the avian, aquatic, or other coastal resources
- ***Phragmites Control***
 - Mow early emergence twice before nesting season
 - Treat regrowth using a cut-stem application method 2 times

YEAR TWO – 2017-2018

June – October 2017:

- ***Trail Project***
 - Install 60-foot boardwalk over easement
 - Insert helical pile anchors, 12-foot deep into substrate
 - Construct 150-foot of boardwalk with 4-foot width
 - Install at appropriate viewing locations along trail the two interpretive panels on coastal resources
- ***Phragmites Control***
 - Apply herbicide to foliage of post-flowering *Phragmites* within target areas using contracted gas-powered sprayer for large portions and backpack sprayer for other portions

November 2017 – February 2018:

- ***Trail Project***
 - Install orientation and interpretive materials for the connector trail
- ***Phragmites Control***
 - Mow treated areas using a tractor; explore using a tilling method to expose rhizomes to freezing temperatures

March – May 2018:

- ***Trail Project***
 - Host a trail opening event for the connector trail
- ***Phragmites Control***
 - Mow early emergence twice before nesting season
 - Treat regrowth using a cut-stem application method with two treatments
 - Seed to native plants

YEAR THREE: 2018-2019

June – October 2018:

- ***Phragmites Control***
 - Treat regrowth using foliar spraying (backpack) and cut stem and drip methods as warranted

November 2018 – February 2019:

- ***Phragmites Control***
 - Mow treated areas using a tractor

March – May 2019:

- ***Phragmites Control***
 - Mow with weed-wacker early stands of regrowth once before nesting season
 - Treat regrowth using a cut-stem application method once

YEAR FOUR: 2019-2020

June – October 2019:

- ***Phragmites Control***
 - Treat regrowth using foliar spraying (backpack) and cut stem and drip methods as warranted

November 2019 – February 2020:

- ***Phragmites Control***
 - Mow treated areas using tractor

March – May 2020:

- ***Phragmites Control***
 - Mow early stands of regrowth once before nesting season with weed-wacker
 - Treat regrowth using a cut-stem application method once

YEAR FIVE: 2020-2021

June – October 2020:

- ***Phragmites Control***
 - Treat regrowth using foliar spraying (backpack) and cut stem and drip methods as warranted

March – June 2021:

- ***Phragmites Control***
 - Mow early stands of regrowth once before nesting season with weed-wacker
 - Treat regrowth using a cut-stem application method once

Programmatic Restoration Plan and Environmental Assessment for the Buzzards Bay Bouchard Barge-120 (B-120) Oil Spill, Shoreline, Aquatic and Natural Resource Use Injuries Massachusetts and Rhode Island (2014). This plan was developed with input from stakeholders and the public. A multitude of projects were considered for inclusion in the plan and this project was chosen through a highly selective, public process based upon multiple criteria..

D. Budget Form

Complete the Budget Information for Non-Construction Programs (SF 424A) or Budget Information for Construction Programs (SF 424C) form. Use the SF 424A if your project does not include construction and the SF 424C if the project includes construction or land acquisition. The budget forms are available on the Internet at <http://apply07.grants.gov/apply/FormLinks?family=15>. When developing your budget, keep in mind that financial assistance awards and subawards are subject to the Federal cost principles in Title 2 of the Code of Federal Regulations Part 200, as applicable to the recipient organization type. Links to the full text of the Federal cost principles are available on the Internet at <http://www.ecfr.gov/>.

Multiple Federal Funding Sources: If the project budget includes multiple Federal funding sources, you must show the funds being requested from this Federal program *separately* from any other requested/secured Federal sources of funding on the budget form. For example, enter the funds being requested from this Federal program in the first row of the Budget Summary section of the form and then enter funding related to other Federal programs in the subsequent row(s). Be sure to enter each Federal program's CFDA number in the corresponding fields on the form. The CFDA number for this Federal program appears on the first page of this funding opportunity.

E. Budget Justification

In a separate narrative titled "**Budget Justification**", explain and justify all requested budget items/costs. Detail how the SF 424 Budget Object Class Category totals were determined and demonstrate a clear connection between costs and the proposed project activities. For personnel salary costs, include the base-line salary figures and the estimates of time (as percentages) to be directly charged to the project. Describe any item that under the applicable Federal cost principles requires the Service's approval and estimate its cost.

Required Indirect Cost Statement: All applicants except individuals applying for funds separate from a business or non-profit organization he/she may operate must include in the budget justification narrative one of the following statements and attach to their application any required documentation identified in the applicable statement:

"We are:

1. A Non-Governmental Organization that has never submitted an indirect cost rate proposal to our cognizant agency. In the event an award is made, 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 minimus* indirect cost rate of 10% of modified total direct costs as

defined in Title 2 of the Code of Federal Regulations Part 200, section 200.68. We understand that the 10% *de minimus* rate will apply for the life of the award, including any future extensions for time, and that the rate cannot be changed even if we do establish an approved rate with our cognizant agency at any point during the award period

All applicants are hereby notified of the following:

- Recipients without an approved indirect cost rate are prohibited from charging indirect costs to a Federal award. Accepting the 10% *de minimus* rate as a condition of award is an approved rate.
- Failure to establish an approved rate during the award period renders all costs otherwise allocable as indirect costs unallowable under the award.
- Only the indirect costs calculated against the Federal portion of the total direct costs may be charged to the Federal award. Recipients may not charge to their Service award any indirect costs calculated against the portion of total direct costs charged to themselves or charged to any other project partner, Federal and non-Federal alike.
- Recipients must have prior written approval from the Service to transfer unallowable indirect costs to amounts budgeted for direct costs or to satisfy cost-sharing or matching requirements under the award.
- Recipients are prohibited from shifting unallowable indirect costs to another Federal award unless specifically authorized to do so by legislation.”

Applicants who are individuals applying for funds separate from a business or non-profit organization he/she may operate are not eligible to charge indirect costs to their award. If you are an individual applying for funding, do not include any indirect costs in your proposed budget.

For more information on indirect cost rates, see the Service's **Indirect Costs and Negotiated Indirect Cost Rate Agreements** guidance document on the Internet at <http://www.fws.gov/grants/>.

Negotiating an Indirect Cost Rate with the Department of the Interior: Entities that do not have a NICRA must first have an open, active Federal award before they can submit an indirect cost rate proposal to their cognizant agency. The Federal awarding agency that provides the largest amount of direct funding to your organization is your cognizant agency, unless otherwise assigned by the White House Office of Management and Budget (OMB). If the Department of the Interior is your cognizant agency, your indirect cost rate will be negotiated by the Interior Business Center (IBC). For more information, contact the IBC at:

Indirect Cost Services
Acquisition Services Directorate, Interior Business Center
U.S. Department of the Interior
2180 Harvard Street, Suite 430
Sacramento, CA 95815
Phone: 916-566-7111

Email: ics@ibc.doi.gov

Internet address: <https://www.doi.gov/ibc/services/finance/indirect-cost-services>

- F. Single Audit Reporting Statements:** As required in Title 2 of the Code of Federal Regulations Part 200, Subpart F, 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 a fiscal year must submit a Single Audit report for that year through the Federal Audit Clearinghouse's Internet Data Entry System. All U.S. state, local government, federally-recognized Indian tribal government and non-profit applicants must provide a statement regarding if your organization was/was not required to submit a Single Audit report for the organization's most recently closed fiscal year and, if so, state if that report is available on the Federal Audit Clearinghouse Single Audit Database website (<http://harvester.census.gov/sac/>) and provide the EIN under which that report was submitted. Include these statements at the end of the Project Narrative in a section titled "**Single Audit Reporting Statements**".
- G. Assurances:** Include the appropriate signed and dated Assurances form available online at <http://apply07.grants.gov/apply/FormLinks?family=15>. Use the **Assurances for Construction Programs (SF 424D)** for construction and land acquisition projects. Use the **Assurances for Non-Construction Programs (SF 424B)** for all other projects. Signing this form does not mean that all items on the form are applicable. The form contains language that states that some of the assurances may not be applicable to your organization and/or your project or program.
- H. Certification and Disclosure of Lobbying Activities:** Under Title 31 of the United States Code, Section 1352, an applicant or recipient must not use any federally appropriated funds (both annually appropriated and continuing appropriations) or matching funds under a grant or cooperative agreement award to pay any person for lobbying in connection with the award. Lobbying is defined as influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress connection with the award. Submission of an application also represents the applicant's certification of the statements in 43 CFR Part 18, Appendix A-Certification Regarding Lobbying. If you/your organization have/has made or agrees to make any payment using non-appropriated funds for lobbying in connection with this proposal AND the Federal share exceeds \$100,000, complete and submit the **SF LLL, Disclosure of Lobbying Activities** form. See 43 CFR, Subpart 18.100 for more information on when additional submission of this form is required.
- I. Conflict of Interest Disclosures:** Applicants must notify the Service in writing of any actual or potential conflicts of interest that are known at the time of application or that may arise during the life of this award, in the event an award is made. Conflicts of interest include any relationship or matter which might place the recipient, the recipient's employees, or the recipient's subrecipients in a position of conflict, real or apparent, between their responsibilities under the award and any other outside interests. Conflicts of interest may also include, but are not limited to, direct or indirect financial interests, close personal relationships, positions of trust in outside organizations, consideration of future employment arrangements with a different organization, or decision-making affecting the award that

would cause a reasonable person with knowledge of the relevant facts to question the impartiality of the applicant, the applicant's employees, or the applicant's future subrecipients in the matter. Upon receipt of such a notice, the Service Project Officer in consultation with their Ethics Counselor will determine if a conflict of interest exists and, if so, if there are any possible actions to be taken by the applicant to reduce or resolve the conflict. Failure to resolve conflicts of interest in a manner that satisfies the Service may result in the project not being select for funding.

V. Submission Instructions

SUBMISSION DEADLINE: N/A

Intergovernmental Review: Before submitting an application, U.S. state and local government applicants should visit the following website (http://www.whitehouse.gov/omb/grants_spoc/) to determine whether their application is subject to the state intergovernmental review process under Executive Order (E.O.) 12372 "Intergovernmental review of Federal Programs." E.O. 12372 was issued to foster the intergovernmental partnership and strengthen federalism by relying on state and local processes for the coordination and review of proposed Federal financial assistance and direct Federal development. The E.O. allows each state to designate an entity to perform this function. The official list of designated entities is posted on the website. Contact your state's designated entity for more information on the process the state requires to be followed when applying for assistance. States that do not have a designated entity listed on the website have chosen not to participate in the review process.

Download the Application Package linked to this Funding Opportunity on Grants.gov to begin the application process. Downloading and saving the Application Package to your computer makes the required government-wide standard forms fillable and printable. Completed applications may be submitted by mail, by email, electronically through Grants.gov, or as otherwise described in the Grants.gov funding opportunity. Please select **ONE** of the submission options:

To submit an application by mail:

Number all pages of your printed application. Mail one, single-sided, unbound copy (do not staple or otherwise permanently bind pages) of your complete application to the Service program point of contact identified in the Grants.gov funding opportunity.

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

To submit an application by e-mail:

Format all of your documents to print on Letter size (8 1/2" x 11") paper. Format all pages to display and print page numbers. Scanned documents should be scanned in Letter format, as black and white images only. Where possible, save scanned documents in .pdf format. E-mail

your application to the Service program point of contact identified in the Grants.gov funding opportunity.

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

To submit an application through Grants.gov:

Go to the Grants.gov Apply for Grants page

(http://www07.grants.gov/applicants/apply_for_grants.jsp) for an overview of the process to apply through Grants.gov. You/your organization must complete the Grants.gov registration process before submitting an application through Grants.gov. Registration can take between three to five business days, or as long as two weeks if all steps are not completed in a timely manner.

Important note on Grants.gov application attachment file names: Please do not assign application attachments file names longer than 20 characters, including spaces. Assigning file names longer than 20 characters will create issues in the automatic interface between Grants.gov and the Service's financial assistance management system.

VI. Application Review

Criteria: Criteria for selection of all projects awarded by Bouchard B-120 Trustee Council is described in the Final Programmatic Restoration Plan and Environmental Assessment for the Buzzards Bay Bouchard Barge-120 (B-120) Oil Spill, Shoreline, Aquatic and Natural Resource Use Injuries Massachusetts and Rhode Island (2014, <https://casedocuments.darrp.noaa.gov/northeast/buzzard/pdf/B-120-Final-PRP-EA-and-FONSI-09-30-14.pdf>).

Review and Selection Process: The review and selection process for all projects awarded by Bouchard B-120 Trustee Council is described in the Final Programmatic Restoration Plan and Environmental Assessment for the Buzzards Bay Bouchard Barge-120 (B-120) Oil Spill, Shoreline, Aquatic and Natural Resource Use Injuries Massachusetts and Rhode Island (2014, <https://casedocuments.darrp.noaa.gov/northeast/buzzard/pdf/B-120-Final-PRP-EA-and-FONSI-09-30-14.pdf>).

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

Each fiscal year, for every entity receiving one or more awards in that fiscal year, the Service conducts a risk assessment based on eight risk categories. The result of this risk assessment is used to establish a monitoring plan for all awards to the entity in that fiscal year. The Service's risk assessment form is available on the Internet at <http://www.fws.gov/forms/3-2462.pdf>.

Prior to approving an award with a Federal funding amount that exceeds or is expected to exceed the simplified acquisition threshold, as adjusted (see 2 CFR 200.88), the Service must review and consider any information about the applicant that is in the designated integrity and performance system accessible through SAM (currently FAPIIS) to determine if, at a minimum, the information found in the system for the applicant demonstrates a satisfactory record of Federal award performance and integrity and business ethics (see 2 CFR 200.205(a)(2)). The Service must also report to FAPIIS if an applicant subject to this review is found not qualified for a particular award due to its prior record of integrity or performance under Federal awards (see 2 CFR 200.212).

VII. Award Administration

Award Notices: Following review, applicants may be requested to revise the project scope and/or budget before an award is made. Successful applicants will receive written notice in the form of a notice of award document. Notices of award are typically sent to recipients by e-mail. If e-mail notification is unsuccessful, the documents will be sent by courier mail (e.g., FedEx, DHL or UPS). Award recipients are not required to sign/return the Notice of Award document. Acceptance of an award is defined as starting work, drawing down funds, or accepting the award via electronic means. Awards are based on the application submitted to, and as approved by, the Service. The notice of award document will include instructions specific to each recipient on how to request payment. If applicable, the instructions will detail any additional information/forms required and where to submit payment requests.

Domestic Recipient Payments: Prior to award, the Service program office will contact you/your organization to either enroll in the U.S. Treasury's Automated Standard Application for Payments (ASAP) system or, if eligible, obtain approval from the Department of the Interior to be waived from using ASAP.

Transmittal of Sensitive Data: Recipients are responsible for ensuring any sensitive data being sent to the Service is protected during its transmission/delivery. The Service strongly recommends that recipients use the most secure transmission/delivery method available. The Service recommends the following digital transmission methods: secure digital faxing; encrypted emails; emailing a password protected zipped/compressed file attachment in one email followed by the password in a second email; or emailing a zipped/compressed file attachment. The Service strongly encourages recipients sending sensitive data in paper copy to use a courier mail service. Recipients may also contact their Service Project Officer and provide any sensitive data over the telephone.

Award Terms and Conditions: 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. Acceptance is defined as the start of work, drawing down funds, or accepting the award via electronic means. 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. The Federal regulations applicable to Service awards are available on the Internet at

<http://www.fws.gov/grants/>. If you do not have access to the Internet and require a full text copy of the award terms and conditions, contact the Service point of contact identified in the Agency Contacts section below.

Recipient Reporting Requirements:

Financial and Performance Reports: Interim financial reports and performance reports may be required. Interim reports will be required no more frequently than quarterly, and no less frequently than annually. A final financial report and a final performance report will be required and are due within 90 calendar days of the end date of the award. Performance reports must contain: 1) a comparison of actual accomplishments with the goals and objectives of the award as detailed in the approved scope of work; 2) a description of reasons why established goals were not met, if appropriate; and 3) any other pertinent information relevant to the project results.

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 following types of conditions become known:

- 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.
- 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.

The Service will specify in the notice of award document the reporting and reporting frequency applicable to the award.

Conflict of Interest Disclosures: Recipients are responsible for notifying the Service Project Officer in writing of any actual or potential conflicts of interest that may arise during the life of this award. Conflicts of interest include any relationship or matter which might place the recipient, the recipient's employees, or the recipient's subrecipients in a position of conflict, real or apparent, between their responsibilities under this award and any other outside interests. Conflicts of interest may also include, but are not limited to, direct or indirect financial interests, close personal relationships, positions of trust in outside organizations, consideration of future employment arrangements with a different organization, or decision-making affecting the award that would cause a reasonable person with knowledge of the relevant facts to question the impartiality of the Recipient, the Recipient's employees, or the Recipient's subrecipients in the matter. Upon receipt of such a notice, the Service Project Officer in consultation with their Ethics Counselor will determine if a conflict of interest exists and, if so, if there are any possible actions to be taken by the Recipient, the Recipient's employee(s), or the Recipient's Subrecipient(s) that could reduce or resolve the conflict. Failure to 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 this 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 have received 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. (See also 2 CFR part 180, 31 U.S.C. 3321, and 41 U.S.C. 2313.)

2 CFR Part 200, Appendix XII—Award Term and Condition for Recipient Integrity and Performance Matters is applicable to awards with a total Federal share of more than \$500,000, except those to individuals and foreign public entities.

VIII. Agency Contacts

Artela Jacobs, Contract Specialist, (404) 679-7197 artela_jacobs@fws.gov