U.S. Fish and Wildlife Service
Northeast Region
Division of Ecological Services

Natural Resources Damage Assessment, Restoration and Implementation
Catalog of Federal Domestic Assistance (CFDA) Number: 15.658

Notice of Funding Opportunity

I. Description of Funding Opportunity

This is an announcement for issuing a single source financial assistance award to the Musconetcong Watershed Association (MWA). This announcement is for notification purposes only. The intent of the award is to remove the Hughesville Dam on the Musconetcong River located between Pohatcong Township, Warren County and Holland Township, Hunterdon County, New Jersey (NJ).

The MWA will facilitate: (1) the full removal of the Hughesville Dam; and (2) stream bank stabilization of approximately 1,000 feet of affected portions of the river. Removal of the Hughesville Dam will permanently open up 5.5-river miles of aquatic habitat for diadromous and resident fishes in the Highlands Region of NJ; will provide long-term benefits to multiple aquatic and terrestrial wildlife species; will immediately convert an artificial lentic fluvial habitat to a natural lotic one; will result in ecologically beneficial physico-chemical changes; and will generally improve an impaired aquatic ecosystem. Dam removal will additionally reduce public safety and drowning threats, and will enhance fishing and nature-based recreational activities (*e.g.*, hiking, boating, wildlife viewing). The MWA will use these funds in conjunction with monies from other sources, making this project cost-effective. This project can be implemented and completed within a very short timeframe because all precursory components of the dam removal process are intact, including: engineering and design plans; state and federal permits; a National Environmental Policy Act (NEPA) Environmental Assessment; a Natural Resources Damage Assessment (NRDA) Restoration Plan; and a contractor has been selected and is immediately ready to conduct the removal.

This project will increase fish passage and restore critical free-flowing habitats, as well as reestablishing the natural ecological, physico-chemical, and biological conditions of 5.5 river miles of the Musconetcong River. This project is authorized by the Comprehensive Environmental Response, Compensation, and Liability Act 42 U.S.C. § 9601 *et seq*.

The U.S. Fish and Wildlife Service (Service) intends to make a sole source award of a Cooperative Agreement to the MWA. The appropriation for this project is the Comprehensive Environmental Response, Compensation and Liability Act 42 U.S.C. § 9601 *et seq*. Criteria for funding was based on the project's ability to yield the greatest return on investment by taking advantage of existing aquatic restoration science and expanding ongoing dam and barrier removal efforts in NJ; such efforts will provide an increased range of protection for aquatic resources and biota.

II. Award Information

The Service intends to make a sole source award of a Cooperative Agreement to the MWA. The appropriation for this project is the Comprehensive Environmental Response, Compensation and Liability Act 42 U.S.C. § 9601 *et seq*.

Criteria for funding was based on the project's ability to yield the greatest return on investment by taking advantage of existing aquatic restoration science and expanding ongoing dam and barrier removal efforts in NJ; such efforts will provide an increased range of protection for aquatic resources and biota. The estimated period for this project is 1.5 years.

This award is for the amount of $580,411. The MWA is a non-profit organization whose mission is to protect and improve the quality of the Musconetcong River (NJ) and its watershed, including its natural resources. One of the principal goals of the MWA is to remove the obsolete dams on the Musconetcong River that impede water flow, degrade water quality, increase non-native species abundance, and block fish passage. The MWA has successfully led efforts over the past decade (along with state, federal, and non-government partners) to remove four dams on the Musconetcong River, including the Gruendyke Mill, Seber, Riegelsville, and Finesville Dams. As such, the MWA possesses the necessary skills and expertise to organize and lead dam removal efforts within the Musconetcong River basin. The expected outcomes of the funding are: (1) the full removal of the Hughesville Dam; and (2) stream and bank stabilization of approximately 1,000 feet of affected portions of the river.

The Service will be substantially involved in efforts undertaken with this funding opportunity. In particular, the Service will be responsible for the following: (1) review of survey/engineer plans, permits, and other project-related documents to ensure that designs and permits meet the requirements for compliance with federal laws; (2) provides technical support in dam removal and stream restoration planning and efforts; (3) determines scope and prioritizes project activities in the event of budget shortfalls; (4) provides technical support during any public meetings to inform the public of project activities and review feedback from the public.

III. Basic Eligibility Requirements

Eligible Applicants:

The MWA is eligible to apply. The MWA is a non-profit 501(c)(3) organization whose mission is to protect and improve the quality of the Musconetcong River (NJ) and its watershed, including its natural resources.

U.S. non-profit, non-governmental organizations must provide a copy of their Section 501(c)(3) or (4) status determination letter received from the Internal Revenue Service.

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 a requirement, but priority is given to projects that leverage technical and financial assistance through voluntary partnerships.

IV. Application Requirements

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

A. A completed, signed and dated Application for Federal Assistance form (SF-424), found at http://apply07.grants.gov/apply/FormLinks?family=15 (see form name "Application for Federal Assistance (SF-424)", OMB Number 4040-0004).
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: Hughesville Dam Removal, Musconetcong River, Warren and Hunterdon Counties New Jersey

Project Overview and Tasks: This project consists of a full removal of the Hughesville Dam on the Musconetcong River, followed by stream restoration and bank stabilization of approximately 1,000 feet of the affected river. This project can be implemented and completed within a very short timeframe because all precursory components of the removal process are intact, including: engineering and design plans; state and federal permits; a National Environmental Policy Act (NEPA) Environmental Assessment; a Natural Resources Restoration Plan; and a contractor has been selected and is immediately ready to conduct the removal. The MWA has received funds from various state, federal, and private sources that partially cover the removal of the Hughesville Dam; however a balance of $580,411 remains to complete the removal. Funds provided by this Cooperative Agreement will be used to cover the balance owed for the actual deconstruction of the Hughesville Dam, as well as fund stream and bank restoration.

Expected Outcomes: The expected outcome of this funding will be: (1) the full removal of the Hughesville Dam; and (2) bank stabilization of approximately 1,000 feet of affected portions of the river.

C. Project Narrative

1. Statement of Need:

The Hughesville Dam is currently the downstream-most dam on the Musconetcong River. The dam is a migratory impediment to diadromous fish including the American eel (*Anguilla rostrata*), alewife (*Alosa pseudoharengus*), blueback herring (*Alosa aestivalis*), and American shad (*Alosa sapidissima*). Dams such as the Hughesville degrade flowing riverine habitats by altering the natural hydraulic regime, thermal regime, nutrient processing, physical habitat, benthic substrate composition, and longitudinal connectivity of aquatic ecosystems. As a consequence, dams degrade and fragment aquatic habitats required by resident trout (*Salmo trutta, Oncorhynchus mykiss*, *Salvelinus fontinalis*), and other native fishes (*e.g.*, *Rhinicthys atratulus*, *Etheostoma olmstedi*, *Catostomus commersonii*, *Exoglossum maxillingua*, *Ambloplites rupestris*).

The MWA received partial funding ($945,500) for the removal of the Hughesville Dam in 2014, through a Cooperative Agreement with the Service (Award # FGHC892005AC94A, CFDA Program 15.677). The MWA has spent $51,505 to date on the design, engineering, and permitting process, and has an $893,495 balance remaining to fund a removal contract. The MWA has negotiated a good-faith dam removal construction contract with RiverLogic Solutions, LLC to remove the Hughesville Dam at a total cost of $1,473,906. The current Cooperative Agreement, requesting funding of $580,411 will be used in conjunction with remaining funds from the previous cooperative agreement ($893,495) to satisfy the full balance required to fully deconstruct the

Hughesville Dam and stabilize approximately 1,000 feed of affected portions of the river).

2. Project Goals and Objectives:

The overarching goal of this project is to increase fish passage and improve aquatic habitat in the Musconetcong River, NJ. The specific objectives of this project are to conduct: (1) a full removal of the Hughesville Dam; and (2) bank stabilization of approximately 1,000 feet of affected portions of the river.

Removal of the Hughesville Dam will permanently open up 5.5 river miles of aquatic habitat for diadromous and resident fishes in the Highlands Region of NJ; will provide long-term benefits to multiple aquatic and terrestrial wildlife species; will immediately convert an artificial lentic fluvial habitat to a natural lotic one; will result in ecologically beneficial physico-chemical changes; and will generally improve an impaired aquatic ecosystem. Dam removal will additionally reduce public safety and drowning treats, and will enhance fishing and nature-based recreational activities (*e.g.*, hiking, boating, wildlife viewing).

3. Project Activities, Methods and Timetable:

Project activities include: 1) a full removal of the Hughesville Dam; and (2) stream and bank stabilization of approximately 1,000 feet of affected portions of the river. The total timeframe for deliverables is approximately 1.5 years, ending Winter 2018. The expected timeframe for major objectives is as follows: Summer/Fall 2016 - Remove Hughesville Dam and stabilize stream and bank habitat; Winter 2017/2018 - final summary and report on project implementation.

4. Stakeholder Coordination/Involvement:

The MWA will coordinate with American Rivers, Trout Unlimited, the Service, the National Park Service, the U.S. Army Corps of Engineers, the National Resource Conservation Service, the State of New Jersey, and other government, non-government, and private partners to remove the Hughesville Dam. Public outreach meetings and feedback will be conducted and accepted throughout the duration of the project.

The Service will be substantially involved in efforts under this funding opportunity. In particular, the Service will be responsible for the following: (1) review of survey/engineer plans, permits, and other project-related documents to ensure that designs and permits meet the requirements for compliance with federal laws; (2) provides technical support in dam removal and stream restoration planning and efforts; (3) determines scope and prioritizes project activities in the event of budget shortfalls; (4) provides technical support during any public meetings to inform the public of project activities and receive feedback from the public.

5. Project Monitoring and Evaluation:

The MWA will complete a pre- and post-project visual habitat assessment for the removal of Hughesville Dam. This will include the use of the Habitat Assessment Survey of the Rapid Bioassessment Protocol for high gradient streams recommended by the

United States Environmental Protection Agency. In addition, the Musconetcong Watershed Association will complete water quality testing in the form of temperature, nitrate, pH, dissolved oxygen, turbidity and conductivity at each of five sites at the dam in accordance with the Musconetcong Watershed Association Study Design and Quality Assurance Project Plans submitted to the New Jersey DEP. Temperature, turbidity, dissolved oxygen, pH and conductivity data will be collected using a calibrated Horiba U-52 Multiparameter meter. The Nitrate/Nitrogen test is done using Zinc Reduction (Lamotte Kit 3354).

There will be extensive use of underwater photography to document stream bed and habitat changes. MWA are finding that as an addition to the standard water quality monitoring parameters, photos are an easy way to obtain and share information about the success or weakness of the restoration project. Underwater photographs will be taken with assistance from the Garden State Underwater Recovery of Milford, New Jersey, an underwater recovery agency whose primary mission is recovering drowning victims. Photos will be taken prior to removal and again immediately after removal. A third set of photos will be taken six months after removal.

6. Description of Entities Undertaking the Project:

The MWA is a non-profit 501(c)(3) organization whose mission is to protect and improve the quality of the Musconetcong River (NJ) and its watershed, including its natural resources. One of the principal goals of the MWA is to remove the obsolete dams on the Musconetcong that impede water flow, degrade water quality, increase native species abundance, and block fish passage. The MWA has successfully led efforts over the past decade (along with state, federal, and non-government partners) to remove four dams on the Musconetcong River, including the Gruendyke Mill, Seber, Riegelsville, and Finesville Dams. The MWA possesses the necessary skills and expertise to organize and lead dam removal efforts within the Musconetcong River Basin. This project is receiving additional technical assistance from American Rivers, Trout Unlimited, the Service, the National Park Service, the U.S. Army Corps, the National Resource Conservation Service, the State of New Jersey, and various private partners.

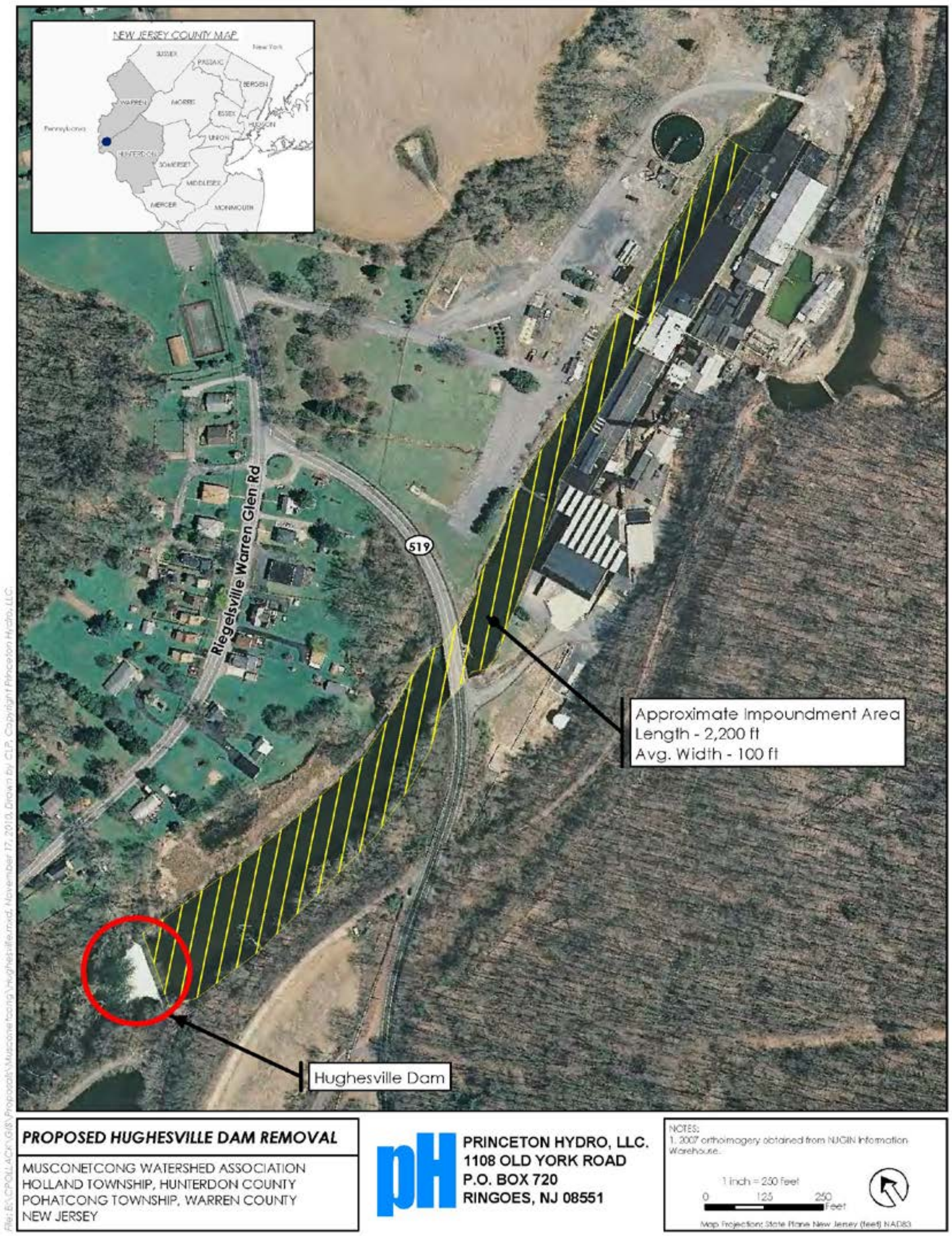
The point of contact for the Musconetcong Watershed Association is:
Beth Styler Barry
Executive Director
Musconetcong Watershed Association
908-837-7060
Beth@musconetcong.org

7. Sustainability:

The Hughesville Dam removal will permanently open up 5.5-river miles of aquatic habitat to diadromous and resident fishes in the Highlands Region of NJ; will provide long-term benefits to multiple aquatic and terrestrial wildlife species; will immediately convert an artificial lentic fluvial habitat to a natural lotic one; will result in ecologically beneficial physico-chemical changes; and will generally improve an impaired aquatic ecosystem. The MWA will work with partner agencies and organizations to secure future funding for maintenance and to fund additional dam removals.

8. Literature Cited: None

9. Map of Project Area:



D. Budget Form

The Musconetcong Watershed Association will complete the **Budget Information for Construction Programs (SF 424C)** form, found at: http://apply07.grants.gov/apply/FormLinks?family=15 (see form name "Budget Information for Construction Programs (SF-424C)", OMB Number 4040-0008). 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**", the Musconetcong Watershed Association will 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.

If Federally-funded equipment will be used for the project, provide a list of that equipment, including the Federal funding source.

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 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. A copy of our most recently approved rate agreement/certification is attached.
2. 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 are required to prepare and retain for audit an indirect cost rate proposal and related documentation to support those costs.

3. 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]. A copy of our most recently approved rate agreement is attached.

4. 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]. 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.

5. 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]. However, 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

6. 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 the basis for direct costs will be 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 MTDC base instead of the base identified in our approved indirect cost rate agreement, and 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.

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

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**".

The following text inserted into a formal letter from your organization will be sufficient to meet this requirement: "This letter is to confirm that the Musconetcong Watershed Association is exempt from a single audit under OMB A-133 audit requirements because it did not expend more than $750,000 in federal award funds during the current or prior fiscal year."

G. **Assurances:** The Musconetcong Watershed Association will complete (sign and date) the **Assurances for Construction Programs** form. The Assurances form is available online at http://apply07.grants.gov/apply/FormLinks?family=15 (See Form Name: "Assurances for Construction Programs (SF-424D)", OMB Number: 4040-0009). 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, found online at: https://www.usaid.gov/sites/default/files/sflllin.pdf. 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.

Application Checklist

- ☐ **Evidence of non-profit status**: If a non-profit organization, a copy of their Section 501(c)(3) or (4) status determination letter received from the Internal Revenue Service.
- ☐ **Application for Federal Assistance (SF-424) form**, found at: http://apply07.grants.gov/apply/FormLinks?family=15 (see form name "Application for Federal Assistance (SF-424)", OMB Number 4040-0004).
- ☐ **Budget Information for Construction Programs (SF 424C) form**, found at: http://apply07.grants.gov/apply/FormLinks?family=15 (see form name "Budget Information for Construction Programs (SF-424C)", OMB Number 4040-0008).
- ☐ **Assurances for Construction Programs (SF 424D) form**, found at: http://apply07.grants.gov/apply/FormLinks?family=15 (see form name: "Assurances for Construction Programs (SF-424D)", OMB Number: 4040-0009).
- ☐ **Budget Justification Narrative** AND **Indirect Costs Statement**
- ☐ **Single Audit Reporting Statement**
- ☐ A copy of organization's current **Negotiated Indirect Cost Rate Agreement** (NICRA), if applicable
- ☐ **Conflict of Interest Statement**, if applicable
- ☐ **Certification and Disclosure of Lobbying Activities Statement** (SF LLL), if applicable
- ☐ **Federally-funded equipment list**: If Federally-funded equipment will be used for the project, a list of that equipment if applicable

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

V. Submission Instructions
SUBMISSION DEADLINE: [enter deadline date(s) or open period start and end dates].

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 ½" x 11") paper. Format all pages to display and print page numbers. Scanned documents should be scanned in Letter format, as black and white images only. Where possible, save scanned documents in .pdf format. E-mail your application to 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: This is a notice of a single source financial assistance award. This announcement is for notification purposes only.

Review and Selection Process: The MWA is a non-profit 501(c)(3) organization whose mission is to protect and improve the quality of the Musconetcong River (NJ) and its watershed, including its natural resources. One of the principal goals of the MWA is to remove the obsolete dams on the Musconetcong that impede water flow, degrade water quality, increase native species abundance, and block fish passage. The MWA has successfully led efforts over the past decade (along with with state, federal, and non-government partners) to remove four dams on the Musconetcong River, including the Gruendyke Mill, Seber, Riegelsville, and Finesville Dams. The appropriation for this project is the Comprehensive Environmental Response, Compensation and Liability Act 42 U.S.C. § 9601 *et seq*. Criteria for funding was based on the project's ability to yield the greatest return on investment by taking advantage of existing aquatic restoration science and expand ongoing dam and barrier removal efforts in NJ; such efforts will provide an increased range of protection for aquatic resources and biota.

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. Applicants whose projects are not selected for funding will receive written notice, most often by e-mail, within 30 days of the final review decision.

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. Domestic applicants subject to the SAM registration requirement (see Section III B.) who receive a waiver from receiving funds through ASAP must maintain current banking information in SAM. Domestic applicants exempt from the SAM registration requirement who receive a waiver from receiving funds through ASAP will be required to submit their banking information directly to the Service program. However, ***do NOT submit any banking information to the Service until it is requested from you by the Service program!***

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 Contact

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