U.S. Fish and Wildlife Service

Financial Assistance Business Process

Notice of Funding Opportunity Template

Stopping Wavyleaf Grass

Notice of Funding Opportunity Number: F19AS00149

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

Catalog of Federal Domestic Assistance (CFDA) Number: 15.658

Authorizing Legislation: Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), as amended (42 U.S.C. §§ 9601, et seq.); Oil Pollution Act (OPA) (33 U.S.C. §§ 2701, et seq.); Federal Water Pollution Control Act or Clean Water Act (CWA), as amended (33 U.S.C. §§ 1251, et seq.); Fish and Wildlife Act (16 U.S.C §742 et seq.); as well as through the Consent Decree, United States and Commonwealth of Virginia v. DuPont, Civil Action No. 5:16-CV-0082 (7/28/2017), and Restoration Plan/Environmental Assessment for the DuPont Waynesboro – South River/South Forks Shenandoah River/Shenandoah River Site.

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 (Service) 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.

This is a notice of intent to award to a single source. There is no full announcement associated with this notice and this is not a request for competitive proposals.

Mercury releases from the former E.I. du Pont de Nemours and Company (DuPont) plant in Waynesboro, VA impacted natural resources for miles downstream, in and adjacent to the South River, South Fork Shenandoah River, and Shenandoah River. The DuPont natural resource trustees ("Trustees") are the United States Department of the Interior (DOI), represented by the Service and the

Commonwealth of Virginia (Virginia). Through the NRDAR process, the Trustees developed a Restoration Plan/Environmental Assessment (RP/EA), with public input, to describe the restoration projects that will compensate for injuries to natural resources from the mercury releases. The RP/EA was included as Appendix B of the Consent Decree lodged on December 15, 2016 and approved July 28, 2017 by the U.S. District Court for the Western District of Virginia, Harrisonburg Division. The Trustees allocated funding to different restoration project categories to fulfill the objectives of the RP/EA, which can be found at: *https://www.fws.gov/northeast/virginiafield/pdf/contaminants/dupont_waynesboro/20170414_DuPont_Waynesboro_RPEA_FINAL_signatures.pdf*

This is an announcement for issuing a single source financial assistance award to **Shenandoah National Park Trust (SNPT)** for an invasive species removal pilot project that will protect other areas in the watershed from the spread of a noxious weed, improving habitat for wildlife and recreation.

This project was evaluated and selected jointly by the state and federal Trustees, is consistent with the goals of the RP/EA and restoration criteria (see link), and will benefit multiple of the same resources/wildlife that were impacted from mercury. The project will contribute to the NRDAR goal of "making the public whole", restoring resources that were impacted by mercury. The project includes partnerships with local, state, and federal organizations as well as non-profit organizations. The recipient is uniquely qualified to conduct this project due to their technical expertise and longstanding partnerships in the region.

This project will achieve goals that are consistent with multiple DOI Secretarial Priorities and core priorities of the Service. Through this project, best practices will be identified to manage land and water resources through invasive species removal – adapting to changes in the environment [DOI Secretarial Priority 1(a)]. This project will result in improvements to habitat that will ultimately benefit recreational fishing and hiking experiences within Shenandoah National Park and the Town of Elkton [DOI Secretarial Priorities 1(f), 1(g), and Service Priority 5: Improving Public Access to Hunting, Fishing and Outdoor Recreation]. This project is a collaborative effort with the Service, Virginia's Office of the Governor and natural resource agencies, and local or regional community groups [DOI Secretarial Priority 3(b) and 4(b)]. Contractors will be hired to complete this work, generating new job opportunities and additional revenues that support national interests [DOI Secretarial Priority 5 and a Key Initiative]. The project will also result in habitat improvements that will have positive impacts on forestry practices [DOI Secretarial Priority 5 and a Key Initiative]. This project is part of a suite of restoration projects selected to achieve the goals of NRDAR and the RP/EA [DOI Secretarial Priority 10].

II. Federal Award Information

The Service Region 5 intends to make a sole source award of a cooperative agreement to SNPT in the amount of up to $200,000 (over a 4-year period). The total estimated project period is spring 2019 through March 31, 2023 (4 years) and project activities will include targeted invasive species removal at seven priority sites in the Shenandoah National Park and Town of Elkton, VA. SNPT will be the fiscal sponsor of the project and the Blue Ridge Partnership for Regional Invasive Species Management (Blue Ridge PRISM) will manage and implement the project.

The Service will be substantially involved in the project under this funding opportunity. In particular, the Service will be responsible for: l) providing up to a total of $200,000 to the recipient to complete the activities, 2) working with the recipient in development of project actions to meet goals and objectives of the RP/EA and NRDAR settlement, 3) providing guidance and technical assistance in the development of the designs and plans, if needed or requested, to develop specific plans and identify potential concerns, 4) providing technical assistance to the recipient to complete regulatory permitting/environmental compliance, 4) reviewing and approving proposed modification to scope of work and budget, and 5) halting an activity if detailed performance specifications are not met.

III. Eligibility Information

A. Eligible Applicants

This is a notice of intent to award to single source. Proposals were submitted by agencies, localities, public bodies, and registered (501(c)(3) tax-exempt) nonprofit organizations. Project applications from nonprofit organizations provided documentation in the application that gave proof of tax-exempt status under §501 (c) (3) of the United States Internal Revenue Code.

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.

B. Cost Sharing or Matching

Cost-sharing is not a requirement.

C. Other Eligibility Criteria

The project meets the criteria and goals expressed in the RP/EA.

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

Not Applicable.

B. Application Form and Content Requirements

Applicants must have filled out the Virginia Land Conservation Fund's (VLCF) 2017 proposal submission procedures for "Land Protection, Acquisition, and Enhancement Projects and Migratory Songbird Habitat Restoration and Protection Projects" and/or "Water Quality Restoration and Protection". This was a joint Trustee proposal process with Virginia co-Trustees administering the process through VLCF (*i.e.*, as an alternative to Grants.gov). The purpose was to solicit project recommendations for restoration categories outlined in the RP/EA of land protection, migratory songbird, and water quality protection and enhancement. Click on links for application forms/instructions.

Applicants must submit the following:

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. **Project Narrative**
   - *Project title:* Stopping Wavyleaf Grass
   - *Description of entity(ies) undertaking the project*: Blue Ridge PRISM

- *Statement of need*: Funds under this award are to be used to compensate for natural resources injured as a result of mercury released from the former DuPont facility in Waynesboro, VA. Restoration is undertaken in accordance with the natural resource damage settlement under which DuPont paid $42,069,916.78 to compensate for natural resource injuries in the South Fork Shenandoah River watershed. As part of the settlement, the Trustees identified preferred project categories, including “land protection, property acquisition and wildlife enhancements”. Restoration in this category should benefit the same types of wildlife and habitat that were impacted, and includes habitat improvement projects, such as invasive species control. Wavyleaf grass is designated as a Tier 1 noxious weed in Virginia, the only forest invasive species to have that designation. With this project, SNPT and Blue Ridge PRISM will be able to focus on removal efforts at up to seven key locations, potentially benefitting many more acres of habitat in the watershed by preventing the spread of wavyleaf grass any further.
- *Goals and objectives*: The long-term goal of projects funded by the DuPont natural resource settlement is to improve water quality of the South River and South Fork Shenandoah River; improve, restore, and protect habitat for the same types of fish and wildlife that were impacted from mercury; and/or improve recreational fishing. The objective of this agreement is to remove wavyleaf grass at seven key locations in the Blue Ridge Mountains using manual and chemical removal, treating sites for four years, and training site owners to continue work if necessary. Annual surveys will ensure that treatment is effective.
- *Activities, Methods, and Timetable*: SNPT and Blue Ridge PRISM will start work upon signature of the award and continue the project for four years. A pilot year has already been completed and that experience will facilitate the work for these four years. Pilot activities also included first round of removal efforts. Major activities for each year of this four year project include:
    - Identifying the contractors and hiring seasonal crews,
    - Preparing site-specific timelines and plans for treatments,
    - Any environmental compliance activities,
    - Arranging contracts, project plans, oversight, volunteer staffing, etc.,
    - Conduct first year of treatments,
    - Collect samples for University of Richmond study examining genetics of plant to understand how it spreads, and develop tools/strategies to slow or stop it from spreading (prior to treatment efforts), and
    - Prepare progress reports.

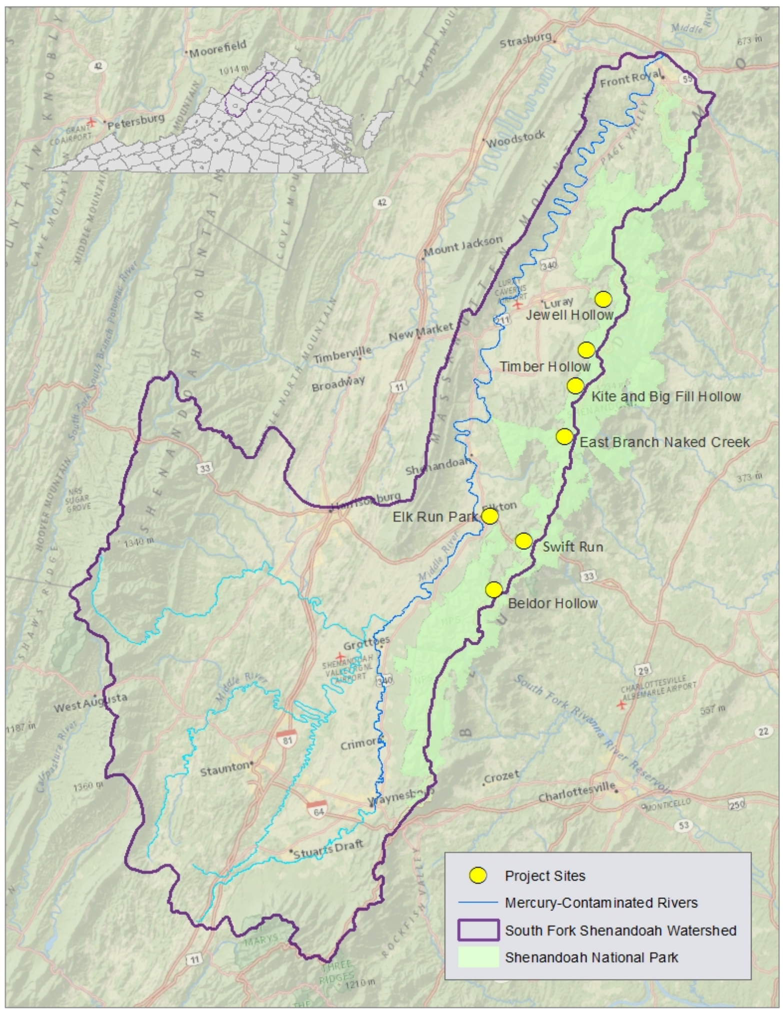
  Each year’s specific tasks will be determined based on the success/failure of the previous year’s efforts. General tasks and timeframes are listed below:
    - Incorporate updates for plans for next treatment season based on lessons learned the previous season (October – March),
    - Implement treatments at the listed sites. Treatments include use of grass-specific herbicides and manual removal (May – June for dense infestations, May – September for sparse patches),
    - Continue collecting samples as requested for University of Richmond study (limited sampling throughout year 2-5), and
    - Progress reports at the end of each season.

The Blue Ridge PRISM will start work upon signature of the award. The project is expected to be complete by March 31, 2023. Long-term monitoring and maintenance will become a duty of the Shenandoah National Park and Town of Elkton.

- *Information to support environmental compliance review requirements*: Any work related to planning or coordinating may be started prior to completing compliance reviews, and any work that involves disturbance to habitat or construction must not be started until all compliance reviews are complete. As a condition of award, the recipient and their subrecipient(s) and contractor(s) must not begin any potentially impactful work related to this award until the Service has notified you in writing that such work can begin. Recipients and subrecipients of Federal grants and cooperative agreement awards must comply with the requirements of the National Environmental Policy Act (NEPA), Section 7 of Endangered Species Act (ESA), and Section 106 of the National Historic Preservation Act (NHPA).
- *Description of stakeholder coordination or involvement*: SNPT will work with many of their established partners on this project, including Blue Ridge PRISM. SNPT provides guidance to and acts as fiscal sponsor for Blue Ridge PRISM; they will distribute funds from this agreement to appropriate tasks. Shenandoah National Park and Virginia Department of Conservation and Recreation were party to preparing the proposal and will oversee portions of this project or provide technical support. University of Richmond will receive samples collected from this project. Other partners who are expected to help with the education and outreach efforts include the Virginia Native Plant Society, the Virginia Master Naturalists, the Virginia Department of Forestry, and the Virginia Cooperative Extension. In addition there will be one or more contractors involved in doing the removal work. They will be chosen after the award is made when detailed plans are being prepared to do the actual work. The Trustees (the Service and Commonwealth of Virginia) reviewed and approved this proposal, and will continue to provide input as plans are developed.
- *Required project monitoring and evaluation plan, including description of assessment tools to be used*: SNPT will work with Blue Ridge PRISM to provide annual and financial interim reports to the project officer who will convey these reports to the Trustees. Each of the site owners will be responsible for oversight of the field work on their sites and continued management/monitoring. Blue Ridge PRISM will provide overall oversight and directions to the site owners. Blue Ridge PRISM will develop a monitoring plan with measurable goals (such as, mapping degree of infestation at each site) in cooperation with the Trustees. The monitoring from each year will inform the next year's activities.
- *Information on key project personnel*: Blue Ridge PRISM is a volunteer-driven organization dedicated to reducing the negative impact of nonnative invasive plants on the health of the natural and agricultural environment of the Blue Ridge Mountains in VA. The SNPT, which is a 501c3 nonprofit, serves as advisor and fiscal sponsor of the Blue Ridge PRISM. The Blue Ridge PRISM will act as the overall project manager for this project and will conduct any education and outreach work as part of this project and has experience running large scale, multi-partner projects. Key people who will be involved from the PRISM include Jim Hurley (volunteer handling most of the PRISM's wavyleaf activities); Ashton Stinson (full time employee of the PRISM handling outreach and publicity activities); and the point of contact is Rod Walker (volunteer and one of the founders of the PRISM, responsible for the overall management and success of this project; rwalker@alum.mit.edu, 434-823-2742). SNPT will act as the fiscal sponsor of this project and will distribute funding appropriately. Susan Sherman is the contact person for SNPT

and financial matters [ssherman@snptrust.org, 434-293-2728]. The Trustees, through the Service, will provide funding, project management, support, and oversight. The Service point of contact is Anne Condon, Fish and Wildlife Biologist (anne_condon@fws.gov, 804-824-2407).

- *Anticipated future funding needs*: Funding for this project will be sufficient for four years of work. No anticipated future funding needs at this time.
- *Details and supporting documentation on the project location*: Six sites are located in Shenandoah National Park – Swift Run, Jewell Hollow, Timber Hollow, Kite and Big Fill Hollow, East Branch Naked Creek, and Beldor Hollow. One site is located in the Town of Elkton – Elk Run Park. See map below:



- *Other program- or project-specific narrative requirements*: Trustees must approve any changes to the 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. **Budget Narrative**
This is a four-year project with a total budget of $200,000, with estimated annual costs of $50,000. Of the annual costs, $35,000 will be spent on the work in the Shenandoah National Park treating five sites in their entirety and part of a sixth site and funding three seasonal employees:

- One crew leader - Biological Science Technician (GS-6/Step 1) for 7 biweekly pay periods (14 weeks) @$17.84/hour.
- 2 crew members - Biological Science Technicians (GS-5/Step 1) for 7 biweekly pay periods (14 weeks) @$16.00/hour
- Fringe benefits estimated at 25% of salary

The required supplies will be provided by Shenandoah National Park from Park Service funds, including herbicides, surfactants, dye, equipment, vehicle, GPS units, computers, and miscellaneous supplies.

The remaining $15,000 per year will be spent to hire a contractor to do the work in the Town of Elkton. Our research and past experience indicated this would be sufficient funding to contract a team of 8 for 2 weeks to do the required work. This cost would cover their personnel, equipment, tools, vehicle, etc. Depending on whom we contract with, we may have to use part of these funds to acquire the herbicide, surfactant and dye or those costs may be included in the contractor's fee. If the work in the Town of Elkton does not require the full $15,000, the remaining funds will be spent on the large sixth site in National Park at Swift Run.

6. **Indirect Costs: Individuals**
Individuals applying for and receiving 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 and skip the next section.

7. **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. 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 501(c)3 nonprofit that will charge all costs directly:

☐ 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 501(c)3 nonprofit that will charge all costs directly.

8. 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.

9. **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.

10. **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.

11. **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.

12. **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.*"

13. APPLICATION CHECKLIST

- ☐ **SF-424, Application for Federal Assistance or Application for Federal Assistance-Individual**
- ☐ **SF-424B or D, Assurances**
- ☐ **Project Narrative**
- ☐ **SF-424A or C, Budget Information**
- ☐ **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**

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

N/A. This is a notice of single source financial assistance award. This announcement is for notification purposes only.

C. Intergovernmental Review

Prior to application submission, U.S. state and local government applicants should visit the OMB Office of Federal Financial Management website and view the "State Point of Contact (SPOC) List" to determine whether their application is subject to the state intergovernmental review process under Executive Order (E.O.) 12372 "Intergovernmental Review of Federal Programs." States not on the list do not participate in the intergovernmental review process, and therefore do not have a SPOC. If you are located within a State that does not have a SPOC, you may send application materials directly to a Federal awarding agency. If your state is on the list, contact the designated entity for more information on the state's prior review requirements for Federal assistance applications.

D. Funding Restrictions

Funding is limited to activities that meet the goals of the DuPont RP/EA and CD and are approved by Trustees.

E. Submission Instructions

N/A. This is a notice of single source financial assistance award. This announcement is for notification purposes only.

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

F. Criteria

This is a notice of a single source financial assistance award. This announcement is for notification purposes only. There were no matching requirements for this funding. This project was selected by the Trustees using the criteria outlined in the RP/EA (see Section 5.1 and link), which incorporates regulatory evaluation criteria (43 C.F.R. §11.82 (d)).

To be considered for funding, applicants applied to an open proposal process specifically related to the DuPont NRDAR settlement funds allocated for land protection/habitat enhancement projects and projects to improve water quality and fish habitat. Land protection/habitat enhancement projects include property acquisition and protection, habitat enhancements or restoration activities, and/or recreational access improvements. Projects to improve water quality and fish habitat include agricultural BMPs and riparian buffer improvements. The Commonwealth of Virginia, through the Virginia Land Conservation Foundation (VLCF), initiated a proposal process in order to make project recommendations to the Secretary of Natural Resources, one of the Trustees in this matter. VLCF and Virginia agency staff scored the proposals using the eligibility standards and criteria outlined in the applications (see pages 14-15 for the scoring matrix/process for land protection projects and pages 10-11 for scoring matrix for water quality projects). The VLCF scoring matrix incorporated some Virginia-specific criteria and was consistent with the criteria outlined in the RP/EA.

The Service evaluated the projects against criteria outlined in Section 5.1 of the RP/EA. The site-specific requirements incorporated the restoration criteria, or “factors to consider when selecting the alternative to pursue”, listed in the DOI damage assessment regulations (43 C.F.R. § 11.82(d)(1-10)). If any of the grounds for elimination, described in the RP/EA and in table below, were met, the project was not considered further.

Criteria from the RP/EA are listed below. Projects were ranked using the general criteria and, if applicable, acquisition-specific criteria. Ranking was completed using a qualitative system of ranking – designating the achievement of criteria as low, medium, or high. Final selection of projects was based on follow-up discussions and ranking comparison among Trustees, and, if necessary, the applicants.

GROUNDS FOR PROJECT ELIMINATION
1. BENEFITS OF PROJECT ARE UNLIKELY TO RESULT IN RESTORATION BENEFITS IN ADVANCE OF THE NATURAL RECOVERY PERIOD
2. PROJECT HAS SIGNIFICANT ADVERSE ENVIRONMENTAL IMPACTS
3. POTENTIAL FOR SIGNIFICANT ADVERSE EFFECTS TO HUMAN HEALTH AND SAFETY
4. POTENTIAL FOR SIGNIFICANT ADVERSE SOCIOECONOMIC EFFECTS

General Criteria - All Projects
RELATIONSHIP TO THE INJURIES (giving rise to the claim for natural resource damages)
1. SIMILARITY IN ATTRIBUTES TO THE INJURED NATURAL RESOURCE, same type and quality
2. LOCATION - proximity to South River/South Fork Shenandoah River watershed
3. SCALE OF BENEFITS OF THE PROPOSED PROJECT - quality/quantity benefits provided by project (increase in acres, species, etc.) such as, geographical extent of expected benefits (i.e., how many stream miles will benefit, will it connect/increase acreages of protected lands)
LIKELIHOOD OF SUCCESS AND TECHNICAL FEASIBILITY
4. PROVEN TECHNOLOGY - can project be accomplished with available technology?
5. DOCUMENTED SUCCESS - has a similar project succeeded in the past?
6. COST EFFECTIVENESS - are costs reasonable related to expected benefits? Any cost-share?
REGULATORY AND POLICY CONSIDERATIONS
7. FEDERAL, STATE AND LOCAL LAW COMPLIANCE
8. SITE OWNERSHIP AND ACCESS - do we have permission for the project?
9. PROPOSED PROJECT IS NOT “OTHERWISE REQUIRED” - by federal, state, local laws, regulations, permits, licenses
10. CONSISTENCY WITH TRUSTEE POLICY, MANAGEMENT GOALS, AND OBJECTIVES
OTHER CRITERIA
1. CONSISTENCY WITH LOCAL, REGIONAL, AND NATIONAL RESTORATION GOALS AND INITIATIVES
2. TIME FRAME OF POTENTIAL BENEFITS
3. SELF-SUSTAINABILITY OF THE RESTORATION PROJECT
4. INTEGRATION WITH EXISTING MANAGEMENT PROGRAMS / LEVERAGE POTENTIAL
5. HABITAT CONNECTIVITY (*e.g.*, creating contiguous habitat)
6. PROXIMITY TO LANDS WITH PROTECTED STATUS.
7. BENEFITS TO PROTECTED SPECIES / SENSITIVE OR UNIQUE HABITATS
8. EDUCATION AND OUTREACH OPPORTUNITIES
9. PUBLIC USE OPPORTUNITIES
MONITORING
1. MONITORING - will there be measurable results?
Acquisition-specific
SURROUNDING LAND USE AND LAND PROTECTION STATUS
Does the parcel provide opportunity to avoid habitat fragmentation or protect a corridor?
Does surrounding land use threaten the resource value of a parcel?
Nature and likelihood of development threats
PRIORITY
Has the parcel been identified as high priority for protection in existing local/regional land-use planning docs?
TYPES AND CONDITION OF NATURAL RESOURCES BENEFITED
Is there evidence of rare species or habitat?
Are there exemplary natural communities?
Does it protect warm-water fisheries?
COST OF PROTECTION
Would this be acquisition, land transfer?
Can the parcel be protected at a fair price for size and location?
Is there opportunity for leveraging additional resources
LONG-TERM MAINTENANCE AND MANAGEMENT NEEDS

Will public access be allowed? If so, is the management and degree of public access consistent with resource protection?
What is potential for future management problems and costs?
Are there on-site resources that need to be preserved (cultural, archaeological)?

G. Review and Selection Process

To be considered for funding, applicants applied to an open proposal process specifically related to the DuPont NRDAR settlement funds, as described in ***VI. Application Review Information, F. Criteria***. Criteria from the RP/EA are also listed above (Section VI.F). Applications were scored using a multi-phased review process. VLCF and Virginia natural resource agency staff scored the proposals using the eligibility standards and criteria outlined in the applications and identified the top scoring proposals. The Service evaluated the projects against site-specific restoration requirements outlined in the RP/EA (see also 43 C.F.R. § 11.82(d)(1-10)). Top ranking applications were discussed by Trustees and appropriate funding determinations were made jointly by the Trustees. Applicant past performance and likelihood of success were considered throughout this process. Multiple Virginia natural resource agencies (Department of Conservation and Recreation, Department of Game and Inland Fisheries, Department of Environmental Quality) and Service staff were involved in the review process

SNPT (through Blue Ridge PRISM) has unique experience with invasive species control efforts in the watershed and established relationships with partners at the target sites. They have the technical skills to manage and implement this project successfully. If left untreated, wavyleaf grass will rapidly spread, outcompete other ground-layer species, prevent overstory trees from growing, and diminish biodiversity of insects, birds, mammals, and native plants. It may have impacts on timber profits and recreational use of forests. Through this project, many more acres of habitat will be protected as a result of treating the six identified sites, working with partners, and educating local communities – improving forest conditions for wildlife and recreation. This project will also better inform management strategies for future protection from the spread of wavyleaf grass. This project is cost-effective and has multiple benefits to the resources of concern.

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

Following review, applicants may be requested to revise the project scope and/or budget before an award is made. Successful applicants will receive an email from the Trustees, which is not authorization to begin project performance. Receipt of written notice in the form of a signed Notice of Award document authorizes the applicant to begin work. 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. 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. 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.

Any work related to planning or coordinating may be started prior to completing compliance reviews, and any work that involves disturbance to habitat or construction must not be started until all compliance reviews are complete. As a condition of award, the recipient and their subrecipient(s) and contractor(s) must not begin any potentially impactful work related to this award until the Service has notified you in writing that such work can begin. Recipients and subrecipients of Federal grants and cooperative agreement awards must comply with the requirements of the National Environmental Policy Act (NEPA), Section 7 of Endangered Species Act (ESA), and Section 106 of the National Historic Preservation Act (NHPA).

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.

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. 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)

Anne Condon, Fish and Wildlife Biologist, U.S. Fish and Wildlife Service, Virginia Ecological Services, 6669 Short Lane, Gloucester, VA 23061
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