National Park Service

CRFA-PGC - Cultural Resources Financial Assistance

2024
P24AS00517

James E. Modrick
Signature

12/29/2023
Date

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A. Program Description

Authority:
54 U.S.C. 308103

Assistance Listing:
15.928

Program Background, Objectives, and Goals:
Historic battlefields and associated sites of armed conflict are powerful reminders of the shared heritage of all Americans. In an ongoing effort to extend the conservation of natural and cultural resources beyond our park boundaries, the National Park Service American Battlefield Protection Program (NPS ABPP) promotes the preservation and interpretation of these important places. NPS ABPP supports community-driven stewardship of historic resources through four grant opportunities: Preservation Planning, Battlefield Restoration, Battlefield Interpretation, and Battlefield Land Acquisition.

NPS ABPP administers Battlefield Land Acquisition Grants (BLAG) to assist State and local governments with the preservation of eligible Revolutionary War, War of 1812, and Civil War battlefield lands through acquisition of fee-simple or less-than-fee (easement) interests. Funding for the BLAG program is made available from the Land and Water Conservation Fund (LWCF) and is awarded competitively. Each grant requires a dollar-for-dollar non-Federal match. Grants are available to acquire interests in eligible Civil War battlefields listed in the Civil War sites Advisory Commission's (CWSAC) *Report on the Nation's Civil War Battlefields* (1993) and in the principal battlefields of the Revolutionary War and War of 1812 identified in NPS ABPP's *Report to Congress on the Historic Preservation of Revolutionary War and War of 1812 Sites in the United States* (2007) (Survey Reports).

A nonprofit organization may acquire an interest in an eligible site with a BLAG award in partnership with a State or local government.

Applications are accepted and evaluated on a rolling basis. Applications for acquisition of lands at eligible battlefields rated as Preservation Priority I and II properties will be given precedence in processing, evaluation, and award recommendations. As our nation approaches the 250th anniversary of the Declaration of Independence in 2026, NPS ABPP encourages projects that promote and expand preservation as well as enhance our understanding of the origins of the United States.

NPS ABPP BLAG funds may not be used to acquire land or interests in land within the legislative boundary of a unit of the National Park System. Grant recipients are required to provide for public access and enjoyment of lands or interests in lands acquired with NPS ABPP funds in a manner consistent with the preservation goals of the program. Land acquired with these funds will be subject to the LWCF non-conversion requirements. Grant recipients and their nonprofit partners who acquire an interest in eligible lands must convey a perpetual preservation easement on the land to the appropriate State Historic Preservation Office (SHPO) or to another organization acceptable to the National Park Service and SHPO.

Funding Opportunity Goals The NPS ABPP Battlefield Land Acquisition Grant program supports agency efforts to address climate-change vulnerabilities through conservation of open land and access to green space, particularly in metropolitan areas. Our goal is to increase protected acreage and engage a diverse community of preservation partners.

B. Federal Award Information

B1. Total Funding

Estimated Total Funding
$17,400,000

B2. Expected Award Amount

Maximum Award
$0

Minimum Award
$0

There are no maximum or minimum award amounts. Prior awards typically have ranged from $30,000 to $2,000,000, while higher amounts have been awarded. The amount of funding available per award for this NOFO will be determined as part of the application review process based on applications received and funding made available through appropriations.

B3. Anticipated Award Funding and Dates

Anticipated Award Date
March 01, 2024

Anticipated Start Date: Rolling
Anticipated Award Date is an example. **Applications under this Notice will be accepted through December 31, 2024** and may be prioritized based on battlefield Preservation Priority rating assigned in the Survey Reports.

B4. Number of Awards

Expected Number of Awards
The number of awards in one year fluctuates between 24 and 28 based on the amount requested.

B5. Type of Award

Funding Instrument Type
G - Grant
Consistent with 31 U.S.C. § 6304:

An executive agency shall use a grant agreement as the legal instrument reflecting a relationship between the United States Government and a State, a local government, or other recipient when:

(1) The principal purpose of the relationship is to transfer a thing of value to the State or local government or other recipient to carry out a public purpose of support or stimulation authorized by a law of the United States instead of acquiring (by purchase, lease, or barter) property or services for the direct benefit or use of the United States Government; and

(2) Substantial involvement is not expected between the executive agency and the State, local government, or other recipient when carrying out the activity contemplated in the agreement.

C. Eligibility Information

C1. Eligible Applicants

Eligible Applicants

00 – State governments
01 – County governments
02 – City or township governments

Additional Information on Eligibility

In accordance with 54 U.S.C. § 308103(b), Battlefield Acquisition Grant Program, this funding opportunity is limited to state or local governments. Nonprofit organizations may acquire an interest in an eligible site by partnering in an application from a state or local government which has jurisdiction over the property interest to be acquired. The government agency will be the grant recipient and serve as a pass-through entity for Federal funds to the nonprofit organization (2 C.F.R. § 200.74 and 2 C.F.R. § 200.86).

C2. Cost Sharing or Matching

Cost Sharing / Matching Requirement

Yes

In accordance with 54 U.S.C. § 308103(d), non-Federal cost share in the amount of 50%, or a ratio of 1:1, is required to be eligible for an award under this NOFO. The non-Federal entity must contribute at least 50% of the total project cost, meaning one dollar for every Federal dollar requested, from non-Federal sources as evidenced by a letter of commitment, addressed to the applicant, from the funding source(s) or awarding entity. Eligible non-Federal sources of contributions must be allowable under 2 C.F.R. § 200.306 and may include: cash, loans, and/or in-kind contributions. Non-Federal entity cost share contributions shall be annotated within the SF-424A (reference section D, Application and Submission Information) and Detailed Budget Narrative submitted by the applicant.

For purposes of this program, applicants may use a loan as non-Federal cost share. However, if the loan is secured by the land to be acquired, the lending institution must agree in writing that it will subordinate its own interest in the property to the terms of the grant, particularly the LWCF non-conversion (54 USC 200305(f)(3)) and conservation easement requirements. The applicant must include this explicit, written agreement from the lending institution in the proposal package.

C3. Other

Pre-Application Consultation: Prospective applicants and preservation partners are strongly encouraged to contact the NPS ABPP office to discuss the proposed acquisition and preservation strategy as early as possible and prior to completing the application. Contact information can be found in Section G of this notice.

Eligible Sites: Eligible battlefields: (1) have been assigned a battlefield or "survey" code in the Survey Reports; (2) are located on American soil, or within the boundaries of the United States; and (3) located outside of the exterior boundaries of a unit of the National Park System. Eligible acquisitions should lie at least 50% within the battlefield boundaries of sites identified in the Survey Reports. Battlefield boundary maps are available free of charge through the NPS ABPP website at the NPS DataStore: (https://irma.nps.gov/DataStore/Collection/Profile/7874). If the property to be acquired overlaps the battlefield boundary, a majority (more than 50%) of the property must be within the boundary of an eligible battlefield for the application to be eligible for funding.

Boundaries for most eligible battlefields are defined by NPS spatial data accompanying the Survey Reports. Applications for eligible sites without survey-defined boundaries, including sites identified as "Needing Further Study" in NPS ABPP's *Report to Congress on the Historic Preservation of Revolutionary War and War of 1812 Sites in the United States* (2007), must select defensible boundaries for the site according to guidelines provided in *National Register Bulletin No. 40: Guidelines for Identifying, Evaluating and Registering America's Historic Battlefields* and/or *National Register Bulletin No. 21: Defining Boundaries for National Register Properties*.

There are no limits to the number of applications an applicant may submit.

Applications for renewal or supplementation of existing projects are eligible to compete with applications for new Federal awards.

Excluded Parties:

NPSconducts a review of the SAM.gov Exclusions database for all applicant entities and their key project personnel prior to award. The NPS 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.

Foreign Entities or Projects

This program does not provide funding to foreign entities or for projects conducted outside the United States.

D. Application and Submission Information

D1. Address to Request Application Package

Applicants are encouraged to contact the NPS ABPP staff to discuss the proposed acquisition prior to submitting an application. Contact information can be found in Section G of this notice.

An Application Package has been included with the Notice of Funding Opportunity on Grants.gov. The Application Package contains mandatory forms that must be submitted with your proposal, including: the SF-424 (Application for Financial Assistance), SF-424A (Budget Information), SF-424B (Assurances). The Application Package also includes a Project Narrative Attachment and Budget Narrative Attachment for additional documentation. The Application Package can also be accessed and downloaded from the Synopsis page of this announcement in Grants.gov. Applicants may also request paper copies of application materials by contacting the Awarding Agency using the information provided in Section G of this Notice of Funding Opportunity.

You must complete the mandatory standard forms and any applicable optional forms, in accordance with the instructions below, as required by this NOFO. Do not include any proprietary or personally identifiable information. A complete application should include:

- Standard Form 424 (SF 424) - Application for Federal Assistance. Complete this form as much as possible with all applicable information.
- Standard Form 424A (SF 424A) - Budget Information. Applicants must provide an estimated cumulative budget for the total project in the proposal. The estimated budget must align with the projected scope of work presented in the application.
- Project Abstract Summary – The project abstract form must be completed to meet Federal award reporting requirements. Ensure the project abstract succinctly describes the project in plain language that the public can understand and use without the full proposal. If the application is funded, this information will be made available for public access including on USAspending.gov
- Detailed Budget – The project budget shall include detailed information on all cost categories and must clearly identify all project costs. Unit costs shall be provided for all budget items including the cost of work to be provided by contractors or sub-recipients. In addition, applicants shall include a narrative description of the items included in the project budget, including the value of in-kind contributions of goods and services provided to complete the project when cost share is identified to be included (reference section C of this announcement). Cost categories can include, but are not limited to, those costs items included on the SF424A.
- Standard Form 424B (SF 424B) – Assurances. This form must be signed and submitted with your application.
- Project Narrative - Proposal Submission Format
- Indirect Costs - If your proposed budget includes indirect costs, the rate as proposed must meet the requirements of 2 CFR Part 200, Section 200.414 and 2 CFR Part 200,

Appendix III through Appendix VII, as applicable. If fully negotiated indirect cost rates are applied, the associated rate agreement must be provided with your proposal. Proposals that fail to document their indirect costs may have those costs disallowed.

A complete application also includes the following documentation detailed in Section D7 below:

- Applicant Cover Letter
- Schedule for Completion
- Easement Holder Letter or Preservation Letter of Agreement statement
- Willing Seller documentation
- Cost Share Documentation
- Battlefield/Parcel Map
- Photos of the Property
- GIS shapefiles

D2. Content and Form of Application Submission

Project Narrative
The Project Narrative must identify the property to be acquired with the following information: Name and address of property ("Tract") and eligible battlefield where the Tract is located, including survey code(s) assigned in the "Survey Reports." Applicants must also state the Preservation Priority assigned to the battlefield in the Survey Reports and should provide the National Register Information System (NRIS) database number for any properties, including National Historic Landmarks, listed in the National Register of Historic Places.

The Project Narrative should specifically address each of the review criteria and questions (see Section E):

- Historical Significance and Integrity
- Resource Analysis and Proposed Activities
- Statement of Threat, Preservation Strategy and Future Sustainability
- Qualification, Experience and Capacity of Applicant and partners

The Project Narrative document should be a maximum of 5 pages long with font at a minimum size of 11, and 1-inch margins. (The SF-424, SF-424A, SF-424B, SF-LLL (if applicable), as well as required maps, photos, and resumes are not counted as part of the 5-page limit).

Applications to acquire lands associated with eligible sites without survey-defined boundaries must submit documentation described in Section C3. The Project Narrative may reference required documentation substantiating boundaries that is provided as a separate attachment to the application.

Additional information that is pertinent to the proposal should be included as attachments.

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. The required application forms are available with this announcement on Grants.gov. The SF-424, Application for Federal Assistance must be complete, signed, and dated. Do not include any proprietary or personally identifiable information. 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).

Applicants must submit the appropriate SF-424 Budget Information form and Budget Narrative. For non-construction programs or projects, applicants must complete and submit the SF-424A, "Budget Information for Non-Construction Programs" form. All of the required application forms are available with this announcement on Grants.gov. Federal award recipients and subrecipients are subject to Federal award cost principles in 2 CFR 200.

Applicants must provide an estimated cumulative budget for the total project in the proposal. The estimated budget must align with the proposed scope of work presented in the Project Narrative. Unit cost estimates shall be provided for all budget items including the cost of work to be provided by contractors or sub-recipients. A detailed Budget Narrative must also be submitted with the application.

Any applicant organization that has not completed the financial assistance certifications and representations within their SAM.gov registration must submit the appropriate signed and dated Assurances form. All of the required application forms are available with this announcement on Grants.gov.

Detailed Budget Narrative

The project budget shall include detailed information on all cost categories and must clearly identify all estimated project costs. Unit costs shall be provided for all budget items including the cost of work to be provided by contractors or sub-recipients. In addition, applicants shall include a narrative description of the items included in the project budget, including the value of in-kind contributions of goods and services provided to complete the project when cost share is identified to be included (reference section C of this announcement). Cost categories can include, but are not limited to, those costs items included on the SF424A or SF424C.

In addition to the SF-424A, applicants shall include a detailed Budget Narrative description of the items included in line 6.h. ("Other") of the SF-424A, including the value of in-kind contributions of goods and services provided to complete the project in accordance with 2 C.F.R. § 200.306(b) (See Section C.2. of this announcement).

The Budget Narrative must include income and expense lines, and present cost centers to distinguish expenses allocated to Federal and non-Federal sources. Expense categories can include, but are not limited to: Purchase Price, Appraisal, Appraisal Review, Environmental Assessment, expenses relating to Section 106 review and consultation, Property Surveying, Title Search and Insurance, Recording Fees, Settlement and Legal Fees. For acquisitions that include any contracted lease-back arrangements, such arrangements are considered Program Income under 2 CFR §200.1 during the grant period of performance and must be accounted for as such in the Budget Narrative.

Project Abstract Summary

Please complete and submit with your application package the Project Abstract Summary form with the following information:

- Funding Opportunity Number;
- Goals and Objectives of your proposed project;
- Summary of Project Activities;
- Performance Goals including milestones and expected outcomes;
- Who will benefit from your project.

This information will be transmitted to USASpending.gov and be viewable by the public.

Conflict of Interest Disclosure

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

(a) Applicability.

(1) This section intends to ensure that non-Federal entities and their employees take appropriate steps to avoid conflicts of interest in their responsibilities under or with respect to Federal financial assistance agreements.

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

(b) Notification.

(1) Non-Federal entities, including applicants for financial assistance awards, must disclose in writing any conflict of interest to the DOI awarding agency or pass-through entity in accordance with 2 CFR §200.112.

(2) Recipients must establish internal controls that include, at a minimum, procedures to identify, disclose, and mitigate or eliminate identified conflicts of interest. The recipient is responsible for notifying the Financial Assistance Officer in writing of any conflicts of interest that may arise during the life of the award, including those that have been reported by sub recipients.

(c) Restrictions on lobbying. Non-Federal entities are strictly prohibited from using funds under a grant or cooperative agreement for lobbying activities and must provide the required certifications and disclosures pursuant to 43 CFR §18 and prelim@title31/subtitle2/chapter13&edition=prelim">31 USC §1352.

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

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

Uniform Audit Reporting Statement

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

Certification Regarding Lobbying

Applicants requesting more than $100,000 in Federal funding must certify to the statements in 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.

Disclosure of Lobbying Activities

Applicants and recipients must not use any federally appropriated funds (annually appropriated or continuing appropriations) or matching funds under a Federal award to pay any person for lobbying in connection with the award. Lobbying is influencing or attempting to influence an officer or employee of any U.S. agency, a Member of the U.S. Congress, an officer or employee of the U.S. Congress, or an employee of a Member of the U.S. Congress connection with the award. Applicants and recipients must complete and submit the SF-LLL, "Disclosure of Lobbying Activities" form if the Federal share of the proposal or award is more than $100,000 and the applicant or recipient has made or has agreed to make any payment using non-appropriated funds for lobbying in connection with the application or award. The SF-LLL form is available with this Funding Opportunity on Grants.gov. See 43 CFR, Subpart 18.100 and 31 USC 1352 for more information on when additional submission of this form is required.

Overlap or Duplication of Effort Statement

If the project proposed in this application is funded through another Federal financial assistance award, in part or in whole, the applicant must provide a statement detailing the potential funding overlap in regards to activities, costs, or time commitment of key personnel. Provide a copy of any overlapping or duplicative proposal submitted to any other potential funding entity and identify when that proposal was submitted or copy of Federal financial assistance award covering activities covered under this proposal. The statement and the description of overlap or duplication, when applicable, may be provided within the proposal or as a separate attachment to the application. Any overlap or duplication of funding between the proposed project and other active or anticipated projects may impact selection and/or funding amount. 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"

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

Identifier and System for Award Management (SAM.gov) Registration:
This requirement does not apply to individuals applying for funds as an individual (i.e., unrelated to any business or nonprofit organization you may own, operate, or work within), or any entity with an exception to bypass SAM.gov registration with prior approval from the funding bureau or office in accordance with bureau or office policy. All other applicants are required to register in SAM.gov prior to submitting a Federal award application and obtain a Unique Entity Identifier (UEI) which replaced the Data Universal Numbering System (DUNS) number from Dun & Bradstreet in April 2022. A Federal award may not be made to an applicant that has not completed the SAM.gov registration. If an applicant selected for funding has not completed their SAM.gov registration by the time the program is ready to make an award, the program may determine the applicant is not qualified to receive an award. Federal award recipients must also continue to maintain an active SAM.gov registration with current information through the life of their Federal award(s). See the "Submission Requirements" section of this document below for more information on SAM.gov registration. **There is no cost to register with SAM.gov**. There are third-party vendors who will charge a fee in exchange for registering entities with SAM.gov; **please be aware you can register and request help for free**.

Register with the System for Award Management (SAM):
Applicants can register on the SAM.gov website. The "Help" tab on the website contains User Guides and other information to assist you with registration. The Grants.gov "Register with SAM" page also provides detailed instructions. Applicants can contact the supporting Federal Service Desk for help registering in SAM. Once registered in SAM, entities will be assigned a Unique Entity Identifier (UEI). Entities must renew and revalidate their SAM registration at least once every 12 months from the date previously registered. Entities are strongly encouraged to revalidate their registration as often as needed to ensure their information is up to date and reflects changes that may have been made to the entity's IRS information. If applicable, foreign entities who want to receive payment directly to a U.S. bank account must enter and maintain valid, current banking information in SAM.

D4. Submission Dates and Times

Due Date for Applications
12/31/2024

Application Due Date Explanation
This Notice of Funding Opportunity will remain open until December 31, 2024, or until it is succeeded by another issuance. Electronically submitted applications and associated required documents will be accepted throughout the calendar year, but must be submitted no later than 11:59 PM, ET, on December 31, 2024.

D5. Intergovernmental Review

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

D6. Funding Restrictions

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 to be submitted with Application.
All organizations must include the applicable statement from the following list in their application, and attach to their application any documentation identified in the applicable statement:

We are:

- A U.S. state or local government entity receiving more than $35 million in direct Federal funding each year with an indirect cost rate of [insert rate]. We submit our indirect cost rate proposals to our cognizant agency. Attached is a copy of our most recently approved rate agreement/certification.
- A U.S. state or local government entity receiving less than $35 million in direct Federal funding with an indirect cost rate of [insert rate]. We have prepared and will retain for audit an indirect cost rate proposal and related documentation.
- A [insert your organization type; U.S. states and local governments, do not use this statement] 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 "Cooperative Ecosystem Studies Unit Network", which has a Department of the Interior-approved indirect cost rate cap of 17.5%. 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 per 2 CFR §1402.414. If we do not have an approved indirect cost rate with our cognizant agency, we understand that we must charge indirect costs against the modified total direct cost base defined in 2 CFR §200.68 "Modified Total Direct Cost (MTDC)". We understand that we must request prior approval from the Service to use the 2 CFR 200 MTDC base instead of the base identified in our approved indirect cost rate agreement. We understand that Service approval of such a request will be based on: 1) a determination that our approved base is only a subset of the MTDC (such as salaries and wages); and 2) that use of the MTDC base will still result in a reduction of the total indirect costs to be charged to the award. In accordance with 2 CFR §200.405, we understand that indirect costs not recovered due to a voluntary reduction to our federally negotiated rate are not allowable for recovery via any other means.

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

D7. Other Submission Requirements

- Applicants must also submit in electronic format:

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- Applicant Cover Letter – A succinct description of the property to be acquired and summary of the overall preservation strategy and the disposition of the property at completion of the project, including identification of the easement holder, acknowledgment of Land and Water Conservation Fund Act requirements (see Section F(2)(b) of this announcement), and the Applicant's affirmative commitment to serve as grant recipient (Recipient) and, if there is a Subrecipient, as a pass-through entity for Federal funding consistent with 2 CFR §200.331.
- Schedule for Completion – A statement detailing estimated dates for major milestones in the acquisition project, including acquisition/purchase of the property interest, any planned transfer of the property, recordation of deed and/or easement, as well as any proposed ground-disturbing activities or other activities that have the potential to affect historic properties or resources.
- Easement Holder Letter – A letter or statement of commitment addressed to NPS ABPP from an authorized representative of the SHPO that will hold and enforce a perpetual preservation easement on the property under terms acceptable to NPS ABPP. If the SHPO declines to hold an easement on the property, include the SHPO's declination letter or statement and a letter from the nonprofit organization proposed as easement holder. The letter of commitment from the nonprofit organization proposed as the easement holder should acknowledge the Land and Water Conservation Fund Act Section non-conversion requirement (54 USC 200305(f)(3)) and should describe the qualifications of the proposed easement holder by: (1) acknowledging the state enabling legislation authorizing the creation of conservation and preservation easements and allows non-profits to hold easements, and showing their ability to hold easements through their charter or by-laws; (2) demonstrating that historic preservation, land conservation, or cultural landscape preservation is part of their mission through submission of the organization's charter, mission statement, policies, or by-laws, as attachments; (3) demonstrating that the organization has the capacity to enforce and defend the easement in perpetuity through financial resources or legal insurance; and (4) demonstrating that the organization has the expertise to carry out land management, stewardship, and conservation and preservation activities consistent with the Secretary of the Interior's *Standards*. (See "Nonprofit Easement Holder Qualifications," posted in ABPP Easement Attachment – Part II, for documentation required to demonstrate organizational capacity and expertise.) Grantors of easements to nonprofit organizations should review "Required Language for Easements with Nonprofit Grantees & Nonprofit or Private Grantors," posted in ABPP Easement Attachment – Part III, for mandatory clauses to be included in easements granted to nonprofit organizations by nonprofit or private property owners.
- Preservation Letter of Agreement (only for projects in which a State governmental agency will acquire and manage the property) – A statement from the Applicant of their intention to record a Preservation Letter of Agreement, in lieu of an easement, with the deed of sale and requiring the following stipulations (when permitted by State law): perpetual duration of acquisition; allowance for public access; commitment to maintain the historic features and landscape of the

property; restrictions on development to activities needed for interpretation and visitor access; SHPO review and approval of pre-development plans (including survey, evaluation and documentation of historic resources and design/construction documents); acknowledgment of the Land and Water Conservation Fund Act Section non-conversion requirement (54 USC 200305(f)(3)).

- Willing Seller documentation – A copy of a letter stating willingness to sell or contract to purchase signed and dated by the seller. This documentation should also include the seller's commitment to refrain from activities with the potential to affect historic properties.
- Cost Share Documentation – A letter from the awarding entity demonstrating the commitment of funds to be included as part of the required non-Federal share. Must include a statement assuring that no pass-through Federal funds are included in the commitment to the applicant.
- Battlefield/parcel map – Map depicting the property to be acquired with reference to the core area and battlefield boundaries of the eligible battlefield(s) as defined by spatial data accompanying Survey Reports; boundaries of nearby properties listed in the National Register of Historic Places; boundaries of nearby units of the National Park System; and existing buildings, structures, and significant landscape features within the project area.
- Photos – Three to four photos of the property (or interest) to be acquired; photos should be in high-def JPEG format and georeferenced, including one aerial image via Google Earth, and must include permission to use, a narrative caption and credits for potential use in NPS ABPP announcements and social media.
- Associated GIS shapefiles, or geodatabases, including metadata compliant with NPS Spatial Data Transfer Standards and FGDC. GIS files should be submitted via email to the ABPP BLAG program and not included with the grants.gov application.
- National Register or National Historic Landmarks documentation (recommended) – Copies of documentation for any property within the project area listed in the National Register of Historic Places, if applicable, are recommended but not required.

E. Application Review Information

E1. Criteria

Criterion 1 - Historical Significance and Integrity **Maximum Points:** 2

Description	
Public and Program interests of the NPS	Applications should describe the **Historical Significance and Integrity** of the property to be acquired ("the Tract") in a narrative statement addressing the following factors and considerations **about the battlefield ("eligible site")**:

	• Cite the Priority ranking(s) of the eligible site as defined in the Survey Reports. • If the eligible site is listed in the National Register of Historic Places (including National Historic Landmarks), describe the significance and integrity of the battlefield lands as stated in relevant documentation including significance criteria. (The property may be listed individually or as part of a larger district and may hold significance and retain integrity in areas and periods of significance related to events before or after the battle events). • If the eligible site is associated with any other NPS designations or certifications (e.g., National Trails System, National Heritage Areas, and other commemorative programs). Describe the Historical Significance and Integrity of the **Tract** by addressing the following factors: • Describe the location and acreage of the Tract in relation to the boundaries of an eligible site(s) identified in the Survey Reports (e.g., inside/outside battlefield boundary, within core area, acreage in each area. Describe how the Tract contributes to the significance and integrity of the entire eligible site. Please identify historic resources/character-defining features located on the Tract, if known, and any evaluations or determinations of eligibility completed by state or local preservation officials. Please reference maps included in the application package. • Describe the use of the property since the Survey Reports were completed. How has the eligible site and, specifically, the Tract been altered since the Survey Reports were completed? • Describe the current use of the Tract and any buildings and structures, including roads and any extant monuments, on the property. Please reference photographs included in the application package.

Criterion 2 - Resource Analysis and Proposed Activities **Maximum Points:** 2

Description

Technical Merits of the Proposed Effort	Applications should demonstrate how preservation of the eligible property will be accomplished within its geographic and thematic contexts and how proposed activities will affect historic resources. **Resource Analysis and Proposed Activities** should be addressed through the following considerations and by referring to the required map: • Describe any known cultural or archeological resources on the property. Please reference any completed survey and evaluation documentation (including National Register of Historic Places and National Historic Landmark documentation) and/or describe how the project will identify and assess effects on all historic resources on the property. • Describe the proposed short-term and long-term preservation outcomes, including any proposed activities, treatments, or uses that have the potential to affect historic resources, including activities proposed after acquisition of the property that may be considered foreseeable effects. Please reference the Secretary of the Interior's *Standards for the Treatment of Historic Properties* and *Guidelines for the Treatment of Cultural Landscapes*. • Describe any encumbrances on the property (e.g. existing easements, utility easements, right-of-way easements, mineral rights, timbering rights). Describe how the encumbrances will impact preservation outcomes. • Describe immediate and long-term stewardship strategies, including maintenance, monitoring, and any plans for outreach or interpretation. (Who is responsible? What? When?) • Describe the Tract's natural environment and stewardship strategies for the natural resources within the cultural landscape (e.g., farmland, erodible soil, pasture, wetlands, ponds, hammocks, bogs, forest). Regarding the Tract to be acquired and placed under easement, please address the following: • Describe any issues that need to be resolved before an enforceable easement can be drafted as well as any conditions that need to be written into the easement.

Criterion 3 - Statement of Threat, Preservation Strategy and Future Sustainability **Maximum Points:** 2

Description

Clear and Obtainable Objectives	Applications should demonstrate that the proposed activities are clearly defined, including timelines, and describe how the project responds to both threats and stewardship opportunities. The project narrative and supporting documentation should demonstrate that the preservation goals are achievable, that the project is sustainable, and that the preservation strategy is most appropriate to achieve the identified preservation outcomes. **Statement of Threat, Preservation Strategy and Future Sustainability** should be addressed through the following considerations: **Statement of Threat** • What is the nature, extent, and level of severity of the threat(s) to the battlefield as a whole and to the specific tract/property to be acquired/placed under easement? • Describe why acquisition of the property at this time is the most appropriate preservation strategy for the battlefield and, if applicable, other alternatives considered. **Preservation Strategy** • Eligible tracts must be outside the legislative boundaries of any associated National Park Service units. What is the closest National Park unit, and where is the Tract proposed for acquisition in relation to the unit (i.e., how far away is it from the unit, is it adjacent to the unit boundary)? • Describe any abutting, adjacent, or nearby conserved land or conservation efforts including prior BLAG acquisitions. • Is this a new preservation effort or connected to a larger, ongoing preservation effort? • Describe how this project contributes to local and/or regional preservation strategies (e.g., for battlefield, for campaign, etc.) • Describe how the project will meet the goals of the ABPP (e.g., preservation in perpetuity, 6(f)(3) requirements, preservation tool, etc.) • Describe any preservation alternatives to fee simple acquisition or easement purchase that were considered and explain why acquisition / easement is the most appropriate strategy. **Future Sustainability** The application narrative should also address additional preservation interests and community values supported through the proposed acquisition:

	• Describe how the acquisition of this Tract will advance local interest in the preservation of the battlefield. Please describe why this place is important to the local community or to other stakeholders. • Describe accomplished and planned outreach and consultation activities, including involvement of SHPO(s), local authorities, public stakeholders, under-resourced communities, and tribes in project planning and identification of goals/preservation outcomes. • Will any historically under-resourced community or perspective benefit from the preservation of this property?

Criterion 4 - Qualification, Experience and Capacity of Applicant and partners **Maximum Points:** 2

Description	
Qualifications, Experience and Capabilities to Achieve Objectives	Applications should demonstrate how parties participating in the project will contribute to the proposed conservation effort. **Qualification, Experience, and Capacity** should be addressed through the following considerations and supported by the required Application Cover letter and Easement Holder letter and other attachments, as needed: • Describe the Applicant's experience with similar projects, and, if applicable, describe the outcomes of past projects and/or completed BLAG acquisitions. • List and describe all preservation partners who will contribute to completion of this project, noting any past experience in battlefield preservation/acquisition or cultural resource management. Please note any staff who meet the *Secretary of the Interior's Historic Preservation Professional Qualification Standards*. • Describe the proposed landowner's ability and plan to maintain the property in compliance with the terms of the easement. • Describe the easement holder's experience stewarding properties that are cultural landscapes (e.g., battlefields), experience managing properties that contain cultural resources, and/or experience holding easements on properties that were acquired with a BLAG. If applicable, please note any relevant certifications (e.g., certified land trust) and identify staff who meet the *Secretary of the Interior's Historic Preservation Professional Qualification Standards*.

E2. Review and Selection Process

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

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

Prior to award, the program will evaluate the risk posed by applicants as required in 2 CFR 200.205. Programs document applicant risk evaluations using the Bureau'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 Bureau is required to review and consider any information about or from the applicant found in the Federal Awardee Performance and Integrity Information System. The Bureau will consider this information when completing the risk review. The Bureau uses the results of the risk evaluation to establish monitoring plans, recipient reporting frequency requirements, and to determine if one or more of the specific award conditions in 2 CFR 200.207 should be applied the award.

NPS personnel, and in some cases independent reviewers, will review all proposals. All proposals for funding will be considered using the criteria outlined above. A summary of the review panel comments may be provided to the applicant if requested.

a. Initial Review

Prior to conducting the comprehensive merit review, an initial review will be performed to determine whether: (1) the applicant is eligible for an award; (2) the information required by the NOFO has been submitted; (3) all mandatory requirements of the NOFO are satisfied; and (4) the proposed project is responsive to the program objectives of the NOFO (program determination). If an applicant fails to meet the requirements or objectives of the NOFO, or does not provide sufficient information for review, the applicant will be considered non-responsive and eliminated from further review.

b. Comprehensive Merit Review

All applications that satisfactorily pass the initial review will go through a merit review process. The merit review panel will conduct the review based on the criteria outlined section E.1. Each criterion will be reviewed and assigned a rating of "Exceeds", "Meets", or "Does not meet" based on whether it exceeds, meets, or does not meet the criteria.

c. Policy Factors

The following program policy factors may also be considered in making the selection:

- Availability of funds
- Review of Applicant Risk

- Requirements outlined in program specific authorities: Grants are available for the fee simple acquisition of land, or for the acquisition of permanent, protective interests in land (easements), at Civil War Battlefields listed in the Civil War sites Advisory Commission's (CWSAC) *Report on the Nation's Civil War Battlefields* (1993) and at Revolutionary War and War of 1812 battlefields and associated sites identified as principal sites in the National Park Service American Battlefield Protection Program's (NPS ABPP) *Report to Congress on the Historic Preservation of Revolutionary War and War of 1812 Sites in the United States* (2007). Funds may not be used to acquire land or interests in land within the legislative boundary of a unit of the National Park System. Recipients or subrecipients should provide for the appropriate public access (entry or viewable from public right-of-way) to and enjoyment of any lands or interests in lands acquired with assistance from this program, subject to necessary and reasonable measures on the part of the beneficiary to protect the historic features of the battlefield from damage or loss. Land acquired with these funds must be preserved in perpetuity. In any case where a local government or a private, nonprofit organization acquires land or an interest in land with assistance from this program, it must convey an acceptable perpetual protective easement on the land to the State Historic Preservation Office (SHPO) or other organization acceptable to the National Park Service and SHPO.

d. Selection

Based upon their review, the merit reviewers will categorize each proposal into one of three categories:

- Category 1: Proposal meets or exceeds the program interests of the NPS with a strong confidence that the objectives of the agreement will be met based on the demonstrated qualifications, experience and capabilities of the applicant.
- Category 2: Proposal meets some of the program interests of the NPS, or there is a marginal confidence that the objectives of the agreement will be met based on the demonstrated qualifications, experience and capabilities of the applicant.
- Category 3: Proposal either does not meet the program interests of the NPS, or there is low confidence of meeting the objectives of the agreement based on the demonstrated qualifications, experience and capabilities of the applicant

Category 1 proposals are anticipated to be funded if funding is available. Category 2 may be funded after Category 1 proposals, if funding is available, but additional clarifications may be requested prior to funding. Category 3 proposals will not be funded.

e. Budget Review

The proposed budget will be reviewed to ensure all costs are necessary, reasonable, allowable, and allocable for the activities to be conducted. Costs will also be reviewed to determine cost realism and feasibility relative to the objectives contained within the project narrative. Deficiencies, as well as suggested adjustments, may be noted for discussion purposes if an applicant is selected for award. Although the budget evaluation does not affect the comprehensive merit review criteria noted above, the budget information may be considered as a deciding factor for selection if the budget does not support the technical aspects of the proposal, or if adequate funds are not available to support the proposed effort.

f. Discussions and Award

The Government may enter into discussions with a selected applicant for any reason deemed necessary, including, but not limited to: (1) only a portion of the application is selected for award; (2) the Government needs additional information to determine that the applicant is capable of complying with the requirements of DOI Financial Assistance Regulations, and/or (3) additional specific terms and conditions are required. Failure to satisfactorily resolve the issues identified by the Government may preclude award to the applicant.

Evaluation of Applicant Risk

In accordance with 2 C.F.R. § 200.205, applications selected for funding will be subject to a pre-award risk assessment which may include a review of information contained within the applicant's proposal, past audits, Federal Awardee Performance and Integrity Information System (FAPIIS), and/or past performance on previous Federal financial assistance awards. Negative information that leads to an applicant being designated as "Medium Risk" or "High Risk" may result in specific conditions, as identified in 2 C.F.R. § 200.207, being incorporated into the final award.

E3. CFR – Regulatory Information

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

E4. Anticipated Announcement and Federal Award Dates

Proposals will be evaluated on a rolling basis as applications are received. Awards are made throughout the year.

F. Federal Award Administration Information

F1. Federal Award Notices

Upon being selected for the award, successful applicants will receive a notification of the selection of their application for funding. NPS will notify the applicant selected for award. A notice of selection is not an authorization to begin performance on an agreement. This notice will detail the next steps in the awarding process. Once all clearances and reviews have been conducted, a grant agreement or grant will be sent via GrantSolutions.

Work cannot begin before the agreement is fully executed by the Financial Assistance Awarding Officer. Any pre-award costs incurred prior to the execution of the agreement or written notice signed by a Financial Assistance Awarding Officer authorizing pre-award costs, are at the applicant's own risk. A grant agreement executed by a Financial Assistance Awarding Officer is the only authorizing document to begin performance.

Organizations whose applications have not been selected will be advised as promptly as possible.

F2. Administrative and National Policy Requirements

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

Data Availability
Per theFinancial Assistance Interior Regulation (FAIR), 2 CFR §1402.315:

(a) All data, methodology, factual inputs, models, analyses, technical information, reports, conclusions, valuation products or other scientific assessments in any medium or form, including textual, numerical, graphic, cartographic, narrative, or audiovisual, resulting from a financial assistance agreement is available for use by the Department of the Interior, including being available in a manner that is sufficient for independent verification.

(b) The Federal Government has the right to:

(1) Obtain, reproduce, publish, or otherwise use the data, methodology, factual inputs, models, analyses, technical information, reports, conclusions, or other scientific assessments, produced under a Federal award; and

(2) Authorize others to receive, reproduce, publish, or otherwise use such data, methodology, factual inputs, models, analyses, technical information, reports, conclusions, or other scientific assessments, for Federal purposes, including to allow for meaningful third-party evaluation.

Land and Water Conservation Fund (LWCF)

The American Battlefield Protection Act (ABPA) of 1996, as amended (54 USC 308101), authorizes this grant program. The ABPA allows Land and Water Conservation Fund monies to be used to provide the Federal share of the cost of acquiring interests in eligible battlefield land. The ABPA requires that any interest in land acquired under this program shall be subject to section 200305(f)(3) of the Land and Water Conservation Fund Act of 1965 (54 USC 308103(e)). See Section H of this notice for details on requirements.

Successful applicants will be required to convey a perpetual protective covenant or easement on the property consistent with the protections required through the grant agreement. See Section H of this notice for details on easement requirements. Additional resource documents are available as an attachment to this notice.

Financial Assistance Interior Regulations—Appraisal Requirements

All Federally assisted land acquisitions are subject to the requirements of the Financial Assistance Interior Regulations (FAIR) 2 CFR 1402.329(b)(1) including the submission of both an appraisal and written appraisal review that meet the Yellow Book standards and qualifications of the Department of the Interior Appraisal Valuation Services Office (DOI AVSO). See Section H of this notice for details on appraisal requirements.

National Historic Preservation Act—Section 106 Compliance

Projects funded under this program constitute “undertakings” as defined by Section 106 of the National Historic Preservation Act, as amended (54 U.S.C. 306108). See Section H of this notice for details on requirements under the NPS ABPP Programmatic Agreement as amended.

F3. Reporting

Financial Reports

All recipients must use the SF-425, Federal Financial Report form for financial reporting. At a minimum, all recipients must submit a **final** financial report. Final reports are due no later than 120 calendar days after the award period of performance end date or termination date. For awards with periods of performance longer than 12 months, recipients are required to submit **interim** financial reports on the frequency established in the Notice of Award. The only exception to the interim financial reporting requirement is if the recipient is required to use the SF 270/271 to request payment and requests payment at least once annually through the entire award period of performance. We will describe all financial reporting requirements in the Notice of Award.

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. Final reports are due no later than 120 calendar days after the award period of performance end date or termination date. For awards with periods of performance longer than 12 months, recipients are required to submit **interim** financial reports on the frequency established in the Notice of Award.

Significant Development Reports

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

Real Property Reports

Recipients and subrecipients are required to submit status reports on the status of real property acquired under the award in which the Federal government retains an interest. The required frequency of these reports will depend on the anticipated length of the Federal interest period. The Bureau will include recipient-specific real property reporting requirements, including the required data elements, reporting frequency, and report due dates, in the Notice of Award when applicable.

The approved OMB real property reporting form is the SF-429. The SF-429A shall be submitted by the recipient at least annually through the Federal award Period of Performance. Since the Federal Government interest in the land will be held for more than 15 years, the recipient must continue to submit theSF-429A within one year of the Period of Performance end date and then every five years thereafter. (2 C.F.R. § 200.330)

Conflict of Interest Disclosures

Recipients must notify the program immediately in writing of any conflict of interest that arise during the life of their Federal award, including those reported to them by any subrecipient under the award. Recipients must notify the program 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.

Other Mandatory Disclosures

The Non-Federal entity or applicant for a Federal award must disclose, in a timely manner, in writing to the Federal awarding agency or pass-through entity all violations of Federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the Federal award. Non-Federal entities that receive a Federal award including the terms and conditions outlined in 2 CFR 200, Appendix XII—Award Term and Condition for Recipient Integrity and Performance Matters are required to report certain civil, criminal, or administrative proceedings to SAM. Failure to make required disclosures can result in any of the remedies described in 2 CFR 200.339 Remedies for Noncompliance, including suspension or debarment.

Reporting Matters Related to Recipient Integrity and Performance

If the total value of your currently active grants, cooperative agreements, and procurement contracts from all Federal awarding agencies exceeds $10,000,000 for any period of time during the period of performance of this Federal award, then you as the recipient during that period of time must maintain the currency of information reported to the System for Award Management (SAM) that is made available in the designated integrity and performance system (currently the Federal Awardee Performance and Integrity Information System (FAPIIS)) about civil, criminal, or administrative proceedings in accordance with Appendix XII to 2 CFR 200.

G. Federal Awarding Agency Contact(s)

G1. Program Technical Contact

For **programmatic technical assistance**, contact:

First and Last Name:
NPS American Battlefield Protection Program

Address:
1849 C Street NW, MS 7228, Washington DC 20240

Telephone:
202-354-2037

Email:

abpp_blag@nps.gov

G2. Program Administration Contact

For **program administration assistance**, contact:

First and Last Name:
James E. Modrick

Address:
1849 C Street NW, MS 7228, Washington DC 20240

Telephone:
202-354-2037

Email:
abpp_blag@nps.gov

G3. Application System Technical Support

For Grants.gov technical registration and submission, downloading forms and application packages, contact:
Grants.gov Customer Support
Numeric Input Field: 1-800-518-4726
Support@grants.gov

For GrantSolutions technical registration, submission, and other assistance contact:
GrantSolutions Customer Support
1-866-577-0771
Help@grantsolutions.gov

H. Other Information

Payments

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

Land and Water Conservation Fund (LWCF) Requirements –

The American Battlefield Protection Act (ABPA) of 1996, as amended (54 USC 308101), authorizes this grant program. The ABPA allows Land and Water Conservation Fund monies to be used to provide the Federal share of the cost of acquiring interests in eligible battlefield land. The ABPA requires that any interest in land acquired under this program shall be subject to section 200305(f)(3) of the Land and Water Conservation Fund Act of 1965 (54 USC 308103(e)). Section 200305(f)(3) requires that any land acquired with these funds must be

preserved and not converted to other uses without the express written consent of the Secretary of the Interior.
All recipients must agree to record with or in the deed and record in the easement (as applicable) the following:

- That the property was acquired with assistance from Federal Land and Water Conservation Act finds pursuant to the American Battlefield Protection Act (16 USC 469.k.).
- That the property is subject to provisions of Section 200305(f)(3) of the Land and Water Conservation Act.
- That the property, therefore, may never be converted to other than preservation uses without the written approval of the Secretary of the Interior.
- That in the event of a breach of the requirements of Section 200305(f)(3) (unauthorized conversion), the only remedy is immediate compliance with Section 6(f)(3); and
- That grant funds cannot be repaid to the NPS to nullify the requirements of Section 200305(f)(3).

Because the non-conversion clause governs the use of the land but is not necessarily sufficient to protect the historic features of the battlefield, the NPS also requires additional legal assurances that the battlefield land will be preserved appropriately.

In cases where a State government agency will acquire and manage the property, the State may enter into a letter of agreement with the NPS. The letter must assert that the State will hold the property forever, allow for public access, maintain and protect the historic features and landscape, restrict development to that needed for interpretation and visitor access, and pursue site development only after appropriate environmental and cultural studies are completed to inform the best possibilities for low impact design and construction. If the agency is other than the State Historic Preservation Office, the letter must also state that pre-development site planning (such as surveys to identify significant landscape and historic features, and archeological investigations) and final construction designs are subject to approval by the State Historic Preservation Officer. The letter must also acknowledge the LWCF non-conversion restrictions on the property. This letter will be recorded with the deed for the property and will run with the land in perpetuity.

In all other cases, recipients or sub-recipients must encumber the title to the acquired battlefield property with a preservation easement, in favor of and enforceable in court by the State Historic Preservation Officer or, if the SHPO declines to hold the easement, by another government agency acceptable to the NPS, in perpetuity. Easements must acknowledge Section 6(f)(3) restrictions and must be sent to the NPS for review and acceptance prior to their execution and recordation. **See the ABPP Easement Attachment for recommendations and requirements for preservation easements: “BLAG Easement Requirements,” for a list of required and recommended easement provisions; “Required Language for Easements with Nonprofit Grantees & Nonprofit or Private Grantors,” for mandatory clauses to be included in easements granted to nonprofit organizations by nonprofit or private property owners; and “Nonprofit Easement Holder Qualifications” for required qualifications of nonprofit entities proposed as easement holders.**

The fundamental purpose of the Land and Water Conservation Fund is to help acquire and/or develop public outdoor recreation areas. Accordingly, recipients should provide for public access to lands or interests in lands acquired with assistance from this program, subject to necessary and reasonable measures on the part of the Recipient to protect the historic features of the battlefield from damage or loss. Where the Recipient will place an easement on the property, the Recipient must include language in the easement that indicates the type and degree of public access to be made available to the property. At a minimum, lands purchased with LWCF funds must be visible from public rights-of-way.

Appraisal and Appraisal Review Requirements –
The award agreement will stipulate that, prior to draw down of grant funds, the NPS must receive a signed SF-429 Cover Sheet and SF-429B reflecting the property appraisal that supports the proposed acquisition cost. A digital copy of the appraisal and appraisal review must be submitted to the NPS prior to accessing award funds. The appraisal and appraisal review should be completed within one year of signing the contract to acquire the property.

Unless a waiver valuation applies in accordance with 49 CFR 24.102(c), land or interests in land that will be acquired under the award must be appraised in accordance with the Uniform Appraisal Standards for Federal Land Acquisitions, 6th Edition, dated December 6, 2016 (UASFLA or the ''Yellow Book'') by a real property appraiser licensed or certified by the state or states in which the property is located. The appraisal report shall be reviewed by a qualified review appraiser that meets qualifications established by the DOI Appraisal and Valuation Services Office (AVSO), which is responsible for appraisal and valuation services and policy across the Department. Bureaus and offices shall ensure that funds are not disbursed for purchases of land or interests in land without an appraisal accompanied by a written appraisal review report that complies with standards approved by AVSO. Where appraisals are required to support federally assisted land acquisitions, AVSO has oversight responsibilities for these appraisals, including those purchased through financial assistance actions in the various grant programs within the Department. AVSO will coordinate with grant programs to conduct periodic internal control review of appraisal and appraisal review reports prepared in conjunction with grant applications for land acquisition.

The Director of the Federal Register approves the incorporation by reference of the Yellow Book in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. You may obtain a print copy or interactive electronic version from The Appraisal Foundation at https://www.appraisalfoundation.org or a read-only version from the U.S. Department of Justice at https://www.justice.gov/file/408306/download. You may inspect a copy at the Appraisal and Valuation Services Office within the Department of the Interior located at 1840 C St. NW, Washington, DC 20240 or at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202–741–6030, or go to www.archives.gov/federalregister/cfr/ibr-locations.html.

National Historic Preservation Act - Section 106 Consultation Requirements –
The NPS encourages Applicants to design projects to avoid Adverse Effects on historic properties and adhere to the appropriate *Secretary of the Interior's Standards and Guidelines*. The Applicant may be reimbursed for up to 50% of costs associated with identification and

evaluation of historic properties, including but not limited to any completed cultural resource surveys or inventories associated with land or conservation easement acquisitions. These costs must be included in the application budget information. The Applicant will be responsible for costs associated with resolving any adverse effects.

Upon receipt of a complete application, the NPS will fulfill its responsibilities under Section 106 of the National Historic Preservation Act to review proposed activities for their potential effects on historic properties. After NPS completes merit review of the proposal and, consistent with the terms of the NPS ABPP Programmatic Agreement, as amended, the NPS will authorize the BLAG applicant, and in the case of a proposal with a pass-through entity, the subapplicant, or their designee, to initiate consultation with the appropriate SHPO and other by-right consulting parties. NPS will initiate consultations with Federally Recognized Tribes with an identified Area of Interest in the proposed project area.

No activity with the potential to affect historic properties, other than the acquisition of battlefield land, may occur on the property before the Section 106 process is complete. In accordance with Section 110(k) of the NHPA (54 U.S.C. § 306113) NPS will not provide assistance to an applicant who, with intent to avoid the requirements of Section 106, has intentionally adversely affected a historic property (e.g. demolition or removal of all or part of the property or conducting significant ground disturbing activity) to which the grant would relate, or having legal power to prevent it, has allowed the significant adverse effect to occur, unless NPS, after consultation with the ACHP, determines that circumstances justify granting the assistance despite the adverse effect created or permitted by the applicant.

NPS will propose a finding of no adverse effect only after reviewing the draft easement for sufficient restrictions to protect the identified historic properties in perpetuity and, thus, conclude the Section 106 consultation.

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