

**U.S. Fish and Wildlife Service
Ecological Services**

Environmental Contaminants Program
Catalog of Federal Domestic Assistance (CFDA) Number: 15.658

Notice of Funding Opportunity and Application Instructions

I. Description of Funding Opportunity

The Comprehensive Environmental Response, Compensation and Liability Act (CERCLA, more commonly known as the federal “Superfund” law) [42 USC § 9601, *et seq.*] and the Federal Water Pollution Control Act (CWA, commonly known as the Clean Water Act) [33 USC § 1251, *et seq.*] authorizes States, federally recognized Tribes, and certain federal agencies that have authority to manage or control natural resources, to act as “trustees” on behalf of the public, and to restore, rehabilitate, replace, and/or acquire natural resources equivalent to those harmed by hazardous substance releases. The State of Wisconsin, the Menominee Indian Tribe of Wisconsin, the Oneida Tribe of Indians of Wisconsin, the United States Department of the Interior (represented by the United States Fish and Wildlife Service and the Bureau of Indian Affairs) and the United States Department of Commerce (represented by the National Oceanic and Atmospheric Administration) (collectively, the Trustees) have worked together, in a cooperative process, to determine what is necessary to address natural resource injuries caused by past releases of polychlorinated biphenyls (PCBs) into the Lower Fox River and Green Bay assessment area. Natural resource damages received, either through negotiated or adjudicated settlements, must be used to restore, rehabilitate, replace and/or acquire the equivalent of those natural resources that have been injured.

II. Award Information

This is a notice of intent to award a single source grant to Ducks Unlimited (DU) without competition under justification 505DM 2.14 B (1). Estimated Total Program Funding is \$540,000.00. Competition for the award is not practical, as DU are the lead negotiators and have unique knowledge of specific parcels that achieve habitat goals and work closely with private landowners that are willing sellers. Ducks Unlimited will use the Fox River NRDA settlement funds for the purchase of land to protect wetlands and associated wildlife habitat within Winnebago and Fond du Lac County, Wisconsin near the Rush Lake wetland complex.

Restoration projects are selected and implemented through a cooperative process between the Trustees and partners. The Trustees will work with partners and amongst themselves to identify projects which meet the restoration criteria and goals contained within the Restoration Plan. The Trustee Council will review and make the final decisions on the selection of projects which are recommended by the Trustee Restoration Technical Representative Team.

Potential cooperating partners include municipalities within the restoration area, county and local governments, State and Federal government programs, tribal governments, and private nonprofit organizations interested in fish, wildlife, wetland or aquatic habitat quality enhancing projects. Restoration project proposals prepared by cooperators are more likely to be supported by the community because they will better reflect local interests, priorities, and tolerance. Overall effectiveness of the Lower Fox River and Green Bay Restoration Plan will increase through

matching public and private contributions (dollars and services) and coordination with other area enhancement projects.

Restoration projects are developed and implemented through cooperative efforts between the Trustees and interested partners. Partners include interested state and federal agencies, local and tribal governments, consulting firms, nonprofit organizations, and other appropriate entities. Partners will work through existing resource managers and resource programs to develop restoration projects. Restoration projects should not duplicate or substitute for traditional funding sources or program responsibilities. Basic principles of fish and wildlife biology, landscape ecology, botany, wetland/riverine ecology, and hydrology are important concepts to utilize in the development of quality restoration projects that restore both habitat structure and function and comply with the criteria identified in this plan. Cooperative projects are encouraged.

By law, the Trustees are responsible to the public for the damages being disbursed to restore resources injured by the release of hazardous substances. The Trustees must restore, rehabilitate, replace and/or acquire the equivalent resources to those injured. Therefore, the Trustees must maintain the linkage between injury and restoration and are accountable to the public for the funds, including National Environmental Policy Act (NEPA)[42 U.S.C. § 4321] compliance and restoration planning requirements under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA)[42 U.S.C. § 9607]. There is no intent by the Trustees to delegate these trust responsibilities to other parties or organizations. Any trust or foundation that would potentially be proposed to hold or assist in the management of settlement funds would have to allow the Trustees to be the decision makers on the allocation of the funds.

III. Basic Eligibility Requirements

Eligible Applicants:

Restoration projects funded by the Lower Fox River/Green Bay Natural Resource Trustee Council are developed and implemented through cooperative efforts between the Trustees and interested partners. Partners include state and federal agencies, local and tribal governments, consulting firms, nonprofit organizations, and other appropriate entities. Partners will work through existing resource managers and resource programs to develop restoration projects. Restoration projects should not duplicate or substitute for traditional funding sources or program responsibilities. Cooperative projects will be encouraged.

Federal law mandates that all entities applying for Federal financial assistance must have a valid Dun & Bradstreet Data Universal Number System (DUNS) number and have a current registration in the System for Award Management (SAM). See Title 2 of the Code of Federal Regulations (CFR), Part 25 for more information. Exemptions: The SAM registration requirement does not apply to individuals submitting an application on their own behalf and not on behalf of a company or other for-profit entity, state, local or Tribal government, academia or other type of organization.

A. DUNS Registration

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

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

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

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

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

B. Entity Registration in SAM

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

C. Excluded Entities

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

D. Cost Sharing or Matching:

The Lower Fox River/Green Bay Natural Resource Trustee Council does not require matching funds as contributions to restoration projects.

IV. Application Requirements

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

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

- B. Project Summary**

Briefly summarize the project, in one page or less. Include the title of the project, geographic location, and a brief overview of the need for the project. Goal(s), objectives, specific project activities, anticipated outputs and outcomes can also be included in this section.

C. Project Narrative

1. **Statement of Need:** Describe why this project is necessary (significance/value) and include supporting information. Summarize previous or on-going efforts (of you/your organization, and other organizations or individuals) that are relevant to the proposed work. Explain the successes or failures of past efforts and how your proposed project builds on them. If you have received funding previously (from the Service or any other donor) for this specific project work or site, provide a summary of the funding, associated activities and products/outcomes.
2. **Project Goals and Objectives:** State the long-term, overarching goal(s) of the program/project. State the objectives of the project. Objectives are the specific outcomes to be accomplished in order to reach the stated goal(s). The project objectives must be specific, measurable, and realistic (attainable within the project's proposed project period).
3. **Project Activities, Methods and Timetable:** List the proposed project activities and describe how they relate to the stated objectives. Activities are the specific actions to be undertaken to fulfill the project objectives and reach the project goal(s). The proposed project activities narrative must be detailed enough for reviewers to make a clear connection between the activities and the proposed project costs. For projects being conducted within the United States, the narrative must provide enough detail so that reviewers are able to determine project compliance with the National Environmental Policy Act, Section 7 of the Endangered Species Act, and Section 106 of the National Historic Preservation Act. Provide a detailed description of the method(s) to be used to carry out each activity. Provide a timetable indicating roughly when activities or project milestones are to be accomplished. Include any resulting tables, spreadsheets or flow charts within the body of the project narrative (do not include as separate attachments). The timetable should not propose specific dates but instead group activities by month for each month over the entire proposed project period.
4. **Stakeholder Coordination/Involvement:** As applicable, describe how you/your organization has coordinated with and involved other relevant organizations or individuals in planning the project, and detail if/how they will be involved in conducting project activities, disseminating project results and/or incorporating your results/products into their activities.
5. **Project Monitoring and Evaluation:** Detail the monitoring and evaluation plan for the project. Building on the stated project objectives, which must be specific and measurable, identify what you will measure (i.e., quantitative/quantifiable indicators) and how you will measure (i.e., methods, sample size, survey tools). Reference the stated project timetable (i.e., process indicators) and budget information (i.e., input indicators). Identify the products/services to be delivered and how/to whom they will be delivered (i.e., output indicators). Detail the expected direct effect(s) of the project on beneficiaries (i.e., outcome indicators). Include any available questionnaires, surveys, curricula, exams/tests or other assessment tools to be used for project evaluation. Describe the

resources and organizational structure available for gathering, analyzing and reporting monitoring and evaluation data. If applicable, describe how project participants and beneficiaries will participate in monitoring and evaluation activities. Describe how findings will be fed back into decision making and project activities throughout the project period.

6. **Description of Entities Undertaking the Project:** Provide a brief description of the applicant organization and all participating entities and/or individuals. Identify which of the proposed activities each agency, organization, group, or individual is responsible for conducting or managing. Provide complete contact information for the individual within the organization that will oversee/manage the project activities on a day-to-day basis.
7. **Sustainability:** As applicable, describe which project activities will continue beyond the proposed project period, who will continue the work or act on the results achieved, and how and at what level you expect these future activities will be funded.
8. **Literature Cited**
9. **Map of Project Area:** Map should clearly delineate the project area and be large enough to be legible. Label any sites referenced in the project narrative.

D. Budget Form

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

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

E. Budget Justification

In a separate narrative titled “**Budget Justification**”, explain and justify all requested budget items/costs. Detail how the SF 424 Budget Object Class Category totals were determined and demonstrate a clear connection between costs and the proposed project activities. For personnel salary costs, include the base-line salary figures and the estimates of time (as

percentages) to be directly charged to the project. Describe any item that under the applicable Federal cost principles requires the Service's approval and estimate its cost.

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

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

“We are:

1. A U.S. state or local government entity receiving more than \$35 million in direct Federal funding each year with an indirect cost rate of [insert rate]. We submit our indirect cost rate proposals to our cognizant agency. A copy of our most recently approved rate agreement/certification is attached.
2. A U.S. state or local government entity receiving less than \$35 million in direct Federal funding with an indirect cost rate of [insert rate]. We are required to prepare and retain for audit an indirect cost rate proposal and related documentation to support those costs.
3. A [insert your organization type; U.S. states and local governments, please use one of the statements above or below] that has previously negotiated or currently has an approved indirect cost rate with our cognizant agency. Our indirect cost rate is [insert rate]. A copy of our most recently approved rate agreement is attached.
4. A [insert your organization type] that has never submitted an indirect cost rate proposal to our cognizant agency. Our indirect cost rate is [insert rate]. In the event an award is made, we will submit an indirect cost rate proposal to our cognizant agency within 90 calendar days after the award is made.
5. A [insert your organization type] that has never submitted an indirect cost rate proposal to our cognizant agency. Our indirect cost rate is [insert rate]. However, in the event an award is made, we will not be able to meet the requirement to submit an indirect cost rate proposal to our cognizant agency within 90 calendar days after award. We request as a condition of award to charge a flat *de minimus* indirect cost rate of 10% of modified total direct costs as defined in [Title 2 of the Code of Federal Regulations Part 200, section 200.68](#). We understand that the 10% *de minimus* rate will apply for the life of the award, including any future extensions for time, and that the rate cannot be changed even if we do establish an approved rate with our cognizant agency at any point during the award period
6. A [insert your organization type] that is submitting this proposal for consideration under the [insert either “Cooperative Fish and Wildlife Research Unit Program” or “Cooperative Ecosystem Studies Unit Network”], which has a Department of the Interior-approved indirect cost rate cap of [insert program rate]. If we have an approved indirect cost rate with our cognizant agency, we understand that we must apply this reduced rate against the same direct cost base as identified in our approved

indirect cost rate agreement. If we do not have an approved indirect cost rate with our cognizant agency, we understand that the basis for direct costs will be the modified total direct cost base defined in 2 CFR 200.68 “Modified Total Direct Cost (MTDC)”. We understand that we must request prior approval from the Service to use the MTDC base instead of the base identified in our approved indirect cost rate agreement, and that Service approval of such a request will be based on: 1) a determination that our approved base is only a subset of the MTDC (such as salaries and wages); and 2) that use of the MTDC base will still result in a reduction of the total indirect costs to be charged to the award.

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

All applicants are hereby notified of the following:

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

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

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

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

Acquisition Services Directorate, Interior Business Center
U.S. Department of the Interior
2180 Harvard Street, Suite 430
Sacramento, CA 95815
Phone: 916-566-7111
Email: ics@nbc.gov
Internet address: <http://www.aqd.nbc.gov/Services/ICS.aspx>

- F. Single Audit Reporting Statements:** As required in [Title 2 of the Code of Federal Regulations Part 200](#), Subpart F, all U.S. states, local governments, federally-recognized Indian tribal governments, and non-profit organizations expending \$750,000 USD or more in Federal award funds in a fiscal year must submit a Single Audit report for that year through the Federal Audit Clearinghouse's Internet Data Entry System. All U.S. state, local government, federally-recognized Indian tribal government and non-profit applicants must provide a statement regarding if your organization was/was not required to submit a Single Audit report for the organization's most recently closed fiscal year and, if so, state if that report is available on the Federal Audit Clearinghouse Single Audit Database website (<http://harvester.census.gov/sac/>) and provide the EIN under which that report was submitted. Include these statements at the end of the Project Narrative in a section titled "**Single Audit Reporting Statements**".
- G. Assurances:** Include the appropriate signed and dated Assurances form available online at <http://apply07.grants.gov/apply/FormLinks?family=15>. Use the **Assurances for Construction Programs (SF 424D)** for construction and land acquisition projects. Use the **Assurances for Non-Construction Programs (SF 424B)** for all other projects. Signing this form does not mean that all items on the form are applicable. The form contains language that states that some of the assurances may not be applicable to your organization and/or your project or program.
- H. Certification and Disclosure of Lobbying Activities:** Under Title 31 of the United States Code, Section 1352, an applicant or recipient must not use any federally appropriated funds (both annually appropriated and continuing appropriations) or matching funds under a grant or cooperative agreement award to pay any person for lobbying in connection with the award. Lobbying is defined as influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress connection with the award. Submission of an application also represents the applicant's certification of the statements in 43 CFR Part 18, Appendix A-Certification Regarding Lobbying. If you/your organization have/has made or agrees to make any payment using non-appropriated funds for lobbying in connection with this project AND the project budget exceeds \$100,000, complete and submit the **SF LLL, Disclosure of Lobbying Activities** form. See 43 CFR, Subpart 18.100 for more information on when additional submission of this form is required. Submission of an application also represents the applicant's certification of the statements in 43 CFR Part 18, Appendix A-Certification Regarding Lobbying.

- I. Conflict of Interest Disclosures:** Applicants must notify the Service in writing of any actual or potential conflicts of interest that are known at the time of application or that may arise during the life of this award, in the event an award is made. Conflicts of interest include any relationship or matter which might place the recipient, the recipient's employees, or the recipient's subrecipients in a position of conflict, real or apparent, between their responsibilities under the award and any other outside interests. Conflicts of interest may also include, but are not limited to, direct or indirect financial interests, close personal relationships, positions of trust in outside organizations, consideration of future employment arrangements with a different organization, or decision-making affecting the award that would cause a reasonable person with knowledge of the relevant facts to question the impartiality of the applicant, the applicant's employees, or the applicant's future subrecipients in the matter. Upon receipt of such a notice, the Service Project Officer in consultation with their Ethics Counselor will determine if a conflict of interest exists and, if so, if there are any possible actions to be taken by the applicant to reduce or resolve the conflict. Failure to resolve conflicts of interest in a manner that satisfies the Service may result in the project not being select for funding.

Application Checklist

- ☐ **Evidence of non-profit status:** If a non-profit organization, a copy of their Section 501(c)(3) or (4) status determination letter received from the Internal Revenue Service.
- ☐ **SF 424, Application for Federal Assistance:** A complete, signed and dated SF 424, SF 424-Mandatory, or SF 424-Individual form.
- ☐ **Project summary**
- ☐ **Project narrative**
- ☐ **Timetable**
- ☐ **Single Audit Reporting statement:** If a U.S. state, local government, federally-recognized Indian tribal government, or non-profit organization, statements regarding applicability of and compliance with Single Audit reporting requirements.
- ☐ **SF 424 budget form:** A complete SF 424A or SF 424C Budget Information form.
- ☐ **Budget justification**
- ☐ **Federally-funded equipment list:** If Federally-funded equipment will be used for the project, a list of that equipment.
- ☐ **NICRA:** When applicable, a copy of the organization's current Negotiated Indirect Cost Rate Agreement.
- ☐ **SF 424 Assurances form:** Signed and dated SF 424B or SF 424D Assurances form.
- ☐ **SF LLL form:** If applicable, completed SF-LLL Disclosure of Lobbying Activities form.
- ☐ **Conflict of Interest statement,** when applicable.

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

V. Submission Instructions

SUBMISSION DEADLINE: June 2, 2015

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

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

To submit an application through Grants.gov:

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

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

VI. APPLICATION REVIEW

Criteria:

To be considered for funding, applications must be screened against the acceptability criteria (Table 6.1) to be considered further in the restoration planning process. These criteria were developed by the Trustees to aid in eliminating those projects that are clearly inconsistent with the requirements of the Department’s NRDA regulations. In essence, the acceptability criteria stipulate that a restoration project must comply with all applicable laws and regulations, address resources or services at least broadly connected to those injured by PCBs, and be technically feasible to implement. Proposed projects will be ranked on a pass/fail system in relation to each criterion. If a proposed project passes each criteria, it will be evaluated further. If a proposed project fails any of the acceptability criteria, it will no longer be considered.

Table 6.1 Acceptability Criteria for Restoration Planning (projects are evaluated using acceptability criteria on a pass/fail basis)	
Criteria	Interpretation
Complies with applicable/relevant laws, policies and regulations.	Project must be legal and protect public health and safety.
Addresses Lower Fox River and Green Bay ecosystem injured natural resource(s).	Projects must restore, rehabilitate, replace or acquire the equivalent of natural resources injured by PCBs in the Lower Fox River and Green Bay ecosystem.
Is technically feasible.	Projects must be feasible within the proposed budget.

Review and Selection Process:

The Lower Fox River/Green Bay Trustees developed criteria to evaluate and rank potential restoration projects. The criteria were grouped into three categories that reflect the aspects of the projects that the criteria evaluate: “focus” criteria, which evaluate project objectives (Table 6.2); “implementation” criteria, which evaluate project methods (Table 6.3); and “benefits” criteria, which evaluate the types and characteristics of the benefits the projects aim to achieve (Table 6.4). These criteria reflect the Trustee requirements and priorities for NRDA restoration as outlined in the proposed alternative. The purpose of the criteria is to provide a means of ranking potential restoration projects against each other by considering the objectives and requirements of the NRDA restoration planning process. Proposed projects will then be rated by priority within each criterion. Projects with the highest ranking will proceed for final review and selection for implementation by the Trustees. If no acceptable proposals are received, modifications or additional proposals will be requested.

These evaluation criteria relate to whether the project meets the goals and objectives of the Trustees for restoration of the Lower Fox River and Green Bay environment.

Table 6.2 Focus Criteria for Restoration Planning	
Criteria	Interpretation
On-site restoration	On-site projects (within or adjacent to the effected environment) are preferred to projects further upstream in the Lower Fox River and Green Bay watershed or adjacent watersheds.
Addresses/incorporates restoration of “preferred” resources and services as evidenced in prescribed tribal, federal and state mandates and priorities for injured resources, endangered or threatened species or species habitats.	Priorities include wetlands, fish communities, specific aquatic habitats, state and federal rare, threatened or endangered species, and native species.

These evaluation criteria relate to project implementability, feasibility, and cost-effectiveness.

Table 6.3 Implementation Criteria for Restoration Planning	
Criteria	Interpretation

Benefits can be measured for success.	Projects will be evaluated in terms of whether the benefits can be quantified and the success of the project determined. Projects can be scaled to provide restoration of appropriate magnitude. Small projects that provide only minimal benefit relative to injured resources or larger projects that cannot be appropriately reduced in scope are less favored.
Is cost effective, including planning, implementation, and long-term operation, maintenance, and monitoring.	A project with a high ratio of expected benefits to expected costs is preferred. This may be assessed relative to other projects that benefit the same resource.
Uses established, reliable methods/technologies known to have a high probability of success.	Projects will be evaluated for their likelihood of success given the proposed methods. Factors that will be considered include whether the proposed technique is appropriate to the project, whether it has been used before, and whether it has been successful. Projects incorporating wholly experimental methods, research, or unproven technologies will be given lower priority.
Is consistent with tribal, federal or state priorities, policies, missions, goals and planning.	Project is consistent with priorities, policies, missions, goals and planning such as species recovery plans, and is administratively feasible.

These evaluation criteria relate to the types, timing, and permanence of benefits provided by the project.

Table 6.4 Benefits Criteria for Restoration Planning	
Criteria	Interpretation
Provides the greatest scope of ecological, cultural, and economic benefits to the largest area or population.	To the degree that a bigger project results in greater good, bigger projects are better. Projects that benefit more than one injured resource or service will be given priority. Projects that avoid or minimize additional natural resource injury or environmental degradation will be given priority.
Provides benefits not being provided by other restoration projects being implemented/funded or that have insufficient planned funding under other programs.	Preference is given to projects, or aspects of existing projects, that are not already being implemented or have no planned funding or that are insufficiently funded under other programs. Although the Trustees will use restoration planning efforts by other programs, preference is given to projects that would not otherwise be implemented without NRDA restoration funds.
Aims to achieve environmental equity and environmental justice.	A restoration project should not have disproportionate high costs or low benefits to a localized population.
Maximizes the time over which benefits accrue.	Projects that provide benefits sooner are preferred. Projects that provide longer term benefits are preferred.

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

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

VII. Award Administration

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

Domestic Recipient Payments:

Prior to an award being issued to you/your organization, the USFWS program office will contact you/your organization to either enroll in the U.S. Treasury's Automated Standard Application for Payments (ASAP) system or, if eligible, submit to the USFWS program a request to obtain approval from the Department of the Interior to be waived from using ASAP.

Domestic applicants subject to the CCR requirements (see Section I above) who receive a waiver from receiving funds through ASAP must enter and maintain valid and current banking information in their CCR profile. Domestic applicants exempt from the CCR requirements who receive a waiver from receiving funds through ASAP will be required to submit their banking information directly to the USFWS program. However, ***do NOT submit any banking information to the USFWS until it is requested from you by the USFWS program!***

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

Award Terms and Conditions: Acceptance of a financial assistance award (i.e., grant or cooperative agreement) from the Service carries with it the responsibility to be aware of and comply with the terms and conditions applicable to the award. Acceptance is defined as the start of work, drawing down funds, or accepting the award via electronic means. Awards are based on the application submitted to and approved by the Service and are subject to the terms and conditions incorporated into the notice of award either by direct citation or by reference to the following: Federal regulations; program legislation or regulation; and special award terms and conditions. The Federal regulations applicable to Service awards are available on the Internet at <http://www.fws.gov/grants/>. If you do not have access to the Internet and require a full text copy of the award terms and conditions, contact the Service point of contact identified in the Agency Contacts section below.

Recipient Financial and Performance Reporting Requirements:

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

Significant Developments Reports: Events may occur between the scheduled performance reporting dates that have significant impact upon the supported activity. In such cases, recipients are required to notify the Service in writing as soon as the following types of conditions become known:

- Problems, delays, or adverse conditions that will materially impair the ability to meet the objective of the Federal award. This disclosure must include a statement of any corrective action(s) taken or contemplated, and any assistance needed to resolve the situation.
- Favorable developments that enable meeting time schedules and objectives sooner or at less cost than anticipated or producing more or different beneficial results than originally planned.

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

Conflict of Interest Disclosures: Recipients are responsible for notifying the Service Project Officer in writing of any actual or potential conflicts of interest that may arise during the life of this award. Conflicts of interest include any relationship or matter which might place the recipient, the recipient's employees, or the recipient's subrecipients in a position of conflict, real or apparent, between their responsibilities under this award and any other outside interests.

Conflicts of interest may also include, but are not limited to, direct or indirect financial interests, close personal relationships, positions of trust in outside organizations, consideration of future employment arrangements with a different organization, or decision-making affecting the award that would cause a reasonable person with knowledge of the relevant facts to question the impartiality of the Recipient, the Recipient's employees, or the Recipient's subrecipients in the matter. Upon receipt of such a notice, the Service Project Officer in consultation with their Ethics Counselor will determine if a conflict of interest exists and, if so, if there are any possible actions to be taken by the Recipient, the Recipient's employee(s), or the Recipient's Subrecipient(s) that could reduce or resolve the conflict. Failure to resolve conflicts of interest in a manner that satisfies the Service may result in any of the remedies described in 2 CFR 200.338, Remedies for Noncompliance, including termination of this award.

Other Mandatory Disclosures: Recipients and their subrecipients must disclose, in a timely manner and in writing, to the Service or pass-through entity all violations of Federal criminal law involving fraud, bribery, or gratuity violations potentially affecting this award. Failure to make

required disclosures can result in any of the remedies described in 2 CFR 200.338, Remedies for noncompliance, including suspension or debarment (See 2 CFR 200.113, 2 CFR Part 180, and 31 U.S.C. 3321).

VIII. Agency Contacts

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