

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

FWS - Ecological Services

<https://www.fws.gov/program/cooperative-endangered-species-conservation-fund>

F24AS00054 Cooperative Endangered Species Conservation Fund: Recovery Land Acquisition  
Grants

Fiscal Year: 2024

F24AS00054

**Due Date for Applications: 01/05/2024**

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## **A. Program Description**

### **A1. Authority**

16 U.S.C. §1535

### **A2. Assistance Listing Number**

15.615

### **A3. Background, Purpose and Program Requirements**

As many species listed as endangered or threatened under the Endangered Species Act (ESA) spend at least part of their life cycle on non-Federal lands, the U.S. Fish and Wildlife Service (Service) recognizes success in conserving and recovering these species depends largely on working cooperatively with States and Territories (hereafter, “States”).

Section 6 of the ESA authorizes the Service to provide Federal financial assistance to eligible State agencies to support the development and implementation of conservation programs for the benefit of resident listed species. This financial assistance, provided in the form of competitive grants, is made available through the Cooperative Endangered Species Conservation Fund (CESCF) Grant Programs. This Notice of Funding Opportunity (NOFO) applies specifically to CESCF Recovery Land Acquisition (RLA) Grants.

This NOFO fully describes application eligibility, evaluation, and selection. It should be read in its entirety as much of the information has changed from previous years. Given the significant investment of time and money associated with projects funded through this program, we also recommend you coordinate with the appropriate Service contact (Section G) before starting work on a project or application.

Loss of habitat is the primary threat to most listed species. Land acquisition is often the most effective and immediate means of protecting habitat, particularly in areas where development or land uses inconsistent with species recovery threaten to destroy, modify, or curtail key habitat attributes. Land acquisition is costly and often neither the Service nor the States individually have sufficient resources to acquire habitat necessary for listed species conservation.

First awarded in fiscal year (FY) 2001, RLA grants promote State and Federal cooperation in listed species conservation by leveraging funds to acquire specific parcels of land, through fee simple or conservation easement, in support of Service-approved recovery plans and outlines. The ESA conveys the importance of recovery plans as a central organizing tool for guiding the recovery process by requiring their development for every listed species.

Only a species’ most recently approved recovery planning document will be considered under

this opportunity. This includes a Service-approved final recovery plan or draft recovery plan if the species has been listed for at least 2 ½ years. A recovery outline may be referenced if the species has been listed less than 2 ½ years. Service-approved recovery plans and outlines can be accessed through the Service's website at <https://www.fws.gov/endangered/species/recovery-plans.html>.

To be considered for funding through this opportunity, the land proposed for acquisition must benefit at least one listed species for which (1) habitat loss is identified as a threat; and (2) habitat protection is identified as a priority recovery action in the species' most recently approved recovery planning document. Further, all applications must state a commitment to funding for, and implementation of, management of the land in perpetuity, consistent with the conservation needs of the species.

While all projects must be consistent with the conservation objectives outlined in a species' most recently approved recovery planning document, those designed to have a direct and timely impact on species recovery, ideally moving the species toward down or delisting, will be prioritized. Projects that assist in stabilizing endangered and threatened species on the brink of extinction by implementing priority 1 and 2 recovery actions will also be given greater consideration.

Wildlife TRACS (Tracking and Reporting Actions for the Conservation of Species) is a tracking and reporting system used by the Service to capture information about conservation and related actions funded by its grant programs. TRACS serves as an electronic repository system for all performance, accomplishment, and real property reporting related to these Federal awards. TRACS highlights program accountability by documenting program accomplishments and results. As outlined in this announcement, if selected for an award, grant and project statement information and performance reporting data must be entered into TRACS as authorized under [2 CFR200.102\(c\)](#), [200.202](#), [200.301](#), and [200.329](#).

The Service recognizes that, in the exercise of their general governmental powers, States possess broad trustee and police powers over fish, wildlife, and plants and their habitats within their borders. Unless preempted by Federal authority, States possess primary authority and responsibility for protection and management of fish, wildlife, and plants and their habitats. The Section 6 cooperative agreements entered into by the States and Service reflect a common commitment to actively advance the purpose and policies of the ESA, including providing a means to foster relationships with partners, reduce conflicts between listed species and economic development, and promote the long-term conservation of listed species and the ecosystems on which they depend. These grants encourage the cooperative implementation of the ESA by leveraging Federal investment in species recovery and demonstrate the Service's commitment to cooperative conservation at the local level. Through this collaborative and inclusive approach to conservation, these grants further the Biden-Harris administration's [\*America the Beautiful\*](#) initiative to conserve, connect, and restore 30 percent of our lands and waters by 2030 for the sake of the Nation's economy, health, and well-being.

#### **A4. Funding Opportunity Goals**

The primary goal of this program is to implement high-priority recovery actions for ESA-listed species by funding the acquisition of land in support of Service-approved recovery plans and outlines. Loss of habitat is the primary threat to most listed species. Land acquisition is often the most effective and immediate means of protecting habitat, particularly in areas where development or land uses inconsistent with species recovery threaten to destroy, modify, or curtail key habitat attributes.

#### **B. Federal Award Information**

##### **B1. Total Funding**

###### **Estimated Total Funding**

\$14,162,000

##### **B2. Expected Award Amount**

###### **Maximum Award**

\$14,162,000

###### **Minimum Award**

\$10,000

##### **B3. Expected Award Funding and Anticipated Dates**

###### **Expected Award Funding**

\$14,162,000

###### **Expected Award Date**

May 30, 2024

The Service may award an estimated \$14.162 million through this opportunity, contingent upon final FY 2024 appropriations. There is no minimum or maximum award amount and applications compete at the national level. In FY 2023, the Service awarded \$12.6 million through five grants with awards ranging from \$566,667 to \$7 million.

Applications may address new or ongoing work. If a project supports the continuation of previous or ongoing work, a brief discussion of accomplishments to date and a justification for the continuation of work must be provided. While applications for ongoing work may be approved, funding will be awarded as a new grant with discrete objectives and deliverables. If a project is selected for funding, the Service is under no obligation to provide additional funding in connection with the project in a future competitive award cycle.

The Service intends to make award recommendations within 90 days of the closing date of this opportunity. Following review and approval, the Service's Regional Offices will make pre-award notifications and outline the process for finalizing awards. The Service intends to make pre-award notifications by May 30, 2024, and obligate funds within 120 days. The maximum period of performance (PoP) for a grant awarded through this opportunity is three years,

beginning on the effective date established at the time of grant approval or the date of award obligation, whichever is earlier.

Awarded grant funds must be expended in a timely manner or returned to the Service for reallocation through the next competitive award cycle. If an approved project cannot be completed within the award's PoP, the State may request a one-time extension of up to 12 months with appropriate justification. However, the Service will not consider requests to extend the PoP for projects that received additional consideration under the project readiness evaluation criterion (see Section E1) during merit review. Any project awarded funding that will not be completed, and from which funds are deobligated, may be eligible for funding in a future competitive award cycle.

#### **B4. Number of Awards**

##### **Expected Number of Awards**

6

In FY 2023, Service awarded \$12.6 million through five grants with awards ranging \$566,667 to \$7 million. The average award was \$2.52 million. The Service expects to award up to six grants through this opportunity should the average grant amount remain consistent with the previous fiscal year and contingent upon final FY 2024 appropriations.

#### **B5. Type of Award**

##### **Funding Instrument Type**

G - Grant

#### **C. Eligibility Information**

##### **C1. Eligible Applicants**

##### **Eligible Applicants**

00 – State governments

##### **Additional Information on Eligibility**

Only State agencies that have entered into a Cooperative Agreement pursuant to Section 6(c) of the ESA and have provided the information necessary for the annual renewal (reconfirmation) of their Cooperative Agreement are eligible to apply for funding. Applicants that have not fulfilled both criteria will not be considered. While funding may only be awarded to States, individuals or groups such as counties or conservation organizations may work with a State agency that has a cooperative agreement on conservation efforts that are mutually beneficial, as a subgrantee.

##### **C2. Cost Sharing or Matching**

##### **Cost Sharing / Matching Requirement**

Yes

##### **Percentage of Cost Sharing / Matching Requirement**

25

In accordance with section 6(d) of the ESA, the minimum non-Federal cost share is 25 percent of the total project cost, *i.e.*, the amount requested from the program plus the amount of non-Federal cost share. Other funds that are related to the project or are part of a larger project but are not designated as cost share should not be included in the total project costs when calculating minimum non-Federal cost share.

If a proposal involves the collaboration of two or more States, the minimum non-Federal cost share decreases to 10 percent of the total project cost. The project proposal and budget must reflect the work and responsibilities to be carried out by each of the cooperating States. The source(s) of the non-Federal cost share is up to the applicants and may come from more than one source. Each cooperating State is responsible for submitting performance and financial reports related to the joint project. Incomplete work by any one of the cooperating States may result in recovery of Federal funds from all States, if it is determined that the joint cooperative objective will not be accomplished.

In accordance with [48 United States Code \(U.S.C.\) 1469\(a\), Amendment of Subsection \(d\)](#), the required match is waived for each grant awarded to the U.S. Virgin Islands, Guam, American Samoa, and the Northern Mariana Islands.

Non-Federal cost share requirements are detailed in 50 CFR 81.8(b) and allow the cost share to be in the form of cash or in-kind contributions, including real property, in accordance with the regulations at 2 CFR 200.306. The amount of non-Federal cost share will be considered in the evaluation and ranking of applications (see Section E).

### **C3. Other**

Projects must support at least one listed species' most recent Service-approved recovery planning document (Section A) in which habitat loss is identified as a threat and habitat protection is identified as a priority recovery action.

The specific parcel(s) of land proposed for acquisition with grant funds, or as non-Federal cost share, must be identified and sufficiently described to facilitate merit review based on the evaluation criteria listed in Section E. Parcels must be individually identified but can be grouped and described for evaluation purposes at the property or transaction level. Parcels not included in the proposal will not be eligible for substitution for parcels that are not acquired.

Applications must include a commitment to funding for, and implementation of, management of the land in perpetuity consistent with the conservation needs of the species.

A property may not be submitted for funding consideration under both the Recovery Land Acquisition Grant Program and the Habitat Conservation Plan (HCP) Land Acquisition Grant Program in the same fiscal year.

Projects must involve voluntary conservation efforts within the United States. Applications cannot include Service Full-Time Equivalent (FTE) costs.

Neither funding awarded through this opportunity, nor the associated non-Federal cost share, may be used to satisfy regulatory requirements of the ESA, including complying with a biological opinion under Section 7, fulfilling Federal mitigation, minimization, and/or monitoring requirements of an HCP permitted under Section 10, or any other Federal regulatory mitigation requirement (e.g., mitigation for Clean Water Act permits).

State administrative costs must either be assumed by the State or included in the application in accordance with Federal requirements. Applications may not be submitted to cover administrative costs alone.

Federal land acquisition grant programs fund the purchase of land at market value, from willing sellers. Market value must be determined by appraisals performed in accordance with the Uniform Appraisal Standards for Federal Land Acquisitions, and all other applicable laws and regulations. Appraisals are not required to be submitted as part of the application. Appraisals to Federal standards are required prior to expenditure of funds if the project is selected for funding. Please be aware that if an appraisal to Federal standards is not provided as part of the application, the amount specified in the pre-award notification will be based on the estimate of the land value as provided in the grant proposal. However, the actual purchase price will not be greater than the current market value as determined by an appraisal and appraisal review completed to Federal standards. States or other non-Federal partners will be responsible for ensuring that appraisal and title work are completed. The cost of conducting an appraisal(s) and completing title work, in accordance with Federal requirements, must either be assumed by the State or subrecipient (as cost share), or included as part of the Federal request in the project proposal.

**Foreign Entities or Projects:**

**State Sponsors of Terrorism:** This program will not fund projects in [countries determined by the U.S. Department of State to have repeatedly provided support for acts of international terrorism](#) and therefore are subject to sanctions restricting receipt of U.S. foreign assistance and other financial transactions.

**Office of Foreign Assets Control Sanctions:** This program will not fund projects in countries subject to [comprehensive sanction programs administered by the U.S. Department of Treasury, Office of Foreign Asset Control](#) without proper licenses.

**In-Country Licenses, Permits, or Approvals:** Entities conducting activities outside the U.S. are responsible for coordinating with appropriate U.S. and foreign government authorities as necessary to obtain all required licenses, permits, or approvals before undertaking project activities. The Service does not assume responsibility for recipient compliance with the laws, regulations, policies, or procedures of the foreign country in which they are conducting work.

**Excluded Parties:**

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



## **D. Application and Submission Information**

### **D1. Address to Request Application Package**

Applicants can request paper application packages through the appropriate contact listed below in Section G. Federal Awarding Agency Contacts. Information on CESCO grants is also available from the Division of Budget & Technical Support, Ecological Services, U.S. Fish and Wildlife Service, 5275 Leesburg Pike, MS:ES Falls Church, VA 22041-3803, or electronically at <https://www.fws.gov/program/cooperative-endangered-species-conservation-fund>.

#### **Program Website Link**

<https://www.fws.gov/program/cooperative-endangered-species-conservation-fund>

### **D2. Content and Form of Application Submission**

#### **SF-424, Application for Federal Assistance**

All applicants must submit the Standard Form (SF)-424, Application for Federal Assistance. This form is available with the announcement on Grants.gov and in GrantSolutions. The form must be complete and signed by an Authorized Representative. For all applicants except individuals and commercial entities, the Authorized Representative's signature on a standard application form submitted to the Service represents their certification that the entity's financial management system meets [2 CFR §200.302](#) financial management requirements. The non-Federal entity's financial management system must be sufficient to:

1. Permit the preparation of required reports;
2. Trace funds to a level of expenditures adequate to establish that the entity has used such funds per Federal statutes, regulations, and terms and conditions of the Federal award;
3. Provide for the requirements in [2 CFR §200.302\(b\)](#); and
4. Comply with [§200.334](#) Retention requirements for records, [§200.335](#) Requests for transfer of records, [§200.336](#) Methods for collection, transmission, and storage of information, and [§200.337](#) Access to records.

If this application requests more than \$100,000 in Federal funds, the Authorized Representative's signature on or submission of the SF-424 form in GrantSolutions also represents their certification of the statements in 43 CFR Part 18, Appendix A-Certification Regarding Lobbying.

When completing the SF-424 Application form, enter only the amount requested from this Federal program in Box 18a, Estimated Federal Funding. Include any other Federal sources of funding in Box 18e. Estimated Other Funding and identify any such sources and amounts in the required Budget Narrative (see below). For individuals applying as a private citizen (i.e., unrelated to any business or nonprofit organization you may own or operate in your name), do NOT include your Social Security Number on this or any other document to be submitted with your application! When completing the SF-424 Application form, individuals must enter in Box 8b. Employee/Taxpayer Identification Number (EIN/TIN) the substitute number "444-44-4444." Individuals may register in SAM.gov but are not required to have a SAM.gov registration. For individuals without a SAM.gov registration enter in Box 8c. the substitute Unique Entity Identifier (UEI) "KA5HQCLKUVW1".

### **Project Abstract Summary (OMB Number 4040-0019)**

Applicants must complete and submit the Project Abstract Summary form. The Project Abstract Summary form must provide a brief award description. The description must be in plain language that the public can understand without viewing the full application proposal. It should include a brief, simple description of the project purpose, activities to be performed, deliverables and expected outcomes, intended beneficiaries, and subrecipient activities, if known at the time of submission.

Do not include personally identifiable, sensitive, or proprietary information in the award description as this is available to the public. Use only English characters, numbers, punctuation, and standard symbols. Use of non-English, non-standard characters (also referred to as special or extended ASCII characters) will result in the award description failing to be reported correctly to USASpending.gov. Award descriptions are limited to 4,000 characters or less. Applicants should check the length of the award description and proofread for proper grammar and spelling.

For applicants applying through Grants.gov: Applicants must download and complete the Grants.gov “Project Abstract Summary” form from the full text announcement. To submit the Grants.gov “Project Abstract Summary” form with the application, applicants must add the form as an attachment to the Grants.gov “Attachments” form that is included in the application package.

For applicants applying through GrantSolutions-Grants Management Module (GS-GMM): Applicants must enter the information in the Project Abstract Summary screen. Do not upload a document in place of entering the information directly into GS-GMM Project Abstract Screen.

### **Project Narrative**

Project narratives should be complete but concise, including only the information necessary to address all stated eligibility and evaluation criteria. Information must be provided for each property (or area of land) proposed for acquisition, whether with grant funds or non-Federal cost share. Because lands used for cost share purposes are part of the total project, reviewers must consider both when evaluating and scoring applications.

The project narrative must contain each of the elements described below to prompt applicants to address relevant eligibility and evaluation criteria. Although not required, applicants may consider including response tables to summarize information as it relates to a specific criterion. Descriptions of eligibility and evaluation criteria, as well as example response tables, are provided below and in Section E. Applicants may also consider alternate methods of identifying responses to evaluation criteria within the project narrative such as inserting “(Criterion 2)” or “(C2)” at the end of the sentence or paragraph containing the information necessary to evaluate the project under criterion 2. Narratives that clearly address all criteria in an organized manner will facilitate application review and scoring.

The Service has implemented an electronic performance reporting system called TRACS (<https://tracs.fws.gov>) in order to document recipient performance and for reporting on national program accomplishments that deliver meaningful results consistent with the CESCFC Grant Program’s authorizing legislation. If selected for an award, you will be required to enter grant and Project Narrative information in TRACS within 60 calendar days of the latter: (a) the period of

performance startdate; or (b) the date the award was approved. If you need assistance, please contact your appropriate Regional Office (Section G) or review [TRACS Training Options](#).

- **Project Title**
- **Description of entity(ies) undertaking the project**

Identify any entity that will act as a subrecipient and describe their role in meeting project objectives.

- **Statement of Need**

The statement of need identifies the conservation issue or opportunity addressed by the project in relation to the purposes of the RLA program. The statement of need should identify listed species that will benefit from each proposed acquisition, addressing all stated eligibility criteria. Describe the need for the project as a strategy for implementing the species’ most recently approved recovery planning document (criterion 1). Identify the negative results of taking no action (criterion 5).

*Example Response Table to Address Species Eligibility*

<b>Species</b>	<b>Recovery Planning Document</b>	<b>Identified Threat, citation</b>	<b>Recovery Action, citation</b>
Yreka phlox	Recovery Plan for <i>Phlox hirsuta</i> (Yreka Phlox). 2006.	The present or threatened destruction, modification, or curtailment of its habitat or range. Pg. 23	1.2 “Protect and Secure the Soap Creek Ridge, Cracker Gulch, and Jackson Street Occurrences.” Pg. 53.
Bog turtle	Bog Turtle ( <i>Clemmys muhlenbergii</i> ), Northern Population Recovery Plan. 2001.	The threats to the survival of this species includes continued loss, alteration, and fragmentation of its highly specialized wetland habitat. Pg. 19.	2.3. Protect bog turtle sites through purchase and conservation measures (Priority 1)

- **Purpose**

The purpose describes the desired future state to addresses the need. For example, providing permanent habitat protection to promote listed species recovery.

- **Objectives**

The Service created Standard Objectives to standardize performance reporting and document national accomplishments that deliver results consistent with this program’s authorizing legislation, applicable regulations, and guidance. Your project narrative must only use the

Standard Objectives listed in the [TRACS Performance Matrix](#). We encourage you to work with your Regional Office if you have questions about the use of TRACS Standard Objectives in your Project Narrative. Please refer to the Service's Training Portal site for [example project statements](#) that utilize TRACS Standard Objectives.

Objectives reference specific outcomes to be accomplished during the project period pursuant to the stated need. For example, acquiring real property interest (fee title) in 200 acres by December 20, 2024. Objectives should be specific, measurable, attainable within the period of performance, realistic, and time-bound. The requested PoP will be considered under evaluation criterion 6.

- ***Methods/Approach***

- Describe the specific conservation actions necessary to accomplish project objective(s). Include the following information for each property proposed for acquisition.
  - Property name/identifier and APNS
  - Acreage
  - The type of ownership interest (e.g., fee-simple, easement, combination)
  - Entity to hold title
  - Entity to manage, if different
  - Occupancy status/ amount of restoration required to benefit listed species (criterion 2)

- ***Anticipated Outcomes/ Expected Benefits***

Describe how the proposed acquisition will maintain or improve the population viability of listed species in terms of population resiliency, species redundancy, and species representation (criterion 3). Applicants may also provide information on how the proposed acquisition will further Regional and/or National priorities outlined in Section E2.

- ***Project Timetable***

The project timetable describes significant milestones in successfully completing the project and should clearly demonstrate how the project is likely to be accomplished within the requested period of performance. Timetables will be used to assess project readiness (criterion 6). Applicants must include a statement acknowledging an understanding that the Service will not consider period of performance extensions for projects that receive additional consideration under this criterion. Include a brief description of any due diligence completed to date. In the absence of a willing seller letter, describe current negotiations regarding the potential sale of the property to assess the likelihood of project success.

- ***Project Location/ Maps***

Describe where the acquisition will occur in relation to existing conservation areas (criterion 4). Attach maps to assist reviewers in evaluating habitat connectivity. Photographs that characterize the existing state of the project area (criterion 2) are recommended, although not required.

- ***Information to support environmental compliance review requirements***

- The Service has the responsibility for making the final determination regarding compliance with Federal laws.
  - National Environmental Policy Act (NEPA) – provide any information that may be relevant to compliance with NEPA.
  - Endangered Species Act (ESA) – provide any information that may be relevant to compliance with the ESA.
  - National Historic Preservation Act (NHPA) – provide any information that may be relevant to compliance with NHPA, such as locations of historic or cultural properties.
  - Other Permits – list and provide the current status of any other required Federal permits.

- ***Willing Seller Letters (if applicable)***

Applications that include willing seller letter(s) for all properties proposed for acquisition will receive additional consideration under evaluation criterion 6.

### **SF-424C, Budget Information for Construction Program**

Applicants must submit the appropriate SF-424C Budget Information form for Construction Programs or Projects. All required application forms are available with this announcement on Grants.gov and in GrantSolutions. Federal award recipients and subrecipients are subject to Federal award cost principles in 2 CFR 200. Applicants must show funds requested from this Federal program separately from any other Federal sources of funding. Identify any other Federal funding sources and amounts in the required Budget Narrative (see below).

### **SF-429 Request to Acquire, Improve, or Furnish Real Property**

Applicants seeking approval to acquire real property under an award must complete and submit the SF-429, “Real Property Status Report (Cover Page)” and the SF-429-B, “Real Property Status Report Attachment B (Request to Acquire, Improve, or Furnish)”. These forms are required if the real property is acquired with Federal funds, with recipient cost share or matching funds, or as an in-kind contribution under the award. The SF-429 forms are not available with this announcement on Grants.gov; they are available on the [Grants.gov Post-Award Reporting Forms page](#). Please submit these completed forms as attachments to your application.

### **Budget Narrative**

Applicants must include a budget narrative that describes and justifies requested budget items and costs. In your budget narrative, describe how the SF-424 Budget Information, “Object Class Category” totals were determined. For personnel salary costs, generally describe how estimates were determined by identifying what type of staff will support the project and how much time they will contribute to the project (in hours or workdays). Describe any proposed [items of cost that require prior approval](#) under the [Federal award cost principles](#), including any anticipated

subawarding, transferring, or contracting out of any work under the award. Provide a separate description and total estimated costs for both contractual and subaward costs. If equipment previously purchased with Federal funds is available for the project, provide a list of that equipment and identify the Federal funding source. Identify any third-party cash or in-kind contributions that a partner or other entity will contribute to the project and describe how the contributions directly and substantively benefit completion of the project. For in-kind contributions, identify the source, the amount, and the valuation methodology used to determine the total value. See [2 CFR §200.306](#) for more information. Please note the prohibitions on certain telecommunications and video surveillance services or equipment in [2 CFR 200.216](#). The Department of the Interior's [Unmanned Aircraft web page](#) provides a list of approved unmanned aircraft and related equipment and software.

Budget narratives must be sufficiently detailed to show that the project is cost effective and that costs are both necessary and reasonable for accomplishing the purposes of the proposed project. Indicate whether partial funding of the project is practicable and, if so, what specific portion(s) of the project could be implemented with what level of funding. The budget narrative should provide sufficient detail for reviewers to understand how costs were estimated. Reviewers must be able to clearly see that costs are realistic and are commensurate with the project needs and timeframe. Applications will be disqualified if reviewers cannot determine that applications meet this threshold.

#### **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 [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.

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, 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, 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 [43CFR 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 for more information on when additional submission of this form is required.

### **Overlap or Duplication of Effort Statement**

Applicants must provide a statement indicating if there is any overlap between this Federal application and any other Federal application, or funded project, in regard to activities, costs, or time commitment of key personnel. If no such overlap or duplication exists, state, "There are no overlaps or duplication between this application and any of our other Federal applications or

funded projects, including in regard to activities, costs, or time commitment of key personnel”. If any such overlap exists, provide a complete description of overlaps or duplications between this proposal and any other federally funded project or application in regard to activities, costs, and time commitment of key personnel, as applicable. Provide a copy of any overlapping or duplicative proposal submitted to any other potential funding entity and identify when that proposal was submitted, to whom (entity name and program), and when you anticipate being notified of their funding decision. When overlap exists, your statement must end with “We understand that if at any time we receive funding from another source that is duplicative of the funding we are requesting from the U.S. Fish and Wildlife Service in this application, we will immediately notify the U.S. Fish and Wildlife Service point of contact identified in this Funding Opportunity in writing.”

### **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 as a financial assistance recipient in SAM.gov prior to submitting a Federal award application and obtain a [Unique Entity Identifier \(UEI\)](#). 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). Entities already registered in SAM.gov should review their registration to confirm that they are registered as a financial assistance recipient, which requires completion of the SAM.gov “Financial Assistance General Certifications and Representations”. See the “Submission Requirements” section of this document below for more information on SAM.gov registration.

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 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**

01/05/2024

#### **Application Due Date Explanation**



Electronically submitted applications must be submitted no later than 11:59 PM, ET, on the listed application due date.

This program requires the submission of applications online through GrantSolutions.gov as applicants will receive an acknowledgment of application receipt. GrantSolutions automatically generates an electronic date and time stamp in the system upon application receipt. Applicants are encouraged to verify the completeness of their application package before submission using the checklist provided below.

#### APPLICATION CHECKLIST

- SF-424, Application for Federal Assistance
- Project Abstract Summary Form
- Project Narrative
- Maps
- Willing seller letters (when applicable)
- SF-424C, Budget Information
- SF-429 and SF-429-B, Request to Acquire, Improve, or Furnish Real Property
- Budget Narrative
- Indirect Cost Statement and related documentation
- Conflict of Interest Disclosure (when applicable)
- Single Audit Reporting Statement
- Certification Regarding Lobbying & SF-LLL, Disclosure of Lobbying Activities(when applicable)
- Overlap or Duplication of Effort Statement

#### **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](#). The State Single Point of Contact list is available on the [OMB Office of Federal Financial Management website](#).

#### **D6. Funding Restrictions**

##### **Indirect Costs: Individuals**

Individuals applying for and receiving funds separate from a business or non-profit organization they may operate are not eligible to charge indirect costs to their award. If you are an individual applying for funding, you must not include any indirect costs in your proposed budget.

##### **Indirect Costs: Organizations**

The Federal awarding agency that provides the largest amount of direct funding to your organization is your cognizant agency for indirect costs, unless otherwise assigned by the White House Office of Management and Budget (OMB). If the Department of the Interior (DOI) is

your organization's cognizant agency, the Interior Business Center (IBC) will negotiate your indirect cost rate. Contact the IBC 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 may not shift unallowable indirect costs to another Federal award unless specifically authorized to do so by legislation.

**Required Indirect Cost Statement to be submitted by Organization:**

**U.S. state or local government entities receiving more than \$35 million in direct Federal funding** must include the following statement in their application and attach a copy of their most recently negotiated rate agreement:

- We are a U.S. state or local government entity receiving more than \$35 million in direct Federal funding. We submit our indirect cost rate proposals to our cognizant agency. Our current indirect cost rate is [insert rate]. Attached is a copy of our most recently negotiated rate agreement/certification.

**U.S. state or local government entities receiving \$35 million or less in direct Federal funding** must include the applicable statement from this list:

- We are a U.S. state or local government entity receiving \$35 million or less in direct Federal funding. We prepare and retain for audit an indirect cost rate proposal and documentation per 2 CFR 200, Appendix VII. Our current indirect cost rate is [insert rate], which is charged against [insert a complete description of the direct cost base used to distribute indirect costs to the award].
- We are a U.S. state or local government entity receiving \$35 million or less in direct Federal funding. We have not prepared an indirect cost rate proposal and documentation per 2 CFR §200, Appendix VII and elect to charge the de minimis rate of 10% of Modified Total Direct Costs as defined in 2 CFR §200.1. We understand we must use this methodology consistently for all Federal awards until we choose to establish a rate per 2 CFR §200. We understand we must notify the Service in writing if we establish a rate that changes the methodology used to charge indirect costs 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.

**All other organizations** must include the applicable statement from this list and any related documentation in their application. Please note, an organization with a current negotiated (including provisional) rate may not elect to charge the 10% de minimis rate of Modified Total Direct Costs during the period covered by their current negotiated rate.

- We are an organization with a current negotiated indirect cost rate. In the event we receive an award, we will charge indirect costs per our current negotiated rate agreement. Attached is a copy of our current rate agreement.
- We are an organization with a negotiated indirect cost rate that has expired. Attached is copy of our most recently negotiated rate agreement. 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. We understand we must provide the Service a copy of our approved rate agreement before charging indirect costs to the Federal award.

- We are an organization that has never negotiated an indirect cost rate with our cognizant agency. Our indirect cost rate is [insert rate], which is charged against [insert a complete description of the direct cost base used to distribute indirect costs to the award]. 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. We understand we must provide the Service a copy of our approved rate agreement before charging indirect costs to the Federal award.
- We are an organization that does not have a current negotiated (including provisional) rate. In the event an award is made, we elect to charge the de minimis rate of 10% of Modified Total Direct Costs as defined in 2 CFR §200.1. We understand we must use this methodology consistently for all Federal awards until such time as we negotiate a different rate with our cognizant agency. We understand that we must notify the Service in writing if during the award period we establish a rate that changes the methodology used to charge indirect costs to the award. We understand that additional Federal funds may not be available to support an unexpected increase in indirect costs and that such changes are subject to review, negotiation, and prior approval by the Service.
- We are an organization submitting a [insert either “Cooperative Fish and Wildlife Research Unit Program” or “Cooperative Ecosystem Studies Unit Network”] project proposal, which has an indirect cost rate cap of [insert rate; CRU is currently 15%; CESU is currently 17.5%]. In the event we receive an award, we understand that if we have a current negotiated (including provisional) indirect cost rate agreement we must charge the capped indirect cost rate to the same base identified in our approved indirect cost rate agreement. We understand we must request prior approval from the awarding program to use the [2 CFR 200.1 Modified Total Direct Costs](#) (MTDC) base instead of our approved base and that we must submit such requests with our application, including a calculation showing how use of the MTDC base results in an overall reduction in the total indirect costs recovered. If we do not have current negotiated (including provisional) rate, we understand we must charge the capped indirect cost rate against Modified Total Direct Costs (MTDC) as defined in 2 CFR §200.1. If we have never negotiated a rate, we understand we must use the de minimis rate of 10% of MTDC.
- We are an organization that will charge all costs directly.

A property may not be submitted for funding consideration under both the Recovery Land Acquisition Grant Program and the Habitat Conservation Plan Land Acquisition Grant Program in the same fiscal year.

Neither the Federal funds awarded through this opportunity, nor the associated non-Federal cost share, may be used to satisfy regulatory requirements of the Endangered Species Act, including complying with a biological opinion under Section 7, fulfilling Federal mitigation, minimization, and/or monitoring requirements of an HCP permitted under Section 10, or any other Federal regulatory mitigation requirement (e.g., mitigation for Clean Water Act permits). Regulations at 2 CFR 200 specify that a Federal financial assistance award include both the Federal and non-Federal contributions. This clarity regarding the inseparability of the Federal and non-Federal

components means that any prohibitions on usage of either component for mitigation purposes applies to both components.

Applications cannot include Service Full-Time Equivalent (FTE) costs.

State administrative costs must either be assumed by the State or included in the application in accordance with Federal requirements. Applications may not be submitted to cover administrative costs alone.

Generally, only expenses incurred and budgeted during the period of performance are reimbursable; the period of performance begins with the effective date established at the time the grant is approved. However, a State may request reimbursement of pre-award costs for certain necessary expenses detailed in the grant application. Pre-award costs are those incurred prior to the approval of the grant where such costs are necessary to comply with the proposed period of performance. Such costs are allowable only if the grant is awarded, only to the extent that they would have been allowable if incurred after the date of the award, and only with the written approval of the awarding agency (2 CFR 200.458).

## **D7. Other Submission Requirements**

The Service uses the GrantSolutions system to manage financial assistance applications and awards. Applicants must register in and conduct any subsequent award business with the Service in GrantSolutions. To apply, your organization and organization officials must be established in GrantSolutions. To register your organization in GrantSolutions, send an email to [help@grantsolutions.gov](mailto:help@grantsolutions.gov) with the following information:

Subject: New Organization Request

- Organization/Individual Name
- Point of Contact first and last name, email, and phone number
- Organization Type
- SAM.gov Unique Entity Identifier (not required for individuals or Service-waived entities)
- Organization Employer Identification Number (Applicants that are INDIVIDUALS DO NOT include your social security number)
- Address

Organizational details should match those in the organization's SAM.gov registration. To establish organization official accounts and user role(s), complete a Recipient User Account Request Form for each official and email it to [help@grantsolutions.gov](mailto:help@grantsolutions.gov). The GrantSolutions entity user roles are: Authorizing Official (ADO); Principal Investigator/Program Director (PI/PD); Support Specialist (GSS); Financial Officer (FO); and Financial Support Staff (FSS). All roles can do the following: enter applications, amendments, and reports, view awards, and view and create notes. The ADO and the PI/PD roles can also submit applications, amendments, and reports. The FO role can also submit reports. At a minimum, registered organizations must assign someone to the ADO and PI/PD roles. For more information, see the GrantSolutions Recipient Training and FAQs web page. For GrantSolutions registration, submission, and other

assistance contact their Customer Support by telephone at 1-866-577-0771 or by email at [help@grantsolutions.gov](mailto:help@grantsolutions.gov).

**E. Application Review Information**  
**E1. Criteria**

**1. Magnitude of Species Benefit: Contribution to Recovery**      **Maximum Points: 20**

Under this criterion, consideration will be given to the degree to which the proposed acquisition implements priority recovery actions and/or contributes towards down or delisting criteria as identified in the species’ most recently approved recovery planning document.

*Score: Extent to which the proposed acquisition contributes to listed species’ recovery goals. Additive, up to 20 points.*

- Acquisition will achieve a downlist or delist criteria (8 pts for each criterion)
- Acquisition will implement a priority 1 recovery action (8 pts for each action)
- Acquisition will implement a priority 2 recovery action (4 pts for each action)
- Acquisition will implement a priority action identified in the interim recovery strategy of a recovery outline (4 pts for each action)
- Acquisition will implement a priority 3 recovery action (2 pts for each action)

*Example Response Table to Evaluation Criterion 1*

<b>Species</b>	<b>Recovery/ Priority Action &amp; Priority Designation</b>	<b>Recovery Planning Document</b>	<b>Citation</b>
Yreka phlox	1.2 Protect and Secure the Soap Creek Ridge, Cracker Gulch, and Jackson Street Occurrences. (Priority 1)	Recovery Plan for <i>Phlox hirsuta</i> (Yreka Phlox)	Pg. 53
Bog turtle	2.3. Protect bog turtle sites through purchase and conservation measures (Priority 1)	Bog Turtle ( <i>Clemmys muhlenbergii</i> ), Northern Population Recovery Plan. 2001.	Pg. 53

**2. Ecosystem Functionality**      **Maximum Points: 20**

Under this criterion, reviewers will consider each species’ occupancy status on the lands proposed for acquisition. Greater consideration will be given to lands containing fully functioning ecosystems requiring little or no restoration in order to benefit species.

*Score: Occupancy status and restoration requirements of lands proposed for acquisition. Additive, up to 20 points.*

- Occupied habitat: no restoration required, currently supports viable population (20 pts for each species)
- Occupied habitat: some restoration required to contribute to the viability of an existing population (10 pts for each species)
- Suitable unoccupied habitat: active reintroduction plan in place (5 pts for each species)
- Suitable unoccupied habitat: no restoration required (4 pts for each species)
- Suitable unoccupied habitat : restoration required (3 pts for each species)
- Land proposed for acquisition contains no suitable habitat (0 pts)

*Example Response Table to Evaluation Criterion 2*

<b>Species</b>	<b>Occupancy &amp; Restoration Requirements Property A</b>	<b>Occupancy &amp; Restoration Requirements Property B</b>
Yreka Phlox	Occupied habitat w/ no restoration required.	Occupied habitat that requires some restoration.
Bog turtle	Occupied habitat w/ no restoration required.	Occupied habitat that requires some restoration.

### **3. Magnitude of Species Benefit:**

#### **Contribution to Population Viability**

**Maximum Points: 20**

Reviewers will consider how the proposed acquisition will maintain or improve the population viability of each species in terms of population resiliency, species redundancy, and species representation (3R framework). Applicants are not required to address all 3 R's per species, but should address as many R's per species that will benefit from the land acquisition, in order to score the maximum number of points under this criterion.

**Resiliency** – Acquisition will improve the ability of populations to withstand stochastic events. Measured by the size and growth rate of each population, resiliency gauges the probability that the populations comprising a species are able to withstand or bounce back from environment or demographic stochastic events (e.g., improving abundance, survival, reproduction, and/or fecundity of a population).

**Redundancy** – Acquisition will improve the ability of a species to withstand catastrophic events. Measured by the number of populations, their resiliency and their distribution (and connectivity), redundancy gauges the probability that the species has a margin of safety to withstand or to bounce back from catastrophic events (e.g., improving the number and distribution of populations of a species).

**Representation** – Acquisition will improve the ability of a species to adapt to changing environmental conditions. Measured by the breadth of genetic or environmental diversity within and among populations of a species, representation gauges the probability that a species is capable of adapting to environmental changes (e.g., improving the adaptive capacity of a species

through increasing or maintaining: habitat/ecotypes, genetic diversity, behavioral diversity, and/or morphological diversity).

*Score: Applications will be prioritized based on the degree to which the land acquisition will improve species viability in relationship to the 3Rs.*

- Application provides sound rationale demonstrating connection between the land acquisition and **improvement** of species viability in terms of the 3Rs (one or more Rs can be used to demonstrate improvement). (20 pts)
- Application provides sound rationale demonstrating connection between the land acquisition and **potential improvement** of species viability in terms of the 3Rs (one or more Rs can be used to demonstrate improvement). (15 pts)
- Application provides sound rationale demonstrating connection between the land acquisition and **maintenance** of current species viability in terms of the 3Rs (one or more Rs can be used to demonstrate maintenance). (10 pts).
- Application **fails to establish a connection** between the land acquisition and species viability and/or does not address any R for each species. (0 pts)

*Example Response Table to Evaluation Criterion 3*

<b>Species</b>	<b>Resiliency</b>	<b>Redundancy</b>	<b>Representation</b>
Yreka phlox	The project would protect a population of mature, adult plants. Protecting adult plants would increase the reproductive potential of the population, and therefore the population would experience greater recruitment overall. The Recovery Plan states that not many seedlings have been found, which may mean that recruitment is limiting, therefore preserving adults would contribute to reproduction and recruitment of new plants would provide a significant benefit to the population's resiliency (Recovery Plan, pg. 35).	The recovery strategy does not indicate the need to establish new populations (Recovery Plan, pg. 38). However, protecting an extant population through land acquisition would maintain current species redundancy.	N/A - the Recovery Plan does not provide information about species viability relative to representation.
Bog turtle	Land acquisition will prevent access to a site where bog turtles occur. This will prevent illegal collection, an	Protecting occupied bog turtle habitat within a drainage basin will prevent the	Land acquisition will preserve a population of bog turtles in a recovery unit where

	<p>identified threat in the Recovery Plan (pg. 22). By reducing collection, the population numbers will remain at current levels or increase (due to higher recruitment from the protected individuals), therefore increasing population resiliency.</p>	<p>development or conversion of wetlands throughout the basin, and therefore will enhance the ability of bog turtles to disperse between wetlands, which will increase the redundancy of the species (Bog Turtle Recovery Plan pg. 20).</p>	<p>there currently are no existing acquisitions/easements, therefore this project would preserve additional geographical diversity and increase species representation.</p>
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**4. Habitat Connectivity**

**Maximum Points: 15**

Reviewers will reference maps submitted as part of the application package along with location information provided in the Project Narrative to consider how the proposed acquisition will improve habitat connectivity among existing conservation lands. The acquisition of land that links two existing conservation areas together or is adjacent to an existing conservation area to reduce habitat fragmentation is preferred over isolated acquisitions.

*Score: Extent to which the proposed acquisition improves habitat connectivity.*

- Proposed acquisition offers a unique and timely opportunity to consolidate State-managed conservation lands, enhancing the State’s ability to access species habitat and consistently manage for species conservation in perpetuity. (15 pts)
- Proposed acquisition provides link between existing conservation areas. (10 pts)
- Proposed acquisition lies adjacent to existing conservation areas to reduce habitat fragmentation. (5 pts)
- Proposed acquisition is isolated from existing conservation lands, but is necessary for species recovery. (0 pts)

**5. Timeliness: Threat of Conversion**

**Maximum Points: 10**

For each property proposed for acquisition, reviewers will consider the nature, extent, and level of severity of the threat of conversion to uses inconsistent with species recovery. Project Narratives should include sufficient information to allow reviewers to assess the consequences of not acquiring the property for conservation.

*Score: Greater consideration will be given to the acquisition of lands under imminent threat of conversion to uses inconsistent with species recovery.*

- Demonstrated threat of conversion is imminent. (10 pts)
- Demonstrated threat is probable. (6 pts)
- Demonstrated threat is possible within the foreseeable future. (2 pts)



- No demonstrated threat of conversion (0 pts)

*Example Response Table to Evaluation Criterion 5*

Property	Threat Designation	Justification
Property A	Imminent.	Competing buyer, development plan in place
Property B	Probable.	Property zoned for development.

**6. Timeliness: Readiness of State to Proceed**

**Maximum Points: 10**

Reviewers will evaluate the project timetable and supporting documentation submitted at time of application to assess project readiness. Timetables should clearly demonstrate how the scope of work is highly likely to be accomplished within the requested period of performance as well as any due diligence completed to date. Reviewers will also consider the past performance of applicants and subrecipients, if applicable.

*Score: Projects ready for implementation will be prioritized. Additive, up to 10 points.*

- Applicant commits to completing work within the requested PoP (three-year max) with the understanding that no extensions will be considered. (5 pts)
- Willing seller(s) letters provided for each property proposed for acquisition. (5 pts)

*Example Response Table to Evaluation Criterion 6*

Property	Timetable: Commitment to PoP	Willing Seller Letter(s)
Property A	Yes.	No.
Property B	Yes.	Yes.

**7. Voluntary Non-Federal Cost Share Commitment**

**Maximum Points: 5**

*Score: Applications including greater than minimum non-Federal cost share will be prioritized. The non-Federal cost share must be at least one percent higher than the minimum required cost share (see section C2) to receive additional consideration under this criterion.*

- Greater than minimum non-Federal cost share commitment (5 pts)
- Required minimum non-Federal cost share commitment (0 pts)

**8. Regional Director’s Discretion**

**Maximum Points: 25**

Each Service Regional Director will have 25 points to distribute among all applications submitted by the States in their respective Legacy Region based on considerations outlined in Section E2 to reflect Service and State priorities.

## **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 FWS may choose not to fund the selected project.

Prior to award, the program will conduct and document a review of the proposed budget to ensure figures are calculated correctly, proposed costs are clearly linked to the project narrative and seem necessary and reasonable, no obviously unallowable costs are included, costs requiring prior approval are identified and described, indirect cost are applied correctly, and any program match or cost share requirements are addressed.

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 §200.206](#). 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 §200.208](#) should be applied to the award.

Applications submitted for consideration will be reviewed by representatives from Service staff with appropriate subject-matter expertise (e.g., species recovery, ESA policy and programs, Federal financial assistance) and compete at the national level.

### **Initial Screening for Completeness and Eligibility**

Application packages will be screened to ensure all required forms and application elements have been provided and both applicants and projects meet all basic eligibility criteria described above. The Service will review the SAM.gov Exclusion database, status of applicants' administration of other grants, including Single Audit submissions, past performance, financial strength and management capabilities, and procedures and methods for monitoring subrecipients or vendors. Applicants in poor standing may not be considered for funding. If there are any questions about the ability of the project to be completed in compliance with Federal laws and regulations, additional information may be requested from the applicant. A project may be disqualified if Service staff determine the project cannot meet Federal requirements. Incomplete applications will be returned for corrections. Corrections must be submitted within two weeks of the returned application. Applicants that do not respond within two weeks with corrected materials will be disqualified. The Service, in its sole discretion, may continue the review process for applications with non-substantive issues that may be easily rectified or cured.

### **Merit Review**

After initial screening, applications meeting the basic eligibility requirements will undergo merit review by the National Merit Review Team based on the criteria outlined in Section E1.

Applicants must provide the information necessary for reviewers to score the proposed project against all evaluation criteria as no outside information will be considered. Missing or unclear information will result in lower scores.

Prior to participating in any review or evaluation process, all merit review members must sign and return to the program office point of contact the “Department of the Interior” Conflict of Interest Certification” form. Each application will be reviewed, evaluated, and scored independently by merit review team members with appropriate subject-matter expertise (e.g., species recovery, ESA policy and programs, Federal financial assistance). Reviewers may discuss individual applications, but all scoring will be non-consensus. Following ranking, due to limited funding or for other reasons, the Service may ask applicants to revise the project scope, timeline, and/or budget. In this event, applicants will have to submit revised SF-424 forms and project narratives prior to award.

### **Application Selection**

The review panel will develop and recommend a ranked project list to the Assistant Director of Ecological Services, who will recommend a final list of projects to the Service Director. Projects will be recommended for funding by rank order unless an application is justified by the Assistant Director to be selected out of rank order based upon the following considerations:

- National priority: Proposed acquisition directly supports the Administration’s priorities of improving climate change adaptation and increasing resilience.
- Regional priority: Proposed acquisition will provide significant benefit to rare or threatened habitat types, biodiverse habitats, or species facing pronounced threats to their existence.
- Applicant’s ability to use partial funding
- Availability of funding
- Balance/distribution of funds geographically within a Service Region
- Balance/distribution of funds geographically across Service Regions
- Whether this project duplicates other projects funded by Service or other Department of the Interior agencies
- The applicant’s prior award performance
- Partnerships with and/or participation of targeted groups

The Service Director will make the final award selections.

### **E3. CFR – Regulatory Information**

See the [Service’s General 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**

The Service intends to make pre-award notifications by May 30, 2024, and obligate funds within 120 days. Applicants will assist the Service in meeting the 120-day target by providing the documents necessary for grant issuance as soon as possible following pre-award notification. Awarded funds must be expended in a timely manner or returned to the Service for reallocation through the next competitive grant cycle.

## **F. Federal Award Administration Information**

### **F1. Federal Award Notices**

If an application is selected for an award, the appropriate Service Regional Office will notify the applicant of the selection and outline the process for finalizing the award, including any additional information that may be required from the applicant for the satisfactory completion of compliance review. Applicants may be required to revise the project scope and/or budget before a final Notice of Award can be issued. The Notice of Award is the authorizing document for a grant and will be received through GrantSolutions upon completion of all review requirements. Acceptance of an award is defined as starting work, drawing down funds, or accepting the award via electronic means. The Notice of Award will include specific instructions on how to request payment. If applicable, the instructions will detail any additional information/forms required and where to submit payment requests.

The Service may publish one or more media releases and post information about projects selected for funding on Service websites. These releases may be made in coordination with the Department of the Interior and may be made nationally and/or regionally.

### **F2. Administrative and National Policy Requirements**

See the [DOI Standard Terms and Conditions](#) for the administrative and national policy requirements applicable to DOI awards.

See the [Service’s General Award Terms and Conditions](#) for the general administrative and national policy requirements applicable to Service awards.

### **Buy America Provision for Infrastructure: Required Use of American Iron, Steel, Manufactured Products, and Construction Materials.**

As required by Section 70914 of the Infrastructure Investment and Jobs Act (Pub. L. 117-58), on or after May 14, 2022, none of the funds under a federal award that are part of a Federal financial

assistance program for infrastructure may be obligated for a project unless all the iron, steel, manufactured products, and construction materials used in the project are produced in the United States, unless subject to an approved waiver. Recipients conducting infrastructure projects under the award must include related requirements all subawards, including all contracts and purchase orders for infrastructure work or products under this program. For the full text term applicable to infrastructure and related waiver request standards and procedures, see the Service's General Award Terms and Conditions.

### **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.

#### **Non-Construction 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 was 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 performance** reports on the frequency established in the Notice of Award.

You must submit all performance reports in TRACS and GrantSolutions as described in the terms and conditions specified in the Notice of Award. You should complete your performance reports in TRACS first. Once completed, TRACS will generate a performance report that you can upload in GrantSolutions. Your performance report information must provide quantitative outputs for the approved Standard Objectives, and narrative responses to the following questions:

1. What progress has been made towards completing the objectives(s) of the project?
2. Please describe and justify any changes in the implementation of your objective(s) or approach(es).
3. If applicable, please share if your project resulted in any unexpected benefits, promising practices, new understandings, cost efficiencies, management recommendations, or lessons learned.
4. If applicable, identify and attach selected publications, photographs, screenshots of websites, or other documentation (including articles in popular literature, scientific literature, or other public information products) that have resulted from this project that highlight the accomplishments of the project.

5. Is this a project you wish to highlight for communication purposes?

### **Construction Performance Reports**

For construction awards, onsite technical inspections and certified percentage of completion data may be relied on to monitor progress for construction. Additional performance reports for construction activities may be required only when considered necessary. However, awards that include both construction and non-construction activities require performance reporting for the non-construction activities. See [2 CFR§200.329](#) for more information. The USFWS will describe all performance reporting requirements 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 standard form or data elements, reporting frequency, and report due dates, in the Notice of Award when applicable.

Real property interests may include, but are not limited to, fee simple, fee with exceptions to title, easements, water rights, and mineral rights. Leaseholds acquired by a recipient or subrecipient must also be reported regardless of their status as real or personal property under State law. The real property and leaseholds to be reported are those that required a Notice of Federal Participation to be recorded in the public recorder's office of the local jurisdiction. They include real property and leaseholds that were: (a) Purchased for a financially assisted project with Federal funds or non-Federal cost-sharing or matching funds; (b) Acquired previously by the recipient or subrecipient for another purpose, but committed to the financially assisted project as an in-kind contribution; or (c) Accepted by the recipient or subrecipient as an in-kind contribution from a non-Federal third party for the financially assisted project. If your award includes real property/facility acquisition or construction, you are responsible for entering information in the TRACS inventory modules to create real property/facility record(s). We will use these real property/facility records to ensure your periodic compliance requirement to submit reports on the status of real property acquired or constructed under a Federal award as outlined in the Notice of Award is met. The Director, Office of Grants Management, has approved the Service's use of TRACS as an alternate equivalent format for the collection of data needed for the OMB approved form, *Real Property Status Report SF 429-A* (2 CFR 1402.329(d)(4)). If the real property will be held for 15 years or more, the first report will be due within a year of the end of the period of performance, and subsequent reporting on a schedule determined by us.

Reports for real property held for 15 years or more will be due at least once every five years, but could be required more often.

### **Conflict of Interest Disclosures**

Per 2 CFR §1402.112, non-Federal entities and their employees must take appropriate steps to avoid conflicts of interest in their responsibilities under or with respect to Federal financial assistance agreements. In the procurement of supplies, equipment, construction, and services by recipients and by subrecipients, the provisions in [2 CFR §200.318](#) apply. 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](#). 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 Service Project Officer identified in their notice of award in writing of any conflicts of interest that may arise during the life of the award, including those that reported by subrecipients. The Service will examine each disclosure to determine whether a significant potential conflict exists and, if it does, work with the applicant or recipient to develop an appropriate resolution. Failure to resolve conflicts of interest in a manner that satisfies the government may be cause for termination of the 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 for noncompliance described in 2 CFR §200.339, 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](#) that is made available in the designated integrity and performance system (currently the [Federal Awardee Performance and Integrity Information System](#)) 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:

Kelly Niland

Telephone:

703-358-2192

Email:

Kelly\_Niland@fws.gov

## G2. Program Administration

For **program administration assistance**, contact:

First and Last Name:

Kelly Niland

Telephone:

703-358-2192

Email:

Kelly\_Niland@fws.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](mailto:Support@grants.gov)

For **GrantSolutions technical registration, submission, and other assistance contact**:

GrantSolutions Customer Support

1-866-577-0771

[Help@grantsolutions.gov](mailto: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.

Region 1	Hawaii, Idaho, Oregon, Washington, Guam, Commonwealth of the Northern Mariana	USFWS Eastside Federal Complex 911 N.E. 11th Avenue Portland, Oregon	Naomi Bentivoglio (503) 231-2228 <a href="mailto:Naomi_bentivoglio@fws.gov">Naomi_bentivoglio@fws.gov</a>
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	Islands	97232-4181	
Region 2	Arizona, New Mexico, Oklahoma, Texas	USFWS 500 Gold Avenue SW, Room 6018 Albuquerque, New Mexico 87102	Vanessa Burge (505) 248-6420 <a href="mailto:Vanessa_Burge@fws.gov">Vanessa_Burge@fws.gov</a>
Region 3	Illinois, Indiana, Iowa, Michigan, Minnesota, Missouri, Ohio, Wisconsin	USFWS Ecological Services 5600 American Blvd. West Suite 990 Bloomington, Minnesota 55437-1458	Erik Olson (612) 713-5488 & Laura Ragan (612) 713-5194 <a href="mailto:R3FedAid@fws.gov">R3FedAid@fws.gov</a>
Region 4	Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, Puerto Rico, U.S. Virgin Islands	USFWS 1875 Century Boulevard, Suite 200 Atlanta, Georgia 30345	Victoria Davis (404) 679-4176 <a href="mailto:Victoria_Davis@fws.gov">Victoria_Davis@fws.gov</a>
Region 5	Connecticut, Delaware, District of Columbia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia	USFWS 300 Westgate Center Drive Hadley, Massachusetts 01035-9589	Jay Rasku (413) 253-8216 <a href="mailto:Jason_Rasku@fws.gov">Jason_Rasku@fws.gov</a>

Region 6	Colorado, Kansas, Montana, Nebraska, North Dakota, South Dakota, Utah, Wyoming	USFWS Ecological Services 134 Union Blvd., Suite 645 Lakewood, Colorado 80228	Angela Burgess (303) 236-4263 <a href="mailto:Angela_Burgess@fws.gov">Angela_Burgess@fws.gov</a>
Region 7	Alaska	USFWS 1011 East Tudor Road Anchorage, Alaska 99503-6199	Erin Knoll (907) 887-9367 <a href="mailto:Erin_Knoll@fws.gov">Erin_Knoll@fws.gov</a>
Region 8	California and Nevada	USFWS 2800 Cottage Way Room W-2606 Sacramento, California 95825-1846	Karen Jensen (916) 414-6557 <a href="mailto:Karen_Jensen@fws.gov">Karen_Jensen@fws.gov</a>

**PAPERWORK REDUCTION ACT STATEMENT:**

**OMB Control Number: 1018-0100**

Per the Paperwork Reduction Act of 1995 (PRA; 44 U.S.C. 3501 et seq.), the U.S. Fish and Wildlife Service (Service) collects information in accordance with program authorizing legislation to conduct a review and select projects for funding and, if awarded, to evaluate performance. Your response is required to obtain or retain a benefit. We may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

**Privacy Act Statement:** This information collection is authorized by 5 U.S.C. 5701 et seq. The information provided will be used to administer all Service financial assistance programs and activities including to: (1) determine eligibility under the authorizing legislation and applicable program regulations; (2) determine allowability of major cost items under the Cost Principles at 2 CFR 200; (3) select those projects that will provide the highest return on the Federal investment; and (4) assist in compliance with laws, as applicable, such as the National Environmental Policy Act, the National Historic Preservation Act, and the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970. This information may be shared in accordance with the Privacy Act of 1974 and the routine uses listed in INTERIOR/DOI-89, Grants and Cooperative Agreements: FBMS - 73 FR 43775 (July 28, 2008). Furnishing this information is voluntary; however, failure to provide all requested information may prevent the Service from awarding funds.

**Estimated Burden Statement:** We estimate that it will take you on average about 40 hours to complete an initial application, about 3 hours to revise the terms of an award, and about 8 hours

per report to prepare and submit financial and performance reports, including time to maintain records and gather information. Actual times for these activities will vary depending on program-specific requirements. Direct comments regarding the burden estimates or any other aspect of the specific forms to the Service Information Clearance Officer, USFWS, U.S. Department of the Interior, 5275 Leesburg Pike, MS: PRB (JAO/3W), Falls Church, VA 22041-3803, or by email to [Info\\_Coll@fws.gov](mailto:Info_Coll@fws.gov).