



DEPARTMENT OF
ECOLOGY
State of Washington

**National Coastal Wetlands Conservation
Grant Program
Fiscal Year 2021**

Notice of Funding Opportunity

July 2020

Publication #20-06-009

Publication and Contact Information

This document is available on the Department of Ecology's website at:

<https://fortress.wa.gov/ecy/publications/summarypages/2006009.html>



This document contains federal guidelines for the National Coastal Wetlands Conservation Grant Program funding opportunity. Ecology uses this document as the federal funding guidelines for any subrecipients that we have for National Coastal Wetlands Conservation grant funds. (U.S. Fish and Wildlife Service, Funding Opportunity Number F20AS00057).

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National Coastal Wetlands Conservation Grant Program Fiscal Year 2021 Notice of Funding Opportunity

Notice Overview

Federal Agency Name

Department of the Interior (DOI), United States (U.S.) Fish and Wildlife Service (Service), Wildlife and Sport Fish Restoration Program (WSFR) and National Wildlife Refuge System, Division of Habitat and Resource Conservation

Funding Opportunity Title

National Coastal Wetlands Conservation Grant Program

Catalog of Federal Domestic Assistance (CFDA) Number

15.614

Authorizing Legislation

The Coastal Wetlands Planning, Protection, and Restoration Act (Title III, Section 301, Public Law 101-646, 16 U.S.C. 3951-3956) established the National Coastal Wetlands Conservation Grant (NCWCG) Program. The Fixing America's Surface Transportation (FAST) Act (P.L. 114-94) authorizes funding for the NCWCG Program through Fiscal Year 2021.

Announcement Type

Notice of Funding Opportunity (NOFO) for Federal Fiscal Year (FY) 2021

Funding Opportunity Number

F20AS00057

Paperwork Reduction Act Statement

The Service is collecting this information in accordance with the Coastal Wetlands Planning, Protection and Restoration Act, Title III, Section 301, Public Law 101-646, 104 Stat. 4778, November 29, 1990 (Title 16, United States Code (U.S.C.), Part 3951-3956). As the applicant, your response is required to obtain or retain a benefit. The Service will use the information you provide to evaluate your application for potential award of Federal funding through this program and, if awarded, to evaluate performance. The Service may not conduct or sponsor and you are not required to respond to a collection of information unless it displays a currently valid Office of Management and Budget (OMB) control number. The Service estimates that it will take you about 40 hours to complete an initial application, three hours to revise the terms of an award, and eight hours to prepare and submit performance reports, including time to maintain records, and gather information. You may send comments on the burden estimate or any other aspect of this information collection to the Information Collection Clearance Officer, U.S. Fish and Wildlife Service, MS BPHC, 5275 Leesburg Pike, Falls Church, VA 22041-3803.

OMB Control Number

1018-0100 (expires: 7/31/2021)

Submission Deadline and Other Information

You may apply for funding between the publication date of this NOFO and Friday, June 26 2020 at 11:59 p.m. PDT. We recommend that you submit your application early enough to address any unforeseen technical complications, and verify that all documents have been received by your WSFR Regional Office before the deadline. We will not consider applications received after the deadline. We expect to announce the selected projects in early 2021.

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Changes to the FY 2020 NCWCG Program NOFO

This FY 2020 NOFO has been updated with new information, including project design, application, and reporting requirements. Please note the following:

1. Under “DUNS Registration,” new information on the General Services Administration’s Unique Entity Identifier.
2. Under “Request to Acquire, Improve, or Furnish,” information on a new requirement to complete and submit the [SF-429B](#) for all real property acquisitions.
3. Under “Project Statement,” (Objectives), information on the requirement to use WSFR’s Standard Objectives when designing your project.
4. Under “Budget Narrative,” (Items 4 and 5), information on the requirement to provide data on the useful life of certain capital improvements and prior approval for purchase of certain equipment.
5. Under “Assurances,” information on your certification to provide access to records, and information on a method for submitting your SF-424B via SAM registration or renewal.
6. Under “Conflict of Interest Disclosures,” new information defining conflicts of interest (see also Attachment B, Department of the Interior Award Provisions).
7. Under “GrantSolutions Instructions,” information about our transition from Grants.gov to GrantSolutions in April 2020.
8. Under “Federal Award Notices,” new information about our potential use of project information in media releases in coordination with the Department of the Interior.
9. Under “Administrative and National Policy Requirements,” new information on requirements for recordkeeping and providing access to your records, compliance with the Federal Funding Accountability and Transparency Act, and new requirements regarding appraisals when acquiring real property.

10. Under “Award Terms and Conditions,” new information on audit findings and sharing of information derived from or produced with funding under your Federal award.
11. Under “Financial and Performance Reports,” information on new requirements for reporting in TRACS.

I. Description of Funding Opportunity

References to “you” in this NOFO refer to the State, Commonwealth, or Territory agency completing the application and any subrecipient, if applicable. References to “we,” “our,” or “us” refer to the Service.

The Coastal Wetlands Planning, Protection, and Restoration Act (Title III, Section 301, Public Law 101-646, 16 U.S.C. 3951-3956) (Act) established the National Coastal Wetlands Conservation Grant (NCWCG) Program to acquire, restore, and enhance wetlands in coastal areas through competitive matching grants to eligible State, Commonwealth, and Territory (State) agencies. The Program is funded by revenues collected from excise taxes on sport fishing equipment, electric motors and sonar, import duties on fishing tackle, yachts and pleasure craft, and a portion of gasoline tax attributable to motorboats and small engines. Revenues are deposited into and appropriated from the Sport Fish Restoration and Boating Trust Fund. The primary goal of the NCWCG Program is the long-term conservation of coastal wetland ecosystems. The Fixing America's Surface Transportation (FAST) Act (P.L. 114-94) authorizes funding for the NCWCG Program through Fiscal Year 2021.

Coastal wetlands are valued because they protect against flooding, help maintain water quality, and provide habitat for fish and wildlife. Coastal environments are also important economically, generating billions of dollars annually through recreational and commercial fishing, boating, and tourism.

WSFR’s mission is to work through partnerships to conserve and manage fish and wildlife and their habitats for the use and enjoyment of current and future generations. WSFR’s vision is of healthy, diverse, and accessible fish and wildlife populations that offer recreation, economic activity, and other societal benefits, in addition to sustainable ecological functions. WSFR’s guiding principle is that society benefits from conservation-based management of fish and wildlife and their habitats and opportunities to use and enjoy them. The NCWCG Program aligns with WSFR’s mission, vision, and guiding principle, and supports three of the Department of the Interior’s priorities including:

- 1) Creating a conservation stewardship legacy second only to Teddy Roosevelt through land acquisition promoting protection and enhancement of high-priority coastal wetland ecosystems;
- 2) Utilizing our natural resources by allowing fish- and wildlife-based recreation and public use and enjoyment, as appropriate;
- 3) Restoring trust with our local communities through partnering with eligible State agencies and their partners on local projects.

The Final Rule establishing the requirements for participation in the NCWCG Program was published in the Federal Register on July 30, 2002 ([67 Federal Register \(FR\) 49264](#)). The Program regulations are in the NCWCG Program rule: [Title 50 of the Code of Federal Regulations \(CFR\), Part 84](#). Additional information about the NCWCG Program is available [here](#).

II. Award Information

The NCWCG Program provides eligible State agencies with grants for projects that protect and restore valuable coastal wetlands resources. Projects can include:

- 1) Acquisition of a real property interest (e.g., conservation easement or fee title) in coastal lands or waters (coastal wetlands ecosystems) from willing sellers or partners for long-term conservation;
- 2) Restoration, enhancement, or management of coastal wetlands ecosystems; or
- 3) A combination of acquisition, restoration, enhancement, and management.

All projects must ensure long-term conservation (at least 20 years) of coastal resources. We score and rank applications based on criteria published in [50 CFR 84.32](#). See Section VI. Application Review for a summary of the ranking criteria.

Award Amount

We expect that approximately \$22 million will be available for grants through the NCWCG Program in FY 2021. Awards typically range from \$125,000 (there is no specific minimum) to a maximum of \$1,000,000.

Funding Restrictions

Eligible Activities

- 1) Acquisition of a real property interest in coastal lands or waters (coastal wetlands ecosystems) from willing sellers or partners, provided that the terms and conditions will ensure the real property will be managed for long-term conservation; and
- 2) The restoration, enhancement, or management of coastal wetlands ecosystems, provided that restoration, enhancement, or management will be administered for long-term conservation.

Ineligible Activities

- 1) Projects that primarily benefit navigation, irrigation, flood control, or mariculture;
- 2) Acquisition, restoration, enhancement or management of lands to mitigate habitat losses;
- 3) Creation of wetlands where wetlands did not previously exist;
- 4) Enforcement of fish and wildlife laws and regulations, except when necessary for the accomplishment of approved project purposes;
- 5) Research;
- 6) Planning as a primary project focus;
- 7) Operations and maintenance, including long-term invasive species management;
- 8) Acquisition and/or restoration of upper portions of watersheds where benefits to the coastal wetlands ecosystem are not significant and direct; and

9) Projects providing less than 20 years of conservation benefits.

Note: This list is not comprehensive. If you have questions about the eligibility of specific activities, contact your WSFR Regional Office (see Section VIII, Agency Contacts).

Additional Eligibility Information

The primary purpose of the NCWCG Program is to help eligible State agencies acquire, restore, enhance, and/or manage coastal wetlands ecosystems. Recreation and outreach or education activities necessary for meeting these purposes are eligible for NCWCG Program funding up to a combined maximum of 10 percent of the total project costs, including the Federal share and matching funds. Such activities must be “site-specific” and “substantive” to receive points under Ranking Criterion 12 ([50 CFR 84.32\(a\)\(12\)\(i\)](#)). Any proposed recreation or outreach/education activities must be described and justified in the application.

Planning and related activities are ineligible as a primary project focus ([50 CFR 84.20\(b\)\(6\)](#)), but may be allowable as a minimal component of a project. Monitoring necessary for meeting Program purposes is eligible, such as evaluating results of project activities and measuring impacts on targeted resources ([50 CFR 84.12\(b\)](#)). Research is not eligible for funding. Planning, engineering, design, permitting, and monitoring costs necessary for completion of site-specific project objectives are eligible for funding up to a combined maximum of 30 percent of the total project costs, including the Federal share and required match. Any proposed activities involving planning, engineering, design, permitting, or monitoring must be described and justified in your application.

Contact your WSFR Regional Office for more detailed guidance on specific proposed costs involving recreation, outreach/education activities, planning, design, permitting, or monitoring (see Section VIII, Agency Contacts).

Review [50 CFR 84.20](#) for more information on eligible and ineligible activities, or contact your WSFR Regional Office (see Section VIII, Agency Contacts).

III. Basic Eligibility Requirements

Eligible Applicants

Participation is limited to State agencies or entities designated as eligible by the Governor of a coastal State. The eligible agency is usually a State natural resource or fish and wildlife agency. If you are uncertain of your eligibility, please contact your WSFR Regional Office (see Section VIII, Agency Contacts).

Eligible coastal States are States bordering the Great Lakes (Illinois, Indiana, Michigan, Minnesota, New York, Ohio, Pennsylvania, and Wisconsin); States bordering the Atlantic, Gulf (except Louisiana), and Pacific coasts. Louisiana is not an eligible coastal State for this Program as provided in the Act ([16 U.S.C. 3955 \(b\)\(1\)](#)).

Here is the complete list of eligible States: Alabama, Alaska, California, Connecticut, Delaware, Florida, Georgia, Hawaii, Maine, Maryland, Massachusetts, Mississippi, New Hampshire, New Jersey, New York, North Carolina, Oregon, Rhode Island, South Carolina, Texas, Virginia,

Washington, American Samoa, the Commonwealth of the Northern Mariana Islands, Guam, Puerto Rico, and the U.S. Virgin Islands.

Federal law mandates that all entities applying for Federal financial assistance must have a valid Dun & Bradstreet Data Universal Numbering System (DUNS) number and have a current registration in the System for Award Management (SAM). [See 2 CFR 25](#) for more information.

DUNS Registration

Request a DUNS number [here](#). For technical difficulties, contact Dun & Bradstreet by email at: govt@dnb.com, or by calling the Government Customer Resource Center at voice phone: 866-705-5711 or TTY line: 877-807-1679 (hearing impaired customers only). Obtaining a DUNS number is free for all entities doing business with the Federal government. Once assigned a DUNS number, you are responsible for maintaining up-to-date information with Dun & Bradstreet.

Be aware that starting in December 2020, your DUNS number will no longer be the official identifier for doing business with the Federal government. In the near future, the General Services Administration (GSA) will start a new, non-proprietary Unique Entity Identifier (UEI) to be requested in and assigned by the System for Award Management (<https://sam.gov/SAM/>). Visit the [GSA Unique Entity Identifier Update web page](#) for the latest information on this transition. This transition will not change the applicability of existing requirements for either obtaining an entity identifier or completing the full SAM.gov registration. If you are currently exempt from obtaining an entity identifier and/or completing full SAM.gov registration, you will continue to be exempt from those requirements.

Entity Registration in SAM

Register in [SAM](#) online. Once registered in SAM, you must renew and revalidate your SAM registration at least every 12 months from the date previously registered. You are advised to revalidate your registration as often as needed to ensure that your information is up to date and includes changes that may have been made to DUNS and Internal Revenue Service information. We cannot make a Federal award if you have not completed the SAM registration or your registration is expired. If you are selected for funding but have not completed your SAM registration by the time we are ready to make an award, we may determine that you are not qualified to receive an award and may use that determination as the basis for making an award to another applicant. Note: The official U.S. Government website address for SAM is <https://sam.gov/SAM/>. There is no cost to register in or access SAM. Some third-party vendors charge a fee for registering entities in SAM; please be aware that you can register to do business with the U.S. Government for free directly in SAM.

Excluded Entities

If you or your key project personnel are identified in the SAM exclusions database as ineligible, prohibited/restricted or excluded from receiving Federal contracts, certain subcontracts, and certain Federal assistance and benefits, you will not be considered for Federal funding under the NCWCG Program. We conduct a review of the SAM exclusions database for all applicants and key project personnel prior to award.

Prohibition Regarding Internal Confidentiality Agreements

If you require your employees or your contractors to sign an internal confidentiality agreement or statement that prohibits or otherwise restricts your employees or contractors from lawfully reporting waste, fraud, or abuse to a designated investigative or law enforcement official of a Federal department or agency authorized to receive such information, you are not eligible to compete for or receive a NCWCG Program award. See [Pub. L. 113-235, Title VII, Division E, Section 743](#) (128 STAT. 2391; p. 263/702) for more information.

Cost Sharing or Matching

If you have established a fund that is used for acquiring coastal wetlands, other natural areas, or open space, you may receive up to 75 percent of total project costs through the NCWCG Program up to the maximum award of \$1,000,000. If you have not established such a fund, you may receive up to 50 percent of total projects costs through the NCWCG Program. In accordance with [48 U.S.C. 1469\(a\), Amendment of Subsection \(d\)](#), the Regional Director shall waive the first \$200,000 of match required as per this NOFO in any grant to the Commonwealth of the Northern Mariana Islands and the Territories of American Samoa, Guam, or the U.S. Virgin Islands.

The maximum Federal participation rate of 75 percent is based on total project costs, i.e., the amount requested from the NCWCG 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 are not included in total project costs when calculating the maximum Federal participation rate. Cost share requirements are detailed in [50 CFR 84.46](#).

To be reimbursed up to 75 percent of total project costs, you must provide either a description of the State trust fund (in sufficient detail for us to make an eligibility determination), or a statement that eligibility has been previously approved and there has been no change in the fund.

To receive points under ranking Criterion 11 ([50 CFR 84.32 \(a\)\(11\)](#)), at least some of the non-Federal match must be provided in cash. Direct costs identified in the SF-424 are only considered to meet the definition of cash match if they are provided in the form of U.S. currency. See Attachment A. Clarification of Select Ranking Criteria in 50 CFR 84.32 and General Program Questions for more information.

Note: If you propose to use the value of donated land as all or a portion of the non-Federal cost share, you should explain in the Project Statement why the land is necessary to accomplish the project objectives. You should include information on the parcel(s) proposed for acquisition or restoration with NCWCG Program funds and the match parcel(s) in adequate detail for each ranking criterion so reviewers can make accurate and informed scoring decisions on both the subject and match parcel(s).

You must document all third-party matching funds with a signed letter of financial commitment from an authorized representative of the match provider. The letter must detail the amount of matching funds or value of donated land and/or services. Please note that any contributions from Federal sources are not eligible for use as non-Federal match unless authorized by Federal

statute (such as the Department of Defense Readiness and Environmental Protection Integration Program or REPI funds). You are responsible for ensuring availability of the full amount of the non-Federal match that you indicate on the SF-424.

Other

Although only eligible State agencies can apply for and receive grants through the NCWCG Program, we encourage partnering with tribes, Federal agencies, other State agencies, non-governmental organizations, local governments and others as you deem appropriate.

IV. Application Requirements

You can download the application package for the NCWCG Program from Grants.gov [here](#), by entering Funding Opportunity Number F20AS00057. You can also download application forms through the [WSFR toolkit](#). If you have trouble applying, contact your WSFR Regional Office (see Section VIII, Agency Contacts).

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

Application for Federal Assistance

Submit a completed, signed, and dated Application for Federal Assistance form (SF-424). Do not include other Federal sources of funding, requested or approved, in the total entered in the “Federal” funding box on the SF-424. 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.

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. You may also include goals, objectives, specific project activities, or anticipated outputs and outcomes in this section.

Request to Acquire, Improve, or Furnish

When you request our approval to acquire real property with Federal funds under your award, with matching funds under your award, or as an in-kind match contribution, you must complete a separate [SF-429-B](#), “Real Property Status Report—Request to Acquire, Improve, or Furnish” for each property. As an alternative, you may use another standardized data collection format if we approve or direct its use. You and/or your subrecipient(s) must submit the SF-429-B for each property regardless of whether the request occurs at the time of application, during the period of performance, or as a pre-award cost.

Project Statement (Seven-Page Limit)

Provide a Project Statement containing the elements listed below (see also [50 CFR 84.22\(c\)](#)). You may combine your responses as necessary; separate headings or sections for responses to each element are not required. Only your responses to the following requirements in this Project Statement subsection are included within the page limit unless otherwise indicated.

Need

The need for the proposed project(s) within the purpose of the NCWCG Program.

Objectives

Discrete, quantifiable, and verifiable objectives to be accomplished during a specific time period. Objectives reference specific outcomes to be accomplished in order to reach the stated goal(s). The project objectives should be specific, measurable, attainable within the period of performance, realistic, and time-bound. If your objectives include management of lands for recreational as well as conservation purposes, you must demonstrate that any anticipated recreational activities will not degrade habitat values of targeted lands.

We require that you use Standard Objectives when designing your project or program. See the [WSFR Standard Project Statement Wiki](#) for general examples and guidance. We encourage you to work with your Regional WSFR Office prior to submission if you have questions about using the Standard Objectives (see Section VIII. Agency Contacts).

Expected Results

Expected results or benefits from accomplishing the objectives.

Approach

Clearly describe the approach or activities to be used in meeting the objectives, including specific procedures, methods, schedules, key personnel, and cooperators. Please include (if applicable):

- a. Any organization that will act as a subrecipient and their role(s) in meeting the project objectives; for any key personnel, describe the education, experience and skills that make them qualified to carry out the proposed project (do not include resumes or curriculum vitae);
- b. What organization will hold title to the real property being acquired or restored?
- c. How will long-term management (20 years or longer) of acquired or restored areas be accomplished (e.g., through long-term support provided by an endowment)?
- d. What type of ownership interest is involved (e.g., fee-simple, easement, combination, etc., and the related acres)?
- e. What organization (or individual) will manage the real property interest?
- f. What will be involved in the restoration? Why did you choose that approach? How likely is the proposed restoration technique to succeed? How much maintenance is involved, who will conduct it, and who will support it? Please provide examples of your success in implementing the proposed restoration approach in similar nearby ecosystems, if available.
- g. Is the project ready to implement? For example, in the case of acquisitions, have the landowners supplied willing seller letters? For restoration projects, are the landowners willing to allow and maintain the proposed restoration, and have required permits been obtained or initiated? Are restoration designs completed or underway? Attach any relevant documents that address these elements. Copies of seller letters, permits and designs may be provided separately from the Project Statement and are not included in the page limit.

Project Location

Maps or other geographic aids may be attached. Please include GPS Coordinates in degrees, minutes, and seconds, if available. Maps and other diagrams may be provided separately from the Project Statement and are not included in the page limit.

Timeline

Describe significant milestones within the performance period of your project in detail, including dates you expect to begin and complete all compliance-related activities. Describe any accomplishments to date.

Compliance

For projects conducted in the United States, provide a summary of anticipated Federal compliance requirements. Be sure to address all applicable compliance requirements including those involving the National Environmental Policy Act (NEPA), the Endangered Species Act (ESA), Section 106 of the National Historic Preservation Act (NHPA), and all other requirements in applicable Federal laws, regulations, and policies. Describe any compliance activities for your proposed project that have already been completed or are currently underway.

State Trust Fund

Include either a description of the State trust fund that supports or justifies your request for a 75 percent Federal share in sufficient detail for us to make an eligibility determination, or a statement that eligibility has been previously approved by us and no change has occurred in the fund.

Relationship to Other Projects and/or Other Federal Grants

If applicable, list other current, interrelated coastal acquisition, restoration, enhancement and conservation actions, the agencies involved, the relationship to the proposed project, and how the application fits into comprehensive natural resource plans for the area. If applicable, identify any relationship between this project and other work funded by State or Federal grants that is planned, anticipated, or underway. Please note that you must also provide an Overlap or Duplication of Effort Statement whether or not you describe other current, interrelated conservation actions in your Project Statement. The Overlap or Duplication of Effort Statement is not included within the seven-page limit for your Project Statement and should be included in your application separately. For more information, see below in this Section under the heading "Required Overlap or Duplication of Effort Statement."

Public Involvement and Interagency Coordination

Provide a description of public involvement or interagency coordination on coastal wetlands conservation projects that has occurred or is planned that relates to the application. Please specify the organizations or agencies involved and dates of involvement.

Budget Form

Complete the Budget Information for Non-Construction Programs (SF-424A) form, Budget Information for Construction Programs (SF-424C) form, or submit the equivalent or greater level of information in another format. Use the SF-424A if your project does not include construction or real property acquisition and the SF-424C if the project includes construction or real property acquisition. The SF-424A and SF-424C budget forms, should you choose to use them, are published along with this NOFO at Grants.gov. You can also download these forms from the [WSFR toolkit](#). When developing your budget, keep in mind that Federal financial assistance awards and subawards are subject to the Federal cost principles. The Federal cost principles are available [here](#).

If your project budget includes multiple Federal funding sources, you must show the funds being requested from this Federal program separately from any other requested or secured Federal sources of funding on the budget form. For example, in the SF-424A enter the funds being requested from the NCWCG 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 the NCWCG Program is 15.614.

Budget Narrative

In a separate narrative titled "Budget Narrative," explain and justify all requested budget items. Detail how the SF-424 Budget Object Class Category totals were determined and demonstrate a clear connection between costs and the proposed project activities. The justification for each budget category should include a brief general description of the costs that make up that category, yet provide enough detail to demonstrate that you have a financial plan for implementation of the proposed objectives, including completion of any required compliance activities. Describe any pre-award or "preliminary" costs ([50 CFR 84.47\(c\)](#)), or other costs requiring prior written approval (see [2 CFR 200.407](#)). Make sure you include a narrative description of the following:

- 1) In-Kind Match – Include the source, the amount, and the valuation methodology used to arrive at the total (see Attachment A, Clarification of Select Ranking Criteria in [50 CFR 84.32](#) and General Program Questions for more information);
- 2) Program Income, if any – Include the source, estimated amount, and the requested method of crediting the program income (e.g. deductive, additive, cost share);
- 3) Allocation of Costs – Identify the method used for allocating costs in multipurpose projects and facilities;
- 4) Useful Life – Propose a useful life for each capital improvement that costs at least \$25,000 to build, acquire, or install (see [50 CFR 80.2](#)), and reference the method used to determine the useful life of a capital improvement with a value greater than \$100,000 (see [50 CFR 80.82\(c\)\(5\)](#)).
- 5) Prior approval is required to purchase equipment, which includes any tangible personal property (including information technology systems) having a useful life of more than one year and a per-unit acquisition cost which equals or exceeds the lesser of the capitalization level established by you or your subrecipient(s) for financial statement

purposes, or \$5,000 ([see 2 CFR 200.33](#)). You and your subrecipients must follow the requirements at [2 CFR 200](#) when acquiring equipment under an award, with emphasis on [200.313](#), [200.317](#) through [200.326](#), and [200.439](#).

Letters of Commitment

All letters of financial commitment are due with the application by Friday, June 26 2020, at 11:59 p.m. PDT. We will not consider letters received after the deadline. Omission of letters of commitment may negatively impact scoring of your application. Include:

- 1) Signed letter(s) of financial commitment from an authorized representative of all third-party match provider(s) detailing the amount of matching funds or value of donated real property and/or services.
- 2) In projects with real property acquisition, we encourage you to include a letter or statement that describes current negotiations regarding the potential sale of the property to help reviewers determine the feasibility of the proposed project compared with other projects.

Required Indirect Cost Statement

If you do not have an approved indirect cost rate, you cannot charge indirect costs to your Federal award. You must include in your budget narrative one of the following statements and attach to your application any required documentation identified in the applicable statement. Prior to attaching a copy of your Negotiated Indirect Cost Rate Agreement (NICRA) to your application, please verify whether it is already on file with the WSFR Regional Office; if it is, please do not attach it to your application.

“We are:

- 1) A U.S. State 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 or certification is on file with the WSFR Regional Office (attach it ONLY if your NICRA is not already on file in your WSFR Regional Office);
- 2) A U.S. State 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 U.S. State entity 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;
- 4) A U.S. State entity that has never submitted an indirect cost rate proposal to our cognizant agency and has an indirect cost rate that is lower than 10%. Our indirect cost rate is [insert rate; must be lower than 10%]. However, 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 indirect cost rate of [insert rate; must be lower than 10%] of [insert a clear description of the direct cost base against which your rate is charged (e.g., salaries; salaries and fringe benefits; or modified total direct costs)]. However, please

note that your organization cannot charge indirect costs in excess of the indirect costs that would be recovered if applied against modified total direct costs as defined in [2 CFR 200.68](#). We understand that we must notify the Service in writing immediately if we establish an approved rate with our cognizant agency at any point during the award period;

- 5) A U.S. State entity that has never submitted an indirect cost rate proposal to our cognizant agency and has an indirect cost rate that is 10% or higher. Our indirect cost rate is [insert your organization's indirect rate; must be 10% or higher]. However, 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 minimis* indirect cost rate of 10% of modified total direct costs as defined in [2 CFR 200.68](#). We understand that we must notify the Service in writing immediately if we do establish an approved rate with our cognizant agency at any point during the award period. We understand that additional Federal funds may not be available to support an unexpected increase in indirect costs during the project period and such changes are subject to review, negotiation, and prior approval by the Service; or
- 6) A U.S. State entity that will charge all costs directly.”

Please note the following:

- If you do not have an approved indirect cost rate you are prohibited from charging indirect costs to a Federal award. Accepting a flat *de minimis* 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.
- You may only charge the indirect costs calculated against the allowable direct costs charged to the Federal award.
- You must have prior written approval from us to transfer unallowable indirect costs to amounts budgeted for direct costs or to satisfy cost-sharing or matching requirements under the award.
- You are prohibited from shifting unallowable indirect costs to another Federal award unless specifically authorized to do so by legislation.

For more information on indirect cost rates, see our [Indirect Costs and Negotiated Indirect Cost Rate Agreements guidance document](#). See also [2 CFR 1402.414](#) for the policies, procedures, and decision-making criteria for using an indirect cost rate that differs from your or your subrecipient's negotiated rate, or its rate approved for our awards.

Negotiating an Indirect Cost Rate with the Department of the Interior

If you do not have a NICRA you must first have an open, active Federal award and submit an indirect cost rate proposal to your 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 OMB. If the Department of the Interior is your cognizant agency, your indirect cost rate will be negotiated by the Interior Business Center. For more information:

Indirect Cost Services
Acquisition Services Directorate, Interior Business Center
U.S. Department of the Interior
650 Capitol Mall, Suite 7-400
Sacramento, CA 95814
Phone: 916-930-3803
Email: Through [Interior Business Center's web form](#)
Internet address: [Interior Business Center - Indirect Cost Negotiation Services](#)

Single Audit Reporting Statements

As required in [2 CFR 200, Subpart F](#), if you expend \$750,000 USD or more in Federal award funds in your organization's fiscal year, you must submit a Single Audit Report for that year through the Federal Audit Clearinghouse's Internet Data Entry System. You must provide in your application a statement indicating whether your organization was required to submit a Single Audit Report for the organization's most recently closed fiscal year and, if so, whether that report is available on the [Federal Audit Clearinghouse Single Audit Database website](#). If you were required to submit a Single Audit Report, provide the Employee Identification Number (EIN) under which it was submitted. Include these statements in a section titled "Single Audit Reporting Statements."

Assurances

If a copy is not already on file with your WSFR Regional Office, include the appropriate signed and dated Assurances form, which is available [here](#). If a current Assurances form is already on file in your WSFR Regional Office, please do not attach it to your application. Use the Assurances for Construction Programs form (SF-424D) for construction and real property acquisition projects and use the Assurances for Non-Construction Programs form (SF-424B) for all other projects. Assurances include a certification that you will give us, the Comptroller General of the United States, and other appropriate parties, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award, and that you will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.

The Assurances form includes a statement that some of the assurances may not be applicable to your organization and/or your project or program. Signing this form does not make you or your organization subject to laws that are otherwise not applicable to you. Changing, crossing out, or making notations on the form before signing has no impact on the applicability of law.

Effective February 2, 2019, you may submit and certify your SF-424B Assurances for Non-Construction Programs form when creating, updating, or renewing your SAM registration. If you have submitted the SF-424B as part of your SAM registration or renewal, or it is already on file with your WSFR Regional Office, please do not include an additional copy in this application. The SF-424D cannot be updated via SAM; therefore, you may include a copy in your application, but please omit it if it is already on file in your WSFR Regional Office.

Certification and Disclosure of Lobbying Activities

You must not use any federally appropriated funds (either annually appropriated or continuing appropriations) or matching funds identified in your application to pay any person for lobbying in connection with your award (see [Title 31 U.S.C., Section 1352](#)). 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 in connection with the award. Submission of an application also represents your certification of the statements in [43 CFR 18, Appendix A- Certification Regarding Lobbying](#). If you have made or agree to make any payment using non-appropriated funds for lobbying in connection with this proposal and the Federal share of the award exceeds \$100,000, complete and submit the SF-LLL, Disclosure of Lobbying Activities form, which is available at [Grants.gov](#). See [43 CFR 18.100](#) for more information on when additional submission of this form may be required.

Conflict of Interest Disclosures

You must state in your application if any actual or potential conflict of interest exists at the time of submission. Conflicts of interest include any relationship or matter that might place you, your employees, and any subrecipients in a position of conflict, real or apparent, between your responsibilities under the award and any other outside interests. Conflicts of interest include direct or indirect financial interests; close personal relationships; positions of trust in outside organizations; consideration of future employment arrangements with a different organization; and decision-making authority related to the proposed project. Conflicts of interest are those circumstances real or perceived that would cause a reasonable person with knowledge of the relevant facts to question the impartiality of you, your employees or your subrecipient(s), in matters pertaining to the proposed project. You may not solicit, obtain, or use non-public information that may be of competitive interest to the entity, including information regarding the funding opportunity, evaluation, award, or administration of an award to the entity.

You must notify us immediately in writing of any conflicts of interest that arise during the life of your award, including those reported to you by any subrecipient under the award. You must notify us in writing if any employees, including subrecipient and contractor personnel, are related to, married to, or have a close personal relationship with any WSFR or Service employee or anyone who otherwise may be involved in the review and selection of the award. The term employee means any individual engaged in the performance of work pursuant to the Federal award. You may not have a former Federal employee as a key project official or in any other substantial role in the proposed project if his or her participation is not in compliance with the legal authorities addressing post-Government employment restrictions. You must also notify us in writing of any outstanding, unresolved matters with the Government Accountability Office or Office of Inspector General when you submit a proposal and throughout the life of the award. Unresolved items are those items that do not have a corrective action plan approved by us and remain open. See the [U.S. Office of Government Ethics website](#) for more information on these restrictions. We will examine each conflict of interest disclosure based on the particular facts and the nature of the proposed project and will determine whether a significant potential conflict exists and, if so, if there are any possible actions you may take to reduce or resolve the conflict. Failure to disclose and resolve conflicts of interest in a manner satisfactory to us may

result in any of the remedies described in [2 CFR 200.338 Remedies for Noncompliance](#), including termination of the award.

For more information on conflicts of interest, see Attachment B. Department of the Interior Award Provisions.

Required Overlap or Duplication of Effort Statement

You must provide a statement that addresses whether there is any overlap between the proposed project and any other active or anticipated projects (including other WSFR-funded projects) in terms of activities, costs, or time commitment of key personnel. If no such overlap or duplication exists, state, "There is no overlap or duplication between this application and any of our other Federal applications or funded projects in regard to activities, costs, or time commitment of key personnel." If any such overlap exists, provide a complete description of overlap or duplication between this application 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 application submitted to any other potential funding entity and identify when that application was submitted, to whom (entity name and program), and when you anticipate being notified of their funding decision. When overlap exists, your statement must include: "We understand that if at any time we receive funding from another source that is duplicative of the funding we are requesting from the Service in this application, we will immediately notify our WSFR Regional Office point of contact identified in this NOFO in writing."

Responses to Ranking Criteria (20-Page Limit)

Provide a description with appropriate documentation of how the proposed project addresses each of the 13 numeric ranking criteria in [50 CFR 84.32](#) (see section VI, Application Review, for ranking criteria). We recommend that you address each ranking criterion individually with a brief statement or table.

If a real property interest is proposed as match, include information on both the parcel(s) proposed for acquisition or restoration with NCWCG Program funds and the match parcel(s) in adequate detail for each ranking criterion so reviewers can make informed scoring decisions. Activities provided as cost share including land acquisition are part of the project and must be eligible activities.

Drawings/Maps/Photographs (No Page Limit)

We recommend that you include and identify drawings or photographs of the proposed project that characterize the following:

- a. Existing state of the project area;
- b. Proposed project area (in one or more maps, photographs, or images);
 - i. Detail which areas will be part of the grant funded activities, delineating the project boundaries;
 - ii. Detail which areas are part of the cost share, if applicable;
 - iii. Detail what restoration activities will take place and where, if applicable;
 - iv. Detail which areas, if any, are part of a larger effort that will be funded outside of this grant and cost share application;

- v. Detail wetland types (please include National Wetlands Inventory, State Wetlands Map, or other wetland delineation, if available); and
 - vi. Any other information that will assist reviewers to identify project components or factors involved with ranking.
- c. Two maps of the project location: a map of the State showing the general location of the application and a map of the project site.

List of Items to Include in Your Grant Application

- SF-424, Application for Federal Assistance
- Project Summary
- If applicable, a completed Request to Acquire, Improve, or Furnish form (SF-429B)
- Project Statement (seven-page limit)
- Completed SF-424A, SF-424C, or equivalent budget information
- Budget Narrative
- Letters of Commitment signed by an authorized entity with budgetary authority
- Indirect Cost Statement and if applicable, a copy of your NICRA (only if a current copy is not on file in your WSFR Regional Office)
- Statements on applicability of and compliance with Single Audit Report requirements
- Assurances: SF-424B or SF-424D form (only if a current copy is not on file in your WSFR Regional Office and you have not submitted the SF-424B via SAM.gov)
- If applicable, a completed SF-LLL Disclosure of Lobbying Activities form
- If applicable, a Conflict of Interest Disclosure
- Required Overlap/Duplication Statement
- Responses to Ranking Criteria (20 Page Limit)
- Drawings/Maps/Photographs (No Page Limit)

Applications should be formatted to print on 8.5" X 11" paper, with 1" margins at the top, bottom, and both sides, and page numbers at the bottom of the page. Fonts should be legible, i.e., preferably 12 point Arial, Times New Roman, or other commonly used font. Please number your pages starting with the Project Statement.

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

V. Submission Instructions

Submission Deadline

Grant application packages must be submitted via [Grants.gov](https://www.grants.gov) no later than Friday, June 26 2020, at 11:59 p.m. PDT. We recommend that you submit it early enough to address any unforeseen technical complications. All letters of financial commitment are due with the application by the deadline. We will not consider applications or letters received after the deadline.

Intergovernmental Review

Before submitting an application, you should visit the [White House State Point of Contact List](#) to determine whether your 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 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. You may contact your State’s designated entity for more information on the process your State requires to be followed when applying for assistance. States that do not have a designated entity have chosen not to participate in the review process.

Electronic Submission Instructions

- 1) Go to [Grants.gov](#).
- 2) In the “Applicants” tab, click “How To Apply for Grants” and read the instructions provided.
- 3) The following are items that need to be completed before your grant application package can be submitted electronically through Grants.gov:
 - a. You must register as an Authorized Organization Representative (AOR) and have a user ID and password. You can register [here](#);
 - b. You must have Adobe Acrobat Reader to view files on the web. You can download Adobe Acrobat Reader [here](#).
- 4) Standard forms such as the SF-424, SF-424A, SF-424B, SF-424C, and SF-424D are fillable forms in Grants.gov or you may obtain them from the [WSFR Toolkit](#) and upload them.
- 5) You must submit all forms and attachments noted above through Grants.gov.

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

GrantSolutions Instructions

In April 2020, we are transitioning from the current method of application submission via Grants.gov to a new system called GrantSolutions. We are likely to issue new instructions for submitting applications in April 2020, when we anticipate publishing a revised NOFO. Contact your WSFR Regional Office for additional information (see Section VII, Agency Contacts).

We request, but do not require, that you submit to your WSFR Regional Office a single file in PDF format containing all the required documents, responses, and statements identified in this NOFO. Please include all the documents and other information you submitted or will submit via Grants.gov. We ask that you assemble your information in the file as follows: Standard Forms (SF-424, and SF-424C, SF-424D or a customized budget with the same or greater level of detail as required in the Standard Forms), Project Summary, Project Statement, Budget Narrative, Response to Ranking Criteria, Maps and Photos, Letters of Financial Commitment, Statement on Overlap or Duplication, and your Indirect Cost Statement, followed by any of the following forms or statements applicable to you: SF-429B (if acquiring real property), SF-LLL (if disclosing lobbying activity), and your Conflict of Interest Statement, if applicable. Please omit your NICRA

and SF-424B and SF-424D Assurances form from your application if current copies are already on file with your WSFR Regional Office. Email the PDF file to your WSFR Regional Office point of contact (see Section VIII, Agency Contacts) by the deadline. We encourage you to work with your WSFR Regional Office prior to submission to ensure your application is eligible and complete.

VI. Application Review

Scoring Criteria

Governor-appointed State agencies compete annually for NCWCG Program funding. Criteria that we use to review and rank projects were established in the Final Rule for administering the NCWCG Program ([67 FR 49264](#); [50 CFR 84](#)). Attachment A clarifies select ranking criteria provided in [50 CFR 84.32](#) and answers general questions. A brief summary of the criteria is given below. The questions that follow each criterion are intended to prompt you to provide supporting information describing how your project addresses each of them.

Criterion 1: Wetlands conservation

How will the project reverse coastal wetland loss or habitat degradation in decreasing or stable coastal wetland types?

Criterion 2: Maritime forests on coastal barriers

How will the project significantly benefit maritime forests on coastal barriers?

Criterion 3: Long-term conservation

How will the project ensure long-term conservation of coastal wetland functions? The project must provide at least 20 years of conservation benefits to be eligible.

Criterion 4: Coastal watershed management

How will the completed project help accomplish the natural resources goals and objectives of one or more formal, ongoing coastal watershed management plan or effort?

Criterion 5: Conservation of threatened and endangered species

How will the project benefit any federally-listed endangered or threatened species, species proposed for Federal listing, recently delisted species or designated or proposed critical habitat in coastal wetlands? Describe any expected benefits to your State-listed species.

Criterion 6: Benefits to fish

How will the project provide, restore or enhance important fisheries habitat?

Criterion 7: Benefits to coastal-dependent or migratory birds

How will the project provide, restore, or enhance important habitat for coastal-dependent or migratory birds?

Criterion 8: Prevent or reduce contamination

How will the project prevent or reduce input of contaminants, or remove existing contaminants from the coastal wetlands and associated coastal waters?

Criterion 9: Catalyst for future conservation

How will the project leverage other ongoing coastal wetlands conservation efforts in an area or provide additional impetus for conservation?

Criterion 10: Partners in conservation

Will the project receive financial support, including in-kind match, from private, local or other Federal partners? See Attachment A and/or [50 CFR 84.32 \(a\)\(10\)](#). Attachment A provides more information on cash and in-kind match.

Criterion 11: Federal share reduced

Does the application add to the non-Federal share of the project by contributing additional cash? See Attachment A and/or [50 CFR 84.32 \(a\)\(11\)](#). Attachment A provides more information on cash and in-kind match including specific examples showing how your score will be calculated on this criterion.

Criterion 12: Education/outreach program or wildlife-oriented recreation

Does the proposed project include a site-specific, substantive outreach/education program? Does it provide recreational opportunities that are consistent with the conservation goals of the site?

Criterion 13: Other factors

Please summarize how any other factors not covered in the previous criteria make this proposed project or site particularly unique and valuable. Other factors may include but are not limited to the following examples (see [50 CFR 84.32\(a\)\(13\)](#)):

- a. Projects providing significant benefits to rare or threatened habitat types, biodiverse habitats, rare and declining species, and/or the local community;
- b. Projects that are particularly cost-effective;
- c. Projects that assist in the prevention or control of invasive species; or
- d. Projects that provide important cultural or historical resource benefits.

Review and Selection Process

Project selection is a seven-step process:

- 1) Application acceptance** - We will accept applications via [Grants.gov](#) until Friday, June 26 2020, at 11:59 p.m. PDT. You may revise and resubmit applications until the application deadline. We encourage you to communicate with your WSFR Regional Office at least six weeks in advance of the deadline if you are requesting a pre-deadline review; however, we cannot guarantee pre-deadline application review due to limited staff availability.

- 2) **Pre-Ranking review** - We will conduct an initial review of applications to verify eligibility. We may identify errors or other deficiencies in your application. During this period, we may contact you to clarify information or address any minor errors or omissions.
- 3) **Application ranking** - After the pre-ranking review, a panel of Service program specialists will review and rank eligible applications using criteria in this NOFO. 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 program manager identified in the Agency Contacts section below. Following ranking, we may ask you to revise the project scope and/or budget.
- 4) **Application selection** - The review panel will develop and recommend a ranked project list to the Assistant Director for WSFR, who will recommend a final list of projects to the Service Director. The Service Director will make the final selections. Additional review by DOI may be required before notification. We may contact you if we receive questions about your application.
- 5) **Risk/Overlap/Duplication Assessment** - Each fiscal year, for every entity receiving one or more awards in that fiscal year, we conduct a risk assessment based on eight risk categories as required in [2 CFR 200.205](#). We document applicant risk evaluations using the [Financial Assistance Recipient Risk Assessment form](#). The result of this risk assessment is used to establish a monitoring plan, reporting frequency requirements, and to determine if one or more of the specific award conditions in [2 CFR 200.207](#) should be applied to the award. Prior to approving an award with a Federal funding amount that exceeds or is expected to exceed the simplified acquisition threshold (currently \$250,000) as adjusted ([2 CFR 200.88](#)), we must review and consider any information about you found in the [Federal Awardee Performance and Integrity and Information System \(FAPIIS\)](#). We do so to determine if, at a minimum, the information found in the system demonstrates a satisfactory record of Federal award performance and integrity and business ethics (see [2 CFR 200.205\(a\)\(2\)](#)). We must also report to FAPIIS if you are found not qualified for a particular award due to a prior record of integrity or performance under Federal awards (see [2 CFR 200.212](#)). We also review any 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, we may request modification to the application, other pending applications, or an active award, as needed to eliminate any duplication of effort, or we may choose not to fund the selected project.
- 6) **Pre-Award Notification** - If your project is selected, our WSFR Regional Office will notify you of the award and the process needed to receive a grant, including satisfactory completion of compliance requirements. We encourage you to submit all required documentation to the WSFR Regional Office within six months of receipt of the pre-award notification. If requested grant funds have not been obligated by December 31 2022, the funds revert to the Service.

- 7) **Award Notification** - When compliance requirements are met, your WSFR Regional Office will send you a notice of award letter detailing the terms and conditions of the award.

VII. Award Administration Information

Federal Award Notices

WSFR Regional Offices are responsible for sending notification of grant approval to you. Following review, we may ask you 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. Notices of award are typically sent to you by e-mail. If e-mail notification is unsuccessful, the document(s) will be sent by courier mail (e.g., FedEx, DHL or UPS). You are not required to sign/return the notice of award. 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 us. The notice of award document(s) 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.

We may also publish one or more media releases and post information about projects selected for funding on our websites. These releases may be made in coordination with the DOI and may be made nationally and/or regionally.

Administrative and National Policy Requirements

Compliance with all applicable Federal laws, regulations, and policies, including environmental laws such as NEPA, ESA, NHPA, the Clean Water Act, and applicable executive orders must be satisfied before we can approve a grant and make funding available to you. All financial assistance awards are subject to Federal financial administration requirements. Your WSFR Regional Office will work with you as needed to ensure that your application complies with these requirements. To learn more about these rules, including administrative requirements and cost principles, please review [2 CFR 200](#).

You must provide satisfactory assurance of your present and ongoing ability to provide access to and to produce to any Federal auditor or other proper party all records, books, papers, or documents related to this award and provide assurance that you currently have a proper accounting system in accordance with the financial management guidelines for Federal awardees. See [2 CFR 200.302](#) and [200.303](#). This includes in-place systems and inclusion and application of flow-down requirements to ensure that all subrecipients for which you will be a pass-through entity (see [2 CFR 200.74](#)) are similarly accountable and transparent in documenting that Federal or State expenditures under or pertinent to this award are reasonable, allowable, and allocable and that any assets are properly safeguarded, accounted for, and used for authorized purposes.

You and any of your subrecipients are responsible for complying with the Federal Funding Accountability and Transparency Act (FFATA) and its implementing regulations at [2 CFR 25](#), “Universal Identifier and System for Award Management” and [2 CFR 170](#), “Reporting Subaward

and Executive Compensation Information.” See also the statutory requirements for whistleblower protections at 10 U.S.C 2324 and 2409 and 41 U.S.C. 4304, 4310 and 4712.

When acquiring real property or using real property as match, you and any of your subrecipients are responsible for complying with the requirements of [49 CFR 24](#) and [2 CFR 1402.329](#). If a person knowledgeable of the local real estate market determines that the property has a low value and the valuation is not complex, the acquisition may qualify for the use of a waiver valuation under [49 CFR 24.102](#). If it doesn't qualify for a waiver valuation, an appraiser must develop an opinion of market value in an appraisal that conforms to both the Uniform Appraisal Standards for Federal Land Acquisition, 6th edition, 2016 (Yellow Book), and the Uniform Standards of Professional Appraisal Practice (USPAP). The appraisal must be recommended by a qualified real property appraiser. The appraiser and review appraiser must be either licensed or certified by the State or States where the real property is located, and the license or certification must qualify them for the scope of work in their assignments.

Domestic Recipient Payments

Prior to award, we will contact you to either enroll in the U.S. Treasury's [Automated Standard Application for Payments](#) (ASAP) system or, if eligible, obtain approval from the Department of the Interior to be waived from using ASAP. We will include instructions specific to you on how to request payment in your notice of award.

Transmittal of Sensitive Data

You are responsible for ensuring any sensitive data sent to us is protected during its transmission or delivery. We strongly recommend that you use the most secure transmission or delivery method available. We recommend 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. We strongly encourage you to use a courier mail service when sending sensitive data in paper copy. You may also contact us (Section VIII, Agency Contacts) and provide any sensitive data over the telephone.

Award Terms and Conditions

Acceptance of a financial assistance award from us carries with it the responsibility to be aware of and comply with the terms and conditions applicable to the award. Awards 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. See our [Financial Assistance Award Terms and Conditions](#) for the administrative and national policy requirements applicable to NCWCG Program awards. The DOI Award Provisions attached to this Funding Opportunity also apply to NCWCG Program awards (Attachment B). If you do not have access to the Internet and require a full text copy of the Award Terms and Conditions, contact your WSFR Regional Office (Section VIII, Agency Contacts).

If you have had questioned costs or any other Office of the Inspector General or other single-audit equivalent audit findings (see [2 CFR 200.516](#)) under your WSFR grant within the last five years, then special considerations (“specific conditions”) may apply if you receive an award

through the NCWCG Program. See [2 CFR 200.205](#) and [207](#). Those conditions may include, but are not limited to: limitation on advance payment, a requirement to provide evidence of acceptable performance or documentation before further disbursement, and additional detailed financial reporting and/or heightened project monitoring. See [2 CFR 200.207\(b\)](#). Similarly, if you receive an award through the NCWCG Program and a subsequent audit results in audit findings with respect to this award, then we may apply specific conditions during the term of this award. See [2 CFR 200.338](#) and [200.207\(b\)](#).

The regulations at [2 CFR 200.315](#) and [2 CFR 1402.315](#) apply to information produced or otherwise resulting from a financial assistance award from DOI. This includes data, methodology, factual inputs, models, analyses, technical information, reports, conclusions, valuation products or other scientific assessments in any medium or form, including textual, numerical, graphic, cartographic, narrative, or audiovisual. The Federal Government has the right to:

- 1) Obtain, reproduce, publish, or otherwise use the data, methodology, factual inputs, models, analyses, technical information, reports, conclusions, or other scientific assessments, produced under a Federal award; and
- 2) Authorize others to receive, reproduce, publish, or otherwise use such data, methodology, factual inputs, models, analyses, technical information, reports, conclusions, or other scientific assessments, for Federal purposes.

Financial and Performance Reports

Final Reports

You are required to submit final financial and performance reports no later than 90 calendar days after the award period of performance end date or termination date, whichever comes first. For awards lasting 12 months or less, the final report will be the only financial and performance report required, except in unusual circumstances or if waived.

Interim Reports

For awards that last longer than 12 months, you are required to submit interim financial and performance reports no less frequently than annually, except in unusual circumstances or if waived. Any requirement for a higher frequency of reporting (e.g., quarterly) than annual reporting will be based on our assessment of higher risk or other unusual circumstances. Quarterly and semiannual interim reports are due within 30 calendar days of the reporting period end date. Annual interim reports are due within 90 calendar days of the reporting period end date.

Performance Reporting in TRACS

We anticipate that TRACS will be available for entering proposal information around mid-June 2020. After proposal information has been added to the system and your award is approved by the WSFR Office, you can also enter performance information. Requirements and expectations for data entry in TRACS are under development, but you may start using the system as soon as it becomes available to enter proposal and performance information. Detailed information on TRACS reporting requirements will be provided in the terms and conditions of your award. We

encourage you to work with your WSFR Regional Office if you have questions about data entry in TRACS (Section VII, Agency Contacts).

When reporting on the financial expenditures of a NCWCG Program award, you must use the OMB Standard Form 425 “Federal Financial Report” (SF-425). The form is available at [Grants.gov](https://www.grants.gov).

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 applicable; and 3) any other pertinent information relevant to the project results.

Events may occur between the scheduled performance reporting dates that have significant impact upon your project activities. In such cases, you are required to notify us in writing as soon as the following become known. As necessary, provide a statement of any corrective action(s) taken or contemplated, and any assistance needed to resolve the situation. Such events may include:

- Problems, delays, or adverse conditions that will materially impair your ability to meet the objective(s) 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; and/or
- 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.

We will specify in the notice of award the required reporting frequency applicable to your award. We will require performance reporting in TRACS beginning in FY 2021. Financial and performance reporting requirements and retention and access requirements are specified in [2 CFR 200 \(Subpart D\)](#).

Real Property Reports

You and your subrecipient(s) are required to submit reports on the status of real property in which the Federal government retains an interest. The required frequency of these reports will depend on the anticipated length of the Federal interest period. We will provide you with specific real property reporting requirements in the notice of award, including the required data elements, reporting frequency, and report due dates, as applicable.

Other Mandatory Disclosures

You and your subrecipient(s) must disclose to us or to your pass-through entity in a timely manner and in writing all violations of Federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the Federal award. If you have received 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](#), you are required to report certain civil, criminal, or administrative proceedings in SAM. Failure to make required disclosures can result in any of the remedies described in [2 CFR 200.338, Remedies for Noncompliance](#),

including suspension or debarment (See also [2 CFR 180](#), [31 U.S.C. 3321](#), and [41 U.S.C. 2313](#)). Requirements in [2 CFR Part 200, Appendix XII](#)—or, the “Award Term and Condition for Recipient Integrity and Performance Matters,” are applicable to Federal awards of more than \$500,000.

VIII. Agency Contacts

The NCWCG Program is administered jointly by WSFR and the National Wildlife Refuge System, Division of Habitat and Resource Conservation. National-level program information can be obtained by contacting our staff in Service Headquarters:

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U.S. Fish and Wildlife Service
The National Refuge System - Division of Natural Resources and Conservation Planning
5275 Leesburg Pike, MS: NWRS
Falls Church, VA 22041
703-358-2236
Chris_Darnell@fws.gov

Paul Van Ryzin

U.S. Fish and Wildlife Service
Wildlife and Sport Fish Restoration Program
5275 Leesburg Pike, MS: WSFR
Fall Church, VA 22041
703-358-1849
Paul_VanRyzin@fws.gov

For project-specific information and application details, contact your WSFR Regional Office:

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Attachment A: Clarification of Select Ranking Criteria in 50 CFR 84.32 and General Program Questions

The purpose of this attachment is to provide clarification of certain criteria in 50 CFR 84. General questions are listed first, followed by questions specific to ranking criteria.

General Questions and Answers

Are lands proposed for match purposes used in calculating points for ranking criteria?

Yes. Because lands that are used for match purposes are part of the project area, reviewers consider both lands being proposed for acquisition/restoration with grant funds and lands proposed for contribution as match when assigning points for ranking criteria. Therefore, information on both parcels proposed for acquisition/restoration and match parcels should be described in adequate detail for each ranking criterion so reviewers can make informed scoring decisions.

Does land used for all of or part of the non-Federal cost share need to be necessary and reasonable?

Yes. All non-Federal cost share must be necessary and reasonable to achieving project objectives, land acquisition included. Please explain how the match parcel(s) relate to the overall project and provide detailed information about the match parcel for all ranking criteria.

If a project includes a conservation easement, what information about the conservation easement is helpful for reviewers?

You should describe the general terms of the conservation easement, including the length of the conservation easement, who will hold it, allowable and prohibited uses, and plans for long-term monitoring and stewardship of the easement. This information helps reviewers understand the conservation benefit(s) of the conservation easement.

Who holds title to land acquired under this program or contributed as match?

Title to real property acquired or contributed as match will vest upon acquisition in the grantee or subrecipient, respectively, as directed by [2 CFR 200.306](#) and [2 CFR 200.311](#). A Notice of Federal Participation must be recorded for all acquired lands and lands contributed as match.

Should we include letters of support that are not financial commitment letters or those detailing scientific information specific to a project?

Given the volume of material reviewers must read, letters of general support for a project should not be included in the application package unless they also include essential information about the project. However, letters of financial commitment from third-party sources are required.

Does “maximum Federal share” under 50 CFR 84, including 84.32 (a)(11) and 84.46 (h), refer to the maximum percentage of Federal dollars of the project costs, i.e., 75% or 50%, or the maximum grant amount from the NCWCG Program, i.e., \$1 million?

“Maximum Federal share” refers to the percentage, i.e., 75% or 50%, of Federal dollars of the project costs, not the maximum grant amount from the NCWCG Program, i.e., \$1 million. For example, if total project costs are \$1,333,334, the maximum Federal share would be either \$1,000,000 (75%) or \$666,667 (50%), depending on whether or not you have a designated fund. If you only provide the minimum non-Federal share (25% or 50% of total project costs), no points will be awarded for reducing the Federal share ([50 CFR 84.32 \(a\)\(11\), Criterion 11](#)).

What changes are allowed to an application after its submission?

Applications submitted to us for consideration in the national competition must be in final format by the due date specified in the NOFO. The only application changes that will be accepted after the due date are those that will not impact the project scoring or project scope, such as small corrective or clarifying statements, unless we request additional information. WSFR Regional Office and/or Headquarters representatives may also request that you make modifications to an application after the due date to correct inconsistencies within your application or change any other error that would cause the review panel difficulty in accurately assessing your application during review.

Who determines if an application is eligible?

WSFR Regional Office personnel determine whether an application meets eligibility criteria for the Program and whether it should be considered for scoring by the review panel. If Regional personnel have questions regarding the eligibility of a project, we consult with the Headquarters WSFR Office to ensure consistent application of Service policy. The Headquarters WSFR Office will reexamine an application’s eligibility if questions arise. If deemed ineligible, we will not consider the application for funding.

What is the policy for retroactively reimbursing an applicant for expenses incurred prior to the official start date of a project?

If you incur costs before the effective date of the grant, they can only be reimbursed if included in your application and approved for funding by your Regional WSFR Office. Preliminary costs may include costs necessary for preparing the grant proposal, such as feasibility surveys, engineering design, biological reconnaissance, appraisals, or preparation of grant documents such as environmental assessments for compliance with the National Environmental Policy Act or other Federal laws or regulations (See [50 CFR 84.47\(c\)](#)). See also [2 CFR 200.458](#). Pre-award costs are allowable only to the extent that they would have been allowable if incurred after the date of the Federal award. If you are unsure whether specific pre-award costs may be reimbursable, please contact your WSFR Regional Office (see Section VIII, Agency Contacts).

50 CFR 84.32 (a)(1) (Criterion 1):

Must a score of seven points be given for all applications that result in over 50 percent of the project area conserving, restoring, or protecting decreasing coastal wetlands types?

Yes. If you document that over 50 percent of the project area will be, upon project completion, decreasing coastal wetlands types you will receive the full seven points. You may find specific guidance on how reviewers score this criterion at [50 CFR 84.32 \(a\)\(1\)](#). Information on coastal wetland types is available [here](#). You may contact us for additional information about wetland types in your area (see Section VIII, Agency Contacts).

Should a graduated scale be used to further delineate applications?

The program regulations in [50 CFR 84.32 \(a\)\(1\)](#) provide guidance on the use of intermediate scores (i.e., less than seven points) for applicants who document that, upon project completion, a minimum of 50 percent of the project area will be a combination of decreasing and stable types of wetlands, and for those that are less than 50 percent wetlands.

For land acquisition projects, will ranking be based on just the wetland portion of a parcel or the entire parcel?

Project ranking will be based on the entire acquisition parcel(s) and any parcel(s) used as match, unless the parcel will be officially subdivided.

50 CFR 84.32 (a)(2) (Criterion 2):

What qualifies as a maritime forest?

A thorough description of what is considered to be a maritime forest for the purpose of the NCWCG Program is found in the program regulations in the Definitions section, [50 CFR 84.11](#).

How will this criterion be scored?

In order to receive the maximum seven points for this criterion, your project must significantly benefit maritime forests which meet the following descriptions: 1) are located on coastal barriers (see definition of “coastal barrier” in [50 CFR 84.11](#)) along the mainland coast from Delaware to Texas, and 2) are broad-leaved forests. Examples of maritime forests are primarily characterized by a closed canopy of various combinations of live oak, upland laurel oak, pignut hickory, southern magnolia, sugarberry, and cabbage palm.

Intermediate scores of less than seven points are acceptable: (1) for applications in which the significance of the benefit to maritime forests is unclear, or (2) for applications in which it is unclear if the forests meet the strict definition of a maritime forest.

50 CFR 84.32 (a) (Criteria 5, 6, and 7):

What information should I include about threatened and endangered species such as fish and coastal dependent or migratory birds in responses to ranking criteria 5, 6, and 7?

You should include the information requested in the ranking criteria. It is important to note if species have been observed within the project boundary or only in the general vicinity. We recommend that you supply this information in table format. The column headings can include: common name, scientific name, status (Federal listing, delisted within the last five years, State listing, etc.), observed within project boundary, habitat type provided, restored, or enhanced (nesting, breeding, feeding, nursery areas), etc. See ranking criteria language for additional information.

50 CFR 84.32 (a)(10) (Criterion 10):

Do non-Federal partners' financial contributions need to be included on the SF-424 as match to receive points for this criterion?

Yes, your application must identify financial support, including in-kind match, from any third-party that is listed as providing non-Federal match on the SF-424. You must document all third-party matching funds, i.e., those supplied by organizations or individuals other than your agency, with a signed letter of financial commitment from an authorized representative of the match provider. The letter of financial commitment must detail the amount of matching funds or value of donated land and/or services. You are responsible for ensuring the full amount of the non-Federal match as listed on the SF-424. All of these items must be submitted with the application by the due date identified in the NOFO.

Please note that if a third-party provides match, and the letter of financial commitment is missing and/or late, the match will not be considered, which may negatively impact scoring of the application.

Can we receive points for more than one State agency's participation in a proposed project?

In general, applications will only receive credit for one State agency. The exception to this rule is when an application includes multiple States. In these instances, the application may receive points for each additional State that is participating in the proposed project. Partnering entities that receive partial funding from a State may be considered non-State partners if they also receive non-State funding; such entities and the nature of their funding should be described in detail in the Project Statement and/or letter of commitment. Entities that are not generally considered a State agency due to receipt of non-State operational funding (such as University Extension) may receive credit as a non-State partner.

What documentation is required to receive points for this criterion for non-Federal partners?

A signed letter of financial commitment of matching funds or in-kind match from an authorized representative of any third-party match provider or partner(s) must accompany the application to receive points. You are ultimately accountable for third-party commitments of financial support.

What documentation is required to receive points for this criterion for Federal partners?

A signed letter committing project resources that are necessary and reasonable to completing the project objectives from an authorized representative of the Federal partner(s) must

accompany your application to receive points. Federal partners providing technical assistance or other non-monetary contributions prior to the performance period may be considered partners; however, the substantive nature of such contributions must be explained in detail in your Project Statement and/or a letter of commitment. Entities whose involvement is not necessary or reasonable to complete the project objectives will not be counted as partners for this criterion.

50 CFR 84.32 (a)(11) (Criterion 11):

Can in-kind services or contributions be used as the required State match?

Yes. In-kind services can be used for part or all of your State’s required minimum cost share (i.e., 25 or 50 percent of total project costs). However, you will not receive points for this ranking criterion unless you have an additional cash match.

Can in-kind services or contributions, including bargain land sale, be used to score points for this criterion?

No. We only consider cash contributions that exceed the required minimum match when scoring points for Criterion 11. Cash is a liquid asset and can be tracked easily through audit procedures and also serves as a proxy for your commitment toward a project. Federal regulations and guidance clearly identify a landowner’s acceptance of a reduced price for his or her property as an in-kind service or contribution, not cash. As such, so-called “bargain sales” cannot be used to receive points for decreasing the Federal share.

Is the value of my agency’s staff time given in the project budget considered cash match?

Yes. We consider funds you may allocate to staff salaries and benefits--for activities in support of project objectives--to be cash match. Staff services contributed by another State agency or other third party are typically considered in-kind match, although another State agency may contribute cash to your agency for the project. See [2 CFR 200.306](#) for more guidance on cost sharing or matching or [2 CFR 200.96](#) for guidance on third-party in-kind contributions. We recommend you contact your WSFR Regional office staff prior to the deadline for additional guidance as needed (see Section VIII, Agency Contacts).

How are points calculated when scoring on Criterion 11?

A maximum of five points are available for Criterion 11. Each five percent provided in cash match over the required match equals one point up to a total of 25 percent over the required match for a total of five points.

Example 1:

Total project cost:	\$1,333,334
NCWCG Program Request:	\$1,000,000
Non-Federal cost share:	\$333,334

Non-Federal cost share may consist of in-kind, cash, or a combination of in-kind and cash, although only cash over the minimum required match counts for scoring purposes. Total required non-Federal match is determined by dividing the NCWCG Program Request by three ($\$1,000,000/3 = \$333,334$). The amount of non-Federal cost share in this example does not exceed the minimum required match; therefore, zero points would be awarded.

Example 2:

Total project cost:	\$1,500,000
NCWCG Program Request:	\$1,000,000
Non-Federal cost share (in-kind):	\$333,334
Non-Federal cost share (cash):	\$166,666

Total required non-Federal match is determined by dividing the NCWCG Program Request by three ($\$1,000,000/3 = \$333,334$). The minimum required non-Federal cost share is met with in-kind contributions in total. Cash match over the minimum required non-Federal cost share is divided by the minimum required non-Federal cost share ($\$166,666/\$333,334$), giving 50 percent; therefore, five points would be awarded (one point for each 5 percent, with a maximum of 5 points for 25 percent or more cash over minimum required non-Federal cost share).

Example 3:

Total project cost:	\$1,360,000
NCWCG Program Request:	\$1,000,000
Non-Federal cost share (in-kind):	\$300,000
Non-Federal cost share (cash):	\$60,000

The minimum required non-Federal cost share is partially met with in-kind and partially met with cash. Total required non-Federal match is determined by dividing the NCWCG Program Request by three ($\$1,000,000/3 = \$333,334$). Then, in-kind cost share is subtracted from this amount ($\$333,334 - \$300,000$) or $\$33,334$ to determine the amount of cash match that would be used to fulfill the minimum required non-Federal match. To determine cash match over the minimum required match, subtract the cash match used to meet the minimum required match from the total amount of cash match ($\$60,000 - \$33,334 = \$26,666$). Cash match over the minimum required non-Federal cost share is then divided by the minimum required non-Federal match ($\$26,666/\$333,334$), giving eight percent. One point would be awarded for this criterion (one point for each 5 percent over minimum required non-Federal cost share).

Can applications from Commonwealths and territories subject to the match waiver described in 48 U.S.C. 1469(a) receive points on Criterion 11 (Commonwealth of the Northern Mariana Islands and the territories of American Samoa, Guam, the U.S. Virgin Islands) receive points on Criterion 11?

Yes. Jurisdictions subject to the waiver that provide any amount of cash match will receive five points when scoring on Criterion 11.

Can the in-kind contribution of a landowner accepting an offer below market value for his property be used for the required State match?

Yes. The in-kind contribution of a landowner accepting a reduced price for his property is called a bargain sale and the difference between the established market value and the actual sale price can be used as part of or all of the State's required cost share.

Can Readiness and Environmental Protection Integration Program (REPI) funds be used as cash match?

Yes. In keeping with the intent of the Congressional language codified in 10 U.S.C. 2684a(h), REPI funds are considered non-Federal cash match.

50 CFR 84.32 (a)(12) (Criterion 12):

Are costs associated with Education and Outreach eligible?

Yes, provided that total costs unrelated to protection and restoration of the site are limited to 10 percent of the total project costs including NCWCG Program Federal share and the required match.

50 CFR 84.32(b)(4) (Additional considerations):

Please clarify the phrase, 'provides lands...as part of the State matching share.'

The purpose of this tie-breaking factor is to encourage applications which include the donation of lands owned by a third party as part of the overall project. Such donations increase the overall acreage of land managed by the State agency, increasing the likelihood that the land will be managed to conserve the natural resources and increase the management options for the grant property.

Attachment B: Department of the Interior Award Provisions

I. Conflicts of Interest

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 subrecipients, the conflict of interest provisions in 2 CFR 200.318 apply.

b) Requirements

- 1) Non-Federal entities must avoid prohibited conflicts of interest, including any significant financial interests that could cause a reasonable person to question the recipient's ability to provide impartial, technically sound, and objective performance under or with respect to a Federal financial assistance agreement.
- 2) In addition to any other prohibitions that may apply with respect to conflicts of interest, no key official of an actual or proposed recipient or subrecipient, who is substantially involved in the proposal or project, may have been a former Federal employee who, within the last one (1) year, participated personally and substantially in the evaluation, award, or administration of an award with respect to that recipient or subrecipient or in development of the requirement leading to the funding announcement.
- 3) No actual or prospective recipient or subrecipient may solicit, obtain, or use non-public information regarding the evaluation, award, or administration of an award to that recipient or subrecipient or the development of a Federal financial assistance opportunity that may be of competitive interest to that recipient or subrecipient.

c) 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, Conflicts of Interest.
- 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 subrecipients.

- d) **Restrictions on Lobbying.** Non-Federal entities are strictly prohibited from using funds under this grant or cooperative agreement for lobbying activities and must provide the required certifications and disclosures pursuant to 43 CFR Part 18 and 31 USC 1352.

- e) 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.
- f) 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 200.338, Remedies for Noncompliance, including suspension or debarment (see also 2 CFR Part 180).

II. Data Availability

- a) Applicability. The Department of the Interior is committed to basing its decisions on the best available science and providing the American people with enough information to thoughtfully and substantively evaluate the data, methodology, and analysis used by the Department to inform its decisions.
- b) Use of Data. The regulations at 2 CFR 200.315 apply to data produced under a Federal award, including the provision that the Federal Government has the right to obtain, reproduce, publish, or otherwise use the data produced under a Federal award as well as authorize others to receive, reproduce, publish, or otherwise use such data for Federal purposes.
- c) Availability of Data. The recipient shall make the data produced under this award and any subaward(s) available to the Government for public release, consistent with applicable law, to allow meaningful third party evaluation and reproduction of the following:
 - 1) The scientific data relied upon;
 - 2) The analysis relied upon; and
 - 3) The methodology, including models, used to gather and analyze data.