

## St. Lawrence Environment Natural Resource Damage Assessment Notice of Funding Opportunity

Notice of Funding Opportunity Number: F19AS00328

**Federal Program:** Department of the Interior, United States (U.S.) Fish and Wildlife Service, Ecological Services.

**Catalog of Federal Domestic Assistance (CFDA) Number:** 15.658 Natural Resource Damage Assessment and Restoration Program (NRDAR)

**Authorizing Legislation:** Federal Water Pollution Control Act, 33 U.S.C. §§ 1251-1387; Oil Pollution Act, 33 U.S.C. §2701 et seq.; Comprehensive Environmental Response, Compensation and Liability Act, 42 U.S.C. §9601, et seq., and Fish and Wildlife Act, 16 U.S.C. §742 et seq.

**Paperwork Reduction Act Statement:** We are collecting this information in accordance with the authorizing legislation identified above. Your response is required to obtain or retain a benefit. We will use the information you provide to conduct a competitive review and select projects for funding and, if awarded, to evaluate performance. We may not conduct or sponsor and you are not required to respond to a collection of information unless it displays a currently valid Office of Management and Budget (OMB) control number. We estimate that it will take you on average about 40 hours to complete an initial application, about 3 hours to revise the terms of an award, and about 8 hours per report to prepare and submit financial and performance reports, including time to maintain records and gather information. Actual time for these activities will vary depending on program-specific requirements. You may send comments on the burden estimate or any other aspect of this information collection to the Information Collection Clearance Officer, U.S. Fish and Wildlife Service, MS BPHC, 5275 Leesburg Pike, Falls Church, VA 22041-3803.

**OMB Control Number:** 1018-0100 (Expiration Date: 7/31/2021)

### I. Program Description

For decades, three industrial facilities in Massena, New York released hazardous substances to the St. Lawrence River environment. The facilities included Alcoa West, Alcoa East (the former Reynolds Metals Corporation), and the General Motors Central Foundry (together, the Facilities). Production wastes and associated contaminants (including, but not limited to polychlorinated biphenyls {PCBs}, polycyclic aromatic hydrocarbons {PAHs}, fluoride, and metals) from these Facilities were disposed of through outfalls into rivers and streams, in on-site disposal sites, and via aerial emissions. These contaminants were then transported throughout the environment via hydrological, aerial, and biological pathways, exposing and causing corresponding injury to natural resources.

A Trustee Council was formed to assess injuries and determine damages to the natural resources of the St. Lawrence Environment, and develop a plan for restoration of these injured natural resources. The Trustee Council consists of the U.S. Fish and Wildlife Service (on behalf of the U.S. Department of the Interior (DOI)), the New York State Department of Environmental Conservation (on behalf of the State of New York), the National Oceanic and Atmospheric Administration (on behalf of the U.S. Department of Commerce), and the St. Regis Mohawk Tribe Environment Division (on behalf of the St. Regis Mohawk Tribe) (together, the Trustees).

In 2011, as part of General Motors declaration of bankruptcy, the Trustees settled a natural resource damage claim with Motors Liquidation Corporation (successor to General Motors) for the St. Lawrence Environment Site. In 2012, the Trustees settled a natural resource damage claim with the ALCOA for the St. Lawrence Environment Site. As part of the natural resource damage assessment and restoration (NRDAR), the Trustees drafted the St. Lawrence River Environment Natural Resource Damage Assessment Restoration and Compensation Determination Plan (RCDP)<sup>1</sup>. The purpose of the RCDP was to, “list a reasonable number of possible alternatives for (i) the restoration or rehabilitation of the injured natural resources to a condition where they can provide the level of services available at baseline, or (ii) the replacement and/or acquisition of equivalent natural resources capable of providing such services” (43 C.F.R. §11.81 (a)).

The RCDP identified categories of restoration projects that would be appropriate compensation for injuries to natural resources. These categories included:

- Wetland enhancement/restoration
- Streambank enhancement/restoration
- Upland enhancement/restoration
- Avian enhancement/restoration
- Fisheries enhancement/restoration
- Amphibian and reptile enhancement/restoration
- Mammal enhancement/restoration
- Land conservation

The RCDP allowed that additional restoration planning will include evaluation of specific projects with input and feedback from the public.

**This Notice requests that interested parties submit a proposal for natural resource restoration projects consistent with the 2013 RCDP and in accordance with guidance provided in this Notice.**

The Secretary of the Interior developed a list of ten priorities to support both the public purpose and DOI and Service missions. The three Secretarial priorities that most closely align with the projects being solicited with this Notice of Funding Opportunity are:

- **Creating a conservation stewardship legacy second only to Teddy Roosevelt**  
The NRDAR program protects and restores land for the benefit of the American people and provides increased enjoyment of natural resources. All projects are vetted through the Trustee Council that evaluates projects based on the best available science and management practices.
- **Utilizing our natural resources**  
The NRDAR program focuses on compensating the public for their lost or diminished use of natural resources, such as their inability to catch and eat clean fish due to fish consumption

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[https://www.fws.gov/northeast/nyfo/ec/files/stlawrence/RCDP\\_Full\\_Final%20Revised%20May\\_2013.pdf](https://www.fws.gov/northeast/nyfo/ec/files/stlawrence/RCDP_Full_Final%20Revised%20May_2013.pdf)

advisories. The NRDAR program focuses on funding projects that provide access to fishery resources, as well as projects that support cultural use of natural resources.

- **Restoring trust with local communities**

The NRDAR program utilizes a 'hands on restoration' technique where we establish and maintain lasting and positive relationships with local conservation organizations, non-governmental organizations, municipalities, state natural resource agencies, the St. Regis Mohawk Tribe, and local communities.

## **II. Federal Award Information**

The Trustees' primary goal is to select restoration projects that compensate the public for natural resource injuries and associated service losses resulting from contamination in the St. Lawrence Environment, including the St. Lawrence River, Grasse River, Raquette River, and associated upland and wetland habitats. As summarized in the 2013 RCDP, the Trustees determined that injuries have occurred to resources that utilize aquatic, wetland, and upland habitats and provide ecological, cultural or recreational services. According to the Department of the Interior NRDAR regulations, 43 CFR § 11.82(d), the restoration projects are to be feasible, safe, cost-effective, address injured resources, consider actual and anticipated conditions, have a reasonable likelihood of success, and be consistent with applicable laws and policies.

**Approximately \$8,000,000 total is available for qualifying projects. Most of these funds are targeted for projects that provide benefits to fish, wildlife and other natural resources. Project proposals that enhance cultural or recreational use of natural resources will also be considered. The maximum amount for any single award will be \$1,000,000. The minimum funding award will be \$25,000.**

The Trustees will prioritize restoration projects that satisfy the DOI NRDAR guidance, including the following additional specific criteria:

- Project will focus on actions to restore, rehabilitate, replace and acquire the equivalent of natural resources and natural resource services injured by PCBs and other hazardous substances released to the St. Lawrence Environment assessment area.
- Project will provide benefits that are linked directly to potentially injured natural resources or related service losses as described in the 2013 RCDP. This includes a focus on projects within the St. Lawrence watershed – generally St. Lawrence and Franklin Counties (and therefore projects that have geographic proximity to potentially injured resources), as well as projects that promote habitat connectivity and/or enhanced public use.
- Project will provide natural resource benefits and services that would not otherwise be generated. That is, projects must not be otherwise required (e.g., under Federal, state, or local laws, regulations, or permits), funded, or assured of completion irrespective of NRDAR activities.
- Project is sufficiently described and developed such that implementation can occur in a timely manner.
- Project is focused on direct restoration of natural resources or natural resource services, with accomplishments such as habitat acres or stream and river miles restored or protected or

recreational access or opportunity improved (e.g., improvements to trails, angling, boating or other outdoor recreation access; open space protection; improved use of cultural resources). Project should have minor emphasis on components such as environmental or feasibility studies, surveys, assessments, data compilation or development of management plans. Project design costs may be included.

- Project costs are presented with sufficient specificity to allow the Trustees to evaluate cost effectiveness, as well as evaluate the project components that result in restoration, as described herein. The project budget should clearly present costs for tasks such as planning, implementation, monitoring and reporting.

The number of projects funded and amount of money awarded to each project will vary based on the number and merit of projects submitted and scale and scope of natural resource and natural resource use benefits the project(s) will provide. Project selection will be subject to Trustee discretion, based on how closely the project aligns with evaluation criteria. The Trustees may request project proponents to modify their project scope and/or budget to comply with the purpose of this natural resource injury restoration. The Trustees may also solicit and accept project proposals that are submitted outside of the Grants.gov process. Funds may be awarded via contract, cooperative agreement, or grant, depending on the level of substantial U.S. Fish and Wildlife Service involvement anticipated.

### **III. Eligibility Information**

#### **A. Eligible Applicants**

All potential applicants are eligible. Applicants should have expertise in habitat and natural resource restoration, cultural restoration or design of recreational amenities and the ability to complete projects in a timely and cost effective way.

U.S. non-profit, non-governmental organizations must provide a copy of their Section 501(c)(3) or (4) status determination letter received from the Internal Revenue Service.

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

#### **B. Cost Sharing or Matching**

The St. Lawrence Environment Trustee Council does not require matching funds. However, projects will be evaluated and prioritized based on the criteria in Section II, including cost-effectiveness. Cost effectiveness can be enhanced with cost sharing that may include cash, in-kind contributions, salary costs, equipment use, non-program grant funds and materials.

#### **C. Other Eligibility Criteria**

If a proposed project fails any of the acceptability criteria, it will no longer be considered.

Acceptability Criteria:

- The project complies with applicable laws, policies, and regulations;
- The project provides direct restoration benefits to St. Lawrence River watershed natural resources and resource services injured by PCBs and other hazardous substances released to the St. Lawrence environment (see Section II);
- The project is technically feasible;
- The project is cost effective and project costs are presented with sufficient specificity to allow the Trustees to evaluate cost effectiveness, as well as evaluate the project components that result in direct restoration as required by statute, consistent with the St. Lawrence River Environment RCDP;
- The project is not otherwise required (e.g., under Federal, state or local laws, regulations or permits), funded, or assured of completion irrespective of NRDAR activities.

**Unique Entity Identifier and System for Award Management (SAM.gov) Registration:** This requirement does not apply to individuals applying for funds as a private citizen (i.e., unrelated to any business or nonprofit organization you may own or operate in your name) or any entity with an exception approved by the Service under [2 CFR 25.110\(d\)](#). All other applicants are required to obtain a Data Universal Numbering System (DUNS) number from Dun & Bradstreet and then register in SAM.gov prior to submitting a Federal award application. Federal award recipients must continue to maintain an active SAM.gov registration with current information through the life of their Federal award(s). See the “[Submission Requirements](#)” section of this document below for more information on SAM.gov registration. The Service may not make a Federal award to an applicant that has not completed the SAM.gov registration. If an applicant selected for funding has not completed their SAM.gov registration by the time the Service is ready to make an award, the program may determine that the applicant is not qualified to receive an award. The program can use that determination as a basis for making an award to another applicant.

**Prohibition on Issuing Awards to Entities that Require Certain Internal Confidentiality**

**Agreements:** Domestic (U.S.) non-Federal entities requiring their employees or contractors to sign internal confidentiality agreements or statements that prohibit, or otherwise restrict, such employees or contractors from lawfully reporting waste, fraud, or abuse to a designated investigative or law enforcement representative of a Federal department or agency authorized to receive such information are not eligible to compete for or receive a Federal award. See [Pub. L. 113-235, Title VII, Division E, Section 743](#) for more information.

**Excluded Parties:** The Service conducts a review of the SAM.gov Exclusions database for all applicant entities and their key project personnel prior to award. The Service cannot award funds to entities or their key project personnel identified in the SAM.gov Exclusions database as ineligible, prohibited/restricted or otherwise excluded from receiving Federal contracts, certain subcontracts, and certain Federal assistance and benefits, as their ineligibility condition applies to this Federal program.

## IV. Application Requirements

### A. Requesting Paper Application Package

Applicants may request paper copies of relevant documents by emailing [anne\\_secord@fws.gov](mailto:anne_secord@fws.gov), phoning her at 607-753-9334 or writing to her at U.S. Fish and Wildlife Service, 3817 Luker Road, Cortland, New York 13045-9385.

## B. Application Form and Content Requirements

Applicants must submit the following:

### 1. SF-424, Application for Federal Assistance

Applicants must submit the appropriate Standard Form (SF)-424, Application for Federal Assistance. Individuals applying as a private citizen (i.e., unrelated to any business or nonprofit organization you may own or operate in your name), must complete the [SF-424, Application for Federal Assistance-Individual](#) form. All other applicants must complete the standard [SF-424, Application for Federal Assistance](#). All of the required application forms are available on the “Packages” tab of this Funding Opportunity on Grants.gov. The SF-424, Application for Federal Assistance must be complete, and signed and dated. Please note: Enter only the amount requested from this Federal program in the “Federal” funding box on the SF-424 Application form. Include any other Federal sources of funding in the “Other” box, and provide details on those Federal source(s) and funding amount(s) in the required Budget Narrative (see the “Budget Narrative” section below).

### 2. SF 424, Assurances

Applicants must submit the appropriate signed and dated Assurances form. Complete either the [SF-424B, Assurances for Non-Construction Programs](#) or the [SF-424D, Assurances for Construction Programs](#), as applicable to your project. All of the required application forms are available on the “Packages” tab of this Funding Opportunity on Grants.gov. The SF-424 Assurances forms include a statement that some of the assurances may not be applicable to your organization and/or your project or program. Signing the required SF-424 Assurances form does not make you or your organization subject to laws that are otherwise not applicable to you or your organization. Changing, crossing out, or making notations on the form before signing has no impact on the applicability of law.

### 3. Project Narrative

- **Project title:** The project title should succinctly describe the project.
- **Description of Entities Undertaking the Project:** Provide a brief description of the applicant organization and all participating entities and/or individuals. Identify which of the proposed activities each agency, organization, group, or individual is responsible for conducting or managing. Provide complete contact information for the individual within the organization that will oversee/manage the project activities on a day-to-day basis.
- **Statement of need:** Describe why this project is necessary (significance/value) and include supporting information. Summarize previous or on-going efforts (of you/your organization, and other organizations or individuals) that are relevant to the proposed work. Explain the successes or failures of past efforts and how your proposed project builds on them. If you have received funding previously (from the Service or any other entity) for this specific project work or site, provide a summary of the funding, associated activities and products/outcomes.
- **Goals and objectives:** State the long-term, overarching goal(s) of the program/project and how the goals are consistent with the Trustees’ restoration requirements. State the objectives of the project. Objectives are the specific outcomes to be accomplished in order to reach the stated goal(s). The project objectives must be specific, measurable, and realistic (attainable within the project’s proposed project period).

- **Activities, Methods and Timetable:** List the proposed project activities and describe how they relate to the stated objectives. Activities are the specific actions to be undertaken to fulfill the project objectives and reach the project goal(s). The proposed project activities narrative must be detailed enough for reviewers to make a clear connection between the activities and the proposed project costs. The narrative must provide enough detail so that reviewers are able to determine project compliance with the National Environmental Policy Act, Section 7 of the Endangered Species Act, Section 106 of the National Historic Preservation Act and other federal laws and regulations. Provide a detailed description of the method(s) to be used to carry out each activity. Provide a timetable indicating roughly when activities or project milestones are to be accomplished. Include any resulting tables, spreadsheets or flow charts within the body of the project narrative (do not include as separate attachments). The timetable should not propose specific dates but instead group activities by month for each month over the entire proposed project period.
- **Description of stakeholder coordination or involvement:** As applicable, describe how you/your organization has coordinated with and involved other relevant organizations or individuals in planning the project, and detail if/how they will be involved in conducting project activities, disseminating project results and/or incorporating results/products into their activities.
- **Required project monitoring and evaluation plan, including description of assessment tools to be used:** Detail the monitoring and evaluation plan for the project. Building on the stated project objectives, which must be specific and measurable, identify what you will measure (i.e., quantitative/quantifiable indicators) and how you will measure (e.g., methods, sample size, survey tools). Reference the stated project timetable (i.e., process indicators) and budget information (i.e., input indicators). Identify the products/services to be delivered and how/to whom they will be delivered (i.e., output indicators). Detail the expected direct effect(s) of the project on beneficiaries (i.e., outcome indicators). Describe the resources and organizational structure available for gathering, analyzing and reporting monitoring and evaluation data. If applicable, describe how project participants and beneficiaries will participate in monitoring and evaluation activities. Describe how findings will be fed back into decision making and project activities throughout the project period.
- **Information on key project personnel:** Provide information on personnel that will be involved in project activities and their qualifications for the proposed work.

#### 4. SF-424, Budget Information

Applicants must submit the appropriate SF-424 Budget Information form. Complete either the [SF-424A, Budget Information for Non-Construction Programs](#) or the [SF-424C, Budget Information for Construction Programs](#), as applicable to your project. All of the required application forms are available on the “Packages” tab of this Funding Opportunity on Grants.gov. Federal award recipients and subrecipients are subject to Federal award cost principles as detailed in the Service’s [“Financial Assistance Award Terms and Conditions”](#). Please note: Show funds requested from this Federal program separately from any other Federal sources of funding. In the “Budget Summary” section, use the first row for funding requested from this Federal program. Use subsequent row(s) for other Federal funding. Enter each Federal program’s CFDA number(s) in the corresponding fields on the form. The CFDA number(s) for this Federal program appears on the first page of this Funding Opportunity.

## 5. Budget Narrative

Complete the Budget Information for Non-Construction Programs (SF 424A) or Budget Information for Construction Programs (SF 424C) form. Use the SF 424A if your project does not include construction and the SF 424C if the project includes construction or land acquisition. The budget forms are available on the Internet at <http://www.grants.gov/web/grants/forms/sf-424-family.html#sortby=1>. When developing your budget, keep in mind that financial assistance awards and sub-awards are subject to the Federal cost principles in Title 2 of the Code of Federal Regulations Part 200, as applicable to the recipient organization type. Links to the full text of the Federal cost principles are available on the Internet at <http://www.ecfr.gov/>.

## 6. Indirect Costs: Individuals

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

## 7. Indirect Costs: Organizations

The Federal awarding agency that provides the largest amount of direct funding to your organization is your cognizant agency for indirect costs, unless otherwise assigned by the White House Office of Management and Budget (OMB). If the Department of the Interior is your organization's cognizant agency, the Interior Business Center will negotiate your indirect cost rate. Contact the Interior Business Center by phone 916-930-3803 or using the [IBC Email Submission Form](#). See the [IBC Website](#) for more information.

Organizations must have an active Federal award before they can submit an indirect cost rate proposal to their cognizant agency. Failure to establish an approved rate during the award period renders all costs otherwise allocable as indirect costs unallowable under the award. Recipients must have prior written approval from the Service to use amounts budgeted for direct costs to satisfy cost-share or match requirements or to cover unallowable indirect costs. Recipients shall not shift unallowable indirect costs to another Federal award unless specifically authorized to do so by legislation.

### Required Indirect Cost Statement

All organizations must include the applicable statement from the following list in their application to the Service, and attach to their application any documentation identified in the applicable statement:

We are:

- A U.S. state or local government entity receiving more than \$35 million in direct Federal funding each year with an indirect cost rate of [insert rate]. We submit our indirect cost rate proposals to our cognizant agency. Attached is a copy of our most recently approved rate agreement/certification.
- A U.S. state or local government entity receiving less than \$35 million in direct Federal funding with an indirect cost rate of [insert rate]. We have prepared and will retain for audit an indirect cost rate proposal and related documentation.
- A [insert your organization type; U.S. states and local governments, please use one of the statements above or below] that has previously negotiated or currently has an approved indirect cost rate with our cognizant agency. Our indirect cost rate is [insert rate]. [Insert

either: “Attached is a copy of our most recently approved but expired rate agreement. In the event an award is made, we will submit an indirect cost rate proposal to our cognizant agency within 90 calendar days after the award is made.” or “Attached is a copy of our current negotiated indirect cost rate agreement.”]

- A [insert your organization type] that has never submitted an indirect cost rate proposal to our cognizant agency. Our indirect cost rate is [insert rate]. If we receive an award, we will submit an indirect cost rate proposal to our cognizant agency within 90 calendar days after the award date.
- A [insert your organization type] that has never submitted an indirect cost rate proposal to our cognizant agency and has an indirect cost rate that is lower than 10%. Our indirect cost rate is [insert rate; must be lower than 10%]. However, if we receive an award we will not be able to meet the requirement to submit an indirect cost rate proposal to our cognizant agency within 90 calendar days after award. We request as a condition of award to charge a flat indirect cost rate of [insert rate; must be lower than 10%] against [insert a clear description of the direct cost base against which your rate is charged (e.g., salaries; salaries and fringe benefits; or modified total direct costs)]. However, please note that your organization cannot charge indirect costs in excess of the indirect costs that would be recovered if applied against modified total direct costs as defined in [2 CFR 200.68](#). We understand that we must notify the Service in writing if we establish an approved rate with our cognizant agency at any point during the award period.
- A [insert your organization type] that has never submitted an indirect cost rate proposal to our cognizant agency and has an indirect cost rate that is 10% or higher. Our indirect cost rate is [insert your organization’s indirect rate; must be 10% or higher]. However, if we receive an award we will not be able to meet the requirement to submit an indirect cost rate proposal to our cognizant agency within 90 calendar days after award. We request as a condition of award to charge a flat *de minimis* indirect cost rate of 10% to be charged against modified total direct project costs as defined in [2 CFR 200.68](#). We understand that we must notify the Service in writing if we establish a negotiated rate with our cognizant agency at any point during the award period. We understand that additional Federal funds may not be available to support an unexpected increase in indirect costs during the project period and that such changes are subject to review, negotiation, and prior approval by the Service.
- A [insert your organization type] that is submitting this proposal for consideration under the [insert either “Cooperative Fish and Wildlife Research Unit Program” or “Cooperative Ecosystem Studies Unit Network”], which has a Department of the Interior-approved indirect cost rate cap of [insert program rate]. If we have an approved indirect cost rate with our cognizant agency, we understand that we must apply this reduced rate against the same direct cost base as identified in our approved indirect cost rate agreement. If we do not have an approved indirect cost rate with our cognizant agency, we understand that we must charge indirect costs against the modified total direct cost base defined in 2 CFR 200.68 “Modified Total Direct Cost (MTDC)”. We understand that we must request prior approval from the Service to use the 2 CFR 200 MTDC base instead of the base identified in our approved indirect cost rate agreement. We understand that Service approval of such a request will be based on: 1) a determination that our approved base is only a subset of the MTDC (such as salaries and wages); and 2) that use of the MTDC base will still result in a

reduction of the total indirect costs to be charged to the award. In accordance with 2 CFR 200.405, we understand that indirect costs not recovered due to a voluntary reduction to our federally negotiated rate are not allowable for recovery via any other means.

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

#### **8. Conflict of Interest Disclosure**

Applicants must state in their application if any actual or potential conflict of interest exists at the time of submission. Conflicts of interest include any relationship or matter that might place the recipient, including their employees and subrecipients, in a position of conflict, real or apparent, between their responsibilities under the award and any other outside interests. Conflicts of interest include direct or indirect financial interests; close personal relationships; positions of trust in outside organizations; consideration of future employment arrangements with a different organization; and decision-making authority related to the proposed project. Conflicts of interest are those circumstances real or perceived that would cause a reasonable person with knowledge of the relevant facts to question the impartiality of the applicant, or the applicant's employees or subrecipients, in matters pertaining to the proposed project. Applicants 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. Applicants must notify the Service in writing in their application if any employees, including subrecipient and contractor personnel, are related to, married to, or have a close personal relationship with any Federal employee in the Federal program receiving this application or who otherwise may be involved in the review and selection of their proposal. The term employee means any individual to be engaged in the performance of work pursuant to the Federal award application. Applicants may not have a former Federal employee as a key project official, or in any other substantial role for the proposed project, whose participation puts them out of compliance with the legal authorities addressing post-Government employment restrictions. See the U.S. Office of Government Ethic's website at <https://oge.gov/> for more information on these restrictions. The Service will examine each conflict of interest disclosure based on its particular facts and the nature of the proposed project and will determine whether a significant potential conflict exists. If it does, the Service may work with the applicant determine an appropriate resolution. Failure to disclose and resolve conflicts of interest in a manner that satisfies the Service may result in the rejection or disqualification of the application.

#### **9. Single Audit Reporting Statement**

All U.S. states, local governments, federally recognized Indian tribal governments, and non-profit organizations expending \$750,000 USD or more in Federal award funds in the applicant's fiscal year must submit a Single Audit report for that year through the [Federal Audit Clearinghouse's Internet Data Entry System](#). U.S. state, local government, federally recognized Indian tribal government, and non-profit applicants must state if your organization was or was not required to submit a Single Audit report for the most recently closed fiscal year. If your organization was required to submit a Single Audit report for the most recently closed fiscal year, provide the EIN associated with that report and state if it is available through the [Federal Audit Clearinghouse](#) website.

## 10. Certification Regarding Lobbying

Applicants requesting more than \$100,000 in Federal funding must certify to the statements in [43 CFR Part 18, Appendix A-Certification Regarding Lobbying](#). If this application requests more than \$100,000 in Federal funds, the Authorized Official's signature on the appropriate [SF-424, Application for Federal Assistance](#) form also represents the entity's certification of the statements in 43 CFR Part 18, Appendix A.

## 11. Disclosure of Lobbying Activities

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

## 12. Overlap or Duplication of Effort Statement

Applicants must provide a statement indicating if there is any overlap between this Federal application and any other Federal application, or funded project, in regards to activities, costs, or time commitment of key personnel. If no such overlap or duplication exists, state, *"There are no overlaps or duplication between this application and any of our other Federal applications or funded projects, including in regards to activities, costs, or time commitment of key personnel"*. If any such overlap exists, provide a complete description of overlaps or duplications between this proposal and any other federally funded project or application in regards to activities, costs, and time commitment of key personnel, as applicable. Provide a copy of any overlapping or duplicative proposal submitted to any other potential funding entity and identify when that proposal was submitted, to whom (entity name and program), and when you anticipate being notified of their funding decision. When overlap exists, your statement must end with *"We understand that if at any time we receive funding from another source that is duplicative of the funding we are requesting from the U.S. Fish and Wildlife Service in this application, we will immediately notify the U.S. Fish and Wildlife Service point of contact identified in this Funding Opportunity in writing."*

## 13. APPLICATION CHECKLIST

- SF-424, Application for Federal Assistance or Application for Federal Assistance-Individual**
- SF-424B or D, Assurances**
- Project Narrative**
- SF-424A or C, Budget Information**
- Budget Narrative**
- Indirect Cost Statement and related documentation (when applicable)**
- Conflict of Interest Disclosure (when applicable)**

- Single Audit Reporting Statement (when applicable)**
- SF-LLL, Disclosure of Lobbying Activities (when applicable)**
- Overlap or Duplication of Effort Statement**

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

## **V. Submission Requirements**

### **A. Unique Entity Identifier and System for Award Management (SAM.gov) Registration**

These requirements do not apply to any individual applying for funds as a private citizen or any entity with an exception approved by the Federal awarding agency under [2 CFR 25.110\(d\)](#). All other applicants are required to obtain a Data Universal Numbering System (DUNS) number from Dun & Bradstreet and provide that number in the application; complete SAM.gov registration before submitting an application; and continue to maintain an active SAM.gov registration with current information at all times when the entity has an active Federal award or application under consideration. **There is NO COST to register with Dun & Bradstreet or SAM.gov.** There are third-party vendors who will charge a fee in exchange for registering entities with Dun & Bradstreet and SAM.gov; **please be aware you can register and request help for free.**

#### **1. Obtain a DUNS Number**

Request a DUNS Number through the [Dun & Bradstreet website](#). The official website address is <http://fedgov.dnb.com/webform>. For technical difficulties, send an email to the [D&B SAM Help Desk](#). Please ensure that you are able to receive emails from [SAMHelp@dnb.com](mailto:SAMHelp@dnb.com). The [Grants.gov "Obtain a DUNS Number" webpage](#) also provides detailed instructions. Once assigned a DUNS number, your organization must maintain up-to-date information with Dun & Bradstreet. Applicants must enter their DUNS number in the "Organizational DUNS" field on the [SF-424, Application for Federal Assistance](#) form.

#### **2. Register with SAM**

Register on the [SAM.gov website](#). The official website address is <http://www.sam.gov>. The "Help" tab on the website contains User Guides and other information to assist you with registration. The [Grants.gov Register with SAM" webpage](#) also provides detailed instructions. You can also contact the supporting [Federal Service Desk](#) for help registering in SAM. Once registered in SAM, entities must renew and revalidate their SAM registration at least once every 12 months from the date previously registered. Entities are strongly encouraged to revalidate their registration as often as needed to ensure their information is up to date and reflects changes that may have been to the entity's DUNS or IRS information. Foreign entities who want to receive payment directly to a U.S. bank account must enter and maintain valid, current banking information in SAM.

### **B. Submission Dates and Times**

The Trustees request that all restoration project proposals be submitted by October 15, 2019.

### **C. Intergovernmental Review**

Prior to application submission, U.S. state and local government applicants should visit the [OMB Office of Federal Financial Management website](#) and view the "State Point of Contact (SPOC) List" to determine whether their application is subject to the state intergovernmental review process

under Executive Order (E.O.) 12372 “Intergovernmental Review of Federal Programs.” States not on the list do not participate in the intergovernmental review process, and therefore do not have a SPOC. If you are located within a State that does not have a SPOC, you may send application materials directly to a Federal awarding agency. If your state is on the list, contact the designated entity for more information on the state’s prior review requirements for Federal assistance applications.

#### **D. Funding Restrictions**

If a proposed project fails any of the acceptability criteria, it will no longer be considered.

Acceptability Criteria:

- The project complies with applicable laws, policies, and regulations;
- The project provides direct restoration benefits to St. Lawrence River watershed environment natural resources and resource services injured by PCBs and other hazardous substances released to the St. Lawrence environment assessment area (see Section II);
- The project is technically feasible;
- The project is cost effective and project costs are presented with sufficient specificity to allow the Trustees to evaluate cost effectiveness, as well as evaluate the project components that result in direct restoration as required by statute, consistent with the St. Lawrence River Environment RCDP;
- The project is not otherwise required (e.g., under Federal, state or local laws, regulations or permits), funded, or assured of completion irrespective of NRDAR activities.

#### **E. Submission Instructions**

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

***To submit an application by mail:***

Number all pages of your printed application. **Mail one, single-sided, unbound copy (do not staple or otherwise permanently bind pages) of your complete application to: Anne Secord, U.S. Fish and Wildlife Service, 3817 Luker Road, Cortland, New York 13045-9385.**

***To submit an application by e-mail (preferred):***

Format all of your documents to print on Letter size (8 ½” x 11”) paper. Format all pages to display and print page numbers. Where possible, save scanned documents in .pdf format. **E-mail your application to [anne\\_secord@fws.gov](mailto:anne_secord@fws.gov)**

***To submit an application through Grants.gov:***

**1. Register with Grants.gov**

Applicants must first [register an account with Grants.gov](#) and complete all steps of the registration process before they can apply through Grants.gov. Grants.gov registration requires

the entity to create an account, create an account profile, and establish authorized profile roles, including the applicant's authorized representative. Registration can take three to five business days or longer, if you do not complete the required steps in a timely manner.

## **2. Grants.gov Workspace Application**

Grants.gov applicants apply online using Workspace. Workspace is a shared, online environment where members of a grant team may simultaneously access and edit different webforms within an application. For each funding opportunity announcement, you can create individual instances of a workspace. To apply, the applicant will [create, complete, and submit a Workspace application package for this Funding Opportunity directly on Grants.gov](#). Grants.gov recommends submitting your application package at least 24-48 hours prior to the close date to allow time to correct any potential technical issues that may disrupt the application submission. When attaching files to the Grants.gov application, please do not assign file names longer than 20 characters, including spaces. File names longer than 20 characters will prevent your application received by Grants.gov from automatically downloading into the Service's financial assistance management system. Applicants using slow internet, such as dial-up connections, should be aware that the transmission of the application to Grants.gov takes time. Grants.gov sends either an error message or a "successfully received" message by email to the applicant's authorized representative once the transmission is complete. Please do not end the transmission process before receiving that message.

## **3. Proof of Timely Submission**

Grants.gov automatically generates an electronic date and time stamp in the system upon application receipt. Grants.gov sends an acknowledgement of receipt with the date and time stamp and a unique Grants.gov application tracking number to the authorized representative by email. This email from Grants.gov serves as your proof of timely submission.

# **VI. Application Review Information**

## **A. Criteria**

To be considered for funding, applications must submit a detailed proposal that will support restoration as described in Section II above. Proposals will be evaluated by the Natural Resource Trustees (U.S. Fish and Wildlife Service, St Regis Mohawk Tribe, National Oceanic and Atmospheric Administration and New York State Department of Environmental Conservation) based on how well they will achieve cost-effective and timely restoration of natural resources and natural resource services injured as a result of exposure to hazardous substances, consistent with Section II above and guidance in the 2013 St Lawrence RCDP.

## **B. Review and Selection Process**

All application packages will be reviewed by the Trustees. The proposal will be assessed to determine whether it meets the acceptability criteria. Proposals meeting the acceptability criteria will be evaluated by the Trustees to determine the level of restoration benefit to be achieved and its cost-effectiveness. Some applicants may be asked to modify proposals to focus restoration efforts.

Prior to award, the Service will review any applicant statement regarding potential overlap or duplication between the project to be funded and any other funded or proposed project in terms of activities, funding, or time commitment of key personnel. Depending on the circumstances, the Service may request modification to the application, other pending applications, or an active award,

as needed to eliminate any duplication of effort, or the Service may choose not to fund the selected project.

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

Prior to award, the Service will evaluate the risk posed by applicants as required in [2 CFR 200.205](#). Service programs document applicant risk evaluations using the Service's "[Financial Assistance Recipient Risk Assessment](#)" form. Prior to approving awards for Federal funding in excess of the simplified acquisition threshold (currently \$250,000), the Service is required to review and consider any information about or from the applicant found in the [Federal Awardee Performance and Integrity Information System](#). The Service will consider this information when completing the risk review. The Service uses the results of the risk evaluation to establish monitoring plans, recipient reporting frequency requirements, and to determine if one or more of the specific award conditions in [2 CFR 200.207](#) should be applied the award.

## **VII. Federal Award Administration**

### **A. Federal Award Notices**

Following review, applicants may be requested to revise the project scope and/or budget before an award is made. Successful applicants will receive written notice in the form of a notice of award document. Notices of award are typically sent to recipients by e-mail. If e-mail notification is unsuccessful, the documents will be sent by courier mail (e.g., FedEx, DHL or UPS). Award recipients are not required to sign/return the Notice of Award document. Acceptance of an award is defined as starting work, drawing down funds, or accepting the award via electronic means. Awards are based on the application submitted to and approved by the Service and are subject to the terms and conditions incorporated into the Notice of Award either by direct citation or by reference to the following: Federal regulations; program legislation or regulation; and special award terms and conditions. Recipient acceptance of a Federal award from the Service carries with it the responsibility to be aware of and comply with all terms and conditions applicable to the award. Recipients indicate their acceptance of the Federal award by starting work, drawing down funds, or accepting the award via electronic means.

### **B. Award Terms and Conditions**

See the Service's "[Financial Assistance Award Terms and Conditions](#)" for the administrative and national policy requirements applicable to Service awards. The "Department of the Interior (DOI) Award Provisions" attached to this Funding Opportunity also apply to Service awards (Attachment A).

### **C. Payments**

Domestic recipients are required to register in and receive payment through the U.S. Treasury's Automated Standard Application for Payments (ASAP), unless approved for a waiver by the Service program. Foreign recipients receiving funds to a final destination bank outside the U.S. are required to receive payment through the U.S. Treasury's International Treasury Services (ITS) System. Foreign recipients receiving funds to a final destination bank in the U.S. are required to enter and maintain current banking details in their SAM.gov entity profile and receive payment through the Automated Clearing House network by electronic funds transfer (EFT). The Service will include

recipient-specific instructions on how to request payment, including identification of any additional information required and where to submit payment requests, as applicable, in all Notices of Award.

#### **D. Reporting Requirements**

The Service will include recipient-specific reporting requirements, including the required reports, reporting frequency, and report due dates in all Notices of Award, as applicable.

##### **1. Financial Reports**

All recipients must use the [SF-425, Federal Financial Report](#) form for financial reporting. At a minimum, all recipients must submit a **final** financial report. Final reports are due no later than 90 calendar days after the award period of performance end date or termination date. For awards with periods of performance longer than 12 months, recipients are required to submit **interim** financial reports on the frequency established in the Notice of Award. See Service policy [516 FW 1, Monitoring Financial and Performance Reporting for Financial Assistance](#) for more information.

##### **2. Performance Reports**

Performance reports must contain a comparison of actual accomplishments with the established goals and objectives of the award; a description of reasons why established goals were not met, if appropriate; and any other pertinent information relevant to the project results. At a minimum, all recipients must submit a **final** performance report. Final reports are due no later than 90 calendar days after the award period of performance end date or termination date. For awards with periods of performance longer than 12 months, recipients are required to submit **interim** financial reports on the frequency established in the Notice of Award. See Service policy [516 FW 1, Monitoring Financial and Performance Reporting for Financial Assistance](#) for more information.

##### **3. Significant Developments Reports**

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

##### **4. Real Property Reports**

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

##### **5. Conflict of Interest Disclosures**

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

under the award. Recipients must notify the Service in writing if any employees, including subrecipient and contractor personnel, are related to, married to, or have a close personal relationship with any Federal employee in the Federal funding program or who otherwise may have been involved in the review and selection of the award. The term employee means any individual engaged in the performance of work pursuant to the Federal award. Recipients may not have a former Federal employee as a key project official, or in any other substantial role related to their award, whose participation put them out of compliance with the legal authorities addressing post-Government employment restrictions. See the U.S. Office of Government Ethics website at <https://oge.gov/> for more information on these restrictions. The Service will examine each conflict of interest disclosure based on its particular facts and the nature of the project and will determine if a significant potential conflict exists. If it does, the Service will work with the recipient to determine an appropriate resolution. Failure to disclose and resolve conflicts of interest in a manner that satisfies the Service may result in any of the remedies described in [2 CFR 200.338 Remedies for Noncompliance](#), including termination of the award.

**6. Other Mandatory Disclosures**

The non-Federal entity or applicant for a Federal award must disclose, in a timely manner, in writing to the Federal awarding agency or pass-through entity all violations of Federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the Federal award. Non-Federal entities that receive a Federal award including the term and condition outlined in [2 CFR 200, Appendix XII—Award Term and Condition for Recipient Integrity and Performance Matters](#) are required to report certain civil, criminal, or administrative proceedings to SAM. Failure to make required disclosures can result in any of the remedies described in [2 CFR 200.338 Remedies for Noncompliance](#), including suspension or debarment.

**VIII. Federal Awarding Agency Contact(s)**

Anne Secord  
U.S. Fish & Wildlife Service  
New York Field Office (Region 5)  
3817 Luker Rd.  
Cortland, NY 13045-9385  
Phone: (607) 753-9334; Email: [anne\\_secord@fws.gov](mailto:anne_secord@fws.gov)

## **Attachment A: DOI 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.