



**North American Wetlands Conservation Act**

**United States Standard Grant Proposal**

***2012 Eligibility Criteria & Processes***

## INTRODUCTION

This document contains the factors used to determine whether a proposal is eligible or ineligible for a Standard North American Wetlands Conservation Act (NAWCA) grant, including format and various schedules and processes involved in the submission, review, and approval of a proposal. You need to consult other files on the web site for the Proposal Instructions: (<http://www.fws.gov/birdhabitat/Grants/NAWCA/Standard/US/files/ProposalInstructions.pdf>) and Grant Standards: (<http://www.fws.gov/birdhabitat/Grants/NAWCA/files/GrantStandards.pdf>).

This document is organized into the following sections.

1. Changes from the 2011 Eligibility Criteria and Processes
2. NAWCA Standard Grant Proposal Eligibility Criteria
3. Eligible Grant Costs
4. Ineligible Grant Costs (specific to the use of grant funds)
5. Ineligible Grant and Match Costs (common to both the use of grant and match funds)
6. Eligible Match Costs
7. Ineligible Match Costs (specific to the use of match funds)
8. NAWCA Standard Grant Proposal Processes

## MAJOR CHANGES FROM THE 2011 ELIGIBILITY CRITERIA AND PROCESSES

- 1. Due to the implementation of the Department of Interior Financial and Business Management System (FBMS), all proposals must be submitted through Grants.Gov. When submitting through Grants.Gov, the only documents needed to be uploaded to the site are the SF-424 and the SF-424D. Please see the NAWCA Standard Grant Proposal Processes Section on page 11 for complete grant submittal details.**
- 2. Due to code requirements within the FBMS, the term “Budget” cannot be used. “Financial Plan” must be used in its place to avoid data management errors.**
- 3. Revised Matching Contributions Plan eligibility criteria.**

Effective 1/28/2011, the Department of Interior established a new policy to ensure and maintain the integrity of scientific and scholarly activities used to inform management and public policy decisions:

DOI Policy, 305 DM 3, "Integrity of Scientific and Scholarly Activities" (<http://elips.doi.gov/elips/release/3889.htm>).

The new scientific-integrity policy applies to the department's employees as well as its contractors, grant recipients and volunteers when they analyze or share scientific information with the public or use the department's information to make policy or regulatory decisions. This policy now applies to all funding applications received by the North American Wetlands Conservation Act grant program. Essentially, the use of false data to leverage grant funds is a direct violation of DOI's scientific integrity policy and requires the refund of any associated federal assistance.

## NAWCA STANDARD GRANT PROPOSAL ELIGIBILITY CRITERIA

Proposals will be returned as ineligible if they do not adhere to the criteria that follow. We recommend you read the information in all of these files on the NAWCA web site BEFORE you write a proposal.

### What is an eligible proposal?

1. A 2-year plan of action (not including the 2-year old match window) supported by a NAWCA grant and partner funds to conserve wetlands and wetlands-dependent fish and wildlife through acquisition (including easements and land title donations), restoration and/or enhancement. Contains a grant request between \$75,001 and \$1,000,000. If the grant request is \$75,000 or less, the proposal will be considered as a NAWCA Small Grant. The grant request may exceed \$1,000,000, but must be accompanied by a justification of need. The North American Wetlands Conservation Council (Council) will evaluate the request and approve/disapprove based on factors such as opportunity, resource values involved, threat level, loss of match and/or the amount of available funding. If a request in excess of \$1,000,000 is submitted, structure the proposal so that the proposal will remain viable if the grant request amount is reduced.
2. Contains match that is no more than 2 years old, is non-Federal in origin and equals or exceeds the grant request (referred to as a 1:1 match).
3. Includes monies and partners that are new to wetlands conservation.
4. May include non-match partner contributions and associated acres in each section of the proposal except Technical Assessment Questions 1-7B. The non-match contributions must be clearly identified whenever they are included.

5. Contains adequate wetlands-associated uplands to buffer and protect wetlands and to meet the needs of wetland-associated wildlife.
6. Contains consistent dollar and acre figures among all parts of the proposal, Technical Assessment Questions, partner letters and the Standard Form 424. (SF-424 Assurances for Construction Projects are required for all NAWCA projects.) Ensure the address on the SF-424 matches the address associated with the required DUNs number. All figures should be rounded off and consistent throughout the proposal.
7. Has a specifically defined boundary that includes tracts in a geographic area (such as a watershed) affected by grant and partner funds, sites that are part of a wetlands conservation plan, sites in the same wetlands system, sites that are managed to meet the same wetlands objectives, sites that are in close proximity, and/or sites that provide direct benefits to each other.
8. Contains all required sections as described in the Proposal Instructions: (<http://www.fws.gov/birdhabitat/Grants/NAWCA/Standard/US/files/ProposalInstructions.pdf>).
9. Contains work that:
  - shows a clear connection between money spent and long-term, on-the-ground wetland benefits,
  - is cost effective (Federal grant funds must be spent in the most cost-effective manner possible),
  - is complementary among match- and grant-funded actions,
  - has been completed within the past 2 years or can be completed in a future 2 years,
  - includes minimal administrative costs and low or no costs associated with personnel who are not directly involved with acquisition, restoration or enhancement of wetlands.
10. Does not contain extra or unsolicited material, such as photographs, pamphlets, engineering plans, business cards, appraisals, general lists of fauna and flora, and letters from supporters who are not partners in the proposal. Such material will NOT be sent to reviewers.
11. If the proposal involves multiple sites that are not specifically identified, an explanation of the method that will be used for selecting these sites is provided.
12. If an Optional Matching Contributions Plan (see page 3) is submitted or a proposal includes funding from a previously approved Match Plan, only the partner's match applied to the current proposal is shown throughout the Summary and acreage is shown with or without parentheses, per instructions.
13. Includes Partner Contribution Statements signed and dated by each partner. The statements should document the same amount of funding as listed in the proposal for that partner. Partner Contribution Statements received separate from the proposal or after the deadline are not eligible. Partnership is defined by the source of the funds. For example, if state grant funds for a specific project activity are channeled through various partner organizations, the partner is the state only, not the various organizations.
14. Includes a description of (calculations for) how match amounts were calculated.
15. Technical Assessment Questions are answered for the proposal's grant or match sites and NOT a larger project area or prior projects or phases.
16. Includes public access on acquired lands to the extent that it is compatible with long-term conservation of fish and wildlife dependent on the area. It may be appropriate to limit the number of people permitted access or the season of access.
17. Any agreements with landowners will be considered part of the proposal; the agreements must include clauses to allow the Federal government to recoup the costs of property and habitat development if the agreements are broken.
18. A proposal becomes ineligible if it is substantially changed after it is submitted. A substantial change includes anything that changes answers to the Technical Assessment Questions. However, at any time and for any reason, a proposal may be withdrawn by the applicant and resubmitted for the next proposal cycle.
19. Complies with policies described in Grant Standards. See: (<http://www.fws.gov/birdhabitat/Grants/NAWCA/files/GrantStandards.pdf>).
20. Even though a proposal may be part of a multi-year effort and several NAWCA proposals are submitted, each proposal must be submitted separately and compete with other proposals in its cycle.

**Who is an eligible Project Officer and what are the Project Officer responsibilities?**

1. The Project Officer receives all correspondence about a proposal and grant, if awarded. There can only be one Project Officer. Do not include other contact people.
2. The Project Officer serves as the immediate contact point for the grant, and must be actively involved in the proposal/grant process and available to provide information:
  - immediately after the proposal is submitted (for example, if there are questions about match eligibility),
  - within a few weeks after the proposal is submitted (the Project Officer will be asked to respond to comments and questions about the proposal and provide possible site visit dates), and
  - after the proposal is funded (during implementation of the Assistance Award).
3. The Project Officer must be affiliated with the grant recipient's organization and must be knowledgeable about biological, partnership, and administrative aspects of the proposal.
4. The Project Officer is responsible for obtaining approval for any grant administration activities requiring prior approval.
5. The Project Officer may be, but does not necessarily have to be, the grant recipient organization's Authorized Representative who signs the required SF-424 form, which makes the recipient ultimately responsible for complying with Federal

regulations and the policies described in the file [Grant Standards: \(http://www.fws.gov/birdhabitat/Grants/NAWCA/files/GrantStandards.pdf\)](http://www.fws.gov/birdhabitat/Grants/NAWCA/files/GrantStandards.pdf).

### **What is an eligible Optional Matching Contributions Plan (MCP)?**

A MCP is a match extension plan that may be submitted with a proposal when you have eligible old match that was obtained within the past two years and is in excess of what will be used for the current proposal. The MCP purpose is to maintain the eligibility of this match beyond two years for future proposal phases. Council will consider waiving the normal two-year match eligibility rule based on the circumstances by which the additional match was obtained, your need, and how the match will be utilized.

The following criteria apply to MCPs:

1. May only be submitted with a proposal.
2. May only contain match that meets eligibility requirements (except for the two-year eligibility factor for the MCP portion) for the initial phase and all follow-on phases.
3. Will only be considered if the accompanying proposal is funded, but may not be approved even if that proposal is funded.
4. Must be applied to future conservation activity in the same project area described in the original proposal. Identification by tract name and location must be consistent through all phases.
5. Must show use of the match over a period no greater than five years. The beginning date for the five-year window is the date that Council approves the plan.
6. Must use a portion of its total match in the proposal it is submitted with. Future proposals in the designated project area may utilize the MCP account until the account is depleted or the five-year deadline is reached.
7. Funds from only one MCP are allowed in any given proposal, including in the first proposal associated with an MCP. Match associated with an existing MCP must be completely expended before another MCP for the same project area can be approved.
8. Modification (funding change or time extension) will require Council approval. Substitution of a MCP tract is not allowed.
9. Should not exceed one page in length.
10. Should contain the following sections: Match Plan Amount and Purpose; Match Intent; Match Need; Identified Property Interest and Tract Title Holder; and a Chart identifying the proposed expenditure of MCP funds by phase.
11. Acres are listed in the initial phase of the MCP only.
12. Match may only be derived from a single old match tract with an appraised value in excess of what will be used in the initial proposal. A tract is defined as a discrete piece of land as described in a recorded deed.
13. The applicant must ensure that the match associated with the MCP tract has not been used to satisfy the match or cost-share requirements of any other federal grant program.
14. Tract acquisition documentation must be included as part of the proposal. Documentation should include a USPAP or UASFLA appraisal, a closing statement, a bargain sale letter (if applicable) and a recorded deed or conservation easement. If funded, NAWCA requires the interest holder to record a Notice of Grant Requirements on the MCP tract and submission of an appraisal review supporting the MCP value.
15. The grantee that submitted the original proposal and accompanying MCP is responsible for maintaining the MCP use records throughout the life of the MCP. That organization/agency must provide a partner letter with each MCP phase (regardless of the phase applicant) stating the amount of MCP funds used and the remaining MCP balance.

### **What is an eligible proposal financial plan section?**

1. Includes a financial plan table and financial plan justification section including the required information as explained in the [Proposal Instructions \(http://www.fws.gov/birdhabitat/Grants/NAWCA/Standard/US/files/ProposalInstructions.pdf\)](http://www.fws.gov/birdhabitat/Grants/NAWCA/Standard/US/files/ProposalInstructions.pdf).
2. Numbers in the financial plan table and justification are calculated correctly and are consistent with other sections of the proposal, such as the Proposal Summary.

### **What are non-match funds? Can grant and match dollars be used in combination with non-match funds?**

Except as noted, when funds that do not qualify as NAWCA match, including money from other Federal agencies, are used to accomplish mutual and/or complementary objectives, these funds may be included in the final proposal but must be noted throughout the proposal as non-match funds. Funds associated with mitigation activities required under the Water Resources Development Act, Fish and Wildlife Coordination Act, or other related statutes (see "Ineligible Grant and Match Costs") are mitigation funds and may NOT be included in the proposal. Such funds include, but are not limited to, direct mitigation payments, payments to an "in-lieu-fee" fund, off-site mitigation, and mitigation banks.

Grant and match dollars can also be combined, or "pooled," with other non-match funds, provided that the actual uses of the funds are otherwise eligible (see sections below concerning eligible costs). Mitigation funds, as noted above, cannot be pooled with grant or

match funds. A pooled project is an initiative or undertaking where partners (private and/or public) are coordinating their efforts to accomplish mutual and/or complementary objectives by combining the use of NAWCA funds (grant and match) with non-match funds to acquire, restore or enhance an undivided portion of acres. When NAWCA funds are pooled with non-match funds, the NAWCA portion must still be identified as a discrete achievement. Consequently, the discrete NAWCA conservation achievement is a certain undivided interest in the restoration, enhancement, or acquisition of the total number of acres included in the total initiative. The NAWCA portion is the percentage of NAWCA funds invested relative to the total cost of the initiative. The remaining portion of the project (the remaining undivided interest) is the part of the project that is funded and accomplished by the non-match funds.

For example:

The total initiative of a proposal is the restoration of 1,000 acres, to be funded as follows:

NAWCA grant funds - \$100,000

NAWCA match funds - \$200,000

Partners for Fish and Wildlife (federal) - \$100,000

Conservation Reserve Program (federal) - \$200,000

In this example, the proposal would state that the grantee, with NAWCA and match funds, will pay for and accomplish a 50% undivided interest in the restoration of 1,000 acres (which is not the same as a 100% interest in 500 acres). The grantee is responsible for assuring that all 1,000 acres are restored, even though the balance of the restoration costs and accomplishments (the remaining 50% undivided interest) will be paid for with non-match funds from other Federal agencies. The reported NAWCA accomplishments will be 1,000 acres, described as a 50% undivided interest in all 1,000 acres. For reporting purposes only, this may be thought of as similar to purchasing a 1,000 acre easement worth 50% of the total fee simple value, in which the NAWCA portion is an interest in all 1,000 acres, even though another entity owns 50% of the value of those 1,000 acres.

**Programmatic Project Proposals. If a new proposal is approved for funding and is funding the same, ongoing work as that being accomplished in a previously awarded proposal grant, can the new proposal grant be combined with the previous grant for administrative purposes?**

If a new grant award funds essentially the same, ongoing project as the work being done in a previously-awarded grant, the applicant may request that the subsequent grant award be a continuation and expansion of the same grant agreement. This would be in contrast to the practice of issuing two separate and distinct grant agreements, which requires the grantee to receive, document, and report on each award separately. Approval of requests for programmatic status is not guaranteed. The decision to approve a particular proposal as part of a programmatic project is at the discretion of DBHC.

For a proposal to be approved as a programmatic project, the following steps would be required.

- The grantee is the same as in the existing grant agreement. The subsequent proposal must be from the same grantee as the previously awarded grant, and the previous grant must still be active.
- The request for consideration as a programmatic project must be identified in the grant proposal. The request must be made in the grant proposal application. The Division of Bird Habitat Conservation (DBHC) would approve the request separately.
- The Migratory Bird Conservation Commission (MBCC) approves funding for the new proposal. No request to be considered a programmatic proposal is effective unless and until the grant is approved for funding by the MBCC. Requesting to be considered a programmatic proposal does not benefit or hurt the chances of being funded, and all proposals must compete and be selected for funding regardless of their consideration as a programmatic project.
- Modification of the existing grant agreement. Once approved by the MBCC, the DBHC Grant Administrator will provide the funding by amending the existing grant agreement, rather than creating a new agreement. Additional NEPA and/or other compliance documentation may be required with regard to the new work involved.
- Modification of the scope and grant period. The modification to the existing grant agreement will immediately extend the grant period to the equivalent of two years after the effective date of the modification. It will also amend the grant agreement to reflect the additional grant and match funds, and the additional accomplishments specified in the new proposal.

**Factors for Consideration of a Programmatic Proposal Request**

An applicant requesting that a proposal be treated as a programmatic project, and incorporated into an existing grant agreement, must justify the request in the proposal. Among other potential considerations, relevant factors would include:

- It is a sufficiently-related continuation of an ongoing grant.
- The new proposal is part of a long-term strategic planning and programmatic effort.
- There is demonstrable evidence that sufficient progress has been made on the original grant agreement (e.g., performance reports, acquisition documentation, etc.).
- The proposal under consideration and its supporting documentation are accurate, consistent, and complete.
- Through past performance on ongoing and prior NAWCA Standard grants, the grantee organization has demonstrated the ability to administer a programmatic grant.

Match funds for each grant proposal must be eligible for use in that grant as a stand-alone project or have been included in a previously approved MCP. Each grant agreement must have a termination date, for both logistical and policy reasons. Consequently, no more than three separate grant proposals would normally be incorporated into a single grant agreement (that is, no more than two new proposals would be added to an existing grant agreement). Also, addition of a new proposal to an existing grant agreement normally should not extend the grant period more than six years beyond the original grant agreement starting date.

If a new proposal is not approved as a programmatic proposal, the proposal may still be awarded funding with a new, distinct grant agreement. This is true regardless of whether the new proposal is identified as a phase of a prior award or is a stand-alone proposal.

## ELIGIBLE GRANT COSTS

Direct and indirect costs for eligible, necessary and reasonable goods, services, salaries and labor associated with long-term migratory bird and wetlands conservation work are eligible grant costs when conducted in the periods

- between when the U.S. Fish and Wildlife Service (Service) receives the proposal and the Assistance Award is issued (if the proposal is not approved for funding, the Federal government is under no obligation to pay for any costs you have incurred);
- after the Assistance Award is signed by the Service (during the project period);

In all cases, you may not obligate more grant funds than you are awarded.

Direct costs can be identified with a specific service or direct activity. Indirect costs are all other costs that have been incurred for common or joint objectives, cannot be readily identified with a particular service or activity, and are calculated using a negotiated indirect cost rate. Indirect costs are eligible only if an organization

- has a current negotiated indirect cost rate with an agency of the Federal government, or
- will apply for a rate after the grant agreement is signed by the U.S. Fish and Wildlife Service.

### **Refer to the Federal requirements cited below for more specific information.**

Refer to the following cost principles for Federal grant programs shown below. Applicability of the publication depends on the type of organization that will spend the grant funds. You can also contact the Council Coordinator at [dbhc@fws.gov](mailto:dbhc@fws.gov) for a paper copy of the publications.

- 2 CFR 215, “Uniform Administrative Requirements for Grants and Cooperative Agreements with Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations”, ([http://www.access.gpo.gov/nara/cfr/waisidx\\_05/2cfr215\\_05.html](http://www.access.gpo.gov/nara/cfr/waisidx_05/2cfr215_05.html))
- 43 CFR 12 Subpart C, “Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments”, (<http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?c=ecfr&rgn=div6&view=text&node=43:1.1.1.12.1&idno=43>)
- 48 CFR 31.2, “Contracts with Commercial Organizations”, (<http://www.access.gpo.gov/nara/cfr/index.html>).

**Eligible grant costs:** All expenses must meet the following criteria:

- A. Verifiable from the grant recipient’s and sub-grant recipient’s records;
- B. Fair market value (in the case of acquisitions, the appraised value);
- C. Must be an expense necessary for the accomplishment of the proposal.

Specific examples of costs that are eligible to be paid with NAWCA grants funds follow.

**I. Acquisition.** This category includes fee-title acquisition and donation (transfer of title), conservation easement and lease acquisition and donation; appraisal fees; acquisition negotiations; acquisition legal costs; boundary surveys; travel and transportation, and annual payments for 10 year conservation agreements (or the maximum duration allowed by State law).

A. Easement and lease conditions should address the following points. Organizations and agencies are encouraged to adopt and implement the practices and procedures described in the [Land Trust Alliance’s Land Trust Standards and Practices](http://www.lta.org) (available at [www.lta.org](http://www.lta.org)).

1. Specifically ensure long-term wetlands and associated upland protection;
2. List all restrictions, allowed activities, and reserved rights and clearly demonstrate how those rights will complement long-term wetlands and associated uplands protection;
3. Be legally enforceable by organizations that can demonstrate ability or experience in enforcing easement terms;
4. Be recorded pursuant to state law;
5. Be held by or transferred to a conservation organization (e.g., State or Federal conservation agency, or non-governmental conservation organization); and
6. Be described in, and models attached to, the NAWCA proposal.

B. The acquisition must be completed before the end of the project period.

C. A Notice of Grant Requirements will be recorded for tracts unless the tracts are in a Federal land management system

with a habitat protection focus.

**D.** Property acquisition costs are incurred at the time of transfer of title, not when signing a purchase agreement. Therefore, a contractual obligation to purchase real property (purchase agreement, etc) may be made at any time and, as long as title is transferred after the proposal is received, the costs associated with the purchase can be reimbursed with grant funds.

**E.** All real property acquisitions must be from willing sellers. Prior to making an offer for the property, the buyer must inform the seller that the buyer will be unable to acquire the property in the event negotiations fail to result in an amicable agreement and must inform the seller what the buyer believes to be the market value of the property. If the buyer is an agency that has eminent domain authority, then additional assurances will be required to be in the notice (see appropriate standards and regulations).

**II. Wetland restoration.** The manipulation of the physical, chemical and/or biological characteristics of a site with the goal of returning natural/historic functions to a former or degraded wetland. Restoration can further be defined as either re-establishment (returning natural/historic functions to a former wetland resulting in a gain in wetland acres) or rehabilitation (repairing natural/historic functions of a highly degraded wetland resulting in no gain in wetland acres). Rehabilitation is considered a one-time action.

This category includes engineering and design costs that lead to restoration activities occurring during the project period or allowed as old match, travel and transportation, material and supply costs, and equipment (including all terrain vehicles) with a current value of \$5,000 or more secured by the most cost-effective and feasible method. See the applicable CFR information cited above and the following decision tree for equipment valuation. This category does not include periodic repair/maintenance activity. This category does include restoration work on upland associated habitat.

**A.** If equipment is rented or leased, use the cost of renting or leasing.

**B.** If equipment is purchased more than 2 years before the year that the proposal is submitted (i.e., equipment on hand), use either the depreciation or use-allowance method, but not a combination of the 2 methods.

**C.** If equipment to be used solely for NAWCA is purchased within the project period, use the full purchase price.

**D.** If equipment will be used outside of the NAWCA project, calculate and use the cost relative to NAWCA only.

**III. Wetland enhancement.** The manipulation of the physical, chemical and/or biological characteristics of a wetland site to improve specific functions of the wetland. The result produces no gain in wetland acres.

This category includes the same eligible costs as restoration above, plus nest boxes; habitat islands; and initial land management costs caused by the proposal (e.g., fencing and signing). This category does not include periodic repair/maintenance activity. This category does include enhancement work on upland associated habitat.

**IV. Wetland establishment.** The manipulation of the physical, chemical and/or biological characteristics present to develop a wetland that did not previously exist. The result produces a gain in wetland acres. This category includes the same eligible costs as restoration above.

**V. Other direct long-term wetlands conservation work** [e.g., administering the NAWCA grant agreement; conducting required State and Federal compliance activities (e.g., permits, National Environmental Policy Act compliance, and contaminants surveys); and conducting work that cannot easily be assigned to other activity categories].

**VI. Indirect costs.** These costs are different from directly attributable administrative costs and must be supported by a negotiated Indirect Cost rate approved by the Federal government.

**VII.** Work to be accomplished must be done in the project area(s) defined in the proposal. The project area may be defined as:

**A.** area that is part of a wetlands conservation plan;

**B.** areas in the same wetlands system (e.g., watershed or river basin);

**C.** areas that are managed to meet the same wetlands objectives;

**D.** areas that are in close proximity;

**E.** areas that provide direct benefits to each other; or

**F.** areas that are part of a pooled project with non-match funds, as long as the NAWCA portion is distinctly identified as an undivided interest of the total acres involved.

**VIII.** For all activities, grant funds cannot be used for work completed prior to submission of the proposal or for costs incurred before the U.S. Fish and Wildlife Service receives the grant proposal. The date that costs are incurred is when the following actions occur, irrespective of whether payment is made immediately or in the future:

**A.** take title to an interest in real property;

**B.** place an order or sign a contract; or

**C.** receive a service.

**IX. Salary costs** (with the exception of travel expenses) associated with USFWS Term/Temporary/Seasonal/Intermittent Employees actively working on NAWCA projects.

## INELIGIBLE GRANT COSTS

**The following grant costs/activities are ineligible to be paid with NAWCA grant funds (these activities may be eligible as match under certain circumstances; see Eligible Match Costs):**

**A.** stewardship costs;

**B.** evaluation costs;

- C. proposal planning and development costs, including experiments, studies, or other investigations to document resource values;
- D. interest on a loan;
- E. proposal administrative salary costs incurred prior to grant execution **are not** eligible for grant funding;
- F. costs related to enrollment of participants in other Federal conservation programs.

## INELIGIBLE GRANT AND MATCH COSTS

**The following costs/activities are ineligible to be paid with NAWCA grant funds or to be used as match:**

- A. actions that will put credits into wetlands mitigation banks;
- B. mitigation activity required by Federal, State or local wetland regulations. Federal mitigation activity includes compliance under the Fish and Wildlife Coordination Act of 1934, as amended, or the Water Resources Development Act of 1986, as amended. This includes mitigation required by the U.S. Army Corps of Engineers related to development or management of water resources (such as, but not limited to, Section 404 of the Federal Water Pollution Control Act or Section 10 of the Rivers and Harbors Act), actions to benefit fish and wildlife resources that are required as part of a settlement or relicensing of an energy project under the Federal Power Act, compensation required under the Federal Water Projects Recreation Act, etc.;
- C. Unless your approved negotiated indirect cost rate agreement specifically allows it, indirect costs calculated on a base that include the following are ineligible:
  1. subgrants (subawards), major subcontracts, any in-kind match provided by a party other than the applicant.
  2. non-match, in-kind match from partners other than the partner with the negotiated indirect cost rate agreement contributions from Federal agencies and other items that “distort” the cost base.
  3. the purchase price of interests in real property and the cost to put it into place, including legal and administrative fees associated directly with the transfer of the property.
  4. the purchase price of equipment with an acquisition cost of \$5,000 or more per unit and a useful life of more than one year (consistent with recipient policy, lower limits may be established);
- D. law enforcement;
- E. research;
- F. the value of existing residences, structures, and buildings unnecessary for wetlands conservation purposes and the cost to construct, remove or repair same; in the case of allowable development envelopes, the acres and costs associated with the envelopes should not be included as part of the proposal;
- G. boat ramps, parking lots, roads, and other public access work;
- H. observation towers and blinds;
- I. routine operations and maintenance salaries and costs;
- J. acquisition of tractors and other equipment if it would be more cost effective to rent, lease or use equipment on hand;
- K. acquisition of vehicles (note that all terrain vehicles are considered equipment if the acquisition cost is more than \$5,000 per unit);
- L. loss of income (e.g., lost grazing revenue);
- M. contingencies;
- N. non-proposal specific communications products;
- O. salaries and travel expenses for permanent, full-time Federal employees;
- P. an easement that is subordinate to a mortgage or lien;
- Q. costs over the appraised value for lease, fee-title and easement acquisitions;
- R. short-term annual conservation activities, such as annual predator management; or
- S. conservation education materials or salaries;
- T. land-owner incentive payments.

**NOTE: unless a grant or match cost is explicitly allowed, the cost should be assumed to be ineligible unless otherwise informed in writing by USFWS/DBHC.**

## ELIGIBLE MATCH COSTS

Generally, all items listed above as Eligible Grant Costs are also eligible as match costs. The following list describes certain additional conditions for costs to be eligible as NAWCA match. In some cases, these conditions allow certain costs to be eligible as match when the costs would not be eligible to be paid with grant funds. In all cases, the costs must be associated with an eligible activity. The match costs:

- I. Must at least equal the grant request.
- II. Must be non-Federal. Even if funds pass through a non-Federal entity, they retain their Federal nature. For possible exceptions, see XI and XII, below.

- III.** Must be documented by the following
  - A.** signed and dated Partner Contribution Statements sent with the proposal and
  - B.** a copy of easements and/or leases if the easements or leases are offered as match and are signed at the time the proposal is submitted.
- IV.** Must be or have been contributed
  - A.** no earlier than 2 years prior to the year the proposal is submitted unless match is covered by a Council-approved Matching Contributions Plan. Anticipated funds must be guaranteed by the contributing organization (For example, future fundraising efforts or grant applications are only eligible if the partner organization agrees to provide the full funding amount even if the fundraising effort or grant application is unsuccessful).
  - B.** between the time when the Service receives the proposal and the Assistance Award is signed; or
  - C.** during the project period after the Assistance Award is signed. If the contribution extends past the 2-year grant period (e.g., payments for a 10-year lease), the amount of match must be committed via a dedicated account, bank letter of credit, or other instrument for the full amount of time (e.g., 10 years).
- V.** May have as its source the Indian Self-Determination and Educational Assistance Act, P.L. 93-638, of 1975.
- VI.** Must not be reimbursed by NAWCA or by another organization claiming the expense as a match for the project, but instead must be permanently dedicated to a project proposal and committed by the proposal due date. For example, if an organization funds an acquisition but is later reimbursed by a different organization, the value of the acquisition can be counted as match only once (that is, only one of the two organizations counts as contributing the match).
- VII.** May include monitoring and evaluation costs, only if results will be used to improve wetlands conservation activities at project sites during the project period. If monitoring and evaluation covers areas outside of project sites, only the portion of those costs related to work on project sites is eligible unless the work outside of the sites comprises a de minimus portion of the costs.
- VIII.** May be donated title to real property where the donation increases resource values of the proposal or protection or management of wetlands and migratory bird values.
- IX.** May be the fair rental value of loaned equipment.
- X.** May be easement stewardship or endowment costs, if the funds are in an account dedicated solely to easement stewardship and are for activities such as easement defense as opposed to management of fee title properties.
- XI.** May be Department of the Interior (DOI) Natural Resource Damage Assessment and Restoration (NRDAR) Fund (Fund) monies
  - A.** if wetlands mitigation is not part of the NRDAR-funded work,
  - B.** if the work significantly contributes to the wetlands protection objectives of the proposal,
  - C.** if the monies have been or will be deposited pursuant to a joint and indivisible recovery by the DOI and non-Federal trustees under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) and the Oil Pollution Act (OPA),
  - D.** if the monies were or will be transferred to a non-Federal trustee who has joint and binding control over the funds (the non-Federal trustee may transfer it to another entity, but that could affect whether it's an eligible match based on such considerations as: Did the trustee's transfer of the money comply with the trustee's own laws and regulations regarding any State or tribal grant, cooperative agreement, or contracting statute or regulations?),
  - E.** if the co-trustees agree that monies from the Fund should be made available to the non-Federal trustee and allowed to be proffered as a non-Federal match to accomplish an appropriate project consistent with the settlement agreement and the provisions of CERCLA and OPA, and
  - F.** if the factors above are addressed in a letter submitted with the proposal from the non-Federal trustee; if a letter is not included, the match will be ineligible.
- XII.** May be Congressionally appropriated funds if legislative language specifically characterizes the appropriated funds as "non-Federal" for certain designated purposes that would include NAWCA objectives. The grant applicant should provide ample evidence in the proposal regarding the non-Federal nature of the match. For example, P.L. 103-434, the Pacific Northwest Electric Power Planning and Conservation Act, provides an exception that allows Bonneville Power Administration rate payer funds to be used as non-Federal funds for purposes of matching Federal dollars to fund projects that promote conservation of wildlife and fisheries resources, including wetlands, while improving water quality and availability in the Yakima River Basin.
- XIII.** May be match contributions from a previous grant in excess of the amount required by the previous Grant Agreement, subject to the following conditions:
  - A.** The subsequent proposal is a Programmatic continuation of the previous Grant Agreement.
  - B.** The excess match accomplished more acquisition, restoration, or enhancement than required by the previous Grant Agreement. (Spending more, but accomplishing the same habitat accomplishments as required by the previous Grant Agreement does not qualify as "excess" match.)
  - C.** The excess match cannot be due to cost overruns or under-valuations of activities/properties in the original grant; excess accomplishments cannot be due to survey errors or rounding differences in acreage from the original proposal.
  - D.** The subsequent proposal must be substantively the same area and type of Project as the original grant, so that it is eligible as a Programmatic proposal.
  - E.** All acres must have been protected as part of the previous NAWCA grant.
  - F.** The source and nature of the excess match must be clearly identified in the subsequent proposal, and the proposal must be selected for funding.

## INELIGIBLE MATCH COSTS

**In addition to those costs listed under Ineligible Grant and Match Costs, the following costs/activities are ineligible as match:**

- A.** Funds that have been successfully used as match or cost-share for another Federal grant. This restriction includes Federal Aid to States grants (i.e. State Wildlife Grants); Coastal Wetlands Planning, Protection, and Restoration Act grants; Endangered Species Act grants; Partners for Fish and Wildlife (private lands) grants; USDA (WRP, FRPP, etc.) grants, and others.
- B.** Funds that are designated for wetland mitigation.
- C.** Exxon Valdez Oil Spill (EVOS) funds.
- D.** Monitoring and inventory activities not specifically related to wetland conservation actions during the project period.
- E.** Proposal planning and development costs, including experiments, studies, or other investigations to document resource values.

## NAWCA STANDARD GRANT PROPOSAL PROCESSES

**All proposals must be submitted through Grants.Gov. The following information will be needed in the application process as attachments to the Grants.Gov application.**

**What are the proposal deadlines?** Due dates for submission of complete proposals are **March 2 and July 27, 2012**. Any group or individual may submit proposals at any time before those dates. Proposals received after the March deadline will be processed, but will be considered for funding as a July deadline proposal. Proposals received after the July deadline will be ineligible unless the proposal is clearly labeled as an early 2013 submission (these will be subject to modifications depending on any changes in the submission guidelines that occur for 2013). Complete electronic proposals must be uploaded to [www.grants.gov](http://www.grants.gov) no later than 11:59 p.m. Eastern time March 2 and/or July 27, 2012. Complete written proposals (identical to the electronic version) must be postmarked no later than March 2 or July 27, 2012. The optional electronic proposal and attachments must be sent no later than 4 p.m. Eastern Time March 2 and/or July 27, 2012. We suggest that you mail your written proposal with adequate lead-time and do not rely on meeting the proposal deadline at the last minute through mail delivery companies.

**When and why should I contact a North American Waterfowl Management Plan Joint Venture Coordinator?** You need to contact a Joint Venture Coordinator [North American Waterfowl Management Plan Joint Venture Coordinators](http://www.fws.gov/birdhabitat/JointVentures/index.shtml) (<http://www.fws.gov/birdhabitat/JointVentures/index.shtml>) very early in the proposal development process, since they can answer many questions about the NAWCA grants program, provide advice to you regarding what should and should not go into proposals, and let you know what (and when) additional information will be required for proposal compliance reviews (National Environmental Policy Act, Endangered Species Act, National Historic Preservation Act, contaminants) by the U. S. Fish and Wildlife Service (Service). Also, since the Joint Ventures rank all proposals for the Council, the Coordinators need to know the proposal areas and their resource values.

**How do I know what laws and regulations I will need to comply with if I get a NAWCA grant?** You need to read the files on the NAWCA web site, talk to a Joint Venture Coordinator and, if you still have questions, contact the Standard Grant Proposal Coordinator. The [Grant Standards](http://www.fws.gov/birdhabitat/Grants/NAWCA/files/GrantStandards.pdf) (<http://www.fws.gov/birdhabitat/Grants/NAWCA/files/GrantStandards.pdf>) contains stipulations applicable to NAWCA grant and match funds and activities in a proposal and the file also contains the one-page Assistance Award. The following documents provide information on eligible grant costs:

- [2 CFR 215](http://www.access.gpo.gov/nara/cfr/waisidx_05/2cfr215_05.html), “Uniform Administrative Requirements for Grants and Cooperative Agreements with Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations”, ([http://www.access.gpo.gov/nara/cfr/waisidx\\_05/2cfr215\\_05.html](http://www.access.gpo.gov/nara/cfr/waisidx_05/2cfr215_05.html))
- [43 CFR 12 Subpart C](http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?c=ecfr&rgn=div6&view=text&node=43:1.1.1.12.1&idno=43), “Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments”, (<http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?c=ecfr&rgn=div6&view=text&node=43:1.1.1.12.1&idno=43>)
- [48 CFR 31.2](http://www.access.gpo.gov/nara/cfr/index.html), “Contracts with Commercial Organizations”, (<http://www.access.gpo.gov/nara/cfr/index.html>).

If you have questions about whether you can comply with any stipulations in any of these documents, please contact the Standard Grant Proposal Coordinator at 301-497-5870 before you submit a proposal.

**How do I download files and fill in the blanks to complete a proposal?** To aid you in completing a proposal, blank proposal outlines and tables may be downloaded from

1. [Word Proposal Outline](http://www.fws.gov/birdhabitat/Grants/NAWCA/Standard/US/files/ProposalOutline.doc) (<http://www.fws.gov/birdhabitat/Grants/NAWCA/Standard/US/files/ProposalOutline.doc>), and
2. [Excel Budget Table](http://www.fws.gov/birdhabitat/Grants/NAWCA/USStandard/files/ExcelBudgetTable.xls) (<http://www.fws.gov/birdhabitat/Grants/NAWCA/USStandard/files/ExcelBudgetTable.xls>).

These files do not contain any instructions or examples, so you should use them in conjunction with the instructions in the Proposal Instructions (<http://www.fws.gov/birdhabitat/Grants/NAWCA/Standard/US/files/ProposalInstructions.pdf>) when you are completing one of the blank proposals. Additional eligibility criteria about a proposal are given in the first section of this file.

**THE ENTIRE TEXT PORTION OF THE APPLICATION MUST BE SUBMITTED IN MICROSOFT WORD FORMAT.**

**How many copies of the proposal do I prepare?**

1. One unbound (a binder clip is allowed), one-sided, original proposal and attachments to be mailed. Include copies of easements, leases, deeds and the Indirect Cost Rate Agreement, if applicable.
2. One electronic copy of the proposal, Financial Plan Table, Tract Table, maps, and partner letters to [dbhc@fws.gov](mailto:dbhc@fws.gov). (Do not send any file larger than 5MB)

**Where and how do I send the proposal?**

1. Do not send the proposal by facsimile machine
2. The proposal must be submitted through Grants.Gov. Grants.Gov will request proposals to be uploaded to their website. Due to file size restrictions the only documents that can be uploaded to the Grants.Gov website are the SF 424 and SF 424D forms. Please upload only these two forms to Grants.Gov.
3. All proposals must be submitted electronically to [DBHC@fws.gov](mailto:DBHC@fws.gov)
4. An identical hard copy of the electronic proposal must be postmark on or before the grant submission date and sent to :  
U.S. Fish and Wildlife Service  
Attn: Cheryl Leonard  
Bird Habitat Conservation  
4401 N. Fairfax Drive ARLSQ 4075  
Arlington, VA 22203
5. Mail a copy of the proposal to your North American Waterfowl Management Plan Joint Venture Coordinator (<http://www.fws.gov/birdhabitat/JointVentures/index.shtm>) and your proposal partners (if deemed appropriate).

**If there is a change in the proposal, should I modify it and resend?** No. Unsolicited modified proposals will be considered a new proposal for the next proposal round. Before you submit the proposal, make sure you can positively respond to the criteria at the beginning of this file. Also make sure you can achieve acres and match as described in the proposal. Unless there are substantial and prudent reasons to modify performance expectations, failure to achieve acres and match as described in the proposal may result in a reduced grant amount.

Proposals that are submitted in March and are not selected at the July Council meeting will automatically carry over to the December meeting and will be considered along with new proposals submitted in July. However, if there are significant changes in partnerships or scope of work to non-selected March proposals, you may withdraw the March proposal and submit a new proposal package (original proposal and all required copies).

**Will I get comments on the proposal? When will I know if a site visit is needed?** We communicate with the Project Officer after 1) We have initially reviewed the proposal. Approximately two weeks after the submission deadline, we will send the Project Officer comments requesting clarification and/or more information in regard to the application and request possible site visit dates. We will typically request that you respond to this e-mail within 72 hours of receiving it to ensure that the scoring of your proposal will not be impacted due to insufficient information or that the proposal is determined to be ineligible for further review. 2) The proposal has been scored and site visits, if needed, are scheduled. 3) Each Council and Migratory Bird Conservation Commission (MBCC) meeting. The Project Officer must be available to respond to questions about the proposal.

**When will I know if the Council has selected the proposal?** The Council (<http://www.fws.gov/birdhabitat/Grants/NAWCA/CouncilAct.shtm>) usually meets in March, July, and December to select proposals to recommend to the MBCC who approves proposals for funding. Proposals submitted in March are eligible for consideration at the July, December, and March Council meetings and proposals submitted in July are eligible for the December and March Council meetings. However, in most years, funds for U.S. Standard Grant proposals are depleted after the December Council meeting. Therefore, U.S. Standard Grant proposals are usually not considered at the March Council meeting. The Council selects a slate of proposals based on Technical Assessment Question scores, North American Waterfowl Management Plan Joint Venture ranks, Council goals and objectives, available funding, site visits, and other factors. Council meetings are open to the public, but are not interactive sessions. After each Council meeting, you will be given the results regarding your proposal (and Optional Matching Contributions Plan if applicable).

**What do I need to do after the Council selects the proposal?** Hopefully you have already contacted your North American Waterfowl Management Plan Joint Venture Coordinator (<http://www.fws.gov/birdhabitat/JointVentures/index.shtm>) so you know if there is any additional information that the Service needs from you to conduct compliance reviews. There are only a few months between the Council and MBCC meetings, so you should be prepared to provide additional information, if needed, quickly. **The proposal will not be presented to the MBCC for final funding approval unless the Service can ensure it complies with the**

**National Environmental Policy Act. Additionally, the grant agreement cannot be signed until the Service can ensure the proposal complies with the National Historic Preservation Act and with Service contaminants survey requirements (if applicable).** Before funds can be electronically distributed to your organization via the ASAP payment system, your organization must 1) Have a Data Universal Numbering System (DUNS). Dun and Bradstreet issues the DUNS number to federal grant applicants free of charge online at <http://fedgov.dnb.com/webform.2>) Have an active registration in the Central Contractor Registry (CCR). If you are receiving funds as an individual not operating as a business, you are not required to register in CCR. You can register in CCR or obtain additional CCR information online at <https://www.bpn.gov/ccr/default.aspx>

**When will I know if the proposal has been approved for funding?** The MBCC (<http://realty.fws.gov/mbcc.html>) meets in March, June, and September to give final funding approval to NAWCA proposals. March proposals may be presented to the MBCC the following September, March or June and July proposals may be presented to the MBCC the following March or June. After each MBCC meeting, you will be given the results and, if approved for funding, an Assistance Award and a request to establish an ASAP account. Additionally, Project Officer and proposal summary information will be posted on the NAWCA web site. Please share the approval news with elected officials and the general public via a news release and send us a copy.

**When will I get the grant funds?** The Assistance Award (also referred to as the grant agreement) incorporates the proposal by reference, is developed by the Service after the MBCC has approved funding for the proposal. A Division of Bird Habitat Grants Officer will review the proposal and assemble the pertinent documents. If the Grants Officer finds any problem related to compliance with law, policy, or administrative procedures, s/he will contact the project officer to seek a resolution. If there are no problems, or the problems have been resolved, the Grants Officer will send the recipient a signed Agreement. The grant funding period begins on the date of the USFWS signature on the Agreement. Recipient signature is not required.

The recipient may decline the award or request a delay of the execution date by written notice to the Grants Officer within 10 business days of receipt of the award. The Grants Officer may terminate the award in whole or part if the recipient materially fails to comply with the terms and conditions of the award. The Grants Officer may also terminate the award with the consent of the recipient, in which case the two parties must agree upon the termination conditions, including the effective date and, in the case of partial termination, the portion to be terminated. The recipient may terminate the award upon sending to the Grants Officer written notification setting forth the reasons for termination, the effective date and, in the case of partial termination, the portion to be terminated. However, in the case of partial termination, if the Grants Officer determines that the reduced or modified portion of the grant agreement will not accomplish the purposes for which the award was made, the Grants Officer may terminate the award in its entirety. In any partial termination situations, the Grants Officer must consider the recipient’s responsibilities for property management (if any) and the submission of financial, performance and other reports required by the grant agreement.

Remember that you will be expected to conduct work, and meet acreage objectives, described in the proposal. Annually appropriated funds are not available until the beginning of the Federal fiscal year, October 1. Grant funds are “no-year dollars” and, therefore, do not have to be spent within a Federal fiscal year, but do need to be spent within the 2-year period of performance.

The table and diagram below show the processes described above.

PROPOSAL IS SUBMITTED IN ...	MAY BE CONSIDERED BY COUNCIL IN ...	AND MAY BE APPROVED FOR FUNDING BY MBCC IN ...
March 2012	July 2012	September 2012
	December 2012	March 2013
	March 2013	June 2013
July 2012	December 2012	March 2013
	March 2013	June 2013

**How will I receive grant funds?**

The Service is using a new payment management system, the U.S. Treasury’s Automated Standard Application for Payments (ASAP). Once funded if awarded you will be prompted to set up an ASAP account.

01/05/2012  
04/19/2012