U.S. FISH AND WILDLIFE SERVICE TRANSMITTAL SHEET

PART	SUBJECT	RELEASE NUMBER
521 FW 3	State Grant Programs Coastal Wetlands Conservation Grant Program	354
FOR FURTHER INFORMATION CONTACT Division of Federal Aid		DATE May 24, 2000

EXPLANATION OF MATERIAL TRANSMITTED:

We have made minor revisions to this chapter to update titles, add authorities, and include plain language requirements.

DIRECTOR

FILING INSTRUCTIONS:

Remove:	Insert:
521 FW 3, FWM 059, 12/17/92 (1 sheet)	521 FW 3, FWM 354, 05/24/00 (2 sheets)

3.1 What is the purpose of this chapter? This chapter provides eligibility standards and administrative procedures for the Coastal Wetlands Conservation Grant Program.

3.2 What are the authorities for this program? Sections 302, 305, and 306 of the Coastal Wetlands Planning, Protection and Restoration (CWPPR) Act of 1991, 16 U.S.C. 3954, authorize the Coastal Wetlands Conservation Grant Program. Section 305 provides that the Director of the U.S. Fish and Wildlife Service ". . . make matching grants to any coastal State to carry out coastal wetlands conservation projects . . . ."

3.3 Who is responsible for administering the program?

A. The Director retains authority to allocate funds to program recipients (CWPPR Act, Sec 305).

B. The Assistant Director-Ecological Services and Assistant Director-External Affairs provide national oversight for the Coastal Wetlands Conservation Grant Program.

C. The Regional Director is responsible for administration of the Coastal Wetlands Conservation Grant Program, including the approval of proposals, monitoring performance of approved grants, and monitoring compliance with applicable Federal laws and regulations.

3.4 Who may participate? Any State agency designated by the Governor of a coastal State to participate on behalf of the State is eligible. A coastal State is any State bordering on the Atlantic, the Pacific, or the Arctic Ocean, the Gulf of Mexico, Long Island Sound, or one or more of the Great Lakes. The Commonwealth of Puerto Rico, the Virgin Islands, Guam, the Commonwealth of the Northern Mariana Islands, the Trust Territory of the Pacific Islands, and American Samoa are also eligible (CWPPR Act, Sec 302(5)).

3.5 What are the eligible purposes for these grants? Coastal wetlands conservation grants must have purposes for the long-term conservation of lands and waters, hydrology, water quality and fish and wildlife that depend upon these lands and waters (CWPPR Act, Sec 302(7) and Sec 305(c)). For the Coastal Wetlands Conservation Program, grant work must be in the first tier of counties along the coast of any State except Louisiana. Activities may include:

A. Acquisition of a real property interest in coastal wetlands and/or waters.

B. Restoration, enhancement, or management of coastal wetlands ecosystems. Management, in the context of this chapter, means habitat management only. Habitat management includes vegetation manipulation and restoration of habitat to support fish and wildlife populations. Creation of wetlands where they did not previously exist is not included.

3.6 What are ineligible activities? The following activities are ineligible (CWPPR Act, Sec 302(7) and Sec 305(c)).

A. Providing for navigation, irrigation, flood control, or mariculture.

B. Acquiring or managing lands to mitigate recent or pending habitat losses resulting from the actions of other agencies.

C. Creation (manmade) of wetlands where they did not previously exist.

D. The enforcement of fish and wildlife laws and regulation, except when necessary for the accomplishment of an approved project(s) within a grant.

3.7 What projects will receive priority? We will give priority to grant proposals that meet one or more of the following criteria (CWPPR Act, Sec 305(b)).

A. Proposals consistent with the National Wetlands Priority Conservation Plan developed under section 301 of the Emergency Wetlands Resources Act (16 U.S.C. 3921). A copy of this plan is available from the Regional Director.

B. Proposals from a coastal State that has established dedicated funding for programs to acquire coastal wetlands, natural areas, and open spaces.

C. Proposals for maritime forests on coastal barrier islands.

3.8 Are there other grant funding criteria? In addition to the above priorities, selection criteria include the following (CWPPR Act, Sec 305(c); 43 CFR 12.50 (b)(3)):

A. The extent to which the proposal will provide for the long-term conservation of the lands and waters and the fish and wildlife dependent thereon.

B. The extent to which the proposal will prevent or reverse wetlands loss or habitat degradation.

C. The extent to which the proposal will increase environmental awareness through public education and outreach.

D. The extent to which the proposal will benefit endangered or threatened species that are Federally listed or proposed for listing, or their habitats.

E. The probability of completion of the proposal within the specified time period from technical, engineering, ecological, fiscal, and logistical viewpoints.

F. The extent of cooperation between States, State and Federal cooperation, or government and private entity cooperation or involvement in the project.

G. The extent to which the project contributes to the prevention, reduction, or remediation of adverse effects of contaminants, including point and non-point sources of pollution.

H. The extent to which the project contributes toward conservation and perpetuation of wetlands habitat, species diversity and abundance, anadromous and other coastal inter-jurisdictional species, and ecosystem integrity.

3.9 What documents do I submit?

A. To pursue a grant for a Coastal Wetlands Conservation project, the State must submit a Grant Proposal (GP) including an Application for Federal Assistance (SF 424) (see (1) below) and a Grant Agreement (GA) (see (2) below) (43 CFR 12.50(b)(3)). 522 FW 1 provides general guidance for GP's and GA's. Part 522 provides more specific guidance on different kinds of projects that may be in a Coastal Wetlands Conservation grant (e.g., land acquisition, habitat manipulation, etc.).

(1) The Application for Federal Assistance (SF 424) has five parts. The SF 424 is the basic application and must be completed for all grant applications. In addition, applicants must complete the following forms. All forms are available from Service Regional Offices.

(a) For all non-construction projects, applicants must complete SF 424A (Budget Information for Non-Construction Programs) and SF 424B (Assurances - Non-Construction Programs).

(b) For all construction projects, applicants must complete SF 424C (Budget Information for Construction Programs) and SF 424D (Assurances - Construction Programs).

(2) The Grant Agreement (FWS Form 3-1552) must accompany each application. This form and instructions for completing it are available from Service Regional Offices.

B. To help evaluate the merits of the proposal versus competing proposals, include the following information in the GP narrative for a Coastal Wetlands Conservation project (CWPPR Act, Sec 305(b)):

(1) Identify other current coastal acquisition, restoration, enhancement, and management activities related to the proposal, and the agency/agencies involved.

(2) Describe and identify the parties and dates of public involvement or interagency coordination of the coastal wetlands proposal that have occurred or are planned.

C. If the State elects to apply for a 75 percent Federal grant, it must provide a statement to that effect with the GP (see paragraph 3.12).

3.10 When is my application due? The Regional Director must receive the GP and GA for a Coastal Wetlands Conservation grant in early June of the year prior to the Federal fiscal year for which funding is proposed (43 CFR 12.50(b)(3)). For example, the Regional Director must receive documents for funding in Federal fiscal year 2001 in early June 2000. Check annually with the appropriate Regional Office for current year due date. Documents received after the due date are not eligible.

3.11 Are there any special conditions that apply to these grants? The following conditions are specifically

applicable to Coastal Wetlands Conservation Grant Proposals. (Also, refer to appropriate chapters for guidance on special conditions related to the various kinds of grant work. For example, refer to 522 FW 6 for special guidance for a grant to acquire real property.)

A. Grant activities must be consistent with the National Wetlands Priority Conservation Plan developed under section 301 of the Emergency Wetlands Resources Act [16 U.S.C. 3921].

B. If grant activities would significantly affect the Coastal Zone, the grant activities must be consistent with the applicable State management program developed under the Coastal Zone Management Act of 1972.

C. Grant activities within the Coastal Barrier Resources System are subject to section 6 of the Coastal Barriers Resources Act of 1982, which requires consultation with the Service.

3.12 What are the cost sharing percentages and conditions? The Federal share of grant costs may not exceed 50 percent, except the share may increase to 75 percent if the State has established a trust fund, from which the principal is not spent or is funded from a dedicated source of revenues, for the purpose of acquiring coastal wetlands, other natural areas, or open spaces. If the State applies for the higher rate, it must include a statement to that effect with the GP. The Regional Director may request that the State provide documentation on the trust fund (CWPPR Act, Sec 305(d)).

3.13 Are there any compliance requirements? Grantees must comply with all applicable Federal laws and regulations as a condition of acceptance of Federal funds. In addition to the laws and regulations specific to the grant program, there are numerous other compliance requirements for Federal grant programs (50 CFR 80.21). Those generally applicable to all Federal grant programs are listed as Assurances, since grantees must provide assurance that they will comply with applicable provisions. Appendix 2, 522 FW 1, provides an assurances checklist for a construction (SF424D) and for a nonconstruction (SF 424B) grant that States may use to develop a GP (see 522 FW 1.3B and C and 523 FW 1).

3.14 Where can I find additional guidance? 522 FW 1 contains general administrative requirements and program standards for documentation and execution of the Coastal Wetlands program grants. Though the guidance provided is thorough, grantees should not rely on it as a sole source. Direct any questions to the appropriate Service Regional Office.