

Partners for Fish and Wildlife Program

FY 2004

Notice of Availability of Federal Assistance

Program Overview Information

Federal Agency Name:

Department of the Interior
U.S. Fish and Wildlife Service
Fish and Wildlife Management and
Habitat Restoration Program

Announcement Type:

Announcement of availability of technical and financial assistance for FY 2004.

Funding Opportunity Number: Partners-04

Catalog of Federal Domestic Assistance (CFDA) Number:

15.631

Dates:

Private landowners may contact the State Partners coordinators throughout the year. There is no specific deadline.

Additional Information:

In Fiscal Year 2003, the Partners for Fish and Wildlife Program, with a budget of \$28 million, established partnerships with over 4,000 landowners to restore fish and wildlife habitats. The habitat results included the restoration and improvement of:

- 37,500 acres of wetlands;
- 184,000 acres of native prairie and grasslands and other uplands; and
- 820 miles of riparian corridor, streambank and in-stream aquatic habitat.

In addition, 35 fish passage barriers were removed.

Any privately-owned land is potentially eligible for restoration. "Privately-owned", for the purposes of this Program, generally means lands not owned by a State or the Federal government.

The Partners for Fish and Wildlife Program focuses its projects in watersheds where conservation efforts will provide the greatest benefits for Federal trust species which include: migratory birds, anadromous and catadromous (migratory) fish, and species federally-listed as threatened or endangered.

Information about the Partners for Fish and Wildlife Program is available from the Branch of Habitat Restoration, U.S. Fish and Wildlife Service, 4401 N. Fairfax Drive, Room 400, Arlington, VA 22203 or on the web at <http://partners.fws.gov>.

I. Funding Opportunity Description

Over 70 percent of our Nation's landscape is in private ownership. The health of our fish and wildlife populations depend on habitat found on private lands. The Partners for Fish and Wildlife Program provides assistance to private landowners who want to restore or improve habitat on their property. The demand for this service is strong--since the program began, landowner interest has out-paced the Service's delivery capacity. In many States, there is a waiting list of landowners interested in participating.

Our restoration projects may include, but are not limited to:

- Restoring wetland hydrology by plugging drainage ditches, breaking tile drainage systems, installing water control structures, dike construction, and re-establishing old connections with waterways
- Planting native trees and shrubs in formerly forested wetlands and other habitats.
- Planting native grasslands and other vegetation.
- Installing fencing and off-stream livestock watering facilities to allow for restoration of stream and riparian areas.
- Removal of exotic plants and animals that compete with native fish and wildlife and alter their natural habitats.
- Prescribed burning as a method of removing exotic species and to restore natural disturbance regimes necessary for some species survival.
- Reconstruction of in-stream aquatic habitat through bioengineering techniques.
- Reestablishing fish passage for migratory fish by removing barriers to movement.

We, the U.S. Fish and Wildlife Service (Service), welcome your participation in the Partners for Fish and Wildlife Program. There is no formal application process. If you are interested in exploring the possibility of pursuing a cooperative agreement for restoration, or simply receiving technical advice, the first step is to contact your State coordinator. A listing of all Partners for Fish and Wildlife Program coordinators is available at <http://partners.fws.gov/pdfs/pfwcoord-1-04.pdf>.

The Partners biologist then visits the site and speaks with landowner. The project is developed, often with help from USDA's Natural Resources Conservation Service, state fish and game agency or other conservation organizations. A Private Lands Agreement is signed by the landowner and submitted to the Service Field Office. The agreement specifies the landowner's cost share, project design and management plan. Once the project is approved at the Field Office, and based upon the availability of funding, the Agreement is sent to the appropriate Regional Office for final approval and processing. The landowner receives a signed agreement from the Service's Regional Office and project construction can begin. The landowner is reimbursed based on the cost sharing formula in the agreement, after project completion.

Funding decisions are made within the State Program, based on priority ranking factors. (See “V. Application Review Information, 1. Criteria.” of this document.)

II. Award Information:

In Fiscal Year 2003, the Service awarded approximately \$28 million for restoration in all 50 States and Puerto Rico. For Fiscal Year 2004, approximately \$32 million is available nationwide for project funding.

The Partners for Fish and Wildlife Program provides financial assistance on a competitive basis to landowners interested in restoring wildlife habitat. Financial assistance is provided in the form of cooperative agreements. For additional information regarding cooperative agreements you may contact your State Partners coordinator.

III. Eligibility Information

1. Eligible Applicants

Any privately-owned land is potentially eligible for restoration. Most of the applicants are individual landowners. For the purposes of this program “privately-owned” generally means lands not owned by a State or the Federal government. Tribes, schools, local governments, businesses and organizations are examples of eligible applicants.

2. Cost-Sharing or Matching

It is a goal of the Partners for Fish and Wildlife Program to secure at least 50 percent of project costs, including cash and in-kind services, from non-Service sources. This goal applies to the program as a whole, and does not have to be achieved on a project-by-project basis.

3. Other

The Partners for Fish and Wildlife Program supports on-the-ground restoration. It does not fund planning and research.

IV. Application and Submission Information

1. Address to Request Application Package

The Partners for Fish and Wildlife Program has no formal written application. To start the application process the first step is to contact your State Partners Coordinators (see <http://partners.fws.gov/HowToPartner/altcont.html> for a complete and updated listing.)

2. Content and Form of Application

There is no formal application. The potential partner works with Fish and Wildlife Service biologist to develop a project plan. If the plan is agreeable to the landowner, and the project is considered by the Service staff to be of sufficient priority to warrant funding, a Private Lands Agreement is signed by the landowner and submitted to the Service Field Office. The agreement specifies the landowner's cost share, project design and management plan. The length of the agreement is commensurate with the technical and financial assistance provided by the Service and at a minimum protects the habitat restored for 10 years. Once the project is approved at the Field Office, and based upon the availability of funding, the agreement is sent to the appropriate Regional Office for final approval and processing. The landowner receives a signed agreement from the Service's Regional Office and project construction can begin. The landowner is reimbursed based on the cost sharing formula in the agreement, after project completion.

(1) Title Page. Not applicable.

(2) Project Description. Not applicable.

(3) Project Statement of Work. Not applicable in the form of an application. The description of the project will be in the Private Lands Agreement. The agreement specifies the landowner's cost share, project design and management plan.

(4) Project Budget. The budget will be in the Private Lands Agreement.

(5) Supporting Documentation. Not applicable.

Federal Assistance Forms: Use the following forms, or similar forms that accomplish the same objective, in connection with all habitat improvement projects:

A. FWS Form 3-2185 (NEPA Compliance Checklist).

B. FWS Form 3-2255 (Project Plan). Use this form to record the initial understandings with landowners and to begin the process of documenting the file.

C. FWS Form 3-2256 (Findings and Determination to Support Habitat Development on Private Lands). Use this form to ensure that mandatory certifications of compliance regarding conditions in paragraph 1.11A, B, and C have been met. Other documentation methods that provide the same information as this recommended form are acceptable.

D. FWS Form 3-2257 (Wildlife Cooperative Extension Agreement). Use this form in habitat improvement projects with private landowners. Regions will use the title of this form as the preferred name for such agreements.

3. Submission Dates and Times

There is no specific deadline for contacting your Partners for Fish and Wildlife Program State coordinator.

4. Intergovernmental Review

Preapplication requirements: this program is excluded from coverage under Executive Order 12372.

5. Funding Restrictions

Regions must focus on projects in those ecosystems or watersheds where efforts will achieve the greatest benefits for Federal trust species. Program projects must be biologically sound and cost-effective, and must reflect the application of the most effective techniques based on state-of-the-art methodologies and adaptive management.

The costs of the proposed habitat improvement projects must be reasonable; i.e., the value of what is to be achieved by a project must be at least equal to (and preferably greater than) the Federal expenditures. Generally, Partners for Fish and Wildlife program funding is limited to \$25,000 or less per project. However, the Director or his or her designee may approve Service funding of projects involving more than \$25,000. Such approval must be based on the predicted biological significance and cost effectiveness of the project.

Habitat improvement projects must comply with all applicable environmental laws such as the National Environmental Policy Act and the Endangered Species Act, as well as other statutes that protect historic and cultural resources.

Partners for Fish and Wildlife funds may not be used on habitat improvement projects being implemented for compensatory mitigation under any Federal or State regulatory program. In addition, Partners funds may not be used to lease or purchase interests in real property or to make rental or other land use incentive payments to landowners.

Habitat restoration projects must, to the extent technically feasible, attempt to reestablish the original (predisturbance) ecological community, or a successional sequence of natural communities that will lead to the reestablishment of the original ecological community, on at least 70 percent of the project site.

Prior to implementing habitat improvement projects on private lands, the Service and the landowner(s) must sign an agreement that secures the Federal investment. The duration of the agreement must be commensurate with the technical and financial assistance provided by the Service and must not be less than 10 years. We may also enter into cooperative agreements with conservation partners who will act as agents of the Service to implement multiple program projects. The agreement or contract must be for a

minimum of 10 years in duration and must include a mechanism for the recovery of Federal funds if the terms and conditions are not met by the other parties.

Beginning in FY 2004, a 3-year pilot initiative allows up to 15 percent of an individual State's annual allocation of Partners' on-the-ground funds to be used for providing cost share assistance to the following types of projects either alone or in combination:

(1) Projects on private lands that are protected by Federal easements that limit the landowner's rights to transfer, control access, quiet enjoyment, passive recreation, and extract subsurface minerals, provided they are reached laterally.

(2) Projects designed to annually flood active cropland for the purpose of providing temporary seasonal habitat for migratory birds. Installation of water control structures to allow flooding of annually tilled cropland to benefit migratory birds will be permitted, provided that the site is flooded annually while under a Partners for Fish and Wildlife agreement; that no more than a total of 15 percent of a State's on-the-ground annual allocation will be used to fund projects on active cropland under this Pilot Program; and that no Partners funds will be used to pay for the costs of water, water pumps, or equipment (such as electricity or pipes) needed or used to deliver water to these cropland areas.

6. Other Submission Requirements

There is no formal application process. Contact your State Partners coordinator if you are considering restoring fish and wildlife habitat on your lands

V. Application Review Information

1. Criteria

Criteria for reviewing and ranking projects were established in the national Partners policy (<http://policy.fws.gov/640fw1.html>). The priority ranking facts are as follows:

We will give highest funding priority status to proposed projects that benefit:

National Wildlife Refuge System. The purpose of a proposed project on private lands will complement activities on National Wildlife Refuge System lands or contribute to the resolution of problems on refuges that are caused by off-refuge land use practices. Examples include: enhancing the quality of water that enters a refuge, facilitating wildlife dispersal, and establishing corridors between refuges and other protected habitats. High priority status will be afforded to the initial restoration of habitats on lands with FSA conservation easements or that FSA has transferred in fee title to the Service, when the purpose of the conservation instrument is to restore the ecological integrity of the site for the benefit of Federal trust species.

Species at risk. The proposed project must improve habitat for migratory bird species of management concern; anadromous fish of special concern to the Service; endangered, threatened, or candidate species or species proposed for listing; and/or other declining species.

Secondary ranking factors include consideration of:

Ecoteam priorities. Projects identified by Service ecosystem teams or in collaboration with State fish and wildlife agencies, conservation districts, and other partners.

Links and augmentation. Projects that reduce habitat fragmentation.

Globally or nationally imperiled habitats. Projects that conserve or restore a natural community that a State Natural Heritage Program or Heritage Database has designated as globally or nationally imperiled.

Whether the project is self-sustaining. Projects that result in self-sustaining systems that are not dependent on artificial structures are favored. If such structures are necessary for project success, they must be designed to blend with the natural landscape and to minimize future operational and maintenance costs.

Buffers. Projects that serve as buffers for other important State or Federal conservation lands.

If other considerations are roughly equal, we will give priority to funding projects that have agreements that are longer in duration; that involve greater non-Service partnerships and cost-sharing; and/or that have the greatest cost-effectiveness.

2. Review and Selection Process

Once the project is approved at the Field Office, and based upon the availability of funding, the agreement is sent to the appropriate Regional Office for final approval and processing. The landowner receives a signed agreement from the Service's Regional Office and project construction can begin.

If a project is not funded the applicant will be notified. Field offices may have waiting lists of projects that warrant funding if funds become available.

3. Anticipated Announcement and Award Dates

Just as the application process is continuous, the decision to fund an individual cooperative agreement can also be made throughout the year.

VI. Award Administration Information

1. Award Notices

There is generally no announcement associated with individual awards. In FY 2003, the Partners program established over 4,000 partnerships, the majority of whom were individual landowners. Because these partnerships are on private lands, many with individuals, the Program is cautious about the release of awards information.

2. Administrative and National Policy Requirements

All Service program projects must comply with all Federal laws and regulations, such as the National Environmental Policy Act, the Endangered Species Act; the National Historic Preservation Act; the Federal Insecticide, Fungicide, and Rodenticide Act; and the Clean Water Act. Program projects must also comply with any applicable State, local, and tribal laws and regulations that do not conflict with, or are not preempted by, Federal laws and regulations.

Partners for Fish and Wildlife coordinators must keep adequate documentation regarding Partners for Fish and Wildlife program projects and expenditures. The following is a list of basic items that must be kept with every project file:

- A.** Signed landowner agreement and any cooperative agreements.
- B.** Written description of the project, showing in detail: the work to be completed; a breakdown of project costs; matching funds and in-kind contributions; and appropriate maps of the project site.
- C.** A completed FWS Form 3-2185 (NEPA Compliance Checklist).
- D.** Written concurrence of the State Historic Preservation Office that consultation as required by section 106 of the National Historic Preservation Act has been completed.
- E.** Written evidence that the Endangered Species Act Intra-Service section 7 consultation has been completed.
- F.** A completed section 404 Clean Water Act permit or section 10 Rivers and Harbors Act permit, if necessary.
- G.** A hazardous materials review.
- H.** A Pesticide Use Proposal, if applicable.
- I.** Any required State or local permits.
- J.** Copies of purchase orders; receipts for labor, materials, and supplies; and any additional information necessary to accurately account for expenditures made to complete the habitat improvement work for each project.

K. A breakout of expenditures by funding source, if a project is funded in part by other than Partners Program funds.

A new rule requires organizations to obtain a DUNS number, a unique identifying number. On June 27, 2003, the Office of Management and Budget (OMB) published a Federal Register notice (68 FR 38402) that announced its final policy on the use of a universal identifier by financial assistance applicants. The policy requires applicants applying for Federal grants or cooperative agreements to obtain a Data Universal Number System (DUNS) number. Only private individual landowners are exempted. Organizations can receive a DUNS number at no cost by calling a DUNS number request line at 1-866-706-5711 or on-line at www.dnb.com.

All financial assistance awards are subject to Federal financial administration requirements. Your Partners biologist will work with you and the Service office that administers financial assistance in each Region to ensure that all financial arrangements comply with these requirements. To find out more about the rules:

Table 1. Federal Financial Administrative Guidance	
<u>Categories of Recipients</u>	<u>Specific Rules and Guidance</u>
Individuals, private firms, and non-profits excluded from coverage under OMB Circular No. A-122	<ul style="list-style-type: none"> - Federal Acquisition Subpart 31.2 - 43 CFR 18 (New Restrictions on Lobbying) - 48 CFR 31 (Contracts with Commercial Organizations)
Non-profit organizations covered under OMB Circular No. A-122	<ul style="list-style-type: none"> - 43 CFR 12 (Administrative and Audit Requirements and Cost principles for Assistance Programs) - 43 CFR 18 (New Restrictions on Lobbying) - OMB Circular No. A-110 (Administrative Requirements for Grants) - OMB Circular No. A-122 (Cost Principles) - OMB Circular No. A-133 (Audits)
Educational Institutions (even if part of a State or local government)	<ul style="list-style-type: none"> - CFR 12 (Administrative and Audit Requirements and Cost Principles for Assistance Programs) - 43 CFR 18 (New Restrictions on Lobbying) - OMB Circular No. A-21 (Cost Principles) - OMB Circular No. A-110 (Administrative Requirements for Grants) OMB Circular No. A-133 (Audits)
States, local governments and Tribes	<ul style="list-style-type: none"> - 43 CFR 12 (Administrative and Audit Requirements and Cost Principles for

	Assistance Programs) - 43 CFR 18 (New Restrictions on Lobbying) - OMB Circular No. A-87 (Cost Principles) - OMB Circular No. A-102 (Grants and Cooperative Agreements) - OMB Circular No. A-133 (Audits)
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3. Reporting

After the project is completed as described in the cooperative agreement, the Service verifies its satisfactory completion with a site visit. Any bills incurred by the landowner are provided to the Service and reimbursements for habitat restoration work are provided based on the cost-sharing agreement. Private landowners do not need to submit a written report.

Regional Offices and field offices use the Habitat Information Tracking System (HabITS) to report habitat improvement accomplishments and program-specific technical assistance workloads associated with the Partners for Fish and Wildlife Program. They are also responsible for monitoring projects.

VII. Agency Contacts

For more information about the Partners for Fish and Wildlife program contact:

Branch of Habitat Restoration
U.S. Fish and Wildlife Service
4401 N. Fairfax Drive, Room 400
Arlington, VA 22203
703-358-2201

Or find your Regional or State coordinators and contact information at:
<http://partners.fws.gov/HowToPartner/altcont.html>

VIII. Other Information

Please note that the Federal government is not obligated to make any financial awards as a result of this announcement. Also, the Federal government is not bound to financially support any restoration project until an official Service financial officer has signed off on the cooperative agreement.

