



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Washington, D.C. 20240



In Reply Refer To:
FWS/AWSR-FA/028810

DEC 14 2006

To: State Fish and Wildlife Agencies
Secretary, Department of Natural Resources of the Commonwealth of Puerto Rico
Governor of Guam
Governor of the U.S. Virgin Islands
Governor of American Samoa
Governor of the Commonwealth of the Northern Mariana Islands
Mayor of the District of Columbia

The U.S. Fish and Wildlife will post the Landowner Incentive Program (LIP) FY 2007 Request for Proposals (RFP) for Tier 1 on grants.gov this month.

The purpose of this correspondence is to: (1) clarify what the Fish and Wildlife Service expects in a LIP Tier 1 proposal; (2) explain how the Service will determine grant award amounts; (3) notify you of the intended timeline for proposals; and (4) emphasize the importance of obligating LIP grant funds quickly.

At this time, we are requesting only proposals for Tier 1 grants. If the FY 2007 Interior Appropriations bill contains adequate funding for both Tier 1 and Tier 2 grants, we will send out a separate RFP for Tier 2 grants at a later date.

To apply for Tier 1 funds, States and other eligible jurisdictions must meet the eligibility requirements for Tier 1 grants in the LIP Implementation Guidelines. To provide further guidance, we have attached a copy of *LIP Tier 1 Eligibility Requirement Expectations* in the *LIP Guidelines (FY 2007)*. It describes the information that must be included in the applications. We suggest you address these six eligibility requirements individually as a subheading within the *Approach* or *Procedures* section of the narrative for a grant proposal.

At this time, we are uncertain of the level of LIP funding and can not guarantee that grants will be funded in 2007. We will determine Tier 1 LIP award amounts based on the amount appropriated by Congress for FY 2007 and the number of States that apply. Each State may apply for up to \$200,000 of Tier 1 funding, which is an increase from the \$180,000 cap in previous years; however, we expect that the award amount will be between \$100,000 to \$200,000. Commonwealths, Territories and the District of Columbia may apply for up to \$75,000.

**TAKE PRIDE[®]
IN AMERICA** 

The anticipated schedule for the FY 2007 LIP program consists of placing a 45-day Request for Proposals on grants.gov. We ask States and other eligible jurisdictions to submit hard copies of Tier 1 proposals to the Division of Federal Assistance in their respective Regional Offices. Within 30 days after the proposal submission deadline, the Regional Offices will submit award recommendations to the Washington Office. The Service Director and Assistant Secretary for Fish and Wildlife and Parks must approve these recommendations before the Service can make awards.

To ensure that Congress continues to consider this program for funding, it is critical that States and other eligible jurisdictions obligate current and prior LIP funds as quickly as possible and on an annual basis. If your agency has been slow to obligate LIP funds, we urge you to identify LIP spending as a priority and assign adequate staff to implement this program in a timely fashion. For its part, the Service is working to streamline compliance requirements to allow for a more timely grant obligation process.

We hope this information has been helpful to you. If you have any questions, please contact your Regional Federal Assistance Office.

Sincerely,


Acting Deputy
DIRECTOR

Attachment

U.S. Fish and Wildlife Service

2007 LANDOWNER INCENTIVE PROGRAM (LIP) GUIDELINES

Included in this document are:

Section A. Landowner Incentive Program Final Implementation Guidelines (2007) Pages 2-6

Section B. Landowner Incentive Program Tier-1 Eligibility Requirement Expectations Pages 7-9

Definitions of Terms Used in These Guidelines

“Species-at-risk” or “At-risk species” is defined as any species identified as a “species of greatest conservation need” in a State’s Comprehensive Wildlife Conservation Strategy, or classified as special concern as determined by the State. At-risk species may include Federally-listed endangered, threatened, or candidate animal or plant species; species listed by NatureServe as critically imperiled (G1), imperiled (G2), or vulnerable (G3); or species listed by a State agency as endangered, threatened, of special concern, or others with justification. Species classified by the State as a “species-at-risk” must be identified as such in its grant proposal. This list should be limited to the species that would reasonably be expected to benefit from the activities to be funded by this proposal.

“Private land” is considered any nongovernment-owned land.

A **“project”** is a discrete task to be undertaken by or with private landowners for the accomplishment of the defined LIP objectives.

Section A.

LIP Final Implementation Guidelines (FY 2007)

Program Requirements

- 1. What is the objective of this program?** The primary objective of this program is to establish or supplement State landowner incentive programs that protect and restore habitats on private lands, to benefit species-at-risk (see page 1), species identified in the State's Comprehensive Wildlife Conservation Strategy (CWCS) or classified as Special Concern by the State, or Federally listed, proposed, or candidate species or other species determined to be at-risk, and provide technical and financial assistance to private landowners for habitat protection and restoration.
- 2. How will the Tribes participate in LIP?** The Service will allocate 10% of the total funds appropriated under LIP to Tribes for a competitive grant program that we will describe in a separate Federal Register notice. For Tribal LIP grant information contact Pat Durham, U.S. Fish and Wildlife Service, Office of Native American Liaison, 1849 C Street NW, Mail Stop 3251, Washington, D.C. 20240 or call (202) 208-4133.
- 3. Does LIP require plans to be developed like the State Wildlife Grant Program and the Wildlife Conservation and Restoration Program?** No, LIP does not require development of Comprehensive Wildlife Conservation Strategies (CWCS). However, the Service anticipates that LIP will be an effective tool for implementing conservation actions for at-risk species on private lands that are identified in the States' CWCS.
- 4. Who can apply for a LIP grant?** The State agency with primary responsibility for fish and wildlife will be responsible for submitting all proposals to the U.S. Fish and Wildlife Service, Division of Federal Assistance (FA). All other governmental entities, individuals, and organizations, including Tribes, may partner with or serve as a subgrantee to that fish and wildlife agency.

Fiscal Issues

- 5. How will the Service distribute the available funds?** Unless it is otherwise stipulated in the appropriation, the Service will allocate 10% of the funds to Tribes, 3% of the funds to the Service administer the program, and 87% of the funds for competitive grants (Tier 1 and Tier 2). If the appropriation does not have adequate funds for Tier 1 and Tier 2, then only Tier 1 funds will be awarded.
- 6. What is the non-Federal match requirement for LIP grants?** The Service requires a minimum of 25% non-Federal match for LIP grants (i.e. at least 25 percent of the total costs must come from sources other than LIP or other Federal funds). The U.S. Virgin Islands, Guam, American Samoa, and the Northern Mariana Islands are exempt from matching requirements for this program (based on 48 U.S.C. 1469a. (d)).

- 7. May the required non-Federal match be in-kind contributions?** Yes. Allowable in-kind contributions are defined in Title 43 of the Code of Federal Regulations (43 CFR), Part 12.64.
- 8. Are there funding limits (caps) for LIP?** Yes.
The Service will cap Tier-1 grants at \$200,000 for State fish and wildlife agencies, and \$75,000 for Territories and the District of Columbia.
- 9. Will Tier 1 proposals be partially funded?** Partial funding of proposals is a strong possibility. Tier 1 grant awards will likely be between \$100,000 and \$200,000.
- 10. If some FY 2007 funds remain after awarding Tier-1 grants, how will the Service make them available to the States?** We will announce a subsequent request for Tier-2 proposals until all LIP funds are awarded.
- 11. Will interest accrue to the account holding LIP funds and if so how will it be used?** No.
LIP funds were not approved for investing, and as a result no interest will accrue to the account.

Grant Administration

- 12. How will the Service award grants to States?** The Service will use a two-tiered award system. We will approve Tier-1 grant proposals if they meet minimum eligibility requirements (Section B). If there is adequate funding in the 2007 appropriation, the Service will rank Tier-2 grants and award grants through a national competition. This competition will be announced separately.
- 13. May a State submit more than one proposal?** No. Each state may submit only one proposal for Tier-1 under this notice. However, funding limits still apply, as described in the answer to Question 8.
- 14. What information must a State include in a Tier-1 grant proposal?** A LIP grant proposal must include an Application for Federal Assistance (SF-424) and must identify that it is a Tier-1 proposal. The proposal must also include a project statement describing the need, objectives, expected results or benefits, approach or procedures, location, and estimated cost for the proposed work (OMB Circular A-102). The expected results or benefits section must identify the State's discrete, obtainable and quantified performance measures expected to be accomplished (for example, the proposal identifies the number of landowner under contract, number of acres of wetlands, or other types of habitat, stream miles to be restored, and/or number of at-risk species whose habitat within the State will be improved) that will address the goals of LIP and, at the same time, the Service's Long-Term Goals of Sustainability of Fish and Wildlife Population (Goal 1.2) and Habitat Conservation (Goal 2.3). The grant proposal should also clearly identify how each of the Tier-1 minimum eligibility requirements (see Section B pages 7-9) are addressed. The Application for Federal Assistance (SF-424) is available from FA at any Service Regional Office and in the Federal Assistance Toolkit.

- 15. What are the intended objectives of Tier-1 grants?** The Service intends that Tier-1 grants fund staff and associated support necessary to develop a new, or enhance an existing, landowner incentive program. Through administration of the program, development of plans, outreach, and other associated activities that assist in accomplishment of projects on private lands, these programs should benefit private landowners and other partners to help manage and protect habitats that benefit species-at-risk.
- 16. May a State also propose to fund projects on private lands with Tier-1 grant funds?** Yes. If a State already has sufficient funds for Tier 1 activities described above, Tier 1 funding may be used in part or in full to fund projects on private lands.
- 17. What are the eligibility requirements for Tier-1 grants?** Details on Tier-1 eligibility requirements can be found in Section B on pages 7-9. In summary, to receive a Tier-1 grant a State program must demonstrate in its proposal that it can accomplish all of the following:
- a. Deliver technical and financial assistance to landowners;
 - b. Provide for appropriate administrative functions such as fiscal and contractual accountability;
 - c. Use LIP grants to supplement and not replace existing funds;
 - d. Distribute funds to landowners through a fair and equitable system;
 - e. Provide outreach and coordination that assist in administering the program; and
 - f. Describe a process for the identification of species-at-risk, and a process for the identification of clear, obtainable and quantified goals and performance measures that will help achieve the management goals and objectives of LIP. Through this program, the States' efforts and leadership will help the Service meet its Long-Term and Annual Performance Goals.
- 18. Should an updated narrative be submitted with Tier-1 proposals?** Yes. In most cases, the narrative can be very similar to narrative used in previously approved proposals. The narrative should address each of the eligibility requirements and include a brief description of what's been completed to date under LIP Tier-1 and why additional funds are needed. Tier-1 Eligibility Requirement Expectations can be found in Section B on pages 7-9. If a State proposes to fund projects on private lands in addition to administration of LIP, these projects should be described under separate project or job-specific narratives. States can contact their regional LIP contacts (see Number 28) for additional assistance in developing these narratives.
- 19. Should an abstract be included with the Tier-1 proposal?** Yes, Tier-1 proposals must include a **one paragraph** abstract highlighting the types of activities and benefits expected to be achieved with 2007 LIP funding.
- 20. How long should the Tier-1 proposal be?** Proposals must be limited to no more than 15 pages including attachments.
- 21. Where should a State send Tier-1 grant proposals?** States should submit paper copies of all LIP proposals (Tier-1 Application for Federal Assistance and Narratives) to the appropriate Federal Assistance (Federal Aid) Regional Offices.

- 22. When are Tier-1 proposals due to the Service?** The Service will accept proposals between its date of publication on grants.gov and 45 days after the date of publication on grants.gov. Both hard copies and electronic copies of the grant proposal must be received no later than the deadline in the Federal Register Notice.
- 23. What process will the Service use to evaluate and select Tier-1 proposals for funding?** The Service will evaluate all proposals that are received by the end of the period set forth in the answer to Question 22, above. LIP Tier-1 funding decisions will be subject to the final approval of the Assistant Secretary for Fish and Wildlife and Parks. The Service will notify all applicants of the results as soon as practicable.
- 24. Once a Tier-1 proposal is selected for funding, what additional documents must the applicant submit and to whom?** In addition to the Application for Federal Assistance (SF-424) submitted with the original proposal, the Service requires a schedule of work the State proposes to fund through this proposal. Additionally, the Service, in cooperation with the applicants, must address Federal compliance issues, such as the National Environmental Policy Act, the National Historic Preservation Act, and the Endangered Species Act. Regional Office FA staff can assist in explaining the procedures and documentation necessary for meeting these Federal requirements. The States must send this additional documentation to the appropriate Regional Office where FA staff will approve the Application for Federal Assistance to obligate funds. See the answer to Question 28 for Regional Office locations.
- 25. What reporting requirements must States meet once funds are obligated under a LIP grant?** The Service requires an annual interim performance report for LIP Tier-1 and Tier-2 grants longer than fifteen months in duration. Annual interim performance reports are due within 90 days of the anniversary of the FA approval date of the Application for Federal Assistance. In addition, a final performance report and Financial Status Report (SF-269) are due to the Regional Office within 90 days of the Application for Federal Assistance ending date. In its annual performance report, the State must include a list of project accomplishments in relation to those which were planned in the proposal narrative. This information will help demonstrate the States' efforts and leadership in helping the LIP meet the Service's national goals for Fish and Wildlife Sustainability (1.2) and Habitat Conservation (2.3).
- 26. What administrative requirements must States comply with in regard to LIP?** States must comply with 43 CFR, Part 12 that provides the administrative regulations and OMB Circular A-87 that provides cost principles (<http://www.whitehouse.gov/omb/circulars>).
- 27. Will landowners who have LIP projects implemented on their property be required to leave project improvements in place for a specific period?** States should address this issue in their grant proposals, landowner incentive programs, and agreements with individual landowners. Habitat improvements should remain in place to realize the desired benefits for species-at-risk.
- 28. Whom can I contact in the Service about the LIP program in my local or regional area?** Correspondence and telephone contacts for the Service are listed by Region below.

States are encouraged to work with their Regional LIP contact during the development of their LIP proposals.

Region 1. Hawaii, Idaho, Oregon, Washington, American Samoa, Guam, and Commonwealth of the Northern Mariana Islands.

Regional Director, Division of Federal Assistance, U.S. Fish and Wildlife Service, 911 NE., 11th Avenue, Portland, Oregon 97232-4181. LIP Contact: Barbara Behan, 503-231-6128; barbara_behan@fws.gov.

Region 2. Arizona, New Mexico, Oklahoma, and Texas.

Regional Director, Division of Federal Assistance, U.S. Fish and Wildlife Service, 500 Gold Avenue SW, Suite 9019, PO Box 1306, Albuquerque, New Mexico 87103-1306, LIP Contact: Susan MacMullin (505) 248-7465; susan_macmullin@fws.gov.

Region 3. Illinois, Indiana, Iowa, Michigan, Minnesota, Missouri, Ohio, and Wisconsin.

Regional Director, Division of Federal Assistance, U.S. Fish and Wildlife Service, Bishop Henry Whipple Federal Building, One Federal Drive, Fort Snelling, Minnesota 55111-4056. LIP Contact: Ann Schneider, (612) 713-5146; ann_schneider@fws.gov.

Region 4. Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, Puerto Rico, and the U.S. Virgin Islands.

Regional Director, Division of Federal Assistance, U.S. Fish and Wildlife Service, 1875 Century Boulevard, Suite 200, Atlanta, Georgia 30345. LIP Contact: Bob Gasaway, (404) 679-4169; bob_gasaway@fws.gov.

Region 5. Connecticut, Delaware, District of Columbia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, Virginia, and West Virginia.

Regional Director, Division of Federal Assistance, U.S. Fish and Wildlife Service, 300 Westgate Center Drive, Hadley, MA 01035-9589. LIP Contact: Colleen Sculley, (413) 253-8509; colleen_sculley@fws.gov.

Region 6. Colorado, Kansas, Montana, Nebraska, North Dakota, South Dakota, Utah, and Wyoming.

Regional Director, Division of Federal Assistance, U.S. Fish and Wildlife Service, P.O. Box 25486, Denver Federal Center, Denver, Colorado 80225-0486. LIP Contact: Otto Jose, (303) 236-8156; otto_jose@fws.gov.

Region 7. Alaska.

Regional Director, Division of Federal Assistance, U.S. Fish and Wildlife Service, 1011 East Tudor Road, Anchorage, Alaska 99503-6199. LIP Contact: Tim Hess, (907) 786-3322; tim_hess@fws.gov.

California/Nevada Office (CNO). California, Nevada.

Assistant Regional Manager, Division of Federal Assistance, U.S. Fish and Wildlife Service, 2800 Cottage Way, W-2606, Sacramento, CA 95825. LIP Contact: Becky Miller, (916) 978-6185; becky_miller@fws.gov.

Section B.

Landowner Incentive Program Tier-1 Eligibility Requirement Expectations

A. Deliver Technical and Financial Assistance to Landowners

Technical Assistance

1. If an existing technical assistance program is in place, which LIP will complement, please describe:

- Who is involved (e.g., what agency divisions, other agencies, nongovernmental organizations, etc.)?;
- What types of assistance are available to private landowners (e.g., monetary, habitat plans, brochures etc.)?;
- What is the scope of the existing program (e.g., number of staff involved, number of private landowners contacted, the types of approaches used, etc.)?;
- How will the State incorporate LIP into the existing program (e.g., holding workshops, developing materials, hiring staff, etc.)?; and
- How will the State monitor and evaluate the results of this expanded program?

2. If a technical assistance program is not in place or will not be complemented by LIP, address the items above based on the State's plans for implementing LIP.

Financial Assistance

1. If an existing financial assistance program is in place, describe the assistance process and:

- How much funding does the State currently provide for the program?;
- Has the State identified any existing problems through audits or other system reviews?;
- Is there adequate existing staff?; and
- Is the State contemplating changes to the program that relate to the incorporation of LIP?

2. If a financial assistance program is not currently in place, address the items above to be extent possible based on State plans for implementing LIP.

B. Provide for Appropriate Administrative Functions Such as Fiscal and Contractual Accountability

Please describe:

- How will the State track the receipt and use of Federal funds?;
- How will the State distribute funds to private landowners?;
- How will the State document private landowner (matching or contributing) costs?;
- What type of contractual standards will the State require in its agreements with private landowners?;

- How will the State monitor and verify the contractual standards?;
- Who will develop and where will the State file fiscal and contractual reports?;
- What type of actions does the State propose to take if a private landowner fails to adhere to the contractual standards?;
- What kind of experience does the State have in providing similar administrative support to other programs particularly where funding or in-kind match was provided to or received from other State or Federal agencies, NGO's, or private parties?; and
- Have any audits verified the State's ability to perform such functions?

C. Use LIP Grants to Supplement and Not Replace Existing Funds

The State should provide an assurance statement that it will only use LIP funds for new programs or to supplement existing programs. (If an existing program is scheduled to be terminated or decreased, LIP funds should not be used to continue the program or replace decreased funding. The Service would consider this action the same as replacing existing funds.)

Supplementing existing programs includes:

- Adding new staff to a current program and identifying where they would be working (e.g., wildlife division, non-game, etc.);
- Expanding the types of assistance provided (e.g., monetary, plan documents, technical assistance, etc.);
- Broadening the scope of an existing program (e.g., increasing the number of landowners to be contacted or types of outreach to be used, etc.); or
- Fund on the ground projects that are normally funded by Tier 2 grants.

D. Distribute Funds to Landowners through a Fair and Equitable System

Please describe:

- How does the State propose to develop a fair and equitable system?;
- Does the State propose to prioritize any specific areas, habitats, or species, and, if so, on what basis?;
- How will the State choose landowners for participation/ (i.e., would the State serve landowners on a "first come, first served" basis or would it use some other objective process?);
- Will the State consider the landowner's ability to provide match in setting priorities?; and
- Does the State plan to have any additional eligibility requirements to enable landowners to participate in the program?

E. Provide Outreach and Coordination that Assist in Administering the Program

Please describe:

- Who (division and staff) would oversee the day-to-day administration of the program, prepare grant amendments when needed, prepare program annual performance reports, etc.?;
- Who (division and staff) will be responsible for program outreach?;
- How does the State propose to inform the public and landowners about the program?;

- What mechanisms and approaches does the State propose in this outreach (e.g., a web page, press releases, public workshops, interagency meetings, program literature, etc.)?; and
- How will the State coordinate the program within the agency and with other agencies involved with private lands conservation?

F. Identification of Species-at-Risk

Describe the process the State will use for the identification of species-at-risk (refer to the definition on page 1 of these Guidelines) that will benefit from this program, and the State’s process for the identification of clear, obtainable and quantified goals and performance measures that will help achieve the management goals and objectives of LIP.

The State should consider use of a table if it has already developed its species-at-risk list prior to the preparation of this proposal, and it should describe:

- Were the species identified in the State’s Comprehensive Wildlife Conservation Strategy as a “species of greatest conservation need”?
- What existing State and Federal species lists did the State use (or does it propose to use) in developing its LIP list?;
- Did the State use (or does it propose to use) the NatureServe species listed as critically imperiled, imperiled, or vulnerable in developing its LIP list?;
- What additional species are considered at-risk and on what basis was (or will) this determination made?;
- Did the State include (or does it intend to include) species that are hunted or fished on its species-at-risk list? If so, it should include a compelling explanation regarding how these species can be both “at-risk” and available for harvest.

Note: If the State plans to control overabundant species with LIP funds, describe how and which species-at-risk would benefit from this activity.

Identification of Clear, Obtainable and Quantified Goals and Performance Measures That Will Help Achieve the Management Goals and Objectives of LIP

Describe:

- What are the goals of the State’s LIP? Goals should be broad statements regarding what the State hopes to accomplish with the program (e.g., “The goal of our LIP is to conserve, protect, and enhance habitat for at risk species on private lands by providing technical and financial assistance to private landowners.”);
- What are the objectives of the State’s LIP? Objectives should be specific, time-bound, output-oriented, realistic, and measurable (e.g., “To develop a written outreach brochure on the LIP for private landowners in 2007.”);
- Who would develop, review and approve additional LIP objectives?;
- What criteria does the State think its objectives should meet?; and
- How will the State conduct monitoring to determine if the goals and objectives have been met for the program (performance measures)?