LIP Final Implementation Guidelines (FY 2005)

Definitions of Terms Used in These Guidelines

"Species-at-risk" is defined as any 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.

"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.

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 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.

4. Who can apply for an 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 for Tribes, 3% of the funds to administer the program, and 87% of the funds for competitive grants.

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.

Grant Administration

8. How will the Service award grants to States? The Service will use a two-tiered award system. We will assess Tier-1 grant proposals to see that they meet minimum eligibility requirements. The Service will rank Tier-2 grants and award grants after a national competition.

9. What are the intended objectives of Tier-1 grants? The Service intends that Tier-1 grants fund staff and associated support necessary to develop or enhance an existing landowner program. Through the development of plans, outreach, and associated activities that assist in the 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.

10. What are the eligibility requirements for Tier-1 grants? To receive a Tier-1 grant a State program must demonstrate in its proposal that it can meet 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.

11. What are the intended objectives of Tier-2 grants? The objectives of a Tier-2 grant should place a priority on the implementation of State programs that provide technical and financial assistance to the private landowner. Programs should emphasize the protection and restoration of habitats that benefit Federally listed, proposed, or candidate species, or other species-at-risk on private lands. The Service generally intends a Tier-2 grant to fund the expansion of existing State landowner incentive programs or those created under Tier-1 grants.
12. Are there funding limits (caps) for LIP? Yes.

(a) The Service will cap Tier-1 grants at $180,000 for State fish and wildlife agencies, and $75,000 for Territories and the District of Columbia.
(b) In addition, no State may receive more than 5% of the total funds available from the FY 2005 appropriation for Tier-1 and Tier-2 grants combined.

13. May a State submit more than one proposal? States may submit one proposal each for Tier-1 and Tier-2 grant under this notice. However, funding limits still apply, as described in the answer to Question 12.

14. If some FY 2005 funds remain after awarding Tier-1 and Tier-2 grants, how will the Service make them available to the States? We will announce subsequent requests for proposals until all LIP funds are obligated. States that have not reached the cap may submit an additional proposal during future requests for proposals.

15. 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.

16. 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).

17. What information must a State include in a grant proposal? An LIP grant proposal must include an Application for Federal Assistance (SF-424) and must identify whether it is a Tier-1 or Tier-2 proposal. The proposal must also include statements 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 to be accomplished (for example, the anticipated number of acres 7 of wetlands or stream miles to be restored, or the number of at-risk species with improved status) 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 minimum eligibility requirements (Tier-1) and ranking criteria (Tier-2) are addressed. The SF-424 is available from FA at any Service Regional Office.

18. Where should a State send grant proposals? States should submit all LIP proposals to the appropriate Federal Assistance (Federal Aid) Regional Offices. States should also submit their Tier-2 proposals in electronic format (Word, WordPerfect, or pdf files) to the Washington Office (Kim_Galvan@fws.gov). Both hard copies and electronic copies of the grant proposal must be received no later than the established deadline.

19. When are proposals due to the Service? The Service will accept proposals between its date of publication in the Federal Register and 60 days after the date of publication in the Federal Register.

20. What process will the Service use to evaluate and select 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 19, above. Successful proposals will then be selected based on the final eligibility and selection criteria in the Implementation Guidelines, and 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.

21. Once a proposal is selected for funding, what additional grant documents must the applicant submit and to whom? In addition to the Application for Federal Assistance submitted with the original proposal, the Service requires the following documents: a Grant Agreement (Form 3-1552) and a schedule of work the State proposes to fund through this grant. 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 grant agreement to obligate funds. See the answer to Question 24 for Regional Office locations.

22. What reporting requirements must States meet once funds are obligated under an LIP grant agreement? The Service requires an annual progress report and Financial Status Report (FSR) for grants longer than one year. In addition, a final performance report and FSR (SF-269) are due to the Regional Office within 90 days of the grant agreement ending date. In its annual report, the State must include a list of project accomplishments in relation to those which were planned in the grant agreement. The number of upland and wetland acres and the number of riparian/stream miles restored or improved (performance measures), and the species benefited should be provided. 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). The effectiveness of each State's program, as reported in its annual progress reports, will be an important factor considered during the grant award selection process in subsequent years.

23. 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.

24. 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.

Region 1. Hawaii, Idaho, Oregon, Washington, California, Nevada, American Samoa, Guam, and Commonwealth of the Northern Mariana Islands.
Regional Director, Division of Federal Aid
U.S. Fish and Wildlife Service
911 NE 11th Avenue
Portland, Oregon 97232-4181
LIP Contact: Verlyn Ebert, (503) 231-6128
verlyn_ebert@fws.gov

Region 2. Arizona, New Mexico, Oklahoma, and Texas
Regional Director, Division of Federal Aid
U.S. Fish and Wildlife Service
500 Gold Avenue SW, Suite 9019
P.O. Box 1306
Albuquerque, NM 87103-1306
LIP Contact: Bob Anderson, (505) 248-7459
bob_anderson@fws.gov

Region 3. Illinois, Indiana, Iowa, Michigan, Minnesota, Missouri, Ohio, and Wisconsin.
Regional Director, Division of Federal Aid
U.S. Fish and Wildlife Service
Bishop Henry Whipple Federal Building
One Federal Drive
Fort Snelling, Minnesota 55111-4056
LIP Contact: Lucinda Corcoran, (612) 713-5135
lucinda_corcoran@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 Aid
U.S. Fish and Wildlife Service
1875 Century Boulevard, Suite 200
Atlanta, Georgia 30345
LIP Contact: Christine Willis, (404) 679-7310
christine_willis@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 Aid
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 Aid
U.S. Fish and Wildlife Service
P.O. Box 25486, Denver Federal Center
Denver, Colorado 80225-0486
LIP Contact: Otto Jose, (303) 236-7352
otto_jose@fws.gov

Region 7. Alaska
Regional Director, Division of Federal Aid
U.S. Fish and Wildlife Service
1011 East Tudor Road MS 261
Anchorage, Alaska 99503-6199
LIP Contact: Nancy Tankersley (907) 786-3545
nancy_tankersley@fws.gov

Region 9. Washington D.C.
Director, Division of Federal Assistance
U.S. Fish and Wildlife Service
4401 North Fairfax Drive, MBSP 4020
Arlington, VA 22203
LIP Contact: Kim Galvan (703) 358-2420 (kim_galvan@fws.gov) or
Genevieve Pullis LaRouche (703) 358-1854