



# United States Department of the Interior

FISH AND WILDLIFE SERVICE  
Atlanta, Georgia 30345



In Reply Refer To:  
FWS/R4/BA/CGS

July 23, 2019

Honorable Charles F. Gruber  
Chairman, Baldwin County Commission  
312 Courthouse Sq., Suite 15  
Bay Minette, AL 36507

DUNS: [REDACTED]

Subject: Notice of Cooperative Agreement Award F19AC00483

Dear Commissioner Gruber:

Your organization's (Recipient) application for Federal financial assistance titled "*Alabama beach mouse habitat restoration via extension of a Baldwin County boardwalk at Morgantown Public Park*" submitted to the U.S. Fish and Wildlife Service (Service)'s CFDA Program 15.630 is approved. This award is made under the authority of the Coastal Program. For a complete list of this program's authorizing legislation, go to <https://beta.sam.gov/> and search by the CFDA Program number.

**Scope of Effort:**

This award is made based on approval of a proposal received on February 13, 2019, hereby incorporated by reference into this award. Funds under this award are to be used to replace approximately one hundred and twenty seven feet of boardwalk (ADA compliant) to traverse the dune system to the seaward toe of the vegetation line on the fore beach, in order that the public can access the beach without trampling the dunes, endangered Alabama beach mouse habitat and adjacent private property.

The Service will be substantially involved with this project by assisting with construction oversight and surveying for and relocating Alabama beach mice within the entire boardwalk footprint, as needed.

**Terms of Acceptance:**

Service grant and cooperative agreement awards are made based on the application submitted to and approved by the Service, and are subject to the terms and conditions incorporated into the Notice of Award either by direct citation or by reference to Federal regulations; program legislation or regulation; and special award terms and conditions. Recipients indicate their acceptance of an award by starting work, drawing down funds, or accepting the award via electronic means. Recipient acceptance of an

award from the Service carries with it the responsibility to be aware of and comply with all terms and conditions applicable to the award. The Federal regulations applicable to Service recipients and their subrecipients and contractors are listed by recipient type in the Service's [Financial Assistance Award Terms and Conditions](#). The "Department of the Interior (DOI) Award Provisions" attached to this Notice of Award also apply (Attachment A). If you do not have access to the Internet and require a printed copy of the award terms and conditions, contact the Service Project Officer identified in the Project Contacts section.

The recipient can initiate termination of award by sending written notice to the Service Project Officer stating the reasons for termination, the effective date, and in the case of partial termination, the portion to be terminated. For applicable award termination regulations and procedures, see [2 CFR 200.339](#).

**Period of Performance:**

The performance period of this award is **August 01, 2019 through 9/30/2021**. Only allowable costs resulting from obligations incurred during the performance period may be charged to this award. Liquidate all obligations incurred under the award no later than 90 calendar days after the end of the performance period, unless the Service approves a final financial reporting period extension (see Reporting Requirements section below). If you need more time to complete project activities, you must submit a written request to the Service Project Officer identified in the Project Contacts section below before the end of the stated performance period (See the Period of Performance Extensions section below).

**Funding:**

This project is funded as follows:

	<b><u>SERVICE</u></b>	<b><u>RECIPIENT</u></b>
<b>THIS OBLIGATION:</b>	\$15,875.00	\$0.00
<b>AWARD TOTAL:</b>	\$15,875.00	\$0.00

**Indirect Costs:**

Indirect costs will not be charged under this agreement.

**System for Award Management (SAM) Registration:** Under the terms and conditions of this award, your organization must maintain an active SAM registration at [www.SAM.gov](http://www.SAM.gov) until the final financial report is submitted or final payment is received, whichever is later. If your organization's SAM registration expires during the required period, the Service will suspend payment under this and all other Service awards to your organization until you update your organization's SAM registration. Your organization's SAM registration is currently set to expire on **May 29, 2020**.

**Payments:**

Your organization has completed enrollment in [U.S. Treasury's Automated Standard Application for Payment \(ASAP\)](#) system. When requesting payment in ASAP, your Payment Requestor will be required to enter an Account ID. The number assigned to this award is the partial Account ID in ASAP. When entering the Account ID in ASAP, the Payment Requestor should enter the award number identified in the subject line on letter followed by a percent sign (%). Refer to the [ASAP.gov](http://ASAP.gov) Help menu for detailed instructions on requesting payments in ASAP.

## **Reporting Requirements:**

### **Financial and Performance Reporting Requirements:**

Annual interim financial and performance reports and final financial and performance reports are required under this award. The report periods and due dates are:

<b>Report:</b>	<b>Report Period Start Date:</b>	<b>Report Period End Date:</b>	<b>Report Due Date:</b>
Interim financial & performance	08/01/2019	9/30/2020	12/31/2020
Final financial & performance	10/1/2020	9/30/2021	12/31/2021

Recipients must use the Standard Form (SF) 425, *Federal Financial Report* form for all financial reporting. A final SF 425, *Federal Financial Report* is required within 90 calendar days of the end date of the award. This form is available at online at <https://www.grants.gov/web/grants/forms/post-award-reporting-forms.html>. For assistance completing the SF-425, watch the instructional video, [Completing the Federal Financial Report \(SF-425\)](#) available on the [Service's Financial Assistance Wiki](#).

Performance reports must contain: 1) a comparison of actual accomplishments with the goals and objectives of the award as detailed in the approved scope of work; 2) a description of reasons why established goals were not met, if appropriate; and 3) any other pertinent information relevant to the project results. Please include the award number provided in the subject line of this letter on all reports.

Financial and performance reporting due dates may be extended upon receipt of a written request addressed to the Service Project Officer identifying the type of report to be extended, the requested revised due date, and a justification for the extension. The Service Project Officer may approve an additional extension if justified by a catastrophe that significantly impairs the Recipient's operations. Requests for reporting due date extensions must be received by the Service Project Officer before the original reporting due date.

For additional information regarding financial and performance reporting requirements and sanctions for noncompliance, see Service Policy [516 FW 1, Monitoring Financial and Performance Reporting for Financial Assistance](#).

### **Significant Developments Reports (see 2 CFR 200.328(d)):**

Events may occur between the scheduled performance reporting dates that have significant impact upon the supported activity. In such cases, recipients are required to notify the Service in writing as soon as the recipient becomes aware of any problems, delays, or adverse conditions that will materially impair the ability to meet the objective of the Federal award. This disclosure must include a statement of any corrective action(s) taken or contemplated, and any assistance needed to resolve the situation. The recipient should also notify the Service in writing of any favorable developments that enable meeting time schedules and objectives sooner or at less cost than anticipated or producing more or different beneficial results than originally planned.

**Conflict of Interest Disclosures:**

Recipients are responsible for notifying the Service Project Officer in writing of any conflicts of interest that arise during the life of this award, including those reported to them by any subrecipient under the award. Conflicts of interest include any relationship or matter that might place the recipient, including their employees and subrecipients, in a position of conflict, real or apparent, between their responsibilities under the award and any other outside interests. Conflicts of interest include direct or indirect financial interests; close personal relationships; positions of trust in outside organizations; consideration of future employment arrangements with a different organization; and decision-making authority related to the proposed project. Conflicts of interest are those circumstances real or perceived that would cause a reasonable person with knowledge of the relevant facts to question the impartiality of the recipient, or the recipient's employees or subrecipients, in matters pertaining to the award.

Recipients must notify the Service in writing if any employees, including subrecipient and contractor personnel, are related to, married to, or have a close personal relationship with any Federal employee within the Federal program issuing this award. The term employee means any individual engaged in the performance of work under the Federal award. Recipients may not have a former Federal employee as a key project official, or in any other substantial role related to their award, whose participation put them out of compliance with the legal authorities addressing post-Government employment restrictions. See the U.S. Office of Government Ethics website at <https://oge.gov/> for more information on these restrictions. The Service will examine each conflict of interest disclosure based on its particular facts and the nature of the project and will determine if a significant potential conflict exists. If it does, the Service will work with the recipient to determine an appropriate resolution. Failure to disclose and resolve conflicts of interest in a manner that satisfies the Service may result in any of the remedies described in [2 CFR 200.338 Remedies for Noncompliance](#), including termination of this award.

**Other Mandatory Disclosures:**

Recipients of Federal awards must disclose, in a timely manner, in writing to the Federal awarding agency or pass-through entity all violations of Federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the Federal award. Non-Federal entities that receive a Federal award including the term and condition outlined in [2 CFR 200, Appendix XII—Award Term and Condition for Recipient Integrity and Performance Matters](#) are required to report certain civil, criminal, or administrative proceedings to SAM. Failure to make required disclosures can result in any of the remedies described in [2 CFR 200.338 Remedies for Noncompliance](#), including suspension or debarment.

**Project/Program Plan and Budget Revisions:**

Recipients are required to report deviations from budget or project scope or objective, and request prior approvals for budget and program plan revisions in accordance with 2 CFR 200.308 unless otherwise specifically waived in this award.

**Period of Performance Extensions:**

If additional time is needed to complete the approved project, you must send written notice to the Service Project Officer. This notice must be received by the Service Project Officer at least 30 calendar days before the authorized performance period end date, and must include supporting reasons and revised end date. Extensions for time cannot be authorized for the purpose of spending an unused balance of funds that remains after the approved project activities have been completed.



**Overlap/Duplication:**

The Recipient will provide to the Service Project Officer a statement that addresses if there is any overlap between the project being conducted under this agreement and any other active or anticipated projects in terms of activities, costs, or time commitment of key personnel.

**Project Contacts:**

<b>The Service Project Officer for this award is:</b>	<b>The Recipient Project Officer for this award is:</b>
Patric Harper Northern Gulf Coastal Program Coordinator US Fish and Wildlife Service Grand Bay Coastal Resources Center 6005 Bayou Heron Road Moss Point, MS 39562 228-475-0765 x 105 <a href="mailto:patric_harper@fws.gov">patric_harper@fws.gov</a>	Mr. Joey Nunnally Baldwin County Engineer Highway Department 22070 Highway 59 Robertsdale, AL 36567 251-295-8337 <a href="mailto:JNunnally@baldwincountyal.gov">JNunnally@baldwincountyal.gov</a>

Please contact the undersigned with any questions. Please include the Service award number provided in the subject line of this letter in all written communications.

Sincerely,



Artela Jacobs  
Grants Officer  
US Fish and Wildlife Service  
Southeast Region  
Div. of Contracting and Grant Services  
1875 Century Blvd.  
Atlanta, GA 30345  
404-679-7197  
Email: [artela\\_jacobs@fws.gov](mailto:artela_jacobs@fws.gov)

## **Attachment A: DOI Award Provisions**

### **I. Conflicts of Interest**

#### **(a) Applicability.**

(1) This section intends to ensure that non-Federal entities and their employees take appropriate steps to avoid conflicts of interest in their responsibilities under or with respect to Federal financial assistance agreements.

(2) In the procurement of supplies, equipment, construction, and services by recipients and by subrecipients, the conflict of interest provisions in 2 CFR 200.318 apply.

#### **(b) Requirements.**

(1) Non-Federal entities must avoid prohibited conflicts of interest, including any significant financial interests that could cause a reasonable person to question the recipient's ability to provide impartial, technically sound, and objective performance under or with respect to a Federal financial assistance agreement.

(2) In addition to any other prohibitions that may apply with respect to conflicts of interest, no key official of an actual or proposed recipient or subrecipient, who is substantially involved in the proposal or project, may have been a former Federal employee who, within the last one (1) year, participated personally and substantially in the evaluation, award, or administration of an award with respect to that recipient or subrecipient or in development of the requirement leading to the funding announcement.

(3) No actual or prospective recipient or subrecipient may solicit, obtain, or use non-public information regarding the evaluation, award, or administration of an award to that recipient or subrecipient or the development of a Federal financial assistance opportunity that may be of competitive interest to that recipient or subrecipient.

#### **(c) Notification.**

(1) Non-Federal entities, including applicants for financial assistance awards, must disclose in writing any conflict of interest to the DOI awarding agency or pass-through entity in accordance with 2 CFR 200.112, Conflicts of Interest.

(2) Recipients must establish internal controls that include, at a minimum, procedures to identify, disclose, and mitigate or eliminate identified conflicts of interest. The recipient is responsible for notifying the Financial Assistance Officer in writing of any conflicts of interest that may arise during the life of the award, including those that have been reported by subrecipients.

(d) Restrictions on Lobbying. Non-Federal entities are strictly prohibited from using funds under this grant or cooperative agreement for lobbying activities and must provide the required certifications and disclosures pursuant to 43 CFR Part 18 and 31 USC 1352.

(e) Review Procedures. The Financial Assistance Officer will examine each conflict of interest disclosure on the basis of its particular facts and the nature of the proposed grant or cooperative agreement, and will determine whether a significant potential conflict exists and, if it does, develop an appropriate means for resolving it.

(f) Enforcement. Failure to resolve conflicts of interest in a manner that satisfies the Government may be cause for termination of the award. Failure to make required disclosures may result in any of the remedies described in 2 CFR 200.338, Remedies for Noncompliance, including suspension or debarment (see also 2 CFR Part 180).

## **II. Data Availability**

(a) **Applicability.** The Department of the Interior is committed to basing its decisions on the best available science and providing the American people with enough information to thoughtfully and substantively evaluate the data, methodology, and analysis used by the Department to inform its decisions.

(b) **Use of Data.** The regulations at 2 CFR 200.315 apply to data produced under a Federal award, including the provision that the Federal Government has the right to obtain, reproduce, publish, or otherwise use the data produced under a Federal award as well as authorize others to receive, reproduce, publish, or otherwise use such data for Federal purposes.

(c) **Availability of Data.** The recipient shall make the data produced under this award and any subaward(s) available to the Government for public release, consistent with applicable law, to allow meaningful third party evaluation and reproduction of the following:

- (1) The scientific data relied upon;
- (2) The analysis relied upon; and
- (3) The methodology, including models, used to gather and analyze data.

## **Southeast Region Coastal Program**

### **Implementation Strategy**

#### **FY 19 Project Proposal**

**Coastal Program Office:** Northern Gulf Coast

**Field Station:** Alabama Ecological Services Field Office, Daphne, Alabama

### **Implementation Strategy**

**Overall Implementation Strategy:** Coastal Program strategic goals and efforts being addressed by this proposal include protection of an endangered species and its' Critical Habitat and improving public access. The project is located on the Gulf-side beach in Fort Morgan, Alabama within the Perdido Bay Focus Area. Priority species include the endangered Alabama beach mouse (*Peromyscus polionotus ammobates*) and such shorebirds that may utilize dune habitat in this area, such as Snowy plovers and least terns. This work will address the 1987 Recovery Plan for the Choctawhatchee beach mouse, Perdido key beach mouse and Alabama beach mouse.

#### **Secretary's Priorities addressed:**

- 1) Creating a conservation stewardship legacy second only to Teddy Roosevelt
  - e. Foster relationships with conservation organizations advocating for balanced stewardship and use of public lands.
  - g. Shift the balance towards providing greater public access to public lands over restrictions to access.
- 3) Restoring trust with local communities
  - a. Be a better neighbor with those closest to our resources by improving dialogue and relationships with persons and entities bordering our lands.
  - b. Expand the lines of communication with Governors, state natural resource offices, Fish and Wildlife offices, water authorities, county commissioners, Tribes, and local communities.

#### **Agency Priorities addressed:**

- 1) Striking a Regulatory Balance
- 2) Strengthening Endangered Species Act Implementation
- 3) Accelerating Species Recovery/Delisting



**Regional Priorities addressed:** Increase collaboration with non-governmental organizations and private landowners, increase our efforts to connect people with nature, increase our efforts in urban areas, support conservation efforts on public conservation lands, increase efforts to conserve and protect At-Risk species including priority species in State Wildlife Action Plans, continue to protect and recover endangered species, continue to protect, restore and manage birds of conservation concern, minimize regulatory burden, support the aggressive plan to restore the Gulf Coast ecosystem and implement management actions in priority areas.

**WIG Priority species addressed:** Alabama beach mouse and shorebirds

## **FY 19 Project Proposal**

**Project Title:** Alabama beach mouse habitat restoration via extension of a Baldwin County boardwalk at Morgantown Public Park

**Project Description:** In the 1987 recovery plan, Goal #1216 is to install boardwalks as needed to protect habitat from pedestrian traffic. Extending the boardwalk here will assist in preservation of beach mouse habitat (Goal #1217). It will also improve the suitability of habitat in areas where habitat is suboptimal (Goal #122) and assist private landowners in protecting their properties from storm surges by encouraging dune formation. Morgantown Park is publicly owned by Baldwin County. It is estimated, one hundred and twenty seven feet needs to be added to this boardwalk to traverse the dune system correctly to the seaward toe of the vegetation line on the fore beach. Currently pedestrian traffic is impacting the sand dunes and sand dune formation at this park and adjacent private properties and causing Alabama beach mouse habitat to become suboptimal. In addition, a previously funded project will increase public knowledge concerning the importance of sand dunes and dune species which occur in this region through educational signage at this site. Project partners are the Baldwin County Commission, Baldwin County Department of Transportation, the Alabama Coastal Heritage Trust, and the Morgantown Homeowners Association.

**Expected Outcomes/Project Justification:** Public and physically challenged (handicapped?) access to the public beach will be improved by this boardwalk extension. Sand dune formation will improve the suboptimal habitat. Public trespass onto adjacent private properties will be decreased. Environmental educational opportunities will be increased at the park in cooperation with Baldwin County. This grant will expand the lines of communication with our local governments, county commissioners, and local communities because we have to get permission for the signage installation.

**Coordination with other FWS staff:** Recovery Lead for the Alabama beach mouse - William Lynn, Alabama Ecological Services Field Office.

**Period of Performance:** The project is expected to be finished one year after funding received.

**Budget:** \$15,875 127 feet @ \$125/ft. (ADA compliant) Baldwin County will either handle construction or contract it out. Their in-kind service for this is unknown at this time.

**Need:** The recovery plan for the Alabama beach mouse was written in 1987. This project will assist in improving public beach access and improving physically challenged access to the beach while

enhancing suboptimal habitat. It also assists in identifying public beach access areas and assisting in alerting the public to the needs of these species. Although investigated, no other funding sources have been identified.

**Other Considerations:** This public beach access point is not currently suitable for pedestrian and physically challenged access without impacting the local sand dunes and adjacent private properties.

**Proposed by:** HAROLD HARPER Digitally signed by HAROLD HARPER  
Date: 2019.02.15 15:21:19 -06'00'

CP Biologist Signature

Date

**Approved by:** JEFFREY POWELL Digitally signed by JEFFREY  
POWELL  
Date: 2019.02.15 15:29:44 -06'00'

Project Leader/Supervisor Signature

Date

**Priority ranking of Coastal Program Office: 3**

**Priority ranking of Field Office: 3**