



Increasing Land, Capital, and Market Access Program

**Fiscal Year (FY) 2022
Increasing Land, Capital, and Market
Access Program
National Funding Opportunity (NFO)**

No. USDA-FSA-LANDACCESS-22-NOFO0001219



Notice of Funding Opportunity (NFO)

MODIFICATION - changed application deadline to November 18, 2022 (see pages 4 and 23)

SUMMARY INFORMATION

Federal Awarding Agency Name: U.S. Department of Agriculture – Farm Service Agency (FSA) FSA is part of the Farm Production and Conservation Mission Area (FPAC). FPAC encompasses FSA, Natural Resources Conservation Service (NRCS), Risk Management Agency, and the FPAC Business Center

Notice of Funding Opportunity Title: Increasing Land, Capital, and Market Access Program

Notice of Funding Opportunity Number: USDA-FSA-LANDACCESS-22-NOFO0001219

Assistance Listing, formerly the Catalog of Federal Domestic Assistance (CFDA): This program is listed in the Assistance Listings on [Sam.gov](https://www.sam.gov) under 10.968.

Notice of Funding Opportunity Summary

The United States Department of Agriculture (USDA) is making up to \$300,000,000 available for the Increasing Land, Capital, and Market Access Program through this funding opportunity. USDA is committed to funding projects that support a diverse set of farmers, ranchers, forest landowners, and operators (producers) on the edge of viability, moving them from surviving to thriving as they address core barriers to attain land, capital, and market access.

USDA will achieve this goal by funding cooperative agreements or grants to organizations, to be known as Awardees, that will develop and run programs that are designed to align with and respond to land, capital, and market access needs of the target audience while concurrently providing wraparound technical assistance to ensure that program participants have the information, training, and customized support they require.

USDA is seeking proposals to fund projects across four tiers of effort as described below:

- i. Large, national land access projects
- ii. Mid-sized, national projects to test innovations in design
- iii. Regional projects to test innovations in design
- iv. Local, state, territory, county, and community projects to test innovations in design

The primary focus of this funding opportunity is to strengthen land access with additional opportunities to focus on capital access and market access for use in agriculture. The ability to access capital and markets allows landowners and operators to retain access to their lands or seek new lands/expansion of existing operations. These issues are inextricably intertwined. Projects must focus on strengthening land access with at least one of the following related areas of concern:

- i. Capital access concerns that affect the ability to access land;
- ii. Market access concerns that affect the ability to access land; or
- iii. A combination of one or more of land, capital, and market access concerns.

Eligibility for this opportunity is limited to the following domestic entity types:

- a. State, County, City, Local, Territorial, and Township governments
- b. Public and State-controlled institutions of higher education
- c. Not for profit institutions of higher education
- d. Nonprofits having a 501(c)(3) status with the IRS (other than institutions of higher education), including Foundations and Community Development Financial Institutions (CDFIs)Native American Tribal governments (Federally or State recognized)
- e. Native American Tribal government instrumentalities
- f. Native American Tribal organizations (other than Federally or State recognized Tribal governments)
- g. Native American Tribal financial institutions

Please refer to Section C.1 of the full funding opportunity for additional eligibility information. Eligible applicants are domestic entities. Individual persons are not eligible for this funding opportunity. Farmers, ranchers, and forest landowners, will not be eligible to apply to this program directly but must be the ultimate beneficiaries of the awarded projects and may be represented via partnership groups.

Awardees are required to coordinate with USDA and all other awardees in a manner as determined by USDA. Individuals that are the ultimate beneficiaries of the program investments and accompanying technical assistance must be underserved farmers, ranchers, and forest landowners, including veterans, limited resources producers, beginning farmers and ranchers, and/or farmers, ranchers and forest landowners living in high poverty areas.

Funding will be provided through four funding tiers¹:

- **Large, national land access tier:** Proposals from \$20,000,000 to \$40,000,000 to include large-scale national projects/models that are designed to increase land access for targeted producers across a national landscape. These projects must be for a five-year funding period. We anticipate funding up to two projects at this level.
- **Mid-sized national land access tier:** Proposals from \$10,000,000 to \$15,000,000 to include large-scale national projects/models that are designed to increase land access for targeted producers across a national landscape. These projects must be for a five-year funding period.
- **Regional land access tier:** Proposal from \$5,000,000 to \$8,500,000 to include regional-scaled projects/models designed to increase land access for targeted producers across a regional landscape. These projects may be for up to a five-year funding period.
- **Local/State/Territorial land access tier:** Proposals from \$250,000 to \$2,500,000 to include local/state targeted producers focused on increasing land access within one local area (sub-state/territory), one state, one territory or one Tribal landscape. These projects may be for up to a five-year funding period.

¹ Due to the unique nature of land access among Tribal communities, Tribal projects may be either large, national land access tier, mid-sized national tier, regional tier, or local/state/territorial tier in scope. It is expected that territories may be either regional tier or local/state/territorial.

Applicants are encouraged to apply for the tier funding level best suited for their project design. Approved funding levels within each project tier will depend on the quality and scope of the applications received and deemed eligible for funding. Applicants are only allowed to submit one application for this funding opportunity. Multiple applications will not be accepted.

The USDA will work cooperatively with Awardees as they develop and implement programs to increase access to land, capital, and markets while providing technical assistance during the proposed project period of up to five years and as they work towards successful completion of the purposes and activities outlined in the Statement of Work.

For new users of Grants.gov, see Section D.1. for information about steps required before submitting an application via Grants.gov.

Key Dates

Applicants must submit their applications via Grants.gov by 11:59 pm Eastern Time on **November 18, 2022**.

For technical issues with Grants.gov, contact Grants.gov Applicant Support at 1-800-518-4726 or support@grants.gov. Awarding agency staff cannot support applicants regarding Grants.gov accounts. Please limit questions to those regarding specific information contained in this NFO (such as dates, page numbers, clarification of discrepancies, etc.). Questions related to eligibility or the merits of a specific proposal will not be addressed.

The agency anticipates making selections by winter 2022/2023 and expects to execute awards by spring 2023.

Federal Funding Floor and Ceiling Amounts

The estimated funding floor for this opportunity is \$250,000 and the estimated funding ceiling is \$40,000,000. The funding floor means the minimum agreement funding amount for the Federal share per agreement awarded. Each agreement selected for funding will be for a period of no more than five (5) years. The ceiling is the maximum agreement funding amount for the Federal share per agreement awarded. These numbers refer to the total agreement amount, not any specific budget period.

Federal Financial Assistance Training

The funding available through this NFO is Federal financial assistance. Grants 101 Training is highly recommended for those seeking knowledge about Federal financial assistance. The training is free and available to the public via <https://www.cfo.gov/grants-training/>. It consists of five modules covering each of the following topics: 1) laws, regulations, and guidance; 2) financial assistance mechanisms; 3) uniform guidance administrative requirements; 4) cost principles; and 5) risk management and single audit. FPAC agencies also apply Federal financial assistance regulations to certain non-assistance awards (e.g., non-assistance cooperative agreements).

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A. PROGRAM DESCRIPTION

Legislative Authority

The authorizing statute and regulation for this opportunity is Section 1006 of the American Rescue Plan Act of 2021 (hereafter referred to as the Act) ([Pub. L 117-2](#)), as amended by Section 22007 of the Inflation Reduction Act of 2022 (Pub. L 117-XX)). Section 1006(a), as amended, authorizes the establishment of assistance and support to farmers, ranchers, and forest landowners and focuses on addressing the needs of underserved producers through outreach, education, engagement, and technical assistance to increase land, credit, and market access. Section 1006(b), as amended, also provides resources for grants to improve land access, including providing resources related to heirs' property, highly fractionated land, and related land ownership and land access issues that impact access to USDA programs.

Increasing Land, Capital, and Market Access Details

Land access is critical to the success of agriculture. Land access assistance is particularly important for underserved producers, either based on access to resources, geographic location, choice of crop or livestock production systems or because the producers are underserved in their access to programs and services.

Across the agricultural sector, not all agricultural producers have been provided equal access to specialized technical support that would benefit the launch, growth, resilience and success of their agricultural enterprises. These underserved producers—the target audiences of 1006 as amended—are more likely to operate lower-revenue farms and have weaker credit histories and may lack clear title to their agricultural land, which increases difficulty in securing loans to own or operate their businesses and to ensure the success and resiliency of their operations.

Stakeholder groups have reported, and data have shown, that many underserved producers and would-be producers have lower awareness of capital access options and lending requirements, which in turn limits land access. These producers are also less likely to have access to technical assistance to develop business plans or be in communities with specialized agricultural tax expertise, particularly beginning farmers and ranchers. Limited resource producers also often bear the greatest financial burden for accessing land for their operations and disproportionately suffer from heirs' property and fractionated land title issues, which also negatively impact agriculture operations.

In addition, USDA has few programs directed at supporting specialty crop production, which is a predominant production system for many of these underserved producers, and existing livestock programs may not always be designed to focus on the needs of small, diversified farms and ranches. Common barriers experienced by these underserved producers include challenges with accessing Federal agricultural programs including communication about programs, problems with the application process, lack of

standardization and transparency, limited knowledge on qualification requirements for all programs, lack of mentorship programs, reduced technical assistance, and complicated reporting requirements.

Through the Increasing Land, Capital, and Market Access Program, USDA seeks to address the limited support provided to these producers through cooperative agreements and grants, as complementary activities to existing loan programs. Projects must provide more than technical assistance services to underserved producers. For this funding opportunity applicants should focus on increasing land access.

Priority points will be awarded to projects that focus on increasing land access, mitigating and preventing land loss, providing specialized project design and focus to address the challenges with land access, innovative ways to connect available land to underserved producers who have challenges in accessing land, or restore lands into the hands of those who have been underserved.

Goals of the Increasing Land, Capital, and Market Access Program

Through the funds provided by Section 1006 as amended, USDA will provide resources to entities to address land access issues that underserved producers face including land title concerns resulting from heirs property and highly fractionated land issues.

Successful applicants must ultimately benefit the underserved producer for selected and funded projects. This includes on-farm, on-ranch impacts for underserved producers and on-forest impacts for private forest landowners.

Awardees will work collaboratively with USDA and with other Section 1006 cooperators to deliver targeted outreach and technical assistance programs designed to address and meet the needs of underserved agricultural producers. No agreement activities may be duplicative of other activities currently undertaken by Awardees that are supported financially by USDA.

USDA is seeking applications from eligible entities with specialized expertise and a proven track record in effectively working with underserved producers in providing land access, capital access, and/or market access technical assistance.

Intended Overarching Outcomes

USDA will fund projects that address core barriers to attain land, including capital and market access.

With the funding provided by USDA, through cooperative agreements, a robust team of cooperators can assist USDA in addressing these barriers. USDA will fund submissions that are focused on designing and/or deploying new programs or expanding successful existing models to address the three major barriers (land access, capital access, or market access), or a combination of those barriers, to producer and landowner success, resiliency, and viability.

Projects will achieve but are not limited to the following outcomes:

- Increased access to farm ownership opportunities
- Increased access and improved results for heirs' property and fractionated land access
- Increased land ownership, land succession, and agricultural business planning
- Increased access to markets and capital that affect the ability to access land

B. FEDERAL AWARD INFORMATION

1. Available Funding

a. Estimated Funding

The Farm Service Agency (FSA) expects to award up to \$300,000,000 through this opportunity. However, FSA retains the discretion to award a larger or lesser amount.

Projects may span up to five years in duration. Applicants should plan their projects based on an estimated project start date of March 01, 2023.

2. Type of Award

a. Type of Federal Award

FSA plans to award cooperative agreements or grants pursuant to this opportunity. FSA will be substantially involved in the work performed under the agreement and will undertake activities which include but are not limited to the following:

- i. Authority to suspend work if specifications or work statements are not met
- ii. Review and approval of one stage of work before another may begin
- iii. Review and approval of substantive provisions of proposed subawards or contracts beyond existing Federal policy
- iv. FSA and awardees collaboration or joint participation
- v. Project monitoring to permit specified kinds of direction or redirection of the work because of interrelationships with and impacts on other projects
- vi. Highly prescriptive agency requirements that limit recipient discretion
- vii. Review and approval of key personnel
- viii. Direct agency operational involvement or participation during the activity

b. Procurement Contracts

FSA does not expect to award procurement contracts associated with this NFO.

c. Eligibility of Renewal or Supplemental Project Applications

USDA will also entertain project applications that extend or expand existing projects that are distinct and complementary to existing USDA programs. Applications for renewal or supplementation of existing projects *are not* eligible to compete with applications for new Federal awards.

C. ELIGIBILITY INFORMATION

1. Eligible Applicants

Applicants and applications must meet eligibility criteria by the application deadline to be considered for award. Eligible applicant type is determined by the implementing program statute. Applicant entities identified in the SAM.gov exclusions database as ineligible, prohibited/restricted, or excluded from receiving Federal contracts and certain Federal assistance and benefits will not be considered for Federal funding, as applicable to the funding being requested under this Federal program (2 CFR 200.206(d)).

Eligibility for this opportunity is limited to the following domestic entity types:

- a. State, County, City, Local, Territorial, and Township governments
- b. Public and State-controlled institutions of higher education
- c. Not for profit institutions of higher education
- d. Nonprofits having a 501(c)(3) status with the IRS (other than institutions of higher education), including Foundations and Community Development Financial Institutions
- e. Native American Tribal governments (Federally or State recognized)
- f. Native American Tribal government instrumentalities
- g. Native American Tribal organizations (other than Federally or State recognized Tribal governments)
- h. Native American Tribal financial institutions

Only the applicant must meet the eligibility requirement. Project partners and collaborators need not meet the eligibility requirement. Award recipients may subcontract to organizations not eligible to apply provided such organizations are necessary for the successful completion of the project, except for individuals and non-domestic entities. Current Cooperators under Section 1006 of the American Rescue Plan Act (ARPA) are eligible to apply as a lead applicant to this funding opportunity, provided their activities are new, non-duplicative activities. Current Cooperators under Section 1006 of ARPA may serve as cooperators, collaborators, and sub-contractors to lead applicants, provided their activities are new, non-duplicative activities. Individuals are not eligible to apply to this funding opportunity.

Applicants for the Increasing Land, Capital, and Market Access Program must meet all the requirements outlined in this NFO. Failure to meet an eligibility criterion by the application deadline will result in the application being excluded from consideration.

2. Other

Any award made pursuant to this NFO will be made to a single entity. Applicants that apply as “partnerships” or other similar groupings must clearly describe the relationship between the applicant and the “partner” parties. In all but exceptional cases, it must be reflected in the award as an awardee/sub-awardee relationship.

Duplicate or multiple submissions are not allowed. **Only one submission is allowed per eligible entity.**

In the case of applications submitted as revisions or corrections to a previously submitted application under this NFO, FSA will consider the last application submitted unless the applicant requests otherwise.

Awards made pursuant to this NFO are not Farm Bill incentive contracts; therefore, the awards in and of themselves are not limited by the payment limitation in Chapter 58 of 16 U.S.C.

3. Cost Sharing or Matching

There is no cost sharing or matching requirement for this opportunity. There is no match required and there is no competitive advantage to applicants who voluntarily provide a match.

D. APPLICATION AND SUBMISSION INFORMATION

1. Information for New Users of Grants.gov

a. Overview

While a Grants.gov account is not required to download an NFO and related documents, it is required to submit an application. If your organization has never submitted an application via Grants.gov, please be aware that there are several steps you must take to register your organization before you can submit an application. **Completing those steps takes a significant amount of time.**

For information about the Grants.gov pre-award phase of the grant lifecycle see <https://www.grants.gov/web/grants/learn-grants/grants-101/pre-award-phase.html>.

b. Register to Apply through Grants.gov

Carefully review the registration steps and gather information requested prior to beginning the registration process to avoid last-minute searches for required information. For assistance with the registration process, contact Grants.gov Applicant Support at 1-800-518-4726 or support@grants.gov.

Organizations must complete all steps to register (steps i. through v. below). Complete organization instructions are included on Grants.gov here: <https://www.grants.gov/web/grants/applicants/organization-registration.html>.

Although creating a Grants.gov account online can take only minutes, SAM registrations may take several weeks. Therefore, organizations should begin the process early to ensure they have sufficient time to complete registration and meet required application submission deadlines.

c. Steps to Register:

- i. *Register with SAM:* All organizations must register with System for Award Management (SAM) in order to apply online through Grants.gov. SAM registration must be renewed annually. Part of the SAM registration process includes designating an Electronic Business Point of Contact (EBiz POC). **The EBiz POC plays an integral part in the organization's Grants.gov registration and application process.** The individual in that role must authorize all other roles in Grants.gov. For more detailed instructions for registering with SAM, refer to:
<https://www.grants.gov/web/grants/applicants/organization-registration/step-2-register-with-sam.html>
- ii. *Create a Grants.gov Account:* From the Grants.gov webpage (<https://www.grants.gov/>), click "Register" in the top right-hand corner and follow the on-screen instructions or refer to the detailed instructions here:
<https://www.grants.gov/web/grants/applicants/registration.html>
- iii. *Add an Organization Applicant Profile to a Grants.gov Account:* A profile in Grants.gov corresponds to a single applicant organization the user represents (i.e., an applicant) or an individual applicant. If you work for or consult with multiple organizations and have a profile for each, you may log in to one Grants.gov account to access all of your grant applications. To add an organizational profile to your Grants.gov account. For more detailed instructions about creating a profile on Grants.gov, refer to:
<https://www.grants.gov/web/grants/applicants/registration/add-profile.html>
- iv. *EBiz POC Authorized Profile Roles:* After you register with Grants.gov and create an Organization Applicant Profile, you must establish roles for individuals in the organization. The Authorized Organizational Representative (AOR) role is critical; it gives an individual permission to complete and submit applications on behalf of the organization. Without this role, the organization cannot submit any applications. The request for role assignment will be routed to the organization's EBiz POC for approval. Once approved, the AOR can submit an application online. For more detailed instructions about creating a EBiz POC authorized profile on Grants.gov, refer to:
<https://www.grants.gov/web/grants/applicants/registration/authorize-roles.html>

Track Role Status: To track your role request, refer to:

<https://www.grants.gov/web/grants/applicants/registration/track-role-status.html>

d. Electronic Signature.

When applications are submitted through Grants.gov, the name of the organization applicant with the AOR role that submitted the application is inserted into the signature line of the application, serving as the electronic signature. The EBiz POC **must** authorize people who are able to make legally binding commitments on behalf of the organization as a user with the AOR role.

e. Workspace.

Workspace is a shared, online environment where members of an applicant team may simultaneously access and edit different webforms within an application. For each NFO, you can create individual instances of a workspace. An applicant can start an application in Workspace and return to work on it later within Workspace.

f. Apply for an Opportunity.

Below is an overview of applying on Grants.gov. For complete instructions on how to apply for opportunities, refer to:

<https://www.grants.gov/web/grants/applicants/workspace-overview.html>

- i. *Create a Workspace:* Creating a workspace allows you to complete an application online and route it through your organization for review before submitting.
- ii. *Complete a Workspace:* Add participants to the workspace to work on the application together, complete all the required forms online or by downloading PDF versions, and check for errors before submission. The Workspace progress bar will display the status of your application process as you apply. As you apply using Workspace, you may click the blue question mark icon near the upper-right corner of each page to access context-sensitive help.
 - Adobe Reader: If you decide not to apply by filling out webforms you can download individual PDF forms in Workspace. The individual PDF forms can be downloaded and saved to your local device storage, network drive(s), or external drives, then accessed through Adobe Reader.

NOTE: Visit the Adobe Software Compatibility page on Grants.gov to download the appropriate version of the software at:

<https://www.grants.gov/web/grants/applicants/adobe-software-compatibility.html>

- Mandatory Fields in Forms: In the forms, you will note fields marked with an asterisk and a different background color. These fields are mandatory fields that must be completed to successfully submit your application.
- Complete SF-424 Fields First: The forms are designed to fill in common required fields across other forms, such as the applicant name, address, and DUNS Number/UEI. Once it is completed, the information will transfer (i.e., prepopulate) to the other forms.

- iii. *Submit a Workspace:* An application may be submitted through workspace by clicking the Sign and Submit button on the Manage Workspace page, under the Forms tab. Grants.gov recommends submitting your application package at least 24-48 hours prior to the close date to provide you with time to correct any potential technical issues that may disrupt the application submission.
- iv. *Track a Workspace Submission:* After successfully submitting a workspace application, a Grants.gov Tracking Number (GRANTXXXXXXXX) is automatically assigned to the application. The number will be listed on the Confirmation page that is generated after submission. Using the tracking number, access the Track My Application page under the Applicants tab or the Details tab in the submitted workspace.

For additional training resources, including video tutorials, refer to:

<https://www.grants.gov/web/grants/applicants/applicant-training.html>

2. Electronic Application Package

Applicants interested in submitting an application in response to this NFO must submit it via Grants.gov; the agency will not accept applications submitted via email or any other method. Applicants are urged to submit early to the Grants.gov system.

For technical issues with Grants.gov, contact Grants.gov Applicant Support at 1-800-518-4726 or support@grants.gov. Awarding agency staff cannot support applicants regarding Grants.gov accounts.

Address to Request Application Package

All information necessary to apply for this opportunity is included in the [Grants.gov](#) opportunity announcement.

3. Consideration for Successful Project

Agricultural producers require access to land and access to capital and markets that afford producers opportunities so that they can be successful in their farm, ranching, and forestry operations. The ultimate beneficiaries of projects which will be funded through this opportunity are underserved farmers, ranchers, and private forest landowners who lack access to the land, capital, and markets needed to support resiliency in their agricultural operations and strengthen their agricultural communities. This group of producers may be at risk of losing their agricultural business in the near future. USDA seeks to answer: *What will it take for producers on the edge of viability to move from surviving to thriving?* This general statement of need will guide proposals funded under this opportunity which should be designed on the following assumptions:

- Land access is the most fundamental need to strengthen agricultural producers.
- One method to support and increase access to land is to provide wrap around technical assistance and support services such as business development, tax training, legal services for resolution of land title issues, etc. which are essential to effectively provide meaningful and sustained access to land, capital, and markets.

- To date, non-profit organizations that work with underserved producers generally have not received adequate or sustained support enabling them increase their capacity to support underserved producers' needs and help them overcome the barriers to land access. USDA--partner organizations must have a strong working knowledge of the breadth of USDA programs and services.

Program Requirements

This program is seeking applications for funding that will focus on land access, capital access, and market access, specifically, or a combination of one or more of these focus areas. When delivering programs meant to increase land access, capital access or market access, technical assistance is quite often embedded in the program design and approach.

For the purposes of this program, technical assistance is defined as targeted services and support collectively designed to improve understanding of and equitable participation in the full range of USDA programs and services among underserved farmers, ranchers, and forest landowners and operators through a range of activities, including but not limited to: strategies to identify unique needs and gaps in access, knowledge, and services; specialized consultation; training; coaching; capacity building; and mentoring focused on relevant topics that will improve effectively accessing land, capital, and markets.

Understanding USDA programs, market planning, risk analysis, mediation, cooperative development, legal and tax issues, and business planning, are usually critical components of effective technical assistance necessary to aid individuals in more effectively accessing land, capital, and markets.

Such technical assistance may be delivered at the individual or organizational levels through one-on-one consultation, small group facilitation, or large group meetings in person or by phone, email, or other online methods. Technical assistance can and often does exist alongside community financial resource opportunities, such as through targeted community financial institutions or programs designed to provide relending services, micro-lending services, re-granting services, and related access to capital bundled with wrap-around technical capacity building.

Outreach, in contrast, helps the target audience identify the programs and services at USDA that are appropriate for their farming, ranching, or forest land operations. Technical assistance, as described above, more deeply connects the programs and services to the needs of the producer and their operation and goes beyond merely identifying available services. The applicant may build in ongoing needs assessments of their target audience as an output/activity of their funded project.

To increase the likelihood of effectiveness, the development of the proposed technical assistance activities should be guided by the following set of principles:

- a. **Collaborative.** Foster engagement and close collaborations with community leaders, agricultural organizations, and relevant stakeholders to develop and implement targeted activities. The applicant will determine their relevant stakeholder communities and connect community needs to targeted activities. The

project will also embed collaboration with USDA in new ways to meet the needs of the targeted audience.

- b. **Systematic.** Utilize a sequential, progressive approach to service delivery that addresses the needs of the target audience as identified through on-going technical support.
- c. **Targeted.** Determine where technical assistance will have the greatest impact.
- d. **Adaptive.** Allow for flexibility in service delivery as new needs or challenges emerge.
- e. **Customized.** Respond to the unique needs of the targeted audiences and organizations.
- f. **Results-driven.** Identify measures that indicate success toward goals that will lead to greater success of the target group to access land, credit, and markets, including greater access to Federal programs and services.

Cooperator Responsibilities

As part of a team of interrelated USDA Awardees, the applicant must agree to provide an array of services and technical assistance specialized services, appropriate for the targeted audiences. The Awardees must discuss in their application for funding how they will achieve metrics for their activities. Metrics shall include, but not be limited to:

- identification of the target group who were reached through the Awardee's efforts;
- the impact made upon the target group which could include the number of new programs that the target group has engaged with, increased participation from the target group with existing programs, etc.;
- the measurable increase in knowledge and understanding of the target group with whom they engage;
- the improvements to business stability, markets, land; and
- other related metrics they determine are central to improving their farming, ranching or forest land enterprises and operations and ability to gain access to programs and services operated by USDA and other Federal programs.

Each applicant will propose metrics within their application for funding, and, if selected for funding, will engage with USDA to finalize project and program metrics. Each applicant will also focus on whether their proposed project is a new model or an expansion of an existing model and how their model can be replicated within other communities or within USDA funding authorities.

The Awardee will be expected to participate in ongoing coordination with USDA. Substantial involvement from USDA will ensure that the plans for technical assistance, program development, curriculum development, deployment, and evaluation of impact are closely coordinated. USDA will substantially engage with the Awardee in the planning and delivery of their activities with the targeted audience. The Awardee must describe how they will coordinate with USDA to facilitate the use of USDA programs with underserved producers. The Awardee is also required to coordinate with all other recipients of Section 1006 as amended technical assistance resources in a manner as determined by USDA. USDA will actively engage with the Awardees as they provide

enhanced outreach and technical assistance towards completion of the purposes and activities outlined in the proposal.

In addition, Awardees will be expected to contribute in the following ways, and the project applicant must discuss each of these expectations and identify how the expectations will be met through their program approach and design:

- a. Provide specific assistance in collaboration with USDA and other cooperators that informs equitable program implementation for current producers and responds to the unique needs of farmers, ranchers and forest landowners and operators.
- b. Demonstrate how the Awardee's technical assistance model worked to reduce barriers that underserved producers face in accessing desired technical Federal assistance through a sound evaluation plan, or how their model is being designed to address the needs of the target producers and landowners and operators.
- c. Assist USDA in addressing longstanding systemic discrimination and barriers to program delivery; responding to the immediate need for direct agricultural business and market planning support to individual underserved producers impacted by the uncertainty around the COVID-19 pandemic; responding to debt and access to capital issues, land use and land tenure issues; and minimizing the impacts of supply chain disruptions to market access.
- d. Enhance existing cooperator technical assistance services to respond to persistent issues with land access, technical support services, program access, financial planning, and market development. This can be, coupled with concerns related agriculture and food system supply chain concerns that impact underserved producers.
- e. Share Awardee expertise and experiences with other cooperators and USDA to better inform the USDA approach to outreach and technical assistance services and engage in ongoing collaborative activities with USDA and other cooperators.

The Awardee's workplan must include strategies for increasing land access and program development, curriculum development, deployment, and evaluation of impact in each area of the planned activities for which the applicant is providing narrative discussion.

The Awardee must also include an evaluation plan outlining how the outcomes of the proposed program activities will be measured through both quantitative and qualitative methods. The evaluation plan must include outcomes which specify how ultimate beneficiaries will benefit from this award.

4. Content and Form of Application Submission

The agency may choose not to consider applications that fail to comply with the required content, format, and page limits, or those that are incomplete.

To be considered for funding under this opportunity, an application must contain the documents in a-e below.

a. **Project Narrative**

Each page must be numbered and have one-inch margins. The text of the project narrative must be single spaced and typed in a standard typeface (e.g., Times New Roman, Arial, Courier) with no smaller than 12-point font. The project narrative must not exceed 20 pages. This page limitation applies to the project narrative only.

Introduction and justification: The introduction should include a clear statement of the goal(s) of the proposed project. Justify the need for the program by identifying the target audience and explaining their needs (critical barriers to knowledge of and access to Federal agricultural programs), programmatic gaps in existing programs the proposed project intends to address, and any evidence that members of the target audience were or will be involved in conceptualizing the project and designing technical assistance activities. The introduction must also include a discussion of the known agriculture census data concerning the proposed project target audience within the targeted project geographic area(s) of service. The introduction must also capture how the work contemplated in the project design will meet the needs of underserved producers, landowners and operators who are on the edge of viability.

Objectives and Outcomes²: Concisely present the goals, associated objectives and expected outputs and outcomes of the project in relation to the target audience and the target audience needs as identified in the introduction and justification. Cooperators must provide a discussion of the metrics that will be gathered and reported related to their project efforts. Reporting tied to the metrics identified in the application is required on a timetable as determined by USDA.

As applicable, metrics must be provided for the following in addition to any other metrics planned for the project:

- i. Area of focus for the project, namely:
 - Land access concerns
 - Capital access concerns
 - Market access concerns
 - A combination of one or more of land, capital, or market access
- ii. The number of underserved producers to be served as well as their geographic, demographic, and socioeconomic status;

² *To ensure that applicants and grantees of this program are not burdened with additional administrative work or new reporting requirements, USDA will complete any administrative requirements associated with this program being included in Justice40 at Headquarters. For this program, at this time, there will be no change for funding applications or reporting requirements.*

- iii. Number, type, and dates of outreach and technical assistance to be conducted (in person workshops, virtual meetings, etc.) as well as the number of producers reached;
- iv. Budget including detailed requested and allocated amounts for outreach or technical assistance activities;
- v. Expected and actual outcomes including increased knowledge and application of knowledge concerning access to land, capital, and markets and improved viability resulting from increased access to land, capital, and markets; and
- vi. Number of underserved producers who are seeking and participating in USDA Natural Resources Conservation Service programs, Farm Service Agency farm loan programs, Rural Development loan or grant programs or any other programs and services administered by USDA.
- vii. Justice 40 Criteria

Approach: The activities proposed to achieve each objective must be clearly stated and the approaches being applied to achieve each objective must be clearly described. Specifically, this section must include:

- i. **Description of Activities and Approach:** A description of the activities proposed for each objective. Discuss how and where the activities will be provided and the appropriateness of the approach for the target audience.
- ii. **A timeline of the proposed project.** The timeline should include major outputs and associated outcomes for each year of the project.
- iii. **Innovation:** Include any novel ideas or models or contributions of the proposed project to technical support providers working within the agriculture sector. Innovative activities are not required but are encouraged by potential applicants.
- iv. **Recruitment and Reach:** How will members of the target audience be reached/ recruited / retained in the context of the project activities?
- v. **Sustainability:** How will the project, and its partnerships and collaborations, be sustained beyond the life of the agreement (e.g., plans for organizational support or future resource development)? If there are no plans to sustain the effort, explain why not, and how the impact of the project will be lasting.
- vi. **Scalability:** Discuss whether and how the approaches and efforts within this project can be adapted or scaled for use across other communities and/or agricultural systems, states, regions, or nationally.
- vii. **Potential Challenges:** Describe pitfalls that may be encountered and limitations to proposed procedures, and how you will address the identified or anticipated challenges or pitfalls. Identify possible challenges to your proposed strategy for participant recruitment and how you plan to address those challenges.

Personnel and Resources: Describe in detail the Key Personnel associated with the project and their experience and track record in serving underserved producers. In addition, discuss their ability to provide effective technical assistance, training, education, and outreach relevant to improve understanding of and equitable participation in the full range of USDA programs and services among underserved producer communities. Describe in detail the Key Personnel experience in providing financial and business planning technical services, market planning services, mediation services, cooperative development services, and the specific activities identified in the project. For underserved farmers, ranchers and forest landowners, it is very important to have partner(s) who have knowledge and experience working with underserved producers, and that such partner(s) be involved in the leadership of the project. Provide evidence of Key Personnel accomplishments and impact relevant to this project and experience with working with identified target audience in this area. Please also describe the organizational and partner resources available to improve the success of the project. Note that if Key Personnel have no or limited experience in working with underserved producers, the application will not be funded. Experience with underserved producers is required.

Outcome Evaluation Plan and Reporting: All projects must describe methods and resources for documenting and evaluating their outcomes and impacts. Clearly identify a minimum of two expected outcomes within the life of the project and explain the plan to document and evaluate these outcomes. At a minimum, the plan should include:

- i. A description of anticipated outcomes, their significance, and potential beneficiaries.
- ii. A list and description of project performance measures and metrics (also referred to as indicators of success) by which your progress will be measured and success determined.
- iii. Identify who will be responsible for overseeing and measuring performance for the project and link to the overall project plan and timeline for completion.
- iv. Indicate the amount of funding that will be set aside for monitoring and performance measurement.
- v. Plans for reporting, and the communication of findings and results within the target audience and relevant stakeholders.
- vi. Plans for collaboration and commitment to engage with USDA programs and staff to meet technical assistance needs for target audience/s.

(Related evaluation criteria: Relevancy; Adequacy of plans for evaluation, data management plan, and the communication of findings and results beyond the immediate target audience.)

Management and Partnership Plan: A clear management plan must be provided that describes the roles and functions of all partnerships, collaborators and organizations involved in the proposed project. Strong partnerships among complementary organizations, with shared leadership, are essential to successful and sustainable projects. Include time allocated by each partner for attainment of objectives, key roles of each partner and collaborator, and the plan for administration of the proposed project. Describe the plans for coordination, communication, data-sharing and reporting among members of the project team and stakeholder groups. Describe the commitment of the project team to this project, and how the partnership and its impact will be sustained beyond the period of the award.

Letters of commitment must be provided from all partners (signed by the Authorized Representative of the partnering organization) stating that the partners involved have agreed to their stated roles in the project. Letters from other organizations or people whose participation is important to the success of the project, committing those collaborators to specific roles, are also encouraged. Title the attachment(s) as ‘Letter of Commitment – Organization Name’ in the document header and save file as ‘Letter of Commitment Organization Name’. Upload the letter(s) under the “Other Attachments” under the Optional Forms in grants.gov. The strength, specific roles, and nature of these partnerships, as described in these letters, will be carefully scrutinized by the panel with particular weight given to those that demonstrate equity and long-term sustainability of the partnerships. Other, more general letters of support (i.e., from those who are not committing to a specific role in the project), are not needed and should not be included.

Data sharing, protection, and public access – describe your data access and sharing procedures during and after the grant. Name specific repositories and catalogs as appropriate. Include a statement of plans to protect confidentiality, personal privacy, proprietary interests, business confidential information, and intellectual property rights. Data type (digital or non-digital) may include number of attendees enrolled/participated in a technical assistance session/event; training products; outreach materials; number of stakeholders reached; number of activities, and assessment questionnaires, just to name a few.

If your proposal will include information collection from non-Federal sources, ensure the collection meets the requirements of the Paperwork Reduction Act. Surveys of individuals or entities are generally prohibited without prior approval from the Office of Management and Budget. For additional

guidance about allowable and unallowable activities, please visit the following website: <https://pra.digital.gov/do-i-need-clearance/>.

The following documents do not count toward the above stated page limit.

- b. **Application Form:** (Standard Form 424 Application for Federal Assistance) See Instructions for Completing SF 424 located in the Related Documents tab of the opportunity in Grants.gov.
- c. **Standard Form (SF) 424A, Budget Information - Non-Construction Programs.** Fill in all spaces as appropriate. Section B, Item 6, Column 1 should reflect the agency funds. No matching funds are required for this funding opportunity and do not need to be included. This form is the summary budget for the project and should include the full project totals on pages one and two. See Instructions for Completing SF 424A located in the Related Documents tab of the opportunity in Grants.gov. Refer to Section D of this opportunity for information regarding indirect costs.
- d. **Budget Narrative.**
 - i. In a separate document titled “Budget Narrative,” explain and justify all requested budget items/costs. (Refer to the budget narrative guidance located in the Related Documents tab of the opportunity in Grants.gov.) Detail how the totals on the SF-424A were determined and demonstrate a clear connection between costs and the proposed project activities. For personnel salary costs, include the base-line salary figures and the estimates of time (as percentages) to be directly charged to the project. Describe any item that under the applicable Federal cost principles requires the agency’s approval and estimate its cost. The pages included as the budget narrative to not count toward the page limit.
 - ii. Any non-Federal entity (except State and local governments that receive more than \$35 million per year in Federal funding) that does not have a current negotiated (including provisional) rate may elect to charge a de minimis rate of 10 percent of modified total direct costs (MTDC) which may be used indefinitely. No documentation is required to justify the 10 percent de minimis indirect cost rate. As described in [2 CFR 200.403](#), costs must be consistently charged as either indirect or direct costs but may not be double charged or inconsistently charged as both. If chosen, this methodology once elected must be used consistently for all Federal awards until such time as a non-Federal entity chooses to negotiate for a rate, which the non-Federal entity may apply to do at any time.
 - iii. Modified Total Direct Cost (MTDC) means all direct salaries and wages, applicable fringe benefits, materials and supplies, services, travel, and up to the first \$25,000 of each subaward (regardless of the period of performance of the subawards under the award). MTDC

excludes equipment, capital expenditures, charges for patient care, rental costs, tuition remission, scholarships and fellowships, participant support costs and the portion of each subaward in excess of \$25,000. Other items may only be excluded when necessary to avoid a serious inequity in the distribution of indirect costs, and with the approval of the cognizant agency for indirect costs.

- iv. As required in 2 CFR Part 200, Subpart F Audit Requirements, all U.S. states, local governments, Federally recognized Indian Tribal governments, and non-profit organizations expending \$750,000 USD or more in Federal award funds in a fiscal year must submit a Single Audit report for that year through the Federal Audit Clearinghouse's Internet Data Entry System.

- e. **Grants.gov Lobbying Form, Certification and Disclosure of Lobbying Activities.** Under Title 31 of the United States Code, Section 1352, an applicant or recipient must not use any Federally appropriated funds (both annually appropriated and continuing appropriations) or matching funds under a grant or cooperative agreement award to pay any person for lobbying in connection with the award. Lobbying is defined as influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress connection with the award. Submission of an application also represents the applicant's certification of the statements in 2 CFR Part 418, Appendix A- Certification Regarding Lobbying. If you/your organization have/has made or agrees to make any payment using non-appropriated funds for lobbying, you must also complete and submit the SF LLL, Disclosure of Lobbying Activities located at 2 CFR 418, Appendix B. See 2 CFR418.110 for more information on when additional submission of this form is required.
- f. **Negotiated Indirect Cost Rate Agreement** (if applicable). If charging indirect costs (including for cost share), upload the agreement under Other Attachments in the Grants.gov Opportunity Application Package. See Section D for information regarding indirect costs.
- g. **Post Award Documentation.** Successful applicants will be required to provide supplemental information as needed.
- h. **Unique entity identifier (UEI) and System for Award Management (SAM).** Each applicant (unless the applicant is an individual excepted from those requirements under 2 CFR 25.110(b) or (c), or has an exception approved by the Federal awarding agency under 2 CFR 25.110(d)) is required to: (i) Be registered in SAM before submitting its application; (ii) provide a valid unique entity identifier in its application; and (iii) continue to maintain an active SAM registration with current information at all times during which it has an active Federal award or an application or plan under consideration by

a Federal awarding agency. The agency may not make a Federal award to an applicant until the applicant has complied with all applicable unique entity identifier and SAM requirements and, if an applicant has not fully complied with the requirements by the time the agency is ready to make an award, it may determine that the applicant is not qualified to receive a Federal award and use that determination as a basis for making a Federal award to another applicant.

Entities must obtain a UEI and register in SAM prior to registering with Grants.gov. A description of each is below. Entities are strongly encouraged to apply early for their SAM registration.

System for Award Management (SAM) Registration: SAM is the official Federal system that consolidated the capabilities of Central Contractor Registry, Federal Agency Registration, Online Representations and Certifications Application, and Excluded Parties List System. To register, go to: <https://www.sam.gov>. The Federal Service Desk is available for registration assistance and can be contacted via the Help tab at the website listed above.

Awarding agency staff cannot support applicants regarding UEI or SAM issues.

The Government has replaced the D-U-N-S® number with a “new, non-proprietary identifier” requested in, and assigned by SAM.gov. This new identifier is being called the Unique Entity Identifier (UEI), or the Entity ID. See [Planned UEI Updates in Grant Application Forms](#) for UEI updates.

5. Submission Dates and Times and Correspondence

Applicants must submit applications via Grants.gov. Applications must be received by 11:59 pm Eastern Time (ET) on **November 18, 2022**. An application submitted or resubmitted after the deadline is late (an application is considered on time at 11:59.59 pm ET, but it is late at 12:00 am ET). Late submissions will not be reviewed or considered.

Grants.gov will provide either an error or a successfully received transmission in the form of an email sent to the applicant with the Authorized Organizational Representative (AOR) role attempting to submit the application. The Grants.gov Support Center reports that some applicants end the transmission because they think that nothing is occurring during the transmission process; be patient and give the system time to process the application.

If you have trouble submitting an application to Grants.gov, you should FIRST contact the Grants.gov Help Desk to resolve any issues. Keep a record of any such correspondence. See Part G. for Grants.gov contact information.

For applications successfully transmitted to Grants.gov before the deadline: The applicant with the AOR role who submitted the application will receive:

- an acknowledgement of receipt and a tracking number (GRANTXXXXXXXX) from Grants.gov;
- an email with the official date/time stamp (this stamp is used to determine if the application was received prior to the deadline) and Grants.gov

When the agency successfully retrieves the application from Grants.gov and acknowledges the download of submissions, Grants.gov will also provide an electronic acknowledgment of receipt of the application to the applicant.

6. Intergovernmental Review

This funding opportunity is not subject to Executive Order 12372, “Intergovernmental Review of Federal Programs.”

7. Funding Restrictions

Funds may not be used to pay any of the following costs unless otherwise permitted by law and approved in writing by FSA in advance of incurring such costs including:

- a. Costs above the amount of funds authorized for the project;
- b. Costs incurred prior to the effective date of the award, including time spent applying for this opportunity;
- c. Costs which lie outside the scope of the approved project and amendments thereto;
- d. Entertainment costs, regardless of their apparent relationship to project objectives;
- e. Compensation for injuries to persons, or damage to property arising out of project activities;
- f. Consulting services performed by a Federal employee during official duty hours when such consulting services result in the payment of additional compensation to the employee; and
- g. Management fees and profit. Any funds awarded to for-profit entities must be used for reimbursement of award related direct and indirect costs only;
- h. Meals: Meals may be charged to an award only if they are necessary for the performance of the project. For instance, meals (normally only lunch) that are a necessary part of the costs of meetings and conferences (i.e., required attendance and continuity of a meeting), the primary purpose of which is the dissemination of information, are allowable, as are costs of transportation, rental of facilities, speakers’ fees, and other items incidental to such meetings or conferences. Note: Meals consumed while in official travel status do not fall in this category. They are considered to be per diem expenses and should

be reimbursed in accordance with the organization's established travel policies subject to statutory limitations or in accordance with Federal travel policies.

- i. Costs normally charged as indirect costs may not be charged as direct costs without proper justification and agency approval. Proper justification includes documentation that the costs meet the criteria for allowability (see 2 CFR 200.403). Examples of such costs include rent, utilities, depreciation on buildings and equipment, the costs of operating and maintaining facilities, and general administration and general expenses, such as the salaries and expenses of executive officers, personnel administration, and accounting.
- j. Salaries that are not commensurate with level of work: All costs must be reasonable to be allowable (2 CFR 200.403), and 2 CFR 200.404 defines a reasonable cost as one if, in its nature and amount, it does not exceed that which would be incurred by a prudent person under the circumstances prevailing at the time the decision was made to incur the cost. Salaries determined not to be reasonable compared to the level of work will be unallowable.

This list is not exhaustive. Questions regarding the allowances of particular items of cost should be directed to the administrative contact listed in this NFO.

8. Indirect costs limitations:

- a. To be eligible to recover any indirect cost under a Federal award, recipients must either 1) have a current negotiated indirect cost rate agreement (NICRA) with a Federal agency that has not expired; or 2) qualify for use of the de minimis rate authorized by 2 CFR 200.414(f). A State, local, or Tribal governmental department or agency unit that receives more than \$35 million in direct Federal funding is not eligible for the de minimis rate. Applicants not subject to a statutory limitation, which have a current NICRA must calculate indirect costs using the rate and base specified in their NICRA. A recipient may voluntarily reduce or waive recovery of indirect costs at its sole discretion and must not be encouraged or coerced in any way to do so by the agency. A copy of the applicant's current NICRA must be provided with the application. Indirect costs may not be recovered under an expired NICRA.

E. APPLICATION REVIEW INFORMATION

1. Review and Selection Process

Applications will be screened for completeness and compliance with the provisions of this notice. Incomplete, noncompliant, and/or applications not meeting the formatting criteria may be eliminated from competition. In that event, the agency will send notification of elimination to the applicant. The agency intends to make a selection and award without conducting any discussions or allowing applicants to correct deficiencies or omissions in their applications. Consequently, applicants must ensure

their applications are complete and accurate. However, while the agency intends to make a selection without contacting applicants, it reserves the right to request applicants to revise their applications to correct deficiencies or omissions it identifies. If this occurs, the agency will conduct discussions with all applicants, identify deficiencies and omissions for all, and give applicants an opportunity to submit a revised application by a common cut-off date. The agency may also contact individual applicants to clarify certain components of their applications.

Merit/technical reviews will be conducted by a technical review board nominated by the approving official. Risk reviews will be conducted by the FPAC Business Center, Grants and Agreements Division. The approving official will make the final award decisions.

2. Merit/Technical Criteria

FSA will use the following criteria to evaluate this NFO:

a. **Priority Points** will be awarded to projects that focus on increasing land access, mitigating and preventing land loss, providing specialized project design and focus to address the challenges with land access, innovative ways to connect available land to underserved producers who have challenges in accessing land, or restore lands into the hands of those who have been underserved. Priority points of up to 25 points may be awarded in this category.

b. **Partnerships and Collaborations** will be reviewed to determine to what extent the application represents a substantial and effective collaborative network or partnership of public and/or private entities. Reviewers will evaluate to what extent the proposal includes the necessary partnerships to address barriers and improve access to Federal agricultural programs among underserved producers, delivery of technical support in the areas of financial planning, market planning, cooperative development, and related needs of the underserved producer to be served, and whether the project makes appropriate use of the expertise and other strengths of each of the partners. In addition, partner organizations must have been involved and played an important role in the project design and development. Projects must also employ an equitable and appropriate decision-making and oversight process that includes all partners. Partners and collaborators are required to possess knowledge and considerable experience in designing and delivering technical assistance support to the target audience; failure to evidence critical knowledge of and ongoing work with underserved producers may result in lower ranking of the project proposal. Up to 15 points will be awarded in this category.

c. **Relevancy** will be evaluated based on the explanation and relevant documentation that demonstrate that the project is directed toward improved understanding of and equitable participation in the full range of USDA programs and services among underserved producer communities to tackle land loss and focus on increasing land access for underserved producers and forest landowners and operators. In addition,

the relevancy will be evaluated by the description of the necessity of the project based on the needs identified for the target audience, the inclusion of intended audience members and stakeholders in the conceptualization and development of project activities, and the degree to which the project builds upon past or current relevant work or partnerships. Failure to discuss the relevant demographics of the target audience to be served may result in lower ranking of the project proposal. Up to 20 points will be awarded in this category.

d. **Technical Merit** will be evaluated on the basis of:

1. Clarity and delineation of objectives, activities and outcomes
2. Conceptual adequacy of the proposed activities to meet the needs of the targeted audience including acceptability and feasibility of the approach (e.g., social, economic and cultural relevance, distance-based versus face-to-face activities)
3. Innovation and originality of objectives and activities
4. Expected performance targets, outcomes and impacts as indicated in the Evaluation Plan
5. Scalability and/or adaptability to other locations, communities, and/or agricultural products and technologies
6. Sustainability of the project partnerships and collaborations beyond the life of the agreement, or a compelling explanation of how the project impact will be lasting if the collaboration itself is not sustained; and
7. Reasonableness of the budget for planned activities (i.e., whether the budget matches logically with the program described in the narrative).

Up to 25 points will be awarded in this category.

e. **Achievability** is based on the review of the probability of success of the project. The probability of success includes the appropriate level of originality, target audience and budget for each activity. The extent to which the applicant identifies potential pitfalls and how they will be addressed is also included. There should be sufficient time commitment of all project directors and co-directors for the stated project activities, including project management. The plans for management and collaborative arrangements of the proposed project should be adequate, e.g., sufficient time allocated for systematic attainment of objectives; clearly defined project roles and relationships among the key participants and collaborators; plan for decision-making; and plan for administration of the proposed project and its maintenance, partnerships, collaborative efforts, and relevant, accessible resources. Up to 20 points will be awarded in this category.

f. **Expertise and track record of the applicants** is based on the demonstrated expertise and experience of the project team. This includes experience relevant to increasing knowledge of and facilitating access to Federal agricultural programs among underserved producers through effective technical assistance which could include outreach, mentoring, and consulting activities. The successful experience can be demonstrated by the number of technical assistance activities previously carried

out; number of participants in programs or initiatives, success outcomes; and the number of years a program or activity has been offered. The adequacy of the qualifications of the project director and team to conduct the proposed project activities and to evaluate project outcomes must be demonstrated. The applicant's demonstration of experience and competence in serving the needs of the identified target audience are also evaluated under this criterion. The applicant's team must demonstrate knowledge and experience in key areas including financial planning, market planning, cooperative development, capacity building or other key areas relevant to the target audience. Up to 10 points will be awarded in this category.

g. Adequacy of plans for evaluation, data management plan, and the communication of findings and results beyond the immediate target audience is based on the soundness of the evaluation including outlining of appropriate objectives, methodology, timeline, logic model, expected products and results, metrics, measures, as well as dissemination efforts, and the data management plan and the expertise and time commitment of evaluation team members who have agreed to serve or who have been identified. Up to 10 points will be awarded in this category.

3. Administrative and Risk Criteria

Notice of selection after merit/technical evaluation does not guarantee that an applicant will receive an award. Following notification of selection for funding (see section F), the FPAC Business Center, Grants and Agreements Division's staff conducts a final administrative and risk review of those applications. The administrative review includes, but is not limited to, a check to ensure that NFO requirements were met (e.g., applicant meets eligibility criteria, application was submitted via Grants.gov by the established deadline), and proposed costs are allowable, allocable and necessary. During this process, it may be necessary to request further documentation from the applicant (e.g., organizational information as part of the risk assessment, more detail regarding proposed costs).

In addition, to comply with the requirements at 2 CFR 200.206, the agency will follow, at a minimum, the risk review process described below (additional steps may be taken).

The awarding agency will check SAM to ensure the applicant is not suspended or debarred, which would preclude receiving an award. In addition, prior to making a Federal award with a total Federal share greater than the simplified acquisition threshold (\$250,000), the agency must review and consider any information about the applicant that is in the designated integrity and performance system accessible through SAM (the Federal Awardee Performance Integrity Information System, FAPIIS) (see 41 USC 2313 and 2 CFR 200.206(a)).

An applicant must meet the following standards to be considered for award:

- a. Financial Stability. The applicant maintains an adequate financial resources or cash flow to meet its financial obligations on a routine basis in order to successfully complete any agreement it may be awarded.
- b. Quality of Management Systems and Ability to meet Management Standards prescribed in 2 CFR Part 200. The applicant has a financial management system adequate to segregate and track Federal funds. It has adequate systems in place for proper agreement administration; compliance with the standards outlined in 2 CFR Part 200 Section D for procurement, property, and records management; and required financial and performance reporting.
- c. History of Performance. If the applicant has previously obtained Federal financial assistance award, it has never failed to materially comply with the Federal award terms and conditions and further that it has never had an award terminated on that basis.

Submission of an application constitutes certification that an applicant meets these standards (items a through c. above). The agency may request documentation to substantiate the certification. Based on risk assessment, the agency may impose specific award conditions in accordance with 2 CFR 200.208.

4. Awards Over the Simplified Acquisition Threshold (if applicable)

- a. Prior to making a Federal award with a total Federal share greater than the simplified acquisition threshold (\$250,000), the agency must review and consider any information about the applicant that is in the designated integrity and performance system accessible through SAM (the Federal Awardee Performance Integrity Information System, FAPIIS) (see 41 U.S.C. 2313 and 2 CFR 200.206(a));
- b. An applicant may review information in FAPIIS accessible through SAM and comment on any information about it that a Federal awarding agency previously entered;
- c. The agency will consider any comments by the applicant, in addition to the other information in the designated integrity and performance system, in making a judgment about the applicant's integrity, business ethics, and record of performance under Federal awards when completing the review of risk posed by applicants as described in 2 CFR 200.206, Federal awarding agency review of risk posed by applicants.

F. FEDERAL AWARD ADMINISTRATION INFORMATION

1. Federal Award Notices

The agency will provide notice that an application has been selected before it actually makes the Federal award. As such, the selection notification is not an authorization to begin performance. Any pre-award costs incurred by the awardee

will not be reimbursed. The Notice of Grant and Agreement Award (ADS-093) signed by the authorized agency official is the only authorizing document and will be provided electronically to the entity's authorized official for signature.

Both successful and unsuccessful applicants will be notified of the award decision via letter.

2. Administrative and National Policy Requirements

All project funds will be used in accordance with 2 CFR Part 200 and the General Terms and Conditions, which are available at the following website:

<https://www.fpacbc.usda.gov/about/grants-and-agreements/award-terms-and-conditions/index.html>

Projects awarded pursuant to this opportunity must comply with the National Environmental Policy Act (NEPA), National Historic Preservation Act (NHPA), Endangered Species Act (ESA), and any other relevant environmental compliance laws, and executive orders.

NEPA requires that prior to funding, authorizing, or implementing an action, Federal agencies must consider the effects the proposed action may have on the environment. FSA will comply with NEPA by evaluating the environmental impacts of the project in one of three levels of analysis: Categorical Exclusion (CE), Environmental Assessment (EA), or Environmental Impact Statement (EIS). To expedite review, applicants should provide FSA any information with their applications that clarifies the level of environmental impacts expected, such as required permits, plans, and approvals, with the exception of inherently Federal functions (e.g. Tribal and regulatory consultations). After review of your project application, FSA will determine which type of NEPA analysis is appropriate for the activity (7 CFR 799.20(a)). The environmental review process must be completed before funds may be released to the recipient to carry out the proposed project.

Applicants are strongly encouraged to review 7 CFR parts 799.31, 799.32, and 799.33 to ensure they are aware of the parameters for FSA's use of categorical exclusions and can address those parameters in applications. But applicants are not to submit environmental screening worksheets with applications and may not implement any component of the project prior to the completion of FSA's environmental review and final decision (7 CFR 799.7(a)(10)).

It should be noted that applications that relate solely to planning activities, technical assistance, indoor research, and similar non-surface disturbing activities that are not connected with larger efforts will typically not require preparation of an EA or EIS. FSA will work with the FPAC Business Center's Environmental Activities Division, awardees, and others as needed to complete individual and/or programmatic environmental reviews for each project. Awardees may be required

to prepare or pay for preparation of an EA or EIS, should any environmental review find that an EA or EIS is required.

FSA retains responsibility for inherently Federal Government functions, including program eligibility determinations, program approvals and forms of approved assistance, Federal compliance determinations (including the National Environmental Policy Act, Endangered Species Act, and National Historic Preservation Act), and monitoring the recipient's use of Federal funds and performance.

3. Reporting

Reporting will follow the guidelines included in the agency's General Terms and Conditions, which are available at the following website:
<https://www.fpacbc.usda.gov/about/grants-and-agreements/award-terms-and-conditions/index.html>

If the Federal share of any agreement awarded under this opportunity notice may include more than \$500,000 over the period of performance, recipients must also comply with the post award reporting requirements reflected in Appendix XII of 2 CFR Part 200 —Award Term and Condition for Recipient Integrity and Performance Matters.

Applicants that receive awards pursuant to this opportunity and any subawardees must comply with the reporting requirements described at 2 CFR Part 170 unless an exception applies. Applicants must ensure they have the necessary processes and systems in place to comply with those requirements. A list of exceptions can be found at 2 CFR 170.110(b).

Applicants, if selected for funding, are required to provide within four weeks of signing of the grant or cooperative agreement, specific information related to target audience, work plan/approach activities and identified metrics and measures aligning with the delivery of work plan activities; and submit quarterly reports of project activities every 90 days to the assigned National Program Leader and an annual reporting requirement within 120 days, detailing as applicable:

1. Targeted audience(s) including demographic, geographic, and economic status;
2. Outreach to be conducted including number and type of events, dates, locations, activities, and producers anticipated and impacted;
3. Budget information including requested fund amount, allocation of requested funds, amount of funds provided for assistance directly benefitting underserved producers, and number of producers benefitted by use of funds;

4. Data identifying outcomes, improvements, and impact on underserved producers' business and financial conditions;
5. Anticipated outcomes including the estimated number of underserved producers who will have increased access to land, capital, and markets (including new markets);
6. How many underserved producers will be able to retain land or acquire new land; and
7. How many underserved producers are seeking and participating in USDA Natural Resources Conservation Service programs, Farm Service Agency farm loan programs, Rural Development loan, Risk Management Agency or grant programs or any other programs and services administered by USDA.

Awardees are required to attend ongoing collaborative meetings established and hosted by USDA to coordinate cooperators. All awardees are also required to collaborate with other agreement awardees. USDA will actively engage with the Awardees as they provide enhanced outreach and technical assistance towards completion of the purposes and activities outlined in the proposal.

G. FEDERAL AWARDING AGENCY CONTACT

For questions regarding this opportunity, please contact the following individual with the NFO number in the subject line:

Email: Land.Access@usda.gov.

H. OTHER INFORMATION

1. Questions regarding this opportunity must be submitted to the Federal Awarding Agency Contact identified above via email with the NFO number in the subject line.
2. For technical issues with Grants.gov, please contact Grants.gov Applicant Support at 1-800-518-4726 or support@grants.gov. Awarding agency staff cannot support applicants regarding Grants.gov accounts.
3. **Freedom of Information Act (FOIA)**
Applications are considered confidential information. Applications are not shared with individuals or entities seeking public disclosure through the Freedom of Information Act (FOIA) without the consent of the applicant. More specifically, Executive Order 12600 and USDA FOIA regulation 7 CFR Part 1, Subpart A requires the awarding agency to provide notice to applicants that a third party has requested copies of their business information, and requires the awarding agency to consult with applicants regarding the releasing their records.

4. Government Obligation

The Federal Government is not obligated to make any Federal award as a result of this opportunity. Only authorized Federal officials can bind the Federal Government to the expenditure of funds.

5. Any award made pursuant to this NFO may be executed in any number of counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

APPENDIX I: GLOSSARY OF TERMS

Name	Acronyms
American Rescue Plan Act	ARPA or Act
Authorized Representative	AR
Farm Service Agency	FSA
Notice of Funding Opportunity	NFO
United States Department of Agriculture	USDA

APPENDIX II: DEFINITIONS

Refer to [7 CFR 3430 Competitive and Noncompetitive Non-formula Federal Assistance Programs – General Award Administrative Provisions](#) for additional definitions.

Terms	Definitions
Collaborator	A person or an organization that cooperates with the applicant in the conduct of the project but is not immediately connected to the management of the project.
Cooperative Agreement	A cooperative agreement reflects a relationship between the U.S. Government and a recipient and is used when the government's purpose is to assist the intermediary in providing goods or services to the authorized recipient. Substantial involvement is expected between the executive agency and the State, local government, or other recipient when carrying out the activity outlined in the agreement.
Institution of Higher Education, 20 U.S.C. § 1001(a)	An educational institution in any State that- For purposes of this chapter, other than subchapter IV, the term “institution of higher education” means an educational institution in any State that- (1) admits as regular students only persons having a certificate of graduation from a school providing secondary education, or the recognized equivalent of such a certificate, or persons who meet the requirements of section 1091(d) of [title 20]; (2) is legally authorized within such State to provide a program of education beyond secondary education; (3) provides an educational program for which the institution awards a bachelor's degree or provides not less than a 2-year program that is acceptable for full credit toward such a degree, or awards a degree that is acceptable for admission to a graduate or professional degree program, subject to review and approval by the Secretary; (4) is a public or other nonprofit institution; and

	(5) is accredited by a nationally recognized accrediting agency or association, or if not so accredited, is an institution that has been granted pre-accreditation status by such an agency or association that has been recognized by the Secretary for the granting of pre-accreditation status, and the Secretary has determined that there is satisfactory assurance that the institution will meet the accreditation standards of such an agency or association within a reasonable time.
Military Veteran	A person who has served in the active military, naval, or air service, and/or who was discharged or released from the service under conditions other than dishonorable.
New Application	An application not previously submitted to a program.
Non-Profit Organization	The Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, 2 CFR part 200, defines the term “nonprofit organization” as follows: Nonprofit organization means any corporation, trust, association, cooperative, or other organization, <u>not including institutions of higher education</u> , that: (a) Is operated primarily for scientific, educational, service, charitable, or similar purposes in the public interest; (b) Is not organized primarily for profit; and (c) Uses net proceeds to maintain, improve, or expand the operations of the organization
Outcome	A specific, verifiable change in people’s actions or conditions. It defines how many people will change and what degree of change constitutes success.
Partnership / Partner Groups	A relationship involving close cooperation between parties having specified and joint rights and responsibilities in the management of the project.
Producer	An individual, family, or other entity in the U.S. engaged in the business of agriculture, crop, livestock, forestry, and range production, management, and marketing.
Technical Assistance	Targeted services and support collectively designed to improve understanding of and equitable participation in the full range of USDA programs and services among historically underserved farmers, ranchers, forest landowners and operators through a range of activities
Underserved Producer	Underserved farmers, ranchers, and forest landowners, including veterans, limited resources producers, beginning farmers and ranchers, and/or farmers, ranchers and forest landowners living in high poverty areas.

U.S. Department of Agriculture Non-Discrimination Statement

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.

Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotope, American Sign Language, etc.) should contact the responsible Agency or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at <https://www.ascr.usda.gov/filing-program-discrimination-complaint-usda-customer> and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call

(866) 632-9992. Submit your completed form or letter to USDA by:

(1) mail: U.S. Department of Agriculture

Office of the Assistant Secretary for Civil Rights

1400 Independence Avenue, SW

Washington, D.C. 20250-9410;

(2) fax: (202) 690-7442; or

(3) email: program.intake@usda.gov.

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