

DIVISION OF PARKS AND RECREATION

September 12, 1990

**STAFF DIRECTIVE 90-9**

TO: Administrative Staff

FROM: Philip K. McKnelly, Director

SUBJECT: Natural Heritage Contract and Grant Procedures

The enclosed procedures provide guidelines for the administration of contracts and grants for Natural Heritage inventory projects. These procedures include sections for recruitment and selection of projects, selection of contractors, and the administration of cost-share projects receiving matching grants from the Recreation and Natural Heritage Trust Fund. These procedures are in effect immediately. Questions should be directed to Frank Boteler or Chuck Roe at (919) 733-7701.

PKM/FEB/CER

Enclosure

GUIDELINES FOR ADMINISTRATION OF  
NATURAL HERITAGE CONTRACTS AND  
COST-SHARE GRANTS FOR NATURAL  
HERITAGE INVENTORY PROJECTS

GUIDELINE # 24

September, 1990

Department of Environment, Health, and Natural Resources

North Carolina Division of Parks and Recreation

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### **1.0     INTRODUCTION**

The Natural Heritage Program periodically receives grants and contracts to finance studies and projects related to inventory and protection planning for natural areas and rare species ecosystems. Those grants and contracts are used to supplement regular state funding for the program, which has been insufficient to enable the program to finance systematic inventory studies. The grants and contracts come from a variety of sources, including the N.C. Recreation and Natural Heritage Trust Fund, other federal and state agencies, county governments, private land conservancies, private corporations, and individuals. Some of the grants and contracts - - particularly those from private sources and local governments - - are received through the N.C. Natural Heritage Foundation, a nonprofit public-supported corporation, which provides assistance for the work of the Natural Heritage Program and local land conservancies. Projects financed through grants and contracts to the Natural Heritage Foundation generally reserve 10 to 20 percent of the sum to reimburse the Natural Heritage Program for the professional supervisory time and project support costs.

By 1990, the combined totals of grants and contract proposals received by the Natural Heritage Program or in association with the Natural Heritage Foundation surpassed \$300,00. Until 1990, these projects were developed and administered through informal procedures. The following procedures are intended to formalize the criteria and process for administering Natural Heritage Program contract projects.

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**2.0 PURPOSES AND OBJECTIVES OF NATURAL HERITAGE PROGRAM CONTRACTS**

The Department of Environment, Health, and Natural Resources may receive funding through grants and contracts to support the Natural Heritage Program's goals and objectives, as specified in the state's Nature Preserves Act (N.C.G.S. 113A-164.4) and stated in the biennial Natural Heritage Biennial Report and Protection Plan.

Most grants and contracts, which may be received by the Natural Heritage Program, will relate to financing:

- Systematic inventories for significant natural ecosystems, biotic communities and rare or endangered species;
- Surveys of important natural areas in specific geographic regions (such as land for counties, ecoregions, river corridors, watersheds, and public land units);
- Preparation of protection recommendations and preserve designs for important natural areas;
- Resource management plans, monitoring, and activities for important natural areas or endangered ecological resources; and
- Transfer of Natural Heritage inventory data to other agencies.

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### **3.0 PRIORITY CONTRACT PROJECTS**

The small number of the Natural Heritage Program's regular staff limits the number of contract projects which can be simultaneously developed and administered. Therefore, priorities for the development of contract projects must guide the program's initiation of contract project proposals and receptivity to contract project offers from other agencies. The Biennial Natural Heritage Report and Protection Plan provides information and criteria which will guide the selection and development of inventory and protection projects.

#### **3.1 Primary Objectives for Project Priority**

- Locate, identify and describe occurrences of rare species and natural community or ecosystem types which are rated by the Natural Heritage Program and national network of state natural heritage programs as most imperiled in North Carolina (ie., for species of communities ranked S1 or S2 in their rarity and endangerment status in the state) and the nation (ie., species or communities globally ranked G1, G2, or G3). Element rankings are included in the biennial Natural Heritage Program Report and Protection Plan, with periodic updates and revisions. For greatest efficiency and effectiveness, preference will be given to studies of habitats or ecosystems which have many associated, highly ranked species or community elements.
- Locate and inventory important natural areas, rare species habitats, and other significant ecological resources in parts of the state where information about environmental resources is incomplete or outdated. Most often natural areas inventory projects are organized on the basis of surveys of specific counties, ensembles of adjacent counties, water basins and river corridors, or other ecoregional bases (eg., the Blue Ridge Mountains, Sandhills, Albemarle-Pamlico tidewater regions). Preference will be given to those counties and regions which (a) possess the greatest potential for large numbers of important natural areas and rare species habitats, and (b) offer greatest potential interest in applying the results of the inventory for land use decisions.
- Locate and inventory important natural areas, rare species habitats, and other significant ecological resources on public lands where information about biological resources is incomplete or outdated. Lands owned and managed by the State of North Carolina or Federal government agencies frequently offer the greatest long-term potential for conservation and protection of their natural diversity. Often relatively little information

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is known about the locations and conditions of special ecological resources on public lands, and inventories of those resources are most urgently needed in order to guide the appropriate management of those resources. Preference will be given to inventory projects on public lands with greatest potential for relatively large numbers and variety of natural diversity resources – and with the greatest need for inventory information in order to design resource management and protection plans and policies. High priority would be given to inventory projects on public lands administered by state and federal agencies, with highly important biological resources but incomplete inventory information, including: national forest lands, the larger military bases, some of the national wildlife refuges, state wildlife management areas, state forests, and state parks.

- Prepare recommendations for the preservation and management of important natural areas. Some Natural Heritage contract projects will be developed for purposes of designing protection plans and recommending resource management practices and policies for important natural areas. Preference will be given to those natural areas rated for their national or statewide ecological significance (as identified in the Natural Heritage Protection Plan and Natural Areas Priority List).

### **3.2 Secondary Factors for Project Priority**

Other secondary factors, which may contribute to decisions among high priority inventory projects, include:

- Logistics and cost-effectiveness
- Expertise available to conduct inventory projects.
- Interest of other state and federal agencies.
- Funding immediately available.
- Prospects for additional funding.

### **3.3 Departmental 101 Review and Approval of Contract Projects**

Proposed contract projects will be submitted for the Department's 101 internal review process while in their early stages of project design. Departmental review and concurrence will be requested for each proposed contract project when a contract agreement is first drafted. Following receipt of Department 101 approval, development and finalization of the contract agreement will proceed. Thereafter, the Director of the Division of General Services will have the delegated authority to approve and sign the final contract documents.

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### **4.0 SELECTION OF CONTRACTORS TO CONDUCT NATURAL HERITAGE PROJECTS**

It is imperative that the best qualified individuals be contracted to conduct the Natural Heritage Program's projects. The following criteria and procedures will be used to recruit and select the best available biologists to be contracted for the Natural Heritage inventory projects.

#### **4.1 Criteria and Standards for Contract Biologists**

Expertise required to conduct and compile scientifically accurate inventories of natural areas, rare species, and other ecological resources include advanced training and experience. Contract biologists will be expected to have advanced training in plant or animal taxonomy or ecology, and proven experience in conducting and successfully completed natural areas or rare species inventories. Emphasis on botanical or zoological training and skills will be determined by the type of inventory project. A contractor should have a minimum of a master's degree in biological sciences, with concentration in ecology and taxonomy, or equivalent field experience. In addition, the contract biologist will be expected to have a minimum of one year of practical experience in conducting field biological resource surveys. An additional four years of related field biological survey experience may substitute for the graduate degree training requirements. Applicants will be expected to submit resumes of their academic training and related work experience, and may be asked to provide reports and references to demonstrate their expertise and previous experience in field biological survey work. In instances in which the level and comparison of skills and experience among applicants are uncertain,

Natural Heritage Program staff scientists may conduct a field examination in which the applicants will be required to produce a sample survey analysis of a selected test site.

#### **4.2 Recruitment Process for Advertising Contract Projects**

In order to recruit the best qualified, available biologists to conduct natural heritage inventory projects, the Natural Heritage Program will periodically announce its prospective contract projects and specifications for applicants. Announcements will be made as necessitated by the number of grants and contracts received for inventory projects. The program will attempt to disseminate project announcements no less frequently than once every six months. Announcements of projects and specifications for applications will be made in the following manner:



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- First to all biology departments in the University of North Carolina System.
- In the event it is determined that projects cannot be conducted by a unit of the University of North Carolina System, announcements of projects and specifications for applications will be sent to other universities and colleges which offer graduate school level training in ecology, species taxonomy, and field biological inventory techniques, and to all known professional biologists who have previously indicated interest in receiving project announcements or who have previously conducted natural heritage inventory studies.
- To principal newsletters or periodical publications of associations of biological scientists in North Carolina (eg., the N.C. Academy of Sciences) or frequently read by field ecologists (eg., the Natural Heritage Program Newsletter).

### 4.3 Evaluation Procedures for Selecting Contractors

The evaluation of applicants for Natural Heritage Program contract projects will be done in a fashion parallel to the procedures used for selecting individuals recommended for hire as program personnel. Following announcement of the availability of the project according to procedures listed in section 4.2, program staff will review the qualifications of all applicants based on their education, experience and past performance. The program head will recommend in priority order the best qualified biologists and will provide written justification for contracting the recommended individual(s). The Division Director shall have the final decision in approving the individual(s) to be contracted. The recommendation will be transmitted to the Division of General Services for approval and preparation of the contract, provided that the project has received the Department's 101 review and approval. Those applicants who are not selected for contracts will be notified in writing after approval of the selected contractor by the Division of General Services.

Contracts will not be consummated directly with employees of the University System. In the event a faculty member or other full-time employee of the University of North Carolina is selected for the work, the contract will be drawn with that particular university. If a specific individual who is an employee of the University System (or other State agency) is selected for the work, arrangements for the work and reimbursements are to be handled through the "Dual Employment" procedure. Dual Employment arrangements are made through the Division of Personnel.

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## **5.0 CONTRACTS PROVISIONS AND SPECIFICATIONS**

Personal services contracts with individuals and services contracts with organizations will include the following provisions:

### **5.1 Statement of Project Procedures**

The contract will state the principal objective and major work elements of the project. Deadline dates may be assigned for the accomplishments of major work elements. A deadline date will be stated for submittal of the final report. The Natural Heritage Program will provide the contractor detailed written guidelines for conducting the inventory project. The final report's scope, content, and data format will be clearly defined in the work elements section of the contract.

### **5.2 Payments Tied to Progress Reports**

The contract will state the total payment and will schedule partial payments based upon accomplishment of major work elements. Partial payments will be made after submittal and approval by the contract administrator of written progress reports (contents to be specified in the contract). No less than one-fifth of the total sum of the contract will be reserved for payment after submittal and approval of the final report.

### **5.3 Designation of Contract Administrator**

The contract will identify the Natural Heritage Program staff member(s) who will serve as the contract administrator and point of contact to provide the contractor with specific instructions and guidance.

### **5.4 Data Possession**

Project data may be used by the contractor for other purposes ( for example in other publications) in compliance with the Department's general administrative policies for research contracts and with acknowledgement that the information derived from the study was produced under contract for the N.C. Natural Heritage Program. The Division of General Services, Purchase and Contract Section will ensure that appropriate language acceptable to the University of North Carolina at Chapel Hill and North Carolina State University is included in contracts with those institutions.

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## **5.5 Termination Provisions**

Provisions for termination of the contract by either party will state a minimum period of prior written notice. In event of contract termination (for example, due to unsatisfactory work performance, cessation of a funding source, or acceptance of other employment by the contractor) payment fees will be adjusted according to the judgment of the contract administrator based on the estimated value of the work completed at the time of termination.

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**6.0 ADMINISTRATION OF MATCHING GRANT FUNDS FOR NATURAL HERITAGE INVENTORY PROJECTS FROM THE NC RECREATION AND NATURAL HERITAGE TRUST FUND**

The trustees for the NC Recreation and Natural Heritage Trust Fund on March 17, 1990, approved a \$30,000 grant to the Natural Heritage Program for use on a pilot project basis to provide matching cost-shares from inventories of natural areas and biological diversity. The trustees made the following conditions on the Natural Heritage Program in the administration of the grant:

- The grant will be used to sponsor natural heritage inventory projects for counties, regions, or watershed areas.
- The grant will be used to match other funds at no more than 50% of the total project costs (maximum ratio of 1:1).
- No more than \$10,000 and no less than \$2,500 will be used to match a single inventory project.
- Grant funds will be made available when the match funds are committed from other sources.
- Projects will be completed within 24 months of funding.
- Results of the inventories will be incorporated into the Natural Heritage Program's central databank.
- A minimum of \$2,500 is reserved from this grant for use as match to a private gift to help sponsor a natural heritage inventory of the Lumber River, a State Natural and Scenic River.

It is anticipated that this cost-share matching grant may be the first of a series of similar grants from the Recreation and Natural Heritage Trust Fund, and the following procedures are formulated to guide the administration of the matching grants program.

**6.1 Cost-Share Match Formula**

Although there is no prohibition against the use of the grant to match funds allocated by other state or federal agencies to the Natural Heritage Program, preference will be given to match funds from the local government agencies and from private sources (based on a maximum ratio of 1:1 as funds are available).

**6.11 Matching Funds from Local Governments.**

For reasons of effectiveness and practicality for natural heritage inventory projects, preference will be given to projects which will be partly funded by individual counties or clusters of counties or clusters of counties, soil and water conservation districts, and other local government agencies with regional scope rather than two individual cities and towns. The combined total must meet the Natural Heritage Program's determined budget need for the project.

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**6.12 Matching Funds from Private Sources.**

Preference will be given to nonprofit private organizations which are established for purposes of land conservation or which own or manage large tracts of land. The combined total must meet the Natural Heritage Program's determined budget need for the project.

**6.2 Project Recruitment Process**

Within two months of the date of signature of the grant agreement for cost-share grants from the NC Recreation and Natural Heritage Trust Fund, the Natural Heritage Program will broadly issue announcements of the availability and conditions of the grants and entities with greatest potential interest in providing local government or private matching financing for natural heritage inventory projects. Distribution of the announcements will include:

- Direct mailings to nonprofit, private land conservancy organizations (also known as land trusts) throughout the state. Such conservancies shall be incorporated on a statewide, regional, or local basis for purposes of conserving and protecting important natural lands or water bodies.
- Direct mailings to counties which have not yet sponsored countywide natural areas surveys (to county managers or planning directors).
- Direct mailings to soil and water conservation districts
- Newsletters of associations of the state's parks and recreation professionals
- Newsletters of principal citizen organizations concerned primarily with natural resources conservation (such as the NC Wildlife Federation, Sierra Club, Audubon Society, and NC Nature Conservancy).
- The Division's newsletter
- The Natural Heritage Program newsletter.

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### 6.3 Cost Share Grant Application Requirements

Entities which want to apply for a cost-share grant for conducting a natural areas inventory project under the supervision and administration of the Natural Heritage Program shall submit written application to the head of the Natural Heritage Program within the date designated in the project announcement. That shall be within four months after the Board for the Recreation and Natural Heritage Trust Fund makes the grant funding available. The application must contain the following items:

- A pledge or commitment to provide partial financing for the natural areas inventory project, and the date on which that funding will be made available. The statement will specify the dollar amount which the applicant will contribute and whether that funding will be transferred to the State of North Carolina or to a qualified nonprofit land conservation organization. "In-kind" contributions will not be allowable substitution for matching funds.
- The recipient of the private or local funding (either the State of North Carolina or a qualified nonprofit land conservation organization such as the NC Natural Heritage Foundation of NC Nature Conservancy).
- The geographic scope and description of the inventory project.
- The requested time schedule of the proposed inventory project and whether the inventory project will begin, using the private or local financing, before the date of the state's cost-share decision.
- Recognition that information collected from the inventory must be added to the state's natural heritage inventory.
- Any other requested conditions or restrictions on the state's cost-share grant.
- The specific amount of the state's cost-share grant requested by the applicant.

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### 6.4 Applications Evaluation Process

All applications received by the designated deadline date will be reviewed by the Natural Heritage Program for completeness of application requirements and will be evaluated and prioritized on the basis of the criteria stated above in Section 3.0 "Priority Contract Projects". Within one month of the application deadline date, the Natural Heritage Program will prepare recommendations for priorities and cost-share funding levels for each proposed project, and shall state its reasons in support or against funding grant applications.

### 6.5 Project Selection Process

The cost-share project recommendations will be forwarded from the Natural Heritage Program to the Division Director. The project proposals will be transmitted for Departmental 101 internal approval of individual cost-share projects, in conformance with conditions set by the grant agreement with the Board of Trustees for the Recreation and Natural Heritage Trust Fund. Final selections of individual cost-share projects should be made within six months of the date of receipt of the overall matching grant award from the Trustees to support Natural Heritage inventory projects.

### 6.6 Budget Administration

Once the cost-share project is approved, the Natural Heritage Program head will develop a project budget and the contract agreements with individual(s) or organization(s) selected to perform the work, according to the procedures stated above in Section 4.0. The program head will monitor project expenditures so that they are in line with the Trust Fund Board's intentions. Expenditures for the projects will be charged against the Trust Fund account upon submittal of a cost claim by the Natural Heritage Program to the budget office.

Private and local government funds for a Recreation and Natural Heritage Trust Fund matching grant project may be transferred for deposit in the Trust Fund account or may be transferred to a special project account of a qualified nonprofit conservation organization, such as the NC Natural Heritage Foundation or the NC Nature Conservancy. A contract agreement must be in place between the funding entity and the nonprofit organization, which assures the availability of the funding, prior to approval of a Heritage Trust Fund matching grant. A letter of agreement will be developed between the nonprofit conservation organization and the Department (for the Natural Heritage Program), which will assure the coordination of funding for the cost-share project. The nonprofit organization will be expected to produce financial accounting reports to document its project expenditures. The Department's contract agreement

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may be terminated or amended in scope of work in the event that the source of the matching funding is unable to meet its funding obligations.

Periodic reports on project expenditures and progress will be submitted to the Trust Fund Board no less frequently than once each fiscal year.

#### **6.7 Closure of the Project**

A final project report will be required within 24 months of the initiation of a cost-share project. Upon receipt of an acceptable report, the Natural Heritage Program head will transfer all billings to close out the project to the Division's budget officer and will forward a copy of the final report, with an evaluation of its completion, to the Department Secretary and the Chairman of the Trust Fund.



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**7.0 PROGRAM ADMINISTRATION**

**7.1 Director:** The Director establishes overall program policy and standards. The Director has final responsibility for the Division's recommendation of contractors and cost-share grant recipients for Departmental approval.

**7.2 Chief, Planning and Assessment:** The Chief of Planning and Assessment administers the program and ensures compliance and adherence to Divisional standards.

**7.3 Head, Natural Heritage Program:** Coordination of inventory contracts and cost-share grants rests with the Head of the Natural Heritage Program located in the Planning and Assessment Section. Duties include:

- Recommends program policy and standards
- Identifies statewide priorities and initiatives for natural heritage contract projects and makes recommendations to Division management.
- Maintains contacts with outside organizations concerned with funding natural heritage inventory and protection projects.
- Prepares biennial program report and protection plan to guide selection and development of inventory and protection projects.
- Issues announcements of availability of contract projects and solicits qualified applicants.
- Reviews qualifications of applicants and makes recommendations for selection of contractors to Division management.
- Serves as the principal "contract administrator" for purposes of supervising contract compliance, approving progress reports, authorizing payments, determining completion of contract requirements, or making recommendations for terminating contracts to Division management.
- Coordinates staff functions concerning guidance, monitoring and completion of contract projects.
- Evaluates and recommends applications for cost-share natural heritage inventory grants to Division management.
- Develops project budgets and prepares contract agreements for cost-share projects approved by the Department and Recreation and Natural Heritage Trust Fund Board.
- Monitors cost-share project expenditures and compliance with grant agreement.
- Prepares reports on cost-share grant project progress and completion for submittal to Division management and the Recreation and Natural Heritage Trust Fund Board.

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**7.4 Inventory Specialists, Natural Heritage Program:** Program inventory specialists are assigned responsibilities by the program head to supervise, assist and monitor inventory contractors. Duties include:

- Advise program head in recruiting and evaluating applicants for contract projects.
- Provide contractors with guidelines, technical advice, and instructions for conducting contract projects.
- Review and evaluate contract progress reports and final reports for technical accuracy, and make recommendations to the program head for authorizing payments.