

## U.S. Fish and Wildlife Serv., Interior

## § 82.9

for research in subjects which are relevant to the protection and conservation of marine mammals.

(g) *Secretary* means the Secretary of the Interior or his delegated representative.

(h) *State* means the several states, the District of Columbia, the Commonwealth of Puerto Rico, the Canal Zone, the possessions of the United States, and the Trust Territory of the Pacific Islands.

(i) *State agency* means any department(s), commission(s), or official(s), of a state empowered under its laws to administer the state program for marine mammals.

### Subpart B—Application for Grants

#### § 82.6 Submission of proposals.

(a) Preapplication forms may be submitted by any potential grantee in order to (1) establish communication between the Fish and Wildlife Service and the applicant; (2) to determine the applicant's eligibility; (3) determine how well the project can compete with applications from others; and (4) eliminate any proposals which have little or no chance for Federal funding before the applicant incurs significant expenditures for preparing an application. A notice of review action will be sent to the applicant within 45 days of the receipt of the preapplication form informing the applicant of the results of the review of the preapplication form. If the review cannot be completed within 45 days, the applicant will be informed by letter as to when the review will be completed.

(b) An Application for Federal Assistance for non-construction shall be submitted by all applicants for grants, however, an Application for Federal Assistance—Short Form may be utilized for single purpose and one-time grant applications for less than \$10,000 not requiring clearing house approval, an environmental impact statement, or the relocation of persons, businesses, or farms.

(c) Copies of the applications described in paragraphs (a) and (b) of this section may be obtained from the Federal Aid Coordinator, State Fish and Game Agency, and the Director, U.S. Fish and Wildlife (Attention: Division

of Cooperative Research), Washington, DC 20240. An original and two copies of the appropriate application forms should be submitted to the Director at this address. In order to allow sufficient time for processing, the Federal Assistance Application must be submitted by September 1 of the year preceding the fiscal year in which the research is contemplated. Any requests by grantees for changes, continuations, and supplements to approved grants must be submitted on the same form as the original application.

#### § 82.7 Coordination with States.

If the proposed project is to be conducted within the territorial limits of a state, the Secretary shall not enter into an agreement with a non-Federal interest other than a State without first consulting with the State agency.

### Subpart C—Administration

#### § 82.8 Prosecution of work.

(a) The grantee shall pursue the agreed-upon objectives expeditiously, adhering to the procedures set forth in the Cooperative Agreement. Failure to do so or failure to provide timely and adequate reports shall be cause for the Secretary to withhold further reimbursements to the grantee until project commitments are satisfactorily met. All further disbursement of funds under the cooperative agreement may be terminated upon determination by the Secretary that satisfactory progress has not been maintained.

(b) All work shall be performed in accordance with applicable Federal, state, and local laws, including safety, health and sanitation laws, except that when state and local laws are in conflict with Federal laws or regulations, such Federal laws or regulations shall prevail.

#### § 82.9 General information for the Secretary.

Before any Federal funds may be obligated for any project the grantee shall furnish to the Director such information regarding the authority of the grantee to participate in the benefits of the Act, such information of the type described in FMC 74-7 Attachment G, concerning the system to be used by