ANNOUNCEMENT OF FEDERAL FUNDING OPPORTUNITY

EXECUTIVE SUMMARY

Federal Agency Name(s): National Ocean Service (NOS), National Oceanic and Atmospheric Administration (NOAA), Department of Commerce

Funding Opportunity Title: Coastal and Estuarine Land Conservation Program - FY 2015 Great Lakes Competition

Announcement Type: Initial

Funding Opportunity Number: NOAA-NOS-OCM-2015-2004327

Catalog of Federal Domestic Assistance (CFDA) Number: 11.419, Coastal Zone Management Administration Awards

Dates: Applications must be reviewed and validated by Grants.gov or postmarked, or provided to a delivery service on or before 11:59 p.m. Eastern Time (10:59 p.m. Central Time) on April 10, 2015.

Funding Opportunity Description: The purpose of this notice is to solicit grant proposals from eligible Great Lakes States for coastal and estuarine land conservation (land acquisition) projects under the Coastal and Estuarine Land Conservation Program (CELCP). Applications selected for funding through this solicitation will be implemented through a grant, with awards dependent upon the amount of funds made available to NOAA for this purpose. Proposals submitted in response to this announcement shall protect important coastal and estuarine areas that have significant conservation, recreation, ecological, historical, or aesthetic values, or that are threatened by conversion from their natural, undeveloped, or recreational state to other uses. Proposals must also advance the goal of the Great Lakes Restoration Initiative (GLRI) to protect and restore Great Lakes aquatic and terrestrial habitats. The designated lead agency for implementing CELCP (lead agency) in each participating State is eligible to submit up to four proposed projects for funding under this competition. The State's lead agency may solicit, and include in their application, project proposals from additional eligible State or local agencies, as described in this notice. Projects must be located in one of the following Great Lakes States that have submitted a CELCP plan to NOAA and are currently participating in the program: Indiana, Michigan, Ohio, Pennsylvania (Lake Erie coast); New York (Lake Erie and Lake Ontario coasts); and Wisconsin. Projects in Illinois and Minnesota will only be eligible if the State's CELCP lead agency submits a CELCP plan to NOAA by February 12, 2015.

FULL ANNOUNCEMENT TEXT

## I. Funding Opportunity Description

### A. Program Objective

Coastal areas support the nation's largest and often fastest-growing population centers. They also house the natural infrastructure, such as forests, wetlands, floodplains, and dunes, that helps protect these coastal communities from storm impacts, support productive fisheries, coastal recreation, and other coast-dependent economic activities. The CELCP provides matching funds to State and local governments to purchase threatened coastal and estuarine lands or obtain conservation easements.

The CELCP was authorized for the purpose of protecting important coastal and estuarine areas that have significant conservation, recreation, ecological, historical, or aesthetic values, or that are threatened by conversion from their natural, undeveloped, or recreational state to other uses. This announcement solicits applications for land acquisition projects (fee simple interest or conservation easements) that will be held and managed in perpetuity for conservation purposes.

The CELCP helps advance the national goals and priorities of the Coastal Zone Management Act (CZMA), including:

- Protection of coastal ecosystems, including wetlands, corals, and natural shorelines;
- Preservation of natural features that provide storm protection such as dunes and barrier islands;
- Minimizing loss of life and property by directing development out of high risk areas;
- Safeguarding coastal water quality;
- Preservation of historic, cultural, and archaeological features;
- Protection of aesthetic coastal features such as scenic vistas; and
- Providing opportunities for public access to the coast.

The CELCP also advances the goal of the GLRI to protect and restore Great Lakes aquatic and terrestrial habitats.

B. Program Priorities

Priority will be given to projects that:

- are designed to protect properties that:

  (i) can be effectively managed and protected,

  (ii) have significant ecological value, and

  (iii) have a demonstrated need for protection; and

- can successfully leverage funds among participating entities, including Federal programs, regional organizations, State and other governmental units, landowners, corporations, or private organizations.

Of the projects that meet the above standards, priority will also be given to projects that:

- are designed to protect properties under an imminent threat of conversion to a use that will degrade or diminish their natural, undeveloped, or recreational state;

- serve to mitigate the adverse impacts caused by coastal population growth in the coastal environment; and/or

- reflect the land conservation priority area(s) identified in the State's CELCP plan, including the goals and objectives of its coastal management plan and National Estuarine Research Reserve (NERR) management plans approved under the CZMA, or regional or State watershed protection plan.

In addition, the CELCP's 2009 authorization also specifies that no less than 15

percent of appropriated CELCP funds be reserved for CELCP acquisitions that benefit NERRs. While the U.S. Environmental Protection Agency's (EPA's) GLRI funding, which NOAA anticipates will be available to support projects funded under this federal funding opportunity (FFO) as described below, does not include such a requirement, NOAA will strive to support projects benefiting Reserves in keeping with the CELCP authorization, while also recognizing that there are only two designated Reserves in the Great Lakes region.

All applications submitted pursuant to this notice must be consistent with the CELCP Guidelines, (68 FR 35860-35869, June 17, 2003) except for the following:

- For this solicitation, the eligibility requirement that States and territories have an approved CELCP plan was expanded to include States that have submitted a CELCP plan to NOAA on or before February 12, 2015.

- Any changes directed by CELCP's 2009 authorization language in Pub. L. No. 111-11 (codified at 16 U.S.C. § 1456-1), as described in this FFO.

To prioritize projects that can be effectively managed and protected and successfully leverage funds among participating entities, NOAA may take into account, as a selection factor, whether a project receives a very low score in any of the four evaluation criteria areas (described in section V.A. of this announcement) (e.g. technical merit, budget, or qualifications of applicants.). This is to ensure that each project selected for funding not only provides for the protection of significant coastal and estuarine values and is consistent with the program, but also can be effectively executed within the performance period, and can be managed and protected for long-term conservation. In some cases, NOAA may recommend the project for funding at a reduced level if certain elements of the project's proposed budget are determined ineligible.

C. Program Authority

Authority for the CELCP is 16 U.S.C. § 1456-1 (Section 307A of the CZMA), formerly authorized under 16 U.S.C. § 1456d.

## II. Award Information

A. Funding Availability

NOAA anticipates that approximately $800,000-$1,000,000 in FY 2015 funds may be available through the EPA's Great Lakes Restoration Initiative for CELCP land acquisition projects in Great Lakes States, subject to the availability of fiscal year (FY) 2015 appropriations. Each eligible State's designated CELCP lead agency may each submit up to four projects for this competition. The maximum amount that may be requested for the Federal share of each project is $1,000,000. Typical CELCP awards are expected to range between $100,000 and $1,000,000 depending on the size, location, and type of project.

The exact number of awards and amount of funds for each award depends on the funding availability, funding amounts requested by applicants, as well as the merits and ranking of projects, and will be determined in pre-award negotiations between the applicant and NOAA representatives.

Proposals not funded in the current fiscal period may be retained on a contingency list and considered for funding in another fiscal period without NOAA repeating the competitive process outlined in this announcement. The contingency list will remain in effect until it is superseded by a subsequent funding competition.

B. Project/Award Period

Projects funded under this announcement are anticipated to have an award start date between August 1, 2015 and October 1, 2015.

The standard financial assistance award period of performance for awards under this competition is 18 months. NOAA may extend an award up to an additional 18 months, for a maximum performance period of three years if circumstances warrant, such as unforeseen circumstances that prevent the project from being completed within the original period of performance. In order to qualify for an extension, grant recipients must be in good standing (i.e., up-to-date on all progress and financial reports), demonstrate progress during the initial period of performance, and be able to demonstrate that additional time is likely to result in successful completion of the project.

C. Type of Funding Instrument

Projects will be funded as grants.

III. Eligibility Information

A. Eligible Applicants

Eligible applicants for this competition are the designated lead agency for implementing CELCP in each participating State (lead agency), as described below. The lead agency is presumed to be the agency designated as lead for implementing the State's coastal management program, as approved under the CZMA, unless otherwise designated by the Governor. A list of lead contacts for each State and Territory, including eligible Great Lakes States, is available on the CELCP website at http://www.coast.noaa.gov/czm/landconservation/media/celcpstateleadcontacts.pdf

For this competition, Great Lakes States with Coastal Zone Management Programs or NERRS approved under the CZMA that have submitted a CELCP plan to NOAA on or before February 12, 2015 are eligible to apply. The status of each State's CELCP plan (draft or approved) can be found at www.coast.noaa.gov/czm/landconservation/state/ and will be updated as of as of February 12, 2015. Great Lakes States with a status of approved or draft are eligible to participate.

States considered eligible as of November 15, 2014, are: Indiana, Michigan, Ohio, Pennsylvania (Lake Erie coast), New York (Lake Erie and Lake Ontario coasts), and Wisconsin. The States of Illinois and Minnesota will be eligible if they submit a CELCP plan to NOAA by February 12, 2015.

Each eligible State's designated CELCP lead agency may select and submit no more than four applications for this competition, including subsequent phases of projects previously funded by CELCP. These may include proposals from additional eligible State, local or other agencies as described in section III.C. of this notice. Applicants may include multiple parcels in a project application if the parcels are related; however, please note that NOAA will evaluate project readiness and feasibility for completion within an 18-month timeframe.

The designated lead agency may solicit, and include in their application, project proposals from additional eligible state agencies, local governments as defined by relevant Office of Management and Budget (OMB) guidance, or entities eligible for assistance under section 306A(e) of the CZMA (16 U.S.C. § 1455a(e)) (sub-applicants), provided that each has the authority to acquire and manage land for conservation purposes. Please note that on December 26, 2014, DOC adopted the OMB Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (OMB Uniform Guidance), which is codified at 2 C.F.R. Part 200. The OMB Uniform Guidance supersedes and streamlines requirements from previous OMB circulars, including those underlying the Uniform Administrative Requirements, which had previously been codified for DOC awards at 15 C.F.R. parts 14 and 24, as applicable. As defined at 15 C.F.R. § 24.3, "local government" means a county, municipality, city, town, township, local public authority (including any public and Indian housing agency under the United States Housing Act of 1937), school district, special district, intrastate district, council of governments (whether or not incorporated as a nonprofit corporation under State law), any other regional or interstate government entity, or any agency or instrumentality of a local government. The definition of "local government" in the OMB Uniform Guidance at 2 C.F.R. § 200.64 is substantially similar, but also references a borough and a parish. Under section 306A(e) of the CZMA, an eligible entity may be a local government, an area-wide agency designated under Chapter 41, Subchapter II, Section 3334 of Title 42, a regional agency, or an interstate agency. The public agencies/entities, or types of entities, considered to be eligible within each State may be identified within the State's CELCP plan.

Links to contact information for each State's CELCP lead contact, State CELCP plan, and State CELCP website (if applicable), is available at http://www.coast.noaa.gov/czm/landconservation/state/. Interested parties should contact the appropriate CELCP lead agency in each State for additional information on the State's project solicitation process.

The lead agency will be responsible for: ensuring that projects are consistent with land conservation priorities outlined in the State's draft or approved CELCP plan; reviewing proposals for completeness and eligibility requirements; prioritizing proposals according to CELCP plan criteria; and submitting projects to NOAA under this FFO. For selected projects, NOAA may make financial assistance awards to the lead agency, which will be responsible for ensuring that allocated funds are used for the purposes of and in a manner consistent with this program, including any funds awarded to an eligible sub-applicant. NOAA may, with concurrence of the State's CELCP lead agency, make a grant directly to an identified sub-applicant in order to expedite completion of an approved project. In such

cases, the sub-applicant (as the grant recipient) will be responsible for ensuring that allocated funds are used for the approved purposes and in a manner consistent with this program.

B. Cost Sharing or Matching Requirement

Federal funds awarded under this program must be matched with non-Federal funds at a ratio of 1:1.

The source(s) and expected availability of non-Federal matching funds will be assessed as part of Evaluation Criterion 4. Project Costs.

Non-Federal matching funds may be derived from State, local, non-governmental or private sources in the form of cash or in-kind contributions. Eligible sources of match and other cost sharing requirements are specified in section 2.7 of the CELCP Guidelines as well as in the 2009 CELCP authorization (16 U.S.C. § 1456-1), and are outlined in detail in section III.C. below.

C. Other Criteria that Affect Eligibility

1. Eligible CELCP Projects

The CELCP provides support for acquisition of fee simple interests in lands or conservation easements from willing sellers within eligible States (as defined in Eligible Applicants, above).

In order to be eligible, a project must:

- Protect important coastal and estuarine areas that have significant conservation, recreation, ecological, historical, or aesthetic values, or that are threatened by conversion

from their natural, undeveloped, or recreational state to other uses;

- Be located within a State's designated CELCP area (as identified in its CELCP plan), which is based on its coastal watershed or coastal zone boundary;

- Provide non-Federal matching funds in the form of cash or in-kind contributions at a ratio of 1:1;

- Provide for non-Federal public ownership by the grant recipient or sub-recipient for conservation in perpetuity. If the grant recipient is a State agency that does not have authority to hold title to lands, the property may be held by another State agency that has the authority and mission to own and manage land for conservation purposes in a manner consistent with CELCP. (Note: In-kind match properties may be held by a qualified non-governmental organization for the purposes of conservation);

- Provide for public access or other public benefit, as appropriate and consistent with resource protection;

- Advance the goals, objectives, and implementation of the State's CELCP plan, including goals and objectives that relate to the coastal management plan or program, NERR management plans approved under the CZMA, national objectives of the CZMA, or a regional or State watershed protection plan for States with approved coastal management plans;

- Acquire property or conservation easements from willing sellers;

- Be consistent with a State's coastal management program approved under the CZMA; and

- Complement working waterfront needs, to the extent practicable.

2. Eligible Uses of CELCP Funds

CELCP funds (i.e., the Federal share) may be used for:

- Acquisition of properties or interests in properties (conservation easements) from willing sellers, including direct expenses relating to the acquisition of lands under the CELCP. Costs to be paid from the Federal share must be documented, and expended within the period of performance unless approved for reimbursement as a pre-award cost.

o The negotiated price of the property or conservation easement should be based on the fair market value as established by a complete and self-contained appraisal prepared by an independent State-approved appraiser. Appraisals must reflect nationally recognized appraisal standards, including the Uniform Appraisal Standards for Federal Land Acquisition (the Yellow Book). If an appraisal has not been completed at the time a project proposal is submitted, the applicant may propose a good-faith estimate of the cost for the project based on market value or agreement with the willing seller. However, if the project is selected for funding, an appraisal will be required before funds can be released. The amount of the grant cannot exceed the estimated cost in the project application. If the appraised value of the property is higher than the estimated cost in the project proposal, the applicant must make up the difference. If the appraised value is lower than the estimated cost, NOAA will reduce the

Federal share of the project as appropriate. More information can be found in section 4.2.d of the CELCP Guidelines.

o For projects that propose to acquire more than one property, parcels must be located in the same vicinity, be substantially related in terms of conservation values, or have other direct physical or strategic connection (for example, acquiring multiple properties that will be assembled into a single greenway). NOAA recommends that applicants limit the scope to acquiring no more than five separate parcels (including parcels that would be acquired directly with CELCP funds as well as those that would be counted an in-kind match). Properties containing multiple parcels covered under a single appraisal, title report and survey plat could count as one parcel (e.g., a subdivided property with the same landowner).

- Direct and indirect costs for administering the grant award.

o Note that administrative costs may be included in the Federal share, the matching share, or a combination thereof, but the total amount allocated for costs of this nature may not exceed the value of five percent of the requested Federal share for the project, e.g., a proposal requesting $500,000 in CELCP funds may include a maximum of $25,000 for administrative costs in the budget. Whether included in the Federal share or the match share, such costs must be incurred within the period of performance. Such costs may include time spent by staff for project planning, implementation, and review, as well as costs for certain initial land stewardship activities, such as signage, public safety, or other stewardship purposes.

o Expenses such as appraisals, surveys, title opinions, and other direct transaction costs, are considered acquisition costs and do not count toward the five percent limit for administrative costs. If an application includes indirect costs, the amount must be based on the indirect cost rate negotiated and approved by the applicant's cognizant agency for indirect costs. Applicants requesting indirect costs are required to submit a copy of their

indirect cost rate agreement. If an award recipient has not previously established an indirect cost rate with a Federal agency, the negotiation and approval of a rate is subject to the procedures required by NOAA and the DOC.

- Allowable grant costs are limited to costs necessary and reasonable to achieve the approved objectives of a grant and must be consistent with general cost principles for grants awarded by Federal agencies, as specified in relevant OMB requirements. As noted above, on December 26, 2014, DOC adopted the OMB Uniform Guidance (2 C.F.R. Part 200), which supersedes and streamlines requirements from previous OMB Circulars, including OMB Circular A-87 Cost Principles for State, Local, and Indian Tribal Governments. The OMB Uniform Guidance may be accessed online at http://www.gpo.gov/fdsys/pkg/FR-2013-12-26/pdf/2013-30465.pdf.

NOAA will not reimburse expenses that have been incurred prior to the start of a grant award, except in the following cases. Applicants may receive reimbursement for certain costs incurred within 90 days prior to the grant's official start date if such costs are requested in the application and the applicant can demonstrate it is necessary to incur the costs prior to the official award start date. Pre-award costs eligible for consideration include costs necessary for conducting appraisals, title work, and environmental assessments. The cost of land acquisition may also be reimbursed as a pre-award cost if the acquisition occurred between the selection date (the date that NOAA selects its list of projects for funding) and the start date for an approved grant award. If an applicant incurs costs before the effective date of the grant, they do so at their own risk.

CELCP funds may not be used for:

- Funding long-term operations, maintenance, and management of the land (above those costs allowed for initial land stewardship);

- Construction of buildings, boat launching facilities, docks or piers, shoreline armoring, or other facilities;

- Research;

- Outreach and education;

- Acquisition of lands, or interests in lands, that completely restrict access to specific persons (e.g., non-residents of a community);

- Acquisition of lands, or interests in lands, to comply with mandatory or compensatory mitigation for recent, pending or future habitat losses resulting from the actions of agencies, organizations, companies, or individuals;

- Enforcing fish, wildlife, or other regulations, either solely or primarily, except when necessary for the accomplishment of approved project purposes;

- Acquisition of land for active recreation, such as sports facilities, water parks, playgrounds, or similar uses; or

- Reimbursement of expenses that have been incurred prior to the start of a grant award, except those approved as pre-award costs.

3. Eligible Sources of non-Federal Matching Funds

Non-Federal matching funds may be derived from in-kind contributions of conservation lands or services associated with acquiring such lands, provided that the expenses are incurred (or lands donated) during the period of performance or within the three years prior to submission of a final grant application (banked match), as described in section 2.7.c. of the CELCP Guidelines. For projects selected for funding, final grant applications would be due to NOAA sometime between May and June of 2015. Therefore, for the purposes of this competition, banked match must be incurred, depending on the anticipated date of application, no earlier than May through June of 2012.

In-kind contributions may include:

- The value of other lands or easements acquired by or donated to the grant recipient, sub recipient or a qualified non-governmental organization (which generally include non-profit organizations recognized under Section 501(c)(3) of the IRS code whose primary mission is to acquire and manage land for the purposes of conservation). Please see below for additional provisions that apply.

- Costs associated with acquisition of lands or easements proposed for use as in-kind match, (e.g.. direct acquisition-related expenses such as title, appraisal, or survey). In-kind services such as land management planning, on-site remediation, restoration, and enhancement (including donated labor and supplies) for properties to be acquired with CELCP funds are eligible if the expenses are incurred within the award performance period.

- Donated land value derived from a bargain sale of a property to the grant recipient at less than full appraised value, where the seller intends to contribute the difference in value to the project. The donated value must be substantiated through the property's appraisal, which must be conducted by an independent State-approved appraiser.

Lands or easements whose value is used as match must:

- Be in the vicinity of the property being acquired with CELCP funds, be substantially related in terms of conservation values, or have other direct physical or strategic objective connections to the CELCP property.

- Meet the eligibility criteria and stewardship requirements described in sections 2.3-2.6 of the CELCP Guidelines.

- Be based on the value at the time of grant closing (per the 2009 CELCP authorization), as supported by a complete and self-contained appraisal reflecting nationally-recognized appraisal standards (i.e., the Uniform Appraisal Standards for Federal Land Acquisition) whose date of valuation is within the nine months preceding the expiration of the award period (e.g., for an award expiring September 30, the appraisal valuation date must be as of January 1 or later). Please note that NOAA's Summary of Eligibility Criteria & Requirements for CELCP & Matching Funds defines "grant closing" as ninety days after the end of the period of performance.

- Be held by the grant recipient, sub-recipient, or a qualified non-governmental organization. Qualified non-governmental organizations generally include non-profit organizations recognized under Section 501(c)(3) of the IRS code and whose primary mission is to acquire and manage land for the purposes of conservation. Lands owned in fee title by another public agency or organization (third party) may be used if a conservation

easement is provided to the grant recipient, but in such cases, the value of the match would be the value of the conservation easement. Regardless of who holds title to the match property, the grant recipient remains responsible for the match requirement over the long term (including responsibility for the financial obligation if match properties are sold or converted).

- Not be required as compensatory mitigation.

- Be acquired from a willing seller.

The application must document in-kind contributions, including land and services, proposed for use as match. For property(-ies) to be used as match, applicants should describe the characteristics of the property, the timeframe in which the property was or will be acquired, and how it meets the eligibility criteria described above.

The following costs may not be counted toward the non-Federal matching share:

- Costs associated with land acquisition, land management planning, remediation, restoration or enhancement of CELCP-funded properties (properties purchased with the Federal funding) that are incurred prior to the grant award.

- Cash contribution of Federal funds. Unless otherwise provided by Federal law, funding that originated from Federal sources may not be used as non-Federal match.

- Lands or services acquired with Federal funds. Unless otherwise provided by Federal law, the value of property, interests in property or services acquired with Federal funding may not be used as non-Federal match.

- Lands or services previously used as match to a Federal grant. Any funds or in-kind contributions, including the value of donated lands or services, that have been previously used to satisfy the matching requirements of this program or that that have been or will be used to satisfy another Federal grant, may not be counted toward the non-Federal matching share.

4. Other Cost Provisions

Allowable grant costs (including non-Federal matching contributions) are limited to costs necessary and reasonable to accomplish the objectives of the project and must be consistent with general cost principles for grants awarded by Federal agencies, as contained in the OMB Uniform Guidance (see 2 C.F.R. Part 200).

Costs must be identified in the project application and proposed budget; documented as part of the completed project (in the final performance report); and completed per the appropriate window of eligibility.

It is important to note that different windows and eligibility criteria apply for costs incurred under the Federal share and costs being counted toward the non-Federal matching share. A summary comparing these provisions is available at: http://www.coast.noaa.gov/czm/landconservation/media/summarykeyrqmts.pdf

CELCP funding may be combined or supplemented with funds from other Federal and non Federal sources, subject to any conditions that may apply to the expenditure of funds from such sources and provided that each Federal source is matched according to the applicable program's requirements.

In general, user fees should not be charged to access lands acquired through this program. However, if State or local law requires that user fees be charged (such as entrance fees that would be required for access to any State park), or if additional revenue is needed specifically for the purposes of managing user access of the property, the fees should comply with applicable standards for such user fees. In such cases, all income or other revenues derived from the fees shall be used for the maintenance or management of the property.

Leasing or renting of the property or interest in property is generally prohibited unless specifically authorized by NOAA (e.g., if the property or easement to be acquired is subject to an existing lease that is consistent with the objectives of the CELCP project). If approved, all income or other revenues derived from an approved lease or rent arrangement shall be used to maintain or manage property.

CELCP grants are subject to the terms and conditions described in section 2 (Eligibility Requirements) and section 5 (Acceptance and Use of Funds) of the CELCP Guidelines. If any of the documentation required in the Guidelines is not available at the time of a final grant application, NOAA may include special award conditions in the grant that must be met before funds can be released.

5. Allowable Uses of Lands Acquired with CELCP Funds or Used as Match

The following activities are considered consistent with conservation purposes under the CELCP:

- Resource protection;

- Restoration and enhancement, such as vegetative erosion control or restoration of natural water flow to the area;

- Low-impact recreational activities, such as hiking, hunting and fishing;

- Access for swimming, canoeing, kayaking or other non-motorized vessels; and

- Research and educational activities

Construction of facilities on a minor scale, such as restrooms or boardwalks, to facilitate uses listed above and/or for the purpose of minimizing harm to coastal resources due to public access and recreation, may be allowed depending on the proposed use of the property and the site environment.

The following activities are considered to be inconsistent:

- Active agriculture, including timber or aquaculture production (note: timbering on a limited scale may be allowed for conservation-oriented purposes such as habitat restoration, for example, to restore a forest that has been managed for timber production to a more native forest type or to create suitable habitat for rare, threatened or endangered species);

- Shoreline armoring or other hard erosion control structures; and

- Construction or expansion of roads, buildings or facilities, including active recreation facilities such as sports facilities, water parks, or playgrounds, except as noted under eligible uses.

Pre-existing uses, including term leases or life estates, must be identified as part of the project application. If a project proposes to continue any pre-existing activities as a long-term use of the site, NOAA will review such uses for potential impacts and to determine whether they are consistent with the purposes of the CELCP and with allowable uses under the program guidelines. For properties that contain existing structures or incompatible uses (such as commercial agriculture or forestry), applicants may wish to consider acquiring a conservation easement over a portion of the property, rather than acquiring the property in fee (or some other means that would exclude non-conforming uses from the CELCP-funded portion of the site). If a project is approved with pre-existing uses, such uses may not be expanded or converted to other uses without prior approval of NOAA.

Terms and conditions specified in deeds and conservation easements must be consistent with the purposes of the CELCP. NOAA will review deeds and conservation easements to ensure that provisions are consistent with allowable uses under the program. These provisions apply to properties acquired with CELCP funds, as well as to properties contributed as in-kind match.

6. Title and Ownership

Title to the land or interests in land (conservation easement) acquired with CELCP funds must be held in perpetuity by the grant recipient or subrecipient. If the grant recipient (or subrecipient) is not authorized to hold and manage lands for conservation purposes, such as in the case of a State planning agency, the recipient may designate another eligible public agency within the same unit of government (e.g. an eligible State land-holding agency with a

mission consistent with managing land for long-term conservation under the CELCP). Title and ownership of land or interests in land (conservation easement) used as match must also be held in perpetuity by the same public agency or a qualified non-governmental organization. If the land interest will be held by an entity other than the grant recipient, the grant recipient remains financially accountable for the funds received and the match obligation and ensuring that the lands (both CELCP-acquired properties and properties used as in-kind match) remain protected consistent with the terms of the grant. Eligible recipients and subrecipients are described in section III.A, above.

As a condition of the grant award, NOAA will require that language be recorded for each deed or easement advising that the property has been acquired with Federal funds from NOAA or used as match for same, and assurances that the property will be held for conservation in perpetuity. If the property has already been acquired prior to the start of the award (such as in the case of banked match), the recipient, the recipient's designated public agency, or the qualified non-governmental organization must record and furnish to NOAA a covenant or other appropriate notice of record advising of the same. See section 5.3 of the CELCP Guidelines for additional information on special award conditions.

If the property or interest in property acquired with CELCP funds is sold, exchanged, divested, or converted to other uses that are inconsistent with the purposes for which it was acquired, the recipient must return funds to NOAA. If a property used as match for CELCP funds, or interest in property used as match, is sold, exchanged, divested, or converted to other uses that are inconsistent with CELCP, the recipient must return the equivalent value of funds to NOAA. The grant recipient is legally and financially accountable for the funds received and ensuring that lands (both CELCP-acquired properties and properties used as in-kind match) remain protected consistently with the terms of the grant, regardless of ownership. See section 2.6.c. of the CELCP Guidelines for additional information.

## IV. Application and Submission Information

### A. Address to Request Application Package

The full funding opportunity announcement and application materials are available

through Grants.gov at www.grants.gov and on NOAA's CELCP web site under Funding Opportunities at (www.coast.noaa.gov/czm/landconservation/applying/). If an applicant does not have Internet access, application packages shall be requested by contacting Elaine Vaudreuil by phone at (301) 563-7103, or via e-mail at Elaine.Vaudreuil@noaa.gov.

B. Content and Form of Application

An application for each project may be submitted electronically at Grants.gov or by mail to the address listed in this announcement by the deadline (refer to section IV.C. Submission Dates and Times, below). Applications sent by facsimile or email will not be accepted.

Each proposal must include the four Required Elements, described below. The Supplemental Elements, also described below, are not required at the time of initial application, but will be required before grant funds can be released if the project is selected for funding (see section 4.4 of the CELCP Guidelines). However, submitting one or more Supplemental Elements with the project proposal may help substantiate the project's readiness. Applicants will also need to submit standard Federal application forms (e.g, Form SF 424), when submitting projects through Grants.gov.

Proposal applications should total no more than 10 pages (single-spaced, 11 or 12-point font). The 10-page limit does not include the Supplemental Elements or required federal application forms. Supplemental Elements should not total more than 30 total pages excluding NEPA information, government forms, and information provided to complete government forms. The total electronic file size of the proposal narrative and appendices combined should not exceed 5 megabytes in storage space. Files that are larger than five megabytes may not be properly downloaded, uploaded, or received by the agency or the reviewers. Files that cannot be opened or downloaded will not be reviewed.

REQUIRED ELEMENTS (for each project proposal)

Templates for the required elements (Project Application Checklist, Project Description/Scope of Work, and Project Budget) can be found in Grants.gov and the Applying for a Grant section of the CELCP website at www.coast.noaa.gov/czm/landconservation/applying/

1. Project Description/Scope of Work. The following information must be provided for the project site and any parcel that is to be used as match; incomplete information may prevent a project's selection for an award. (Please note than an Environmental Data Sharing Plan (as described in section VI of this FFO) is NOT required to be submitted with CELCP land acquisition project proposals.)

a. information on the project site's size, location and relationship to coastal or estuarine features, environmental significance, and primary purpose of the project (i.e., ecological, conservation, recreation, aesthetic, or historic);

b. how the proposed project meets the State and national criteria and its expected benefits in terms of coastal and estuarine land conservation, and specifically: how the project supports the priorities identified in the State's CELCP plan; the legal rights to be acquired, and any conversion threats to the property; pre-existing uses of the property and the nature of those uses (including existing structures, leases, etc.); and activities or uses planned for the project site after acquisition and how those activities/uses are consistent with the long-term protection of the site's ecological or other values.

c. a strategy for long-term stewardship, including information on continuing support for maintenance and enforcement against illegal uses and, if restoration is proposed, when and how that will be accomplished.

d. timeline with discrete benchmarks for completing the project within the requested award period.

e. photographs of the project site (approximately 2-10) that document the values described in the text of this element.

f. If applicable, a description of specific benefits to National Estuarine Research Reserves (NERRs). As noted above, NOAA will strive to support projects benefiting Reserves in keeping with the CELCP authorization, while also recognizing that there are

only two designated Reserves in the Great Lakes region. This description should include how the project helps to meet the goals of the NERR's management plan or other watershed conservation plans developed by the reserve or with reserve input. Project applications designated as benefitting a NERR must provide a letter from the appropriate Reserve Manager describing and/or validating benefits to the reserve. The application should also show the relative location of the project with respect to the NERR (with a map and a description), specifically identifying whether it is a buffer that protects core reserve resources or a buffer area within the reserve's watershed. Applicants are encouraged to reference the reserve's targeted watershed boundary in project applications. Targeted watershed boundary maps for each Reserve are available on the CELCP website at www.coast.noaa.gov/czm/landconservation/state/, listed under each State/Territory's name, or by viewing the web-based CELCP map on the right side of the webpage. After clicking on the map, NERR targeted watersheds can be viewed by selecting Target Watershed Boundaries, HUC 8under the Layers menu. For more information on the National Estuarine Research Reserves, including contact information for Reserve Managers, please visit nerrs.noaa.gov/.

2. Project Budget and Justification of Proposed Costs. Following the categories and formats in the NOAA grants package (Form SF-424A), provide and a brief narrative justification of the budget that includes a breakdown of project costs and source of proposed matching funds. The CELCP Project Budget template may be used to provide detailed budget information, such as a repeat of the information in Form SF-424A along with more details.

If the overall cost of the project exceeds the amount of requested CELCP funds plus matching share, please provide a breakout of costs for the entire project (e.g., including other sources of funding that will be used to complete the project). Land acquisition costs must be based on appraised value or other estimate of fair market value. Section 2.5 of the CELCP Guidelines outlines eligible and ineligible uses of CELCP funds. These are also described under Eligibility Information in section III of this announcement. The project budget should also specify whether this project has been submitted for other sources of Federal funding, and if so, which Federal program(s) and year(s).

The budget narrative also shall clearly identify the cost of separable elements of the proposed work and shall identify the elements of the project that the cooperator would recommend for revision or elimination if sufficient funding is not available for all proposed

activities.

For any equipment, a description of the item and associated costs is required, including a description of how it will be used in the project. Equipment purchases also require a lease vs. purchase assessment. Note that equipment is defined as tangible personal property (including information technology systems) having a useful life of more than one year and a per-unit acquisition cost which equals or exceeds the lesser of the capitalization level established by the non-Federal entity for financial statement purposes or $5,000. See 2 C.F.R. §200.33.

The budget narrative must also provide, to the extent possible, detailed information on travel, including costs, a description of anticipated travel, destinations, the number of travelers, and a justification of how the requested travel is directly relevant to the successful completion of the project. If actual trip details are unknown, applicants must State the basis for the proposed travel charges. Applicants must allocate travel funds for any coordination meetings at regional or national levels.

All travel must comply with the requirements of the Fly America Act and foreign travel must receive prior written approval, and therefore, must be included in the proposal to avoid having to request prior approval after the project starts. Applicants may factor in travel costs for participation in an annual NOAA Grants Management Division workshop for recipients.

3. Project Checklist. The CELCP Project Checklist enables NOAA to determine if a project may have any adverse impacts and whether additional information may be required to satisfy the requirements of the National Environmental Policy Act (NEPA) or other applicable Federal laws, regulations or policies, as described in Section VI.B. of this announcement. The project checklist must be signed by a representative of the eligible public entity (grant recipient or sub-recipient) that will receive funds to execute the project.

4. Project Location and Site Maps. A minimum of two maps should be submitted: (1) a regional map showing the general location of the project, and (2) a map or aerial photo of the project site that shows the location and extent of the proposed acquisition, its relationship to significant natural features, and adjacent land uses. If the project identifies benefits to a

NERR, a map depicting the location of the project relative to the reserve and the reserve's watershed boundary should also be submitted. (Applicants are encouraged to reference the reserve's targeted watershed boundary in project applications. Targeted watershed boundary maps for each reserve are available on the CELCP website at www.coast.noaa.gov/czm/landconservation/state/, listed under each State/Territory's name, or by viewing the web-based CELCP map on the right side of the webpage (After clicking on the map, NERR targeted watersheds can be viewed by selecting Targeted Watershed Boundaries, HUC 8 under the Layers menu icon).

B. SUPPLEMENTAL ELEMENTS

The supplemental elements may be provided as part of the initial application, but are not required at this stage. However, if the project is selected for funding, these supplemental elements would be required to be submitted and reviewed before NOAA can release the grant funds (see section 4.4 of the CELCP Guidelines).

While not required at this stage, submitting one or more of these items with the project proposal may help substantiate the project's readiness. Examples and templates for Supplemental Elements are available at: www.coast.noaa.gov/czm/landconservation/managing/

(1) Documentation of Willingness or Intent to Sell. The applicant must submit a letter from the seller affirming that s/he is a willing participant in negotiations to sell the property at a mutually agreeable price. If the property was previously acquired (as in the case of a property being used as banked in-kind match), the applicant may submit an affidavit documenting that the purchase was not the result of a forced taking or threat of condemnation, in place of a letter from the seller. Note that this element is not required for match properties held by non-profit organizations, which do have not legal authority to acquire property through condemnation.

(2) Evidence of Agreement. The applicant must submit documentation verifying the terms of the purchase, such as a contract, purchase & sale agreement, or option, as described in section 4.2.f. of the CELCP Guidelines.

(3) Appraisal. The applicant must submit a complete and self-contained appraisal establishing the fair market value of the property. The appraisal must be developed in accordance with the Uniform Standards of Professional Appraisal Practice (www.appraisalfoundation.org/s_appraisal/sec.asp?CID=3&DID=3) and the Uniform Appraisal Standards for Federal Land Acquisition (Yellow Book) (http://www.usdoj.gov/enrd/land-ack/).

(4) Survey. The applicant should submit a survey of the property to be acquired.

(5) Evidence of Title. The applicant must submit documentation that shows that the seller is the legal owner of the property and identifies any easements or other encumbrances on the property to be acquired. Examples of such documentation include an attorney title opinion or property report from a title insurance company.

(6) Draft deed(s) and/or conservation easement(s). The applicant must provide draft deeds containing the required CELCP restriction language and copies of other easements or use agreements that may affect long-term use of the property.

(7) Certification that Project Complements Working Waterfronts. The applicant must submit certification from the participating State's CELCP lead agency that, to the extent practicable, the proposed project complements (e.g. does not conflict with or impede) working waterfront needs.

C. Submission Dates and Times

Applications must be (1) reviewed and validated by Grants.gov; or (2) postmarked or provided to a delivery service on or before 11:59 pm Eastern Time, (10:59 pm Central Time), on April 10, 2015.

D. Intergovernmental Review

Funding applications are subject to Executive Order (E.O.) 12372, Intergovernmental Review of Federal Programs. It is the State agency's responsibility to contact their State's

Single Point of Contact (SPOC) to find out about and comply with the State's process under E.O. 12372. To assist the applicant, the names and addresses of the SPOCs are listed on OMB's website: (www.whitehouse.gov/omb/grants_spoc).

E. Funding Restrictions

Awards will contain special award conditions that recipients must meet as a term of accepting the grant, such as the requirement to include language in the property deed or conservation easement restricting the use and disposition of the property, as well as to install a permanent sign at the site acknowledging NOAA's funding. Other special award conditions may be included if not already met by the time a final grant application is submitted. A sample list of the conditions can be found at: www.coast.noaa.gov/czm/landconservation/managing/celcpattachment3.pdf

If an applicant incurs any costs prior to receiving an award agreement signed by an authorized NOAA official, they do so at their own risk of these costs not being included under the award. In no event will NOAA or the DOC be responsible for proposal preparation or other project costs if this program fails to receive funding or is cancelled because of other agency priorities.

Funds awarded cannot necessarily pay for all the costs that the recipient might incur in the course of carrying out the project. Allowable costs are limited to costs necessary and reasonable to achieve the approved goals and objectives and are determined by reference to relevant OMB requirements. As noted above, please note that on December 26, 2014, DOC adopted the OMB Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (OMB Uniform Requirements), which is codified at 2 C.F.R. Part 200. The OMB Uniform Guidance supersedes and streamlines requirements from previous OMB circulars, including OMB Circulars A-122, Cost Principles for Nonprofit Organizations; A-21, Cost Principles for Education Institutions; and A-87, Cost Principles for State, Local and Indian Tribal Governments.

Applicants requesting indirect costs are required to submit a copy of their current and signed indirect cost rate agreement with their application package.

If an award recipient has not previously established an indirect cost rate with a Federal agency they may choose to negotiate a rate with the Department of Commerce or use the de

minimis indirect cost rate of 10% of MTDC (as allowable under 2 C.F.R. § 200.414). The negotiation and approval of a rate is subject to the procedures required by NOAA and the Department of Commerce Standard Terms and Conditions Section B.06. The NOAA contact for indirect or facilities and administrative costs is:

Lamar Revis, Grants Officer

NOAA Grants Management Division

1325 East West Highway

9th Floor

Silver Spring, Maryland 20910

lamar.revis@noaa.gov

F. Other Submission Requirements

Interested parties should contact the appropriate States CELCP lead for additional information on the State's project solicitation process or any additional State requirements that may apply. A list of lead contacts for each state and territory is available on the CELCP website at
http://www.coast.noaa.gov/czm/landconservation/media/celcpstateleadcontacts.pdf

The standard NOAA funding application package is available at www.grants.gov (Grants.gov) and on the CELCP website, and application packages, including all letters of support or collaboration, shall be submitted through the apply function on Grants.gov. Applicants must register with Grants.gov before any application materials can be submitted. To use Grants.gov, applicants must have a Dun and Bradstreet Data Universal Numbering System (DUNS) number and be registered in the Central Contractor Registry (CCR). Allow a minimum of five days to complete the CCR registration. (Note: your organization's Employer Identification Number (EIN) will be needed on the application form.). An organization's one time registration process may take up to three weeks to complete so allow sufficient time to ensure applications are submitted before the closing date. The Grants.gov site contains the application package (forms) and submission directions, and is also where the completed application is submitted.

The Grants.gov site contains directions for submitting an application, the application package (forms), and is also where the completed application is submitted. Applicants using Grants.gov must locate the downloadable application package for this solicitation by the Funding Opportunity Number or the CFDA number (11.419). Applicants will be able to download a copy of the application package, complete it offline, and then upload and submit the application via the Grants.gov site.

After electronic submission of the application through Grants.gov, the person submitting the application will receive within the next 24 to 48 hours two email messages from Grants.gov updating them on the progress of their application. The first email will confirm receipt of the application by the Grants.gov system, and the second will indicate that the application has either been successfully validated by the system before transmission to the grantor agency or has been rejected because of errors. After the application has been validated, this same person will receive a third email when the application has been downloaded by the Federal agency.

For proposals submitted through Grants.gov, a date and time receipt indication by Grants.gov will be the basis of determining timeliness. Note that it may take Grants.gov up to two business days to validate or reject an application. If you do not receive the first two automated e-mail messages, please follow up with the Grants.gov help desk for assistance. Applications submitted after the deadline will not be accepted. It is strongly recommended that applicants allow sufficient time for transmittal of materials to OCM by the deadline.

If an applicant does not have Internet access, one set of originals (signed) and an electronic copy (on CD or DVD) of the proposals and related forms shall be mailed to the attention of Elaine Vaudreuil, CELCP Competition Manager, NOAA National Ocean Service, Office for Coastal Management, 1305 East West Highway, N/ORM, Room 10657, Silver Spring, MD 20910.

No email or fax copies will be accepted. Proposal application packages, including all letters of collaboration and any letters of support, shall be submitted together in one package.

## V. Application Review Information

### A. Evaluation Criteria

1. Importance and/or relevance of proposed project to the program goals (55 points out of 110).

This ascertains whether there is intrinsic value in the proposed work and relevance to NOAA, Federal, regional, State/territorial, or local activities.

This ascertains whether there is intrinsic value in the proposed work and relevance to NOAA, Federal, regional, State/territorial, or local activities.

Each applicant should identify the project's primary purpose (ecological, conservation, recreational, aesthetic, or historic value), including the values of any lands proposed as in-kind match. Only one value may be selected as the primary purpose; all other values will be evaluated as secondary purposes.

Projects will be evaluated according to the degree to which they:

- Protect coastal and estuarine areas with significant conservation, recreation, ecological, historical/cultural, and/or aesthetic values. Priority will be given to lands which can be effectively managed and protected, have significant ecological value, have a demonstrated need for protection, and can successfully leverage funds among participating entities.

Of the projects that meet that standard, priority will also be given to projects that:

- are under an imminent threat of conversion to a use that will degrade or diminish their natural, undeveloped or recreational state;

- serve to mitigate the adverse impacts caused by coastal population growth in the coastal environment; and/or

- reflect the land conservation priority area(s) identified in the State's CELCP plan, including goals and objectives of its coastal management plan and NERR management plans approved under the CZMA, or regional or State watershed protection plan (e.g. Great Lakes Restoration Initiative Action Plan II or Lake-wide Area Management Plans).

(i) Ecological value will be evaluated by the degree to which a project exhibits such features as: exceptional natural habitat quality, species diversity; ecological corridors or unfragmented habitat; habitat for rare, threatened or endangered species; and provides ecological functions such as flood attenuation, pollutant removal or carbon storage; as well as the degree to which it is impacted by invasive species or other alterations. Priority will be given to lands with significant ecological value. (up to 25 points if primary purpose; up to 10 points if secondary purpose)

(ii) Conservation value will be evaluated by the degree to which a project: advances a larger conservation or resource management effort, or serves to protect natural infrastructure or support ecological services, even without having high intrinsic ecological, scenic, or historic values (e.g. migratory corridors, stream buffers, floodplains or other natural features that provide storm protection or allow shorelines to adapt to changing conditions); has potential to contribute significantly to ecological, recreational or other values if restored; and/or exhibits a strong mix of values that that provide important benefits to the coastal and estuarine environment. (up to 15 points if primary purpose; up to 5 points if secondary purpose)

(iii) Recreational value will be evaluated by the degree to which a project provides opportunities for public access to and/or recreational enjoyment of the coast, particularly addressing coastal access and recreation needs identified in a CELCP plan, or that contribute

to an existing recreational trail (e.g. coastal hiking, birding or water trail). (up to 15 points if primary purpose; up to 5 points if secondary purpose)

(iv) Historic value will be evaluated by the degree to which a project contains significant historical, cultural, or archaeological features, particularly related to historical or traditional use of the coastal and estuarine environment, including sites: listed, designated, or eligible for the National Register of Historic Places, National Historic Landmark status; designated or recognized by a State or local government; or sites containing evidence of historical, cultural, or archaeological features that have not been formally evaluated. (up to 15 points if primary purpose; up to 5 points if secondary purpose)

(v) Aesthetic value will be evaluated in terms of the degree to which a project protects scenic vistas looking toward or from the site or protects sites designated nationally as scenic byways, scenic rivers, and/or other State- or locally-designated cultural landscapes, or makes some other significant contribution to the aesthetic character of the surrounding area. (up to 15 points if primary purpose; up to 5 points if secondary purpose)

(vi) Relevance to State CELCP or other conservation plans will be determined on the basis of how a project advances the priorities within a State CELCP Plan, coastal management program approved under the CZMA, National Estuarine Research Reserve management plan, or other regional, State, , and/or local watershed planning effort (e.g. Great Lakes Restoration Initiative Action Plan II, Lakewide Area Management Plans). (up to 10 points)

In order to be considered for the 15 percent reservation of funds for CELCP projects that benefits NERRs, applicants must include a support letter from the relevant Reserve Manager for the project.

2. Technical/Scientific Merit (25 points out of 110)

This evaluation factor seeks to determine whether the proposed approach is technically sound and/or innovative, whether the methods are appropriate, and whether there are clear project goals and objectives. For this competition, this means projects will be reviewed and

ranked according to the degree to which they:

- Can be effectively managed and protected over the long-term to conserve or restore ecological, conservation, recreation, aesthetic, or historical/cultural values;
- Are threatened by conversion from their natural or recreational State to other uses; and
- Can be executed within the performance period.

Priority will be given to projects that can be effectively managed and protected in terms of land stewardship and/or need for restoration or enhancement, based on such factors as: whether the land is currently in the desired State for its intended purpose (e.g., land with ecological value that does not require restoration, control of invasive species, or remediation); compatibility of surrounding land uses with long-term conservation of the site's values; whether proposed uses of the site are compatible with the primary purpose for which the land is to be protected; and whether proposed uses maintain or improve the values present on the site. Because CELCP authority (Pub. L. No. 111-11) specifies that priority be given to projects that can be effectively managed and protected, manageability and long-term use will receive a greater weighting.

(i) Manageability will be evaluated in terms of the degree to which a project can be effectively managed over the long-term to conserve or restore ecological, conservation, recreation, aesthetic, and/or historical/cultural values. (up to 8 points)

(ii) Long-term use will be evaluated in terms of the degree to which a project is compatible with proposed land uses and surrounding land uses. (up to 7 points)

(iii) Threat of conversion will be evaluated by: the degree to which regional development trends or site-specific plans indicate a likelihood that the property will be converted from its natural, undeveloped, or recreational State to other uses; whether the site has development potential or development plans have been approved by local governing or other regulatory bodies; whether the property is on the market (listed for sale); and/or whether the current owner has expressed an interest in selling or developing the parcel. (up to 5 points)

(iv) Project readiness will be evaluated by the likelihood that a project can be completed during the performance period, including factors such as: whether sites have been identified, the property is on the market, and/or negotiations with landowner have resulted in a purchase and sale agreement; whether appraisal, title opinion, and other documentation have been completed or can be produced within the performance period; and whether the site has any uncertainties (such as liens or judgments) that are not likely to be resolved within the proposed award performance period. Proposed projects with multiple parcels will be evaluated for project readiness and feasibility for completion within the required 18 month timeframe. Please note: NOAA recommends that each project propose to acquire no more than 5 separate parcels, including parcels that would be acquired with CELCP funds as well as those that would be counted an in-kind match. Properties containing multiple parcels covered under a single appraisal, title report and survey plat could count as one parcel. (up to 5 points)

3. Overall Qualifications of Applicants (10 points out of 110)

This evaluation factor seeks to determine whether the applicant possesses the necessary experience, training, facilities, and administrative resources to accomplish the project. For this competition, this means projects will be evaluated by the degree to which an applicant has the proven capacity (such as staffing, resources, authority and expertise) and experience to execute the land transaction consistently with CELCP Guidelines and, directly or through partnerships, to manage property for long-term conservation of its ecological, conservation, recreation, aesthetic, or historical/cultural values consistently with CELCP Guidelines. For projects proposing in-kind match properties that would be held by a nongovernmental organization, applicants must demonstrate that the entity is a qualified 501(c)(3) non-profit organization whose primary mission is to acquire and manage land for the purposes of conservation.

(i) Ability to acquire land (up to 5 points)

The applicant's ability to acquire land will be evaluated in terms of:

- The organization’s legal authority, personnel, expertise, and capacity to acquire lands for long-term conservation, either directly or through partnerships with another organization;

- The organization’s previous success in acquiring lands, or interests in lands, for long-term conservation purposes; and

- If applicable, for projects proposing in-kind match properties held by nongovernmental organizations (NGO), the organization’s status as an NGO and the nature of its mission, its track record of success in completing acquisitions and/or status as an accredited land trust.

(ii) Ability to manage land (up to 5 points)

The applicant's ability to manage land will be evaluated in terms of:

- The organization’s capacity, in terms of funding, personnel, and expertise to manage the property directly, or through a partnership or stewardship agreement with another organization;

- The organization’s success in managing other properties for conservation purposes; and

- If applicable, for projects proposing in-kind match properties held by NGOs, the organization’s capacity and success in managing properties for long-term conservation, as evidenced, for example, by number of properties managed, number of staff or volunteer stewards, and/or status as an accredited land trust.

4. Project Costs (20 points out of 110)

The budget is evaluated to determine if it is realistic and commensurate with the project needs and timeframe. For this competition, projects will be reviewed and ranked according to: whether land acquisition costs are reasonable and based on an independent appraisal or other assessment of fair market value; whether the source of non-Federal matching funds is consistent with CELCP Guidelines, is likely to be available within the performance period, and demonstrates successful leveraging of funds among participating

entities; and whether direct and indirect costs for implementation of the project, if requested, are reasonable and consistent with CELCP Guidelines. Because they comprise the majority of project costs, land acquisition costs and matching funds will be given greater weight than other project costs for this evaluation.

For evaluation of project costs, applicants should describe:

- How land acquisition costs were estimated, e.g., independent appraisal or another assessment of fair market value;

- Any other direct acquisition-related costs, such as appraisal or title opinion, including whether such costs have already been expended;

- The source of matching funds and whether they are they are in the form of cash, in-kind, or donated land or land value from properties that enhance the proposed CELCP project;

- Whether matching funds are currently available or expected to be available within the performance period; and

- Any other administrative costs to be charged to the grant or in-kind services to be used as match in order to document that they are reasonable and commensurate with the project needs.

For any property(-ies) that will be used for match, please also describe: the values that the property contributes; how the property(-ies) relates, in purpose and physical features, to the property that is proposed for acquisition with the Federal share; when the match property was or will be acquired; what legal rights were or will be acquired (whether fee or easement); who holds title to the legal rights; and the basis for the purchase price or donation value (e.g., independent appraisal or another assessment of fair market value).

For large parcels or projects for which the requested CELCP funding is only a portion, please explain: what portion of the property the CELCP funding would acquire; and whether the project would be viable if funding from other sources did not become available within the grant performance period.

Please also describe any additional sources of match that may be used as a contingency in the event that matching funds are not secured from the proposed source, or in the event that the value of proposed in-kind match properties depreciates prior to the required time of appraisal (within nine months prior to award expiration).

5. Outreach and Education (0 points out of 110)

This evaluation criterion is not applicable to this announcement.

B. Review and Selection Process

Proposal Review and Selection Process: Once an application has been received, NOAA will conduct an initial administrative review to determine compliance with requirements set out in this FFO, completeness of the application, and eligibility of proposed costs and uses of the property. All qualifying proposals will be evaluated and scored individually in accordance with the assigned weights of the above evaluation criteria by an independent peer mail review and/or by an independent peer panel review. Both Federal and non-Federal experts may be used in this process.

Reviewers will evaluate the proposals, score them based on the criteria listed above, and submit individual ratings to NOAA. Each proposal will be reviewed by at least three reviewers. The scores will be presented to the program officers and averaged for a final score. No consensus advice will be given by the independent peer mail review or the review panel. The program officers will neither vote or score proposals as part of the independent peer review process.

The merit reviewers' ratings will be used to produce a rank order of the proposals. Their recommendations and evaluations will be considered by the NOAA Federal program officers and CELCP competition manager who will recommend to the program's selecting official, the Assistant Administrator of the National Ocean Service, National Oceanic and Atmospheric Administration (or the Assistant Administrator's designee), that a final list be ranked in order unless the proposal is justified to be selected out of rank order based upon the appropriate selection factors, listed in section C., below.

The final ranked list may be made publicly available prior to final appropriations or final selections. Subsequent grant administration procedures will be in accordance with current DOC and NOAA grant administration procedures.

C. Selection Factors

The final panel ratings shall provide a rank order to the competition manager for final funding recommendations. The competition manager will make recommendations to the Selecting Official to award proposals in the rank order unless a proposal is justified to be selected out of rank order based upon one or more of the following selection factors:

1. Availability of funding.

2. Balance/distribution of funds:

a. Geographically.

b. By type of institutions.

c. By type of partners.

d. By research areas.

e. By project types.

3. Whether this project duplicates other projects funded or considered for funding by NOAA or other Federal agencies.

4. Program priorities and policy factors as described in section 1 of this federal funding opportunity, as well as:

a. The project's capacity to leverage other conservation dollars, or

b. Whether the State's CELCP plan has received NOAA approval, or

c. The project's likelihood to be successfully executed within the performance period.

5. Applicant's prior award performance.

6. Partnerships and/or Participation of targeted groups.

7. Adequacy of information necessary for NOAA staff to make a NEPA determination and draft necessary documentation before recommendations for funding are made to the Grants Officer.

Applicants may be asked to modify objectives, work plans, or budgets, and to provide supplemental information prior to approving a final grant application. NOAA will review appraisals to determine if they are in accordance with the Uniform Standards of Professional Appraisal Practice and the Uniform Appraisal Standards for Federal Land Acquisition (Yellow Book). If the appraisals are not in accordance with these Standards, the applicant may be required to obtain further information from the appraiser or get the appraisal revised. Alternately, the project award funding could be adjusted to reflect a lower value. The Selecting Official or designee may negotiate the funding level of the proposal.

D. Anticipated Announcement and Award Dates

NOAA anticipates that most grants will have a start date of October 1, 2015 dependent on funding availability, the completion of all NOAA/applicant negotiations, NEPA analysis, and documentation supporting cooperative agreement activities.

## VI. Award Administration Information

### A. Award Notices

Upon receipt of final appropriations and funding allocations, the CELCP selecting official will select project applications for funding within the amounts available. For each project recommended for funding, the program office will notify the applicant and request any additional supplemental documents available for the final grant applications, consistent with section 4.4 of the CELCP Guidelines. (For any supplemental documentation not available at the time of final grant application, NOAA will include a Special Award Condition requiring that the documents be submitted during the award period before grant

funds can be released.)

Applications recommended for funding by the selecting official will then be forwarded to the NOAA Grants Management Division (GMD) by the Program Office. The applicant must be aware that the notification by the program office is NOT the official award notice. Official notification happens only when the applicant receives an award notice from the Grants Officer electronically.

Unsuccessful applicants will be notified by email that their application was not recommended for funding within 10 business days after the final program office recommendations have been approved by the NOAA GMD. When a decision has been made (whether an award or declination), summaries of merit reviews and panel deliberations, if any, will be made available to the proposer upon request. Declined applications will be held in the NOS/OCM for three years, in accordance with the current retention requirements, and then destroyed.

To enable the use of a universal identifier and to enhance the quality of information available to the public as required by the Federal Funding Accountability and Transparency Act of 2006, to the extent applicable, any applicant awarded in response to this announcement will be required to use the System for Award Management (SAM), which may be accessed online at

https://www.sam.gov/portal/public/SAM/

Applicants are also required to use the Dun and Bradstreet Universal Numbering System and will be subject to reporting requirements, as identified in OMB guidance published at 2 CFR Part 25, which may be accessed online at

http://www.ecfr.gov/cgi-bin/text-idx?c=ecfr&tpl=/ecfrbrowse/Title02/2cfr25_main_02.tpl

B. Administrative and National Policy Requirements

1. The Department of Commerce Pre-Award Notification Requirements for Grants and Cooperative Agreements contained in the Federal Register notice of December 30, 2014 (79

FR 78390) are applicable to this solicitation and may be accessed online at http://www.gpo.gov/fdsys/pkg/FR-2014-12-30/pdf/2014-30297.pdf.

2. Please note that on December 26, 2013, OMB published final guidance titled Uniform Administrative Requirements, Cost Principles, and Audit Requirements (OMB Uniform Guidance), which streamlines the language from eight existing OMB circulars, including Cost Principles (OMB Circulars A-21, A-87, A 122) and administrative requirements (OMB Circulars A-102 and A 110), into one consolidated set of guidance applicable to federal assistance awards. Note that the OMB Uniform Guidance supersedes DOC's uniform administrative requirements set out at 15 C.F.R. parts 14 and 24. In accordance with the Federal Register notice published on December 19, 2014 (79 FR 75871) and the regulation at 2 C.F.R. 1327.101, the DOC adopted the OMB Uniform Guidance, codified at 2 C.F.R. Part 200, effective December 26, 2014, which means that the guidance applies to all new awards and may apply to additional funding to existing awards made on or after December 26, 2014. In addition, the audit requirements of the OMB Uniform Guidance applies to audits of non-Federal entities beginning on or after December 26, 2014. Therefore, applicants should familiarize themselves with 2 C.F.R. Part 200, which may be found at http://www.gpo.gov/fdsys/pkg/CFR-2014-title2-vol1/pdf/CFR-2014-title2-vol1-subtitleA-chapII-subchap-id302.pdf. Additional information on the substance of and transition to the OMB Uniform Guidance may be found at https://cfo.gov/cofar/.

3. Limitation of Liability.

There is no guarantee that funds will be available to make awards for this federal funding opportunity or that any proposal will be selected for funding. If an applicant incurs any costs prior to receiving an award agreement signed by an authorized NOAA official, they do so at their own risk of these costs not being included in a subsequent award. In no event will NOAA or the Department of Commerce be responsible for any proposal preparation costs. Recipients and sub-recipients are subject to all federal laws and agency policies, regulations, and procedures applicable to federal financial assistance awards. Applicants must be in good standing with all existing NOAA grants and/or cooperative funding agreements in order to receive funds. Publication of this announcement does not oblige NOAA to award any specific project, obligate any available funds, or provide special fishing privileges.

The NOAA program office reserves the right to immediately halt activity under the award if the recipient is not fulfilling the requirements of the project as outlined in the grant

award. Non-compliance with a federally approved project may result in termination of the award.

4. Data Sharing Plan.

NOAA requires that environmental data and information, collected and/or created under NOAA grants/cooperative agreements be made visible, accessible, and independently understandable to general users, free of charge or at minimal cost, in a timely manner (typically no later than two years after the data are collected or created), except where limited by law, regulation, policy or by security requirements. An Environmental Data Sharing Plan is NOT required to be submitted with CELCP land acquisition project proposals under this FFO. NOAA's Administrative Order on the Management of Environmental Data Management and Information is available under: www.corporateservices.noaa.gov/ames/administrative_orders/chapter_212/212-15.html

5. National Environmental Policy Act (NEPA) and Environmental Compliance.

Under the National Environmental Policy Act (NEPA), NOAA must analyze the potential environmental impacts of projects or proposals seeking funding from NOAA.

Per Section IV. B of this announcement, applicants must complete the Coastal and Estuarine Land Conservation Program project application checklist (OMB Approval No.: 0648 -0459) to provide detailed information on the activities to be conducted, locations, sites, species and habitat to be affected, possible construction activities, and any environmental concerns that may exist (e.g., the use and disposal of hazardous or toxic chemicals, introduction of non-indigenous species, impacts to endangered and threatened species, aquaculture projects, and impacts to coral reef systems). The CELCP application checklist is available via Grants.gov or at: www.coast.noaa.gov/czm/landconservation/applying/

After an application is submitted, NOAA may require additional information to fulfill NEPA and other compliance requirements. If NOAA determines that an environmental assessment is required, applicants may also be requested to assist in drafting the assessment.

Applicants may also be required to cooperate with NOAA in identifying and implementing feasible measures to reduce or avoid any identified adverse environmental impacts of their proposal. The failure to do so shall be grounds for the denial of an application. In some cases if additional information is required after an application is selected, funds can be withheld by the Grants Officer under a special award condition requiring the recipient to submit additional environmental compliance information sufficient to enable NOAA to make an assessment on any impacts that a project may have on the environment.

Detailed information on NOAA compliance with NEPA can be found at the following NOAA NEPA website:www.nepa.noaa.gov/ including NOAA Administrative Order 216-6 for NEPA, www.nepa.noaa.gov/NAO216_6.pdf and the Council on Environmental Quality implementation regulations http://ceq.hss.doe.gov/ceq_regulations/regulations.html or coast.noaa.gov/funding/_pdf/CEQ%20Regulations%20for%20Implementing%20the%20Procedural%20Provisions%20of%20NEPA.pdf

6. Paperwork Reduction Statement

This collection of information contains requirements subject to the Paperwork Reduction Act. The use of Standard Forms 424, 424A, 424B, SF-LLL, and CD-346 have been approved by OMB under the respective control numbers 0348-0043, 0348-0044, 0348-0040, 0348-0046, and 0605-0001. This collection is further approved by OMB under control number 0648-0549, including information requested through the CELCP Project Application checklist in order to adequately assess the eligibility and environmental compliance of proposed projects.

Notwithstanding any other provision of law, no person is required to respond to, nor shall any person be subject to a penalty for failure to comply with, a collection of information subject to the Paperwork Reduction Act, unless that collection displays a currently valid OMB control number.

7. Unpaid or Delinquent Tax Liability

In accordance with current Federal appropriations law, NOAA will provide a successful corporate applicant a form to be completed by its authorized representatives certifying that the corporation has no Federally-assessed unpaid or delinquent tax liability or recent felony criminal convictions under any Federal law.

8. Coastal and Estuarine Land Conservation Program Policy Requirements

The CELCP Guidelines, published in the Federal Register on June 17, 2003 (68 FR 35860-35869, June 17, 2003) are applicable to this solicitation and may be accessed online at http://www.gpo.gov/fdsys/pkg/FR-2003-06-17/pdf/03-15292.pdf or at www.coast.noaa.gov/czm/landconservation/managing/CELCPfinal02Guidelines.pdf?

The CELCP Guidelines establish the eligibility, procedural, and programmatic requirements for participation in the CELCP, including the criteria for financial assistance awards under the program, the criteria and process for eligible States and territories to nominate land conservation projects to a national competitive process, as well as the criteria and process for NOAA to select projects at the national level for funding.

The text of the 2009 CELCP authorization can be found at: http://www.gpo.gov/fdsys/pkg/USCODE-2012-title16/html/USCODE-2012-title16-chap33-sec1456-1.htm (Title 16, Chapter 33, Section 1456-1).

C. Reporting

Grant recipients will be required to provide performance and financial progress reports every six months from the time an award starts until it is closed. Financial and performance reporting, as well as all other grant management activities after a grant is awarded, are conducted electronically through NOAA's grants management system, NOAA Grants On-line, at: https://grantsonline.rdc.noaa.gov/. If not already registered, a Grants On-line account will be established for each recipient after a grant has been awarded. Also, each recipient will need to have a U.S. Treasury ASAP account in order to draw funds electronically.

Performance reports are to be submitted to the NOAA program officer. Within 30 days of the conclusion of each six-month period, recipients must submit a report summarizing activities conducted in support of the project during the prior six months. The recipient will be requested to ensure that all interim progress reports indicate whether financial reports have been submitted to NOAA's GMD and are up to date. Financial reports are to be submitted to the NOAA Grants Officer. NOAA's Grants Management Division will also provide guidance for its semi-annual financial reporting requirements.

Each grant recipient will need to demonstrate, through performance and financial reports, that all award conditions have been met before an award can be closed. Recipients must keep reporting until the end of the official award performance period unless they request to terminate the award early for convenience.

In the final progress report, the recipient will be asked to:

a) clearly state the resulting impact and outcomes of their project and products in the coastal management community;

b) certify that Final financial reports have been submitted to NOAA's Grants Management Division and a final funding draw-down has been made through the Automated Standard Application for Payments (ASAP); and

c) submit proof of the acquisition (recorded deed or conservation easement showing NOAA language), evidence that a sign was installed (photo), representative site photos (digital preferred), and a GIS shape-file of the property. NOAA will provide recipients with a template and instructions for submitting the final report and related materials. A grant is not considered complete when the property closing occurs.

If equipment or tangible personal property is purchased with grant funds, applicants shall submit an inventory in accordance with relevant OMB requirements, which shall be incorporated under the award. As noted above, DOC anticipates adopting the OMB Uniform Guidance, which is codified at 2 C.F.R. Part 200. The equipment requirements of the OMB Uniform Guidance are set out at 2 C.F.R. § 200.313. As applicable, the recipient must submit Form SF-428 (Tangible Personal Property Report) annually and in the final progress report. Form SF-428 may be attached as an appendix to progress reports. The program office recommends that if the equipment is no longer needed, recipients are encouraged to request disposition instructions for equipment approximately 150 days before the project period ends to allow sufficient time to have equipment disposition requests addressed before a project ends. Equipment disposition instructions typically require that recipients complete an "other" award action request in Grants Online. NOAA will provide instructions for disposition in accordance with OMB requirements.

As applicable, the recipient must report on real property annually and at award closeout, by completing Form SF-429 (Real Property Status Report).

The Federal Funding Accountability and Transparency Act of 2006 includes a requirement for awardees of applicable Federal grants to report information about first-tier subawards and executive compensation under Federal assistance awards issued in FY 2011 or later. All awardees of applicable grants and cooperative agreements are required to report to the Federal Subaward Reporting System (FSRS) available at www.FSRS.gov on all subawards over $25,000.

## VII. Agency Contacts

For administrative or technical questions regarding this announcement, contact: Elaine Vaudreuil, CELCP Program Manager, by phone at (301) 563-7103 or via email at: Elaine.Vaudreuil@noaa.gov, or Elizabeth Mountz, by phone at (301) 563-1148 or via email at: Elizabeth.Mountz@noaa.gov.

VIII. Other Information

The Office for Coastal Management will not release the names of applicants submitting proposals unless ordered by a court or requested to do so by an appropriate NOAA official and administrative protocol (e.g. publication of a ranked list of projects deemed ready and eligible). Applicants can use a NOAA public search feature to find out information about NOAA awards <https://grantsonline.rdc.noaa.gov/flows/publicSearch/begin.do> or go through the Freedom of Information Act process to request more information about grant competitions. More information about the NOAA FOI process is online at the following address:

< www.rdc.noaa.gov/~foia/ >.

Department of Commerce regulations implementing FOIA are found at 15 C.F.R. Part 4, Public Information. These regulations set forth rules for the Department regarding making requested materials, information, and records publicly available under the FOIA. Applications submitted in response to this FFO may be subject to requests for release under the Act. In the event that an application contains information or data that the applicant deems to be confidential commercial information which is exempt from disclosure under FOIA, that information should be identified, bracketed, and marked as Privileged, Confidential, Commercial or Financial Information. Based on these markings, the confidentiality of the contents of those pages will be protected to the extent permitted by law.