2022/2023 Sea Scallop Research Set Aside

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NOTICE OF FUNDING OPPORTUNITY

EXECUTIVE SUMMARY

Federal Agency Name(s): National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Department of Commerce

Funding Opportunity Title: 2022/2023 Sea Scallop Research Set Aside

Announcement Type: Initial

Funding Opportunity Number: NOAA-NMFS-NEFSC-2022-2006947

Catalog of Federal Domestic Assistance (CFDA) Number: 11.454, Unallied Management Projects

Dates: Dates: Complete proposals/applications must be received on or before 5 p.m. EDT on [Insert 60 days from publication]. Proposals received after the established deadline will be rejected and returned to the sender without consideration. For proposals submitted through Grants.gov, a date and time receipt indication will be the basis of determining timeliness. The proposal must be validated by Grants.gov in order to be considered timely. PLEASE NOTE: It may take Grants.gov up to two (2) business days to validate or reject the application. Please keep this in mind in developing your submission timeline.

For those without access to the Internet, one signed original and two hard copy applications must be postmarked or received by the established due date for the program at the following address: Ryan Silva, NMFS, Greater Atlantic Regional Fisheries Office, Gloucester, MA 01930, ATTN: 2022/2023 Atlantic Sea Scallop Research Set-Aside (RSA) Program. Use of U.S. mail or another delivery service must be documented with a receipt. Note that late-arriving hard copy proposals provided to a delivery service on or before 5:00 p.m. on the closing date for applications will be accepted for review if the applicant can document that the proposal was provided to the guaranteed delivery service by the specified closing date and time and if the proposal is received by NOAA's National Marine Fisheries Service (NMFS) no later than 5 p.m., two business days following the closing date.

No facsimile or electronic mail proposals will be accepted. April 1, 2022, should be used as the proposed start date on proposals, unless otherwise directed by the Program Officer.

Funding Opportunity Description: Funding Opportunity Description: NMFS, in coordination with the New England Fishery Management Council (Council), is soliciting Atlantic sea scallop (scallop) proposals to use scallop RSA quota reserved by the Council to fund scallop research endeavors through the 2022/2023 Scallop RSA Program. No federal funds are provided for

research under this notification. Rather, proceeds generated from the sale of RSA quota will be used to fund approved activities and compensate scallop vessel owners.

Projects funded under the Scallop RSA Program must enhance the knowledge of the scallop fishery resource or contribute to the body of information on which scallop management decisions are made. Priority will be given to proposals that investigate research priorities developed by the Council, which are detailed under the Program Priorities section of this announcement.

New Program Requirements and Content

Section IV.B – Content and Form of Application has been revised from previous years. There are additional application submission requirements that must be met. Questions on the new requirements should be directed to the Program Officer.

Section VI.C – Reporting. Final reports must meet Section 508 Standards. These standards ensure equitable access to final reports. Questions on this requirement should be directed to the Program Officer.

FULL ANNOUNCEMENT TEXT

I. Funding Opportunity Description

A. Program Objective

The Scallop RSA Program was established through the Scallop Fishery Management Plan (FMP) to address research priorities developed by the Council. NMFS, in coordination with the Council, is soliciting proposals for scallop research to be conducted under the 2022/2023 Scallop RSA Program. Set-aside quota will be awarded to successful applicants.

B. Program Priorities

Projects funded under the Scallop RSA Program must enhance the understanding of the scallop resource or contribute to scallop fishery management decisions. Priority is given to proposals addressing scallop research priorities as set forth below.

Applicants are encouraged to consider previously funded scallop research projects when developing proposals. Applicants responding to scallop survey priorities are encouraged to review and consider the findings of the Scallop Survey Methodologies Peer Review, which was convened by the Northeast Fisheries Science Center in March 2015. Reports and additional information for this peer review can be obtained from the Program Officer upon request.

2022 and 2023 Scallop RSA Research Priorities

SURVEYS (Highest Priority – not in ranked order)

1. Survey Related Research

Survey results must be available by mid August of the year in which the survey is conducted (e.g., survey results that would inform 2023 fishing effort decisions must be available by mid-August 2022). The survey or surveys do not need to be carried out by a single grant recipient.
Survey data will be used to develop estimates of total and exploitable biomass to be used for setting fishery catch limits and allocations. Successful projects may be asked to provide data in a standardized format. The primary objective of these surveys would be to provide length-frequencies, abundance and biomass estimates that are used by the Scallop Plan Development Team.

1a. An intensive industry-based survey of each of the relevant scallop rotational areas (In rank order: Closed Area II, Elephant Trunk and Hudson Canyon, Nantucket Lightship, Closed Area I) that will provide estimates of total and exploitable biomass to be used for setting fishery catch limits under the rotational area management program.

1b. an intensive industry-based survey of areas of importance (i.e., open areas with scallop recruitment or areas of importance to the fishery). For 2022, the priority areas are where scallop recruitment was observed during recent surveys, and areas of the Gulf of Maine that have recently been or are likely to be fished, specifically the closure area on Stellwagen Bank. (Information of areas where scallop recruitment was observed during recent surveys can be obtained from the Program Officer.)

1c. a resource wide industry-based survey of scallops within Georges Bank and/or Mid-Atlantic resource areas. The Georges Bank area includes areas east of Cape Cod, and the area of the Gulf of Maine south of the Northern Gulf of Maine management area.

High Priority Non-survey research (equal priority – not in ranked order)

2. Scallop Biology: Research on scallop biology, including studies aimed at understanding recruitment processes (e.g., reproduction, timing of spawning, larval and early post-settlement stages, age and growth, and yield), spatial population dynamics of the scallop resource, and examination of environmental stressors on reproduction and growth. This priority also includes research on natural mortality processes, such as scallop predation (e.g., starfish, crab, snails), discard mortality, juvenile mortality events, and disease and parasites. The results of biology research should be informative to scallop stock assessments and projection models (current and future) and to support decision-making by fishery managers.

3. Turtles: Research to support the investigation of turtle behavior in the Mid-Atlantic and Georges Bank (via satellite tagging or other means). This could include, but is not limited to, research to understand their seasonal movements, vertical habitat utilization, and the status and range of the population in response to climate change. This could also include research on gear design to reduce incidental takes of ESA-listed species. This research could assist in the collection of data that may be required by current or future biological opinions, to address reasonable and prudent measures of the biological opinion and could be used to evaluate current turtle regulations (e.g., timing and spatial extent of gear modifications).

General Research Needs (equal priority - not in rank order)

4. Scallop Recruitment Supplementation: Research to develop the tools, such as spat

collection, grow out of juvenile scallops, predator control, and offshore seeding, to supplement natural recruitment of scallops for the federally managed scallop fishery. Research could focus on the development of standards and best practices for using husbandry techniques to enhance the wild capture fishery or could evaluate the economic feasibility of enhancement efforts.

5. Bycatch: Identification and evaluation of methods to reduce the impacts of the scallop fishery with respect to bycatch of small scallops and non-target species. This would include projects that determine seasonal bycatch rates of non-target species, characterize spatial and temporal distribution patterns, collect and analyze catch and bycatch data on a near-real time basis, as well as the associated discard mortality rates of key bycatch species. Research efforts focusing on non-target bycatch should provide results that would help the scallop industry avoid pending or potential implementation of accountability measures. Projects should consider the enforceability and feasibility of regulations in the commercial fishery.

6. Gear: Commercial dredge research to improve scallop catch efficiency, improve scallop size selectivity, reduce scallop damage (discard and incidental mortality), reduce non-target species bycatch, and to reduce fuel consumption.

C. Program Authority

Statutory authority for this program is provided under sections 303(b)(11), 402(e), and 404(c) of the Magnuson-Stevens Fishery Conservation and Management Act, 16 U.S.C. 1853(b)(11), 16 U.S.C. 1881a(e), and 16 U.S.C. 1881c(c), respectively. The Scallop RSA Program is established through the Scallop FMP (69 FR 35193, June 23, 2004) and implementing regulations at 50 CFR 648.56.

II. Award Information

A. Funding Availability

No federal funds are provided for research under this notification. Rather, funds generated from the sale of landed scallop RSA quota shall be used to cover the cost of research activities, including vessel costs. The Federal Government is not liable for any costs incurred by the researcher or vessel owner should the sale of set-aside quota not fully reimburse the researcher or vessel owner. Any additional funds generated through the sale of set aside landings, above the cost of the research activities, shall be retained by the vessel owner as compensation for the use of his/her vessel.

The Scallop RSA sub-Annual Catch Limit (ACL) is 1.25 million pounds per scallop fishing year (April through March). Under the previous 2021/2022 Notice of Funding Opportunity, NMFS awarded 153,854 pounds of scallops from the 2022 sub-ACL. Consequently, under this solicitation there are 1,096,146 pounds available from the 2022 RSA sub-ACL, and 1.25 million pounds available from the 2023 RSA sub-ACL.

All scallop RSA awards will be made in pounds of scallops. RSA quota may be harvested from any area that is open to the scallop fishery (i.e., open access areas and open areas), unless otherwise restricted by the Council and NMFS. In the event that the entire scallop RSA sub-ACL is not fully expended, NMFS may award unused RSA quota to compensate projects whose scopes were reduced as a result of low scallop prices or to expand a project within its original topic area. In such an instance, the awarded allocation will be posted on the RSA Program website (https://www.fisheries.noaa.gov/new-england-mid-atlantic/funding-and-financial-services/research-set-aside-programs).

Applicants must submit a budget that is based on funds necessary to execute the research plan and funds necessary to compensate vessel owners harvesting set-aside quota. Upon project selection, NMFS will negotiate with successful applicants on the specific RSA quota award. Projects will be selected based on technical merit, management relevance, and responsiveness to Council research priorities. NMFS will establish a common scallop price estimate, based on the best and most recent data available at the time of negotiations, to determine the amount of set-aside necessary to cover research and compensation fishing expenses. For reference, $12.50/lb was used for projects funded through the 2021/2022 scallop RSA competition. Questions about the funding mechanism and RSA compensation fishing should be directed to the Program Officer.

B. Project/Award Period

Proposals may be submitted for research activities that encompass all or part of the 2022 and 2023 scallop fishing years (April 1 through March 31).

C. Type of Funding Instrument

Selected proposals will be funded through a grant or cooperative agreement depending upon the amount of collaboration, participation, or involvement by NMFS in the management of the project. Examples of substantial involvement may include, but are not limited to, proposals for collaboration between NOAA scientists and a recipient scientist. Funding for contractual arrangements for services or products for delivery to NOAA is not available under this notice.

III. Eligibility Information

A. Eligible Applicants

1. Eligible applicants include, but are not limited to, institutions of higher education, hospitals, other nonprofits, commercial organizations, individuals, state, local, and Native American tribal governments. Federal agencies and instrumentalities are not eligible to receive Federal assistance under this notice. Additionally, employees of any Federal agency or Regional Fishery Management (RFM) Council, including Council members, are ineligible to submit an application under this program.

2. DOC/NOAA supports cultural and gender diversity and encourages women and minority individuals and groups to submit applications to the RSA Program. In addition, DOC/NOAA is strongly committed to broadening the participation of historically black colleges and universities, Hispanic serving institutions, tribal colleges, and universities, and institutions that work in underserved areas. DOC/NOAA encourages proposals involving any of the above institutions.

3. DOC/NOAA encourages applications from members of the fishing community and applications that involve fishing community cooperation and participation.

B. Cost Sharing or Matching Requirement

None Required

C. Other Criteria that Affect Eligibility

1. Research proposals submitted under the 2022/2023 Scallop RSA Program must be received within the application submission period to be eligible for consideration.

2. Proposals for different and distinct projects must be submitted separately in accordance with the format requirements in Section IV.B. Multiple stand-alone projects in the same proposal will not be accepted.

IV. Application and Submission Information

A. Address to Request Application Package

Application information is available at http://www.grants.gov. Electronic copies of the Standard Forms for submission of research proposals may be found on the Internet in a PDF (Portable Document Format) version at https://www.grants.gov/forms.html. Delays may be experienced when registering with grants.gov near the end of a solicitation period.

Therefore, NOAA strongly recommends that you do not wait until the application deadline date to begin the application process through grants.gov.

Applicants without Internet access may contact Ryan Silva, NMFS, 55 Great Republic Drive, by email ryan.silva@noaa.gov, or phone 978-281-9326. To apply to this Notice of Funding Opportunity, go to http://www.grants.gov, and use the following number: NOAA-NMFS-NEFSC-2022-2006947.

B. Content and Form of Application

Should a recipient wish to include a coversheet with his/her proposal, the coversheet should summarize key information already contained in detail within the proposal. Such information might include, for example, the program name, date, applicant name, project title, project duration, principal investigator(s), program priorities addressed, and funds requested broken down by research, compensation, and total value.

Applications must adhere to the provision under "Applications" and the seven requirements under "Required Elements" and must be submitted by the stated deadline. Failure to follow these provisions will result in proposals being returned to the applicant without review.

1. Applications

a. Applications submitted to the 2022/2023 Scallop RSA Program must include a Standard Form 424 (Application for Federal Assistance), including a detailed budget using Standard Form 424A, (Budget Information--Non-Construction Programs), Standard Form 424B (Assurances--Non-Construction Programs), Commerce Department Form CD-511, (Certification Regarding Lobbying), and if applicable, Standard Form SF-LLL (Disclosure of Lobbying Activities). These forms are available at https://www.grants.gov/web/grants/forms/sf-424-family.html. These forms should be submitted through the www.grants.gov website. Applicants submitting hard copy must include one signed original and two signed unbound copies of the application (including supporting information).

b. The Standard Form SF424 must include the estimated monetary value of the entire project, including costs of compensation fishing and research project costs. This value must be recorded under item 18. Estimated Funding (e) "Other" on the SF424

c. The Standard Form SF424A must report the total value under "Non-Federal."

d. Applicants must identify the specific research priority or priorities to which they are

responding. If the proposal addresses more than one priority, it should list the priority that most closely reflects the objectives of the proposal first. Each application must address only one research investigation. If an application does not fulfill a priority category, it must be clearly stated in the application. Applicants should not assume prior knowledge on the part of NMFS as to the relative merits of the project described in the application.

2. Required Application Elements: Proposals should be limited to 12 pages, excluding item "e" below, and must include:

a. A narrative project description to include project goals, and objectives. Funding objectives should be simple and understandable; as specific and quantitative as possible; clear as to the "what and when," but avoiding the "how and why;" and attainable within the time, funding, and resources available. Proposals should be accomplishment oriented and identify specific performance measures, describing how investigators foresee research results being used in the management and/or science arena to enhance the understanding of the scallop resource or contributing to the body of information on which management decisions are made (see Section I.B.). The main body of the narrative should be a clear statement of the work to be undertaken and include: (1) Project design and management, including who is responsible, expected products, and participants other than applicant; (2) project year, or years, including the duration (starting on the first day of the month and ending on the last day of the month); (3) names and affiliations of the principal investigator(s) (PI); (4) contribution and relevance of the proposed work; and (5) a summary of the existing state of knowledge related to the project;

b. A detailed budget, including a description of the funds needed to execute the research plan and compensate fishing industry partners that harvest set-aside quota. The budget must include a breakdown of research costs including labor, vessel contracts, equipment, supplies, and overhead, as applicable. The proposal must state how the proceeds from the sale of compensation fishing activities, including those derived from incidental catch, will be divided between the vessel and applicant. Proposals must provide a description of the safeguards that will be used to ensure that the set-aside award will not be exceeded;

c. A list of any Federal regulations that the applicant needs to have waived and a brief justification for such a waiver;

d. Each proposal must identify the activities for the vessel(s) participating in the project, including research and compensation fishing activities. The applicant should differentiate between fishing industry partners that would participate in the project, if funded, and those where no such agreement exists (e.g., previous partners);

e. Supporting documents, including resumes, letters of intent for vessels to participate in research activities, and any relevant contracts; and

f. As part of this application process, questions from The Environmental Compliance Questionnaire for NOAA Federal Financial Assistance Applicants, OMB Approval Number 0648-0538, must be answered and submitted with the application. This form is located at http://www.nepa.noaa.gov. Failure to complete all of the questions with current and relevant information will result in the application being considered incomplete.

C. Unique Entity Identifier and System for Award Management (SAM)

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 proposal awarded in response to this announcement will be required to use the System For Award Management (SAM; available online at: https://www.sam.gov) and Dun and Bradstreet Universal Numbering System and be subject to reporting requirements, as identified in Office of Management and Budget (OMB) guidance published at 2 CFR Parts 25 and 170 (available upon request from the Program Officer).

D. Submission Dates and Times

Complete proposals/applications must be received on or before 5 p.m. EDT on [Insert 60 days from publication]. Proposals received after the established deadline will be rejected and returned to the sender without consideration. For proposals submitted through Grants.gov, a date and time receipt indication will be the basis of determining timeliness. The proposal must be validated by Grants.gov in order to be considered timely. PLEASE NOTE: It may take Grants.gov up to two (2) business days to validate or reject the application. Please keep this in mind in developing your submission timeline.

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E. Intergovernmental Review

Applicants will need to determine if their State participates in the intergovernmental review process. Information on Intergovernmental Review (SPOC List) can be found at the following website: https://www.whitehouse.gov/omb/office-federal-financial-management. This information will assist applicants in providing either a Yes or No response to Item 16 of the Application Form, SF-424, entitled "Application for Federal Assistance."

F. Funding Restrictions

F. Funding Restrictions

1. The research project period may encompass all or part of the 2022 and/or 2023 scallop fishing years (April 1, 2022 – March 31, 2023, and April 1, 2023 – March 31, 2024, respectively). Proposals to fund research started before final approval of the project for set-aside awards are eligible for consideration, but any project expense incurred prior to the final determination is done solely at the researcher’s risk.
2. Set-aside quota may only be harvested from open areas and open access areas, excluding areas identified by the Council and NMFS as closed to RSA compensation fishing.
3. Set-aside quota awarded under this competition must be harvested by the end of July 2023 or 2024 as determined by the fishing year from which the award was derived and scallop fishing regulation, at which point all compensation fishing must cease, regardless if a portion of the set-aside has not been harvested.
4. The Federal Government shall not be liable for any costs incurred by any applicant to this announcement or any proposed or selected application or project. Any additional funds generated through the sale of the fish harvested under the research quota, above the cost of the research activities, shall be retained by the vessel owner as compensation for use of his/her vessel.

G. Other Submission Requirements

1. NOAA employees (whether full-time, part-time, or intermittent) are not permitted to assist in the preparation of an application, except that staff may provide information on program goals, funding priorities, application procedures, and completion of application forms. Because this is a competitive program, NOAA employees will not provide assistance in conceptualizing, developing, or structuring proposals, or write letters of support for an application. However, the Council or NMFS contact person may provide assistance to researchers who are seeking vessels to participate in the harvest of set-aside quota or participate in research activities. NMFS, in consultation with the Council, may decide to hold a meeting with the public to discuss general topics concerning past RSA program accomplishments and ways to enhance communications on funding priorities and associated potential study methods. Such meetings will be publicized by NMFS and the Council in

accordance with their respective requirements.

2. NOAA must analyze the potential environmental impacts, as required by the National Environmental Policy Act (NEPA), for applicant projects or proposals that are seeking NOAA federal assistance opportunities, including special fishing privileges. The provisions of the Scallop RSA Program, and the associated 2022 and 2023 sub-ACLs were considered under the Environmental Impact Statement for Amendment 21, and will be considered under the Environmental Assessment for Framework 33. Applications that propose research that is not within the scope of the NEPA analysis for these management actions may require the applicant to provide additional information that will serve as the basis for any further analyses.

3. Permits and Approvals

a. If field research will occur in state or federal waters, investigators must secure the appropriate vessel documentation, as determined by the Greater Atlantic Regional Fisheries Office, Sustainable Fisheries Division, and applicable state management agencies. Such documentation may include a Letter of Acknowledgment, Exempted Fishing Permit (EFP), Exempted Educational Activity Authorization, or Temporary Possession Letter of Authorization. In order to assist NMFS in determining whether or not the proposed research would require a permit, researchers should briefly address the following within the application:

i. Location and Time of Year - Specify time of year and areas where research will occur (e.g., coordinates, 10-minute squares, closed areas; include map if possible);

ii. Gear Type - Specify type(s) of gear, including mesh size or gear modification (trawl; gillnet; dredge; acoustic gear, including frequency and amplitude);

iii. Effort - Specify the number of vessels, number of tows, length of tows, set duration of tended gear, sampling frequency, etc.;

iv. Catch - Specify the anticipated species composition and amount (directed catch and bycatch);

b. If an exemption from Federal regulations is proposed, include a list of the specific regulations, along with a brief justification for each regulation that needs to be waived. Should the applicant submit a request for an EFP to NMFS, the completed application should be received by NMFS at least 60 days before the requested start date of the proposed

research. NMFS may not exempt a vessel from any requirement imposed by any state. Therefore, applicants are urged to discuss with state fisheries agencies any proposed landings in their state(s), and must obtain any additional permits that may be required by such state(s).

c. Successful applicants must obtain compensation fishing permits from NMFS prior to initiating compensation fishing. NMFS will issue letters of authorization to federally permitted scallop vessels as identified by the Principal Investigator or delegated project coordinator, thereby authorizing such vessels to take compensation fishing trips.

d. Grant recipients and partnering vessel owners and operators must adhere to compensation fishing permit and exempted fishing permit terms and conditions. Failure to do so may result in the revocation of RSA compensation fishing and exempted fishing privileges.

e. Projects may not have more than 50 vessels authorized to conduct compensation fishing at any given time, unless sufficient rationale can demonstrate that more than 50 vessels are needed. In addition, principal investigators and project coordinators should be aware that it may take NMFS up to 4 weeks to process requests to revise the list of vessels that are authorized to conduct compensation fishing.

f. Amendment 15 established a list of scallop management measures from which vessels that are conducting research funded by the Scallop RSA Program could be exempted via a letter of authorization. These management measures include crew restrictions, seasonal closures in access areas, and the requirement to return to port if fishing in more than one area. The review and issuance of these permits would not entail additional environmental review or public comment beyond that which was conducted for Amendment 15. These authorizations would apply only to dedicated research activities, and would not be available to vessels harvesting scallops for sale.

V. Application Review Information

A. Evaluation Criteria

NMFS will solicit written technical evaluations from three or more federal and public/private sector experts to determine the technical merit of the proposal and to provide a rank score of the project based on the evaluation criteria.

NMFS may simultaneously convene a technical review panel from the same pool of experts to discuss the technical merit of applications for scallop resource surveys, bycatch research,

scallop meat quality, scallop biology research, or other areas of focus. Following the panel discussion(s), reviewers would submit independent written evaluations and a score in accordance with the technical evaluation criteria listed below.

1. Importance and/or relevance and applicability of the proposed project: This criterion ascertains whether there is intrinsic value in the proposed work and/or relevance to NOAA, Federal, regional, state, or local activities. Applicants should provide a clear definition of the problem, need, issue, or hypothesis to be addressed. The proposal should describe its relevance to RSA Program priorities. If not directly related to priorities listed in this solicitation, applicants should provide justification why the proposed project should be considered. (20 points)

2. Technical/scientific merit: This criterion assesses whether the approach is technically sound and/or innovative, if the methods are appropriate, and whether there are clear project goals and objectives. Special emphasis will be given to proposals that foster and improve cooperative interactions with the fishing industry and fishing communities, other research organizations conducting scallop research, Minority Serving Institutions, NMFS, and other stakeholders. A clear description of the project design, including a detailed description of field and laboratory work, and analysis methods, should be provided. The time frame for conducting the proposed research should be clearly specified. Activities that take place over a wider versus narrower geographical range, where appropriate, are preferred. (50 points)

3. Overall qualifications of the project: This criterion assesses whether the applicant, and team members, possess the necessary education, experience, training, facilities, and administrative resources to accomplish the project. This includes demonstration of support, cooperation and/or collaboration with the fishing industry, and qualifications/experience of project participants. (10 points)

4. Project costs: This criterion evaluates the budget to determine if it is realistic and commensurate with the project needs and time frame. Cost-effectiveness of the project is considered. (10 points)

5. Outreach and education: This criterion assesses whether the project involves a focused and effective education and outreach strategy regarding NOAA's mission to protect the Nation's natural resources. This includes identification of anticipated benefits, potential users, likelihood of success, a clearly defined data management plan, and methods of disseminating results. (10 points)

B. Review and Selection Process

In addition to the technical evaluation as described above, NMFS, in consultation with the Council, will convene a management review panel, including Council members and scallop fishery experts, to review and individually critique the proposals to enhance NOAA's understanding of the proposals as they relate to the program priorities enumerated in Section I.B. above. No consensus recommendations will be made by the management review panel.

NMFS may consult additional subject matter experts to inform final selection recommendations. Applicants may be required, in consultation with NMFS, to further refine/modify the study methodology as a condition of project approval.

C. Selection Factors

C. Selection Factors

The Program Officer will make recommendations to the Selecting Official based on technical ranking, management panelist recommendations, and responsiveness to program priorities. The Selecting Official may also consider one or more of the following factors:

1. Availability of funding.
2. Balance/distribution of RSA awards:
   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 currently supported or being considered for support by other NOAA offices.
4. Program priorities and policy factors.
5. Applicant's prior award performance.
6. Partnerships and/or Participation of targeted groups.
7. Adequacy of information necessary to conduct a NEPA analysis and determination.

Key program policy factors (see 4 above) to be considered by the Selecting Official are: (1) The time of year the research activities are to be conducted; (2) the ability of the proposal to meet the applicable experimental fishing requirements; (3) redundancy of research projects; and (4) logistical concerns. Therefore, the highest scoring projects may not necessarily be selected for an award. All approved research must be conducted in accordance with provisions approved by NOAA. Unsuccessful applications will be returned to the submitter. Successful applications will be incorporated into the award document.

D. Anticipated Announcement and Award Dates

Award announcements are expected 6 months following the deadline for this announcement.

VI. Award Administration Information

A. Award Notices

Successful applicants will receive notification that their application(s) has been recommended for selection to the NOAA Grants Management Division. This notification is not authorization to begin project operations. An official notification of selection, signed by the NOAA Grants Officer, is the authorizing document that grants the set aside award and allows compensation fishing to begin, pending the issuance of compensation fishing permits. These notifications will be issued via email to the Authorizing Official and the Principal Investigator of the project. Successful and unsuccessful applicants will be notified electronically.

B. Administrative and National Policy Requirements

DEPARTMENT OF COMMERCE PREAWARD NOTIFICATION REQUIREMENT FOR GRANTS AND COOPERATIVE AGREEMENTS. 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

UNIFORM ADMINISTRATIVE REQUIREMENTS, COST PRINCIPLES, AND AUDIT REQUIREMENTS. Through 2 C.F.R. § 1327.101, the Department of Commerce adopted Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards at 2 C.F.R. Part 200, which apply to awards in this program. Contact the Program Officer for additional information.

DOC TERMS AND CONDITIONS. Successful applicants who accept a NOAA award under this solicitation will be bound by Department of Commerce Financial Assistance Standard Terms and Conditions. This document will be provided in the award package in NOAA's Grants Online system at http://www.ago.noaa.gov and at https://www.commerce.gov/oam/policy/financial-assistance-policy.

LIMITATION OF LIABILITY. In no event will NOAA or the Department of Commerce be responsible for proposal preparation costs. Publication of this announcement does not oblige NOAA to award any specific project or to obligate any available funds.

NATIONAL ENVIRONMENTAL POLICY ACT (NEPA). NOAA must analyze the

potential environmental impacts, as required by the National Environmental Policy Act (NEPA), for applicant projects or proposals which are seeking NOAA federal funding opportunities. Detailed information on NOAA compliance with NEPA can be found at the following NOAA NEPA website: http://www.nepa.noaa.gov/, including NOAA Administrative Order 216-6A for NEPA, https://www.noaa.gov/organization/administration/nao-216-6a, and the Council on Environmental Quality implementation regulations, https://ceq.doe.gov/laws-regulations/regulations.html. Consequently, as part of an applicant's package, and under its description of its program activities, applicants are required 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). In addition to providing specific information that will serve as the basis for any required impact analyses, applicants may also be requested to assist NOAA in drafting an environmental assessment, if NOAA determines an assessment is required. Applicants will also be required to cooperate with NOAA in identifying feasible measures to reduce or avoid any identified adverse environmental impacts of their proposal. Failure to do so shall be grounds for not selecting an application. In some cases if additional information is required after an application is selected, funds and set aside quota can be withheld by the Grants Officer and NMFS, respectively, 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.

REVIEW OF RISK. After applications are proposed for funding by the Selecting Official, the Grants Office will perform administrative reviews, including an assessment of risk posed by the applicant under 2 C.F.R. 200.206. These may include assessments of the financial stability of an applicant and the quality of the applicant’s management systems, history of performance, and the applicant’s ability to effectively implement statutory, regulatory, or other requirements imposed on non-Federal entities. Special conditions that address any risks determined to exist may be applied. Applicants may submit comments to the Federal Awardee Performance and Integrity Information System (FAPIIS) about any information included in the system about their organization for consideration by the awarding agency.

DATA SHARING PLAN. 1. Environmental data and information collected or created under NOAA grants or cooperative agreements must be made discoverable by and accessible to the general public, in a timely fashion (typically within two years), free of charge or at no more than the cost of reproduction, unless an exemption is granted by NOAA. Data should be available in at least one machine-readable format, preferably a widely-used or open-standard

format, and should also be accompanied by machine-readable documentation (metadata), preferably based on widely used or international standards.

2. Proposals submitted in response to this Announcement must include a Data Management Plan of up to two pages describing how these requirements will be satisfied. The Data Management Plan should be aligned with the Data Management Guidance provided by NOAA in the Announcement. The contents of the Data Management Plan (or absence thereof), and past performance regarding such plans, will be considered as part of proposal review. A typical plan should include descriptions of the types of environmental data and information expected to be created during the course of the project; the tentative date by which data will be shared; the standards to be used for data/metadata format and content; methods for providing data access; approximate total volume of data to be collected; and prior experience in making such data accessible. The costs of data preparation, accessibility, or archiving may be included in the proposal budget unless otherwise stated in the Guidance. Accepted submission of data to the NOAA National Centers for Environmental Information (NCEI) is one way to satisfy data sharing requirements; however, NCEI is not obligated to accept all submissions and may charge a fee, particularly for large or unusual datasets.

3. NOAA may, at its own discretion, make publicly visible the Data Management Plan from funded proposals, or use information from the Data Management Plan to produce a formal metadata record and include that metadata in a Catalog to indicate the pending availability of new data.

4. Proposal submitters are hereby advised that the final pre-publication manuscripts of scholarly articles produced entirely or primarily with NOAA funding will be required to be submitted to NOAA Institutional Repository after acceptance, and no later than upon publication. Such manuscripts shall be made publicly available by NOAA one year after publication by the journal.

INDIRECT COST RATE. If an applicant 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 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, MD 20910, or lamar.revis@noaa.gov. NOAA may establish a cap on indirect cost rate per DOC FAM 2015-02 http://www.osec.doc.gov/oam/grants_management/policy/documents/FAM%202015-02.pdf. The negotiation and approval of a rate is subject to the procedures required by NOAA and the Department of Commerce Standard Terms and Conditions.

MINORITY SERVING INSTITUTIONS. The Department of Commerce/National Oceanic and Atmospheric Administration (DOC/NOAA) is strongly committed to increasing the participation of Minority Serving Institutions (MSIs), i.e., Historically Black Colleges and Universities, Hispanic-serving institutions, Tribal colleges and universities, Alaskan Native and Native Hawaiian institutions, and institutions that work in underserved communities.

REVIEWS AND EVALUATION. The applicant acknowledges and understands that information and data contained in applications for financial assistance, as well as information and data contained in financial, performance and other reports submitted by applicants, may be used by the Department of Commerce in conducting reviews and evaluations of its financial assistance programs. For this purpose, applicant information and data may be accessed, reviewed and evaluated by Department of Commerce employees, other Federal employees, and also by Federal agents and contractors, and/or by non-Federal personnel, all of whom enter into appropriate conflict of interest and confidentiality agreements covering the use of such information. As may be provided in the terms and conditions of a specific financial assistance award, applicants are expected to support program reviews and evaluations by submitting required financial and performance information and data in an accurate and timely manner, and by cooperating with the Department of Commerce and external program evaluators. In accordance with §200.303(e), applicants are reminded that they must take reasonable measures to safeguard protected personally identifiable information and other confidential or sensitive personal or business information created or obtained in connection with a Department of Commerce financial assistance award.

FREEDOM OF INFORMATION ACT. Department of Commerce regulations implementing the Freedom of Information Act (FOIA), 5 U.S.C. Sec. 552, 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 Notice of Funding Opportunity 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 that should be exempt from disclosure under FOIA, that information should be identified, bracketed, and marked as Privileged, Confidential, Commercial or Financial Information. In accordance with 15 CFR § 4.9, the Department of Commerce will protect from disclosure confidential business information contained in financial assistance applications and other documentation provided by applicants to the extent permitted by law.

NOAA SEXUAL ASSAULT AND SEXUAL HARASSMENT PREVENTION AND

RESPONSE POLICY. NOAA requires organizations receiving federal assistance to report findings of sexual harassment, or any other kind of harassment, regarding a Principal Investigator (PI), co-PI, or any other key personnel in the award. For more information, please visit https://www.noaa.gov/organization/acquisition-grants/noaa-workplace-harassment-training-for-contractors-and-financial.

a. If NOAA-operated, leased, or owned facilities are involved in any awards funded under this Announcement, such awards are subject to the NOAA Sexual Assault and Sexual Harassment Prevention and Response Policy Applicable to Financial Assistance Awards Involving NOAA-Operated Facilities (May 2018) found at: https://www.noaa.gov/organization/acquisition-grants/noaa-workplace-harassment-training-for-contractors-and-financial.

b. If the use of a vessel(s) under NOAA contract, order, grant, or cooperative agreement is involved in any awards funded under this announcement where the non-Federal entity employees are anticipated to be crew members aboard the vessel(s), such awards are subject to the NOAA Sexual Assault and Sexual Harassment Prevention and Response Policy Applicable to Financial Assistance Awards Involving the use of a Vessel(s) under NOAA Contract, Order, Grant, or Cooperative Agreement (May 2018) found at: https://www.noaa.gov/organization/acquisition-grants/noaa-workplace-harassment-training-for-contractors-and-financial.

C. Reporting

1. Recipients will be required to submit the following performance (technical) reports. These reports are to be submitted electronically unless the recipient does not have internet access, in which case, hard copy submissions will be accepted.

2. Performance or progress reports are required to be submitted to the NOAA Program Officer semi-annually. These reports will be due no later than 30 days following the end of each 6-month period from the start date of an award. The progress reports must include, in addition to an update on the status of the research, documentation of all fish caught by vessels participating in the project, including catch by vessels operating under a Letter of Acknowledgment. The final report is due no later than 90 days after the award expiration.

a. The Department of Commerce implemented a Research Performance Progress Report (RPPR) for research awards in accordance with the requirement for non-Federal entity submission of performance reports using OMB-approved government-wide standard information collections per §200.328. The recipient must complete the RPPR directly in Grants Online. The RPPR format and instructions are available at

http://www.osec.doc.gov/oam/grants_management/policy/.

b. A list of entities, firms, or organizations that performed the work, and a description of how the work was accomplished;

c. A detailed accounting of all fish caught during research activities (including catch by vessels operating under a Letter of Acknowledgment), including weight by species, and disposition of catch;

d. A detailed accounting for compensation fishing activities should be attached with each progress report and the final report. Compensation fishing reports should be provided in an electronic spreadsheet, and should include the following information: Vessel name, vessel permit number, date landed, RSA scallop pounds landed, scallop RSA value, incidental catch pounds landed by species, incidental catch value, funds provided to grant recipient. In addition, for the final report, the grant recipient must provide a final accounting of all funds derived from compensation fishing, and address the following questions: 1. If more funds were generated than the total amount of funds identified in the proposed budget, provide a detailed description for how those funds were used, or will be used, or

2. If fewer funds were generated than the total amount of funds identified in the proposed budget, describe why the shortfall occurred, and if it affected project proposed goals and objectives. This information should be sent as a separate attachment with each progress report;
e. No further financial reporting is required beyond the detailed accounting for compensations fishing listed above;

f. Principal Investigators should, when possible, make any report or publication that details research findings accessible to the general public. Where appropriate, data generated from the research must be formatted in a manner consistent with NMFS and Atlantic Coastal Cooperative Statistics Program (ACCSP) databases. Contact the Program Officer for additional information;

g. Principal Investigators should anticipate being requested to provide an oral presentation and a written summary report to the Council’s Scallop Committee, Advisory Panel, or Plan Development Team on the results of their research; and

h. Data from research projects must be submitted in electronic format with appropriate documentation to NMFS, as requested.

3. Vessels operating under an Exempted Fishing Permit or conducting compensation fishing must report each trip to NMFS via the vessel monitoring system in accordance with the instructions provided by NMFS. If the grant recipient or vessel operator does not meet the terms and conditions of these permits, these permits may be revoked by NMFS. Additionally, non-compliance with these reporting requirements could be cause for not awarding future NOAA projects.

4. The Federal Funding Accountability and Transparency Act, 31 U.S.C. 6101 note, includes a requirement for awardees of applicable Federal grants to report information about first-tier sub awards and executive compensation under Federal assistance awards. All awardees of applicable grants and cooperative agreements are required to report to the Federal Sub-award Reporting System (FSRS) available at https://www.fsrs.gov/ on all sub-awards over $25,000. Refer to 2 CFR Parts 170.

VII. Agency Contacts

Information may be obtained from Jonathon Peros, New England Fishery Management Council, phone 978-465-0492 (ext. 117), fax (978) 465-3116, or email jperos@nefmc.org. For grant and RSA Program administration and implementation questions contact Ryan Silva, NMFS, 55 Great Republic Drive, Gloucester, MA 01930 by phone at 978-281-9326, or via e-mail at ryan.silva@noaa.gov.

VIII. Other Information

Publications, Videos, and Acknowledgement of Sponsorship. Publication of the results or findings of the funded award activities in appropriate professional journals, outreach materials, or press releases, and production of video or other media is encouraged as an important method of recording and reporting scientific information. These are also constructive means to expand access to federally funded research. The recipient is required to submit a copy of any publication to the funding agency, and when releasing information related to a funded project, include a statement that the project or effort undertaken was or is sponsored by NOAA’s Research Set-Aside Program. The recipient is also responsible for assuring that every publication of material (including Internet sites and videos) based on or developed under an award, except scientific articles or papers appearing in scientific, technical or professional journals, contains the following acknowledgement and disclaimer: “This project received funding under award [number] from NOAA’s Research Set-Aside Program. The statements, findings, conclusions, and recommendations are those of the author(s) and do not necessarily reflect the views of NOAA.” The final report is a public document and may be posted, partially or in its entirety, on the NOAA Research Set-Aside

Program’s website.