National Estuarine Research Reserve System (NERRS) Land Acquisition and Construction Program for Fiscal Year 2022

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NOTICE OF FUNDING OPPORTUNITY

EXECUTIVE SUMMARY

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

Funding Opportunity Title: National Estuarine Research Reserve System (NERRS) Land Acquisition and Construction Program for Fiscal Year 2022

Announcement Type: Initial

Funding Opportunity Number: NOAA-NOS-OCM-2022-2007068

Federal Assistance Listings Number: 11.420, Coastal Zone Management Estuarine Research Reserves

Dates: Complete grant applications must be submitted by 11:59 p.m., Eastern Time, April 28, 2022

Funding Opportunity Description: The National Estuarine Research Reserve System (NERRS) consists of estuarine areas of the United States and its territories designated and managed for research and educational purposes (Reserve). Each Reserve within the NERRS is chosen to represent a different bio-geographic region and to include a variety of ecosystem types in accordance with the classification scheme of the national program as specified in 15 C.F.R. Part 921. By funding Reserve lead agencies and universities to conduct land acquisition and construction projects that support the NERRS mission, NOAA will strengthen protection of key land and water areas, enhance long-term protection of Reserve areas for research and education, and provide for facility and exhibit construction that meet the highest sustainable design standards possible.

NOAA anticipates approximately $6.5 million in Fiscal Year 2022 will be available to designated lead Reserve agencies or universities in coastal states for approximately 5-20 construction and acquisition projects, and expected to range from approximately $20,000 to $1,500,000 per project and with project periods typically covering 12-36 months, depending on the availability of funds.

The NOAA Office for Coastal Management (OCM) encourages applicants and awardees to support the principles of diversity and inclusion when writing their proposals and performing their work. Diversity is defined as a collection of individual attributes that together help organizations achieve objectives. Inclusion is defined as a culture that connects each employee to the organization. Promoting diversity and inclusion improves creativity, productivity, and the

vitality of the climate research community in which OCM engages.

FULL ANNOUNCEMENT TEXT

I. Funding Opportunity Description

A. Program Objective

The National Estuarine Research Reserve System (NERRS) consists of estuarine areas of the United States and its territories designated and managed for research and educational purposes (Reserve). Each Reserve within the NERRS is chosen to represent a different bio-geographic region and to include a variety of ecosystem types in accordance with the classification scheme of the national program as specified in 15 C.F.R. 921. By funding designated Reserve agencies and universities to conduct land acquisition and construction projects that support the NERRS mission, NOAA will strengthen protection of key land and water areas, enhance long-term protection of Reserve areas for research and education, and provide for facility infrastructure and exhibit construction that meet the highest sustainable design standards possible.

NOAA provides funding to designated Reserve agencies for acquiring additional property interests and for construction projects that serve to strengthen protection of reserve key land and water areas; to enhance long-term protection of reserve areas for research and education; and provide for facility infrastructure and exhibit construction. Each Reserve supports a wide range of beneficial uses important to ecological, economic, recreational, and aesthetic values, which are dependent upon the maintenance of a healthy ecosystem. The sites provide habitats for a wide range of ecologically and commercially important species of fish, shellfish, birds, and other aquatic and terrestrial wildlife. Each Reserve was designated to ensure its effectiveness as a conservation unit and as a site for long-term research and monitoring. In maintaining their effectiveness, the Reserves may find it necessary to expand their boundaries through strategically planned land acquisitions and/or to develop or enhance their reserve facilities, including their in-situ monitoring infrastructure, to meet the demands of research, monitoring, and education program objectives.

Within the NERRS, Construction and/or acquisition plans require the following information:

1. A construction plan must include general descriptions of proposed projects, general cost estimates and timelines. Sufficient information must be provided for both major and minor proposed construction projects to clearly articulate requirements in the initial phase of the project. See 15 C.F.R. 921.13(a)(6).

2. An acquisition plan must identify the ecologically key land and water areas of the Reserve, rank these areas according to their relative importance, describe the methods of

acquisition, and include a strategy for establishing adequate long-term state control over these areas are sufficient to provide protection for Reserve resources to ensure a stable environment for research. See 15 C.F.R. 921.13(a)(7).

B. Program Priorities

Overall, priority will be given to projects that increase a reserve's natural or built infrastructure's resiliency, sustainability, and factor anticipated climate change effects. Regarding acquisitions projects, priority will be given to those projects that: (i) protect pathways for habitat and species migrations in response to sea level rise or changing lake levels; (ii) reduce existing stressors that hinder the ability of species or ecosystems to withstand climatic events; (iii) protect key ecosystem features, (e.g. keystone species or habitats); (iv) maintain species or habitat diversity; and (v) support the managed retreat of a reserve's core facilities infrastructure. One exception is non-core/buffer lands that are identified as acquired for Reserve facility construction.

Regarding construction projects, priority will be given to core facilities (National Estuarine Research Reserve Standard Reserve 2004), especially, dormitories that meet two or more of the following qualifications:
- Facility is proposed in already disturbed areas outside of the 100-year flood zone and minimally disrupt the environment;
- Facility design is expected to conserve and protect water resources;
- Facility proposed will incorporate sustainable design principles (National Estuarine Research Reserve Sustainable Design Guidelines),
- Facility proposed optimizes energy performance reducing the Reserve's greenhouse gas emissions and overall carbon footprint;
- Facility is designed to be resilient to the impacts of coastal hazards and flooding over the useful life; and
- Facility incorporates natural or nature-based infrastructure.

Core facility upgrades or retrofits are also eligible if the proposal can demonstrate the increased resiliency or sustainability aspects of the project. Additionally, small scale construction projects, including SWMP infrastructure, that either incorporate resilient or sustainable features or use applicable nature-based infrastructure approaches that mimic or support natural processes, such as, living shorelines and wetlands creation, are preferred to minimize the adverse impacts of coastal hazards and flooding on facilities that are located in the floodplain. Such projects should be consistent with NOAA's guidelines for nature-based infrastructure.

The National Estuarine Research Reserve Standard Reserve and the National Estuarine

Research Reserve Sustainable Design Guidelines documents referenced above can be accessed through the NERRS intranet https://sites.google.com/a/noaa.gov/nos-nerrs-intranet/

Supporting definitions of key terms for the purpose of this FFO include:
Core Facilities - Facilities that support the primary mission and goals of the Reserve and should be located near, and/or within, the Reserve boundary, preferably in the designated buffer area of the Reserve.
Habitat Migration – The natural movement of habitats to a new area, in response to changes in environmental conditions.
Nature-Based Infrastructure – human designed, engineered, and constructed systems that use natural features, including habitats, and providing multiple ecosystem service benefits, such as storm protection through wave attenuation or flood storage capacity, enhanced water services and security, and habitat for fish, wildlife and plants.
Sustainable Facilities – Facilities that are designed, constructed and operated to create and maintain conditions that balance the economic, social, and environmental requirements of present and future generations.
Resilient Facilities - The ability of a facility, exposed to hazards or disturbances, to absorb impacts while maintaining an acceptable level of functioning; reduce the amount of time and financial resources needed to return to full level of functioning; and adapt to future risks
Small Scale Construction – Construction projects of less than $100,000 that improve existing core facilities or support non-core facility capabilities at a reserve.
Vessel – A watercraft valued at more than $5,000 that is part of a larger construction project or supports a specific programmatic capability at the Reserve. This could include vessels that support habitat restoration or management needs, expand educational programming or support access for water based field research and monitoring.

C. Program Authority

Statutory authority for the NERRS Land Acquisition and Construction Program is established under the Coastal Zone Management Act, 16 U.S.C. 1461(e).

II. Award Information

A. Funding Availability

This funding opportunity announces that NOAA anticipates approximately $6.5 million will be available to designated Reserve agencies or universities for construction and acquisition projects in fiscal year 2022. Depending on the availability of funds, NOAA anticipates funding approximately 5-20 projects. Funding for land acquisition and

construction awards is expected to range between approximately $20,000 to $1,500,000 depending on the size, location, and type of project.

Publication of this announcement does not obligate NOAA to establish any specific partnership or to obligate available funds for partnership activities. NOAA or the Department of Commerce (DOC) are not responsible for direct costs of proposal preparation. 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. NOAA and DOC will not be responsible for project costs if this program fails to receive funding. If an applicant incurs any costs prior to receiving an award agreement signed by an authorized NOAA official, the applicant does so at its own risk of not receiving an award or these costs not being included in a subsequent award. 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 compliance with all existing NOAA grants or cooperative agreements and otherwise eligible to receive federal awards in order to be considered for funding under this competition.

B. Project/Award Period

The performance period for FY 2022-funded projects cannot exceed 36 months. Applicants may submit applications covering a 12 to 36- month project period with anticipated start date(s) as early as October 1, 2022 or as late as November 1, 2022. The Federal share of project funding will be fully obligated at the time of award and is subject to payment provisions outlined in 2 C.F.R. 200.305 and further implementing award terms.

C. Type of Funding Instrument

Successful applicants will enter into a grant with NOAA’s National Estuarine Research Reserve System (NERRS) Land Acquisition and Construction Program.

III. Eligibility Information

A. Eligible Applicants

Eligible applicants are NERRS lead state agencies or universities designated to receive NERRS operations funding through a Memorandum of Understanding with NOAA in coastal states and territories including the Pacific, Gulf of Mexico, Caribbean, Atlantic Coast and Great Lakes. Eligible applicants should meet requirements as stated in the NERRS regulations codified at 15 C.F.R. 921.32 which are available online at http://go.usa.gov/xkGEf.

Federal agencies and employees are not allowed to receive funds under this announcement but may serve as collaborative project partners. Federal agencies and employees' 'in-kind' services cannot be considered as part of an applicant's match on shared costs. If federal agencies are collaborators, applicants are expected to provide detail on the planned level of federal engagement in the application. Examples might include, but are not limited to partnership services; serving in a review capacity; or participating in priority task teams, working groups, or leadership teams.

B. Cost Sharing or Matching Requirement

The amount of Federal funds requested must be matched by the applicant as follows: 15 percent total project match for construction awards and 25 percent total project match for land acquisition awards as indicated in 15 C.F.R. Part 921.31 and the Consolidated Appropriations Act, 2022, P.L. 117-103, Division B, Title I, section 112(2). Recipient contributions and third party in-kind contributions directly benefiting the project may be used to satisfy the matching requirements. If using previously acquired real property as match, a list of this "banked" match, and a description of the method of valuation of the cost consistent with 2 C.F.R. 200.306(d),(h), or (i) must be included in the application. If the project is selected, all match will become part of the project, and subject to the requirements of the award.
Applicants must identify all match sources and amounts equal to that requested above. Projects without match or with highly speculative match will not be considered eligible (see Section V.A.4. of this federal funding opportunity (FFO)).

"Cost sharing or matching" is defined by 2 C.F.R. 200.1 as "the portion of project costs not paid by federal funds or contributions (unless otherwise authorized by federal statute)." Any shared costs or matching funds and all contributions, including cash and third party in- kind contributions of goods and services, will be accepted as part of an applications cost sharing or matching when they meet all of the following criteria listed in 2 C.F.R. 200.306(b):
1. Are verifiable from the non-federal entity's records;
2. Are not included as contributions for any other federal award;
3. Are necessary and reasonable for accomplishment of project or program objectives;
4. Are allowable under Subpart E—Cost Principles of 2 C.F.R. § 200;
5. Are not paid by the federal Government under another federal award, except where the federal statute authorizing a program specifically provides that federal funds made available for such program can be applied to matching or cost sharing requirements of other federal programs;
6. Are provided for in the approved budget when required by the federal awarding agency; and
7. Conform to other provisions of 2 C.F.R. § 200, as applicable.

Matching funds may come from a variety of public and private sources and may include third party in-kind goods and services such as private boat use and volunteer labor. Goods and services provided by the recipient have the valuation described in 2 C.F.R. 200.306. Federal agencies and employees' in-kind services cannot be considered as part of an applicant's matching funds, but can be described in the budget narrative to demonstrate additional leverage. Applicants are permitted to combine contributions from multiple non-federal partners in order to meet the match requirement, consistent with the standards described in 2 C.F.R. 200.306, and if funds are available within the project period stated in the application.

See also 15 C.F.R. 921.81(d)(2) regarding cost sharing in NERRS acquisition and construction projects.

Applicants must specify the source(s) of match in their proposal and detailed budget narrative and may provide or be asked to provide letters of commitment to confirm stated match contributions. Applicants whose proposals are selected for funding will be bound by the percentage of cost sharing reflected in the award document signed by the NOAA Grants Officer. Successful applicants should be prepared to carefully document matching contributions, including the number of volunteer or community participation hours devoted to specific projects, and all other cash or third party in-kind contributions.

Applicants may choose to designate part or all of their federally-negotiated indirect costs as match. This may be convenient because the valuation of such costs has already been federally-approved and documentation is readily available. Refer to the "Indirect Costs" policies in Section IV.B.14 and Section IV.D. of this announcement.

In addition, any Program Income that may arise in the project may be put toward cost sharing or added to the project, consistent with 2 C.F.R. 200.307.

C. Other Criteria that Affect Eligibility

Projects eligible for funding must be identified in construction and/or acquisition plans, within an approved management plan or a complete draft that has been submitted for OCM Sector review in compliance with 15 C.F.R. 921.13. Acquisition projects that involve the potential to invoke eminent domain are not eligible for funding. Construction projects must occur on land under adequate state control either through direct state ownership or pursuant to a long-term lease between the Reserve and the landowner. See also the clarification on the meaning of adequate state control set out at 15 C.F.R. 921.30(d).

Eligible costs associated for administrative purposes related to acquisition and/or facility construction per 15 C.F.R. 921.81; see also 2 C.F.R. 200, Subpart E. Cost Principles [for Federal Awards]. Facility and acquisition planning alone may not constitute a proposal, but planning and administrative tasks may constitute up to 20% of facility and/or acquisition costs within the proposal. These planning efforts may address, among other things, detailed facility design work, evaluation of sustainable features appropriate for reserve future facility needs and associated maintenance or applicable environmental analyses required under federal statutes (e.g., ESA, NHPA, MMPA).

Construction or acquisition projects identified in an approved management plan or a complete draft that has been submitted for OCM Sector review, including smaller scale projects that support reserve programmatic activities such as boardwalks and monitoring platforms, as well as, small scale habitat restoration activities associated with a construction and acquisition project, are eligible for funding per 15 C.F.R. 921.31.

Examples of eligible proposed projects could include: preserving historic or culturally significant structures; preparing a site for facility construction; acquisition which includes small scale restoration to improve the property; installing an ecological restoration demonstration project; or restoring habitat impacted by construction activities. In addition, making sustainability (i.e., alternative energy generation onsite; energy efficient lighting systems; raingardens; Electric Vehicle charging stations; high efficiency environmental control systems; etc.) or resiliency upgrades (i.e., backup energy systems on-site; dry flood proofing structures; hurricane roof straps; metal roofs; elevating building utilities; or storm shutters; etc.) designed to minimize or reduce coastal hazard or disaster risks to an existing facility, with preference given to nature-based infrastructure approaches, are acceptable.

However, routine structural maintenance including unscheduled and scheduled maintenance repairs of buildings, structures, and installed building equipment to correct deficiencies are not eligible for funding. This includes preventive maintenance to achieve the expected life of the constructed asset or installed building equipment. Replacing previously federally funded structures lost due to natural hazard, such as catastrophic weather events, are also not eligible and recipients should follow the insurance provisions in 2 C.F.R. 200.310, requiring that real property acquired with federal funds have equivalent insurance coverage to real property acquired with non-federal funds.

IV. Application and Submission Information

A. Address to Request Application Package

The standard SF-424 application package is available online at http://www.grants.gov. If this is not feasible, application packages may be requested from: Matt Chasse of the Office for Coastal Management at 240-533-0808 or email at Matt.Chasse@noaa.gov.

B. Content and Form of Application

A complete standard NOAA financial assistance application package must be submitted in accordance with the guidelines in this document.

All application materials will use a legible 11- or 12-point font with 1-inch margins on all sides. The complete application package must include the following forms and documents and be grouped in two separate files:

A project description (proposal), as described in the application component section below, should be limited to no more than a total of 15 pages. The project description must also include a title page and table of contents but these pages (title page and table of contents) will not count towards the project description 15-page limit.

Project descriptions that exceed the 15-page limit will be shortened by removing pages at the end of the proposal narrative (see element 3 of the component section below) before it is forwarded to merit reviewers for evaluation. Pages excised from lengthy applications will not be reviewed or considered. Applications that are incomplete, unclear, or contain numerous typographical errors may not be understood effectively by reviewers, resulting in lower evaluation scores, so applicants are advised to review their application materials closely before they are submitted to the agency for consideration.

The following Office of Management and Budget-approved Standard Forms must be included, as applicable:

--Application for Federal Assistance: Form SF-424 (7/03 version or newer)
--Budget Information for Non-construction Programs (for acquisition proposals): Form 424A (Within the award, a Form SF-424A for each year of funding will be required)
--Assurances for Non-construction Programs: Form SF-424B
--Budget Information for Construction Proposals (as applicable): Form 424C
--Assurances for Construction Programs (as applicable): SF-424D
--Certification Regarding Lobbying: Form CD-511
--Disclosure of Lobbying Activities: Form SF-LLL (if applicable)

Appendices shall be limited to materials that directly support the main body of the proposal (e.g., resumes, references, lists of relevant work products or reports, detailed methodologies,

data sources, detailed budget information, letters of collaboration, letters of support, lists of data sources, permits, and maps). Applicants should paginate their proposal and any appendices. Appendices should not total more than 30 total pages excluding forms, information to complete forms, detailed budget narrative, and National Environmental Policy Act (NEPA) and environmental compliance information.

Applicants may upload this additional supporting documentation, such as resumes and qualifications of applicants, and letters of support or statements of collaboration, by using the 'Optional Form' box under 'Other Attachments' in Grants.gov during the application submission process.

Federal forms and NEPA information, and information provided (e.g., Negotiated Indirect Cost Rate Agreement) to complete the federal forms can be separately submitted or combined and submitted in one PDF document.

Please keep in mind that the total electronic file size of the proposal narrative and appendices combined shall not exceed 5 megabytes. Files that are larger than five megabytes may not be properly downloaded, uploaded, or received by the agency or the reviewers. For applications submitted in electronic format, acceptable formats are limited to Adobe Acrobat (.PDF) or Microsoft Word files. Files that cannot be opened or downloaded will not be reviewed.

All applications will contain the following components:
1. Title Page with the following information:
A. Project Title
B. Proposed project period (start and end dates)
C. Type of Project (i.e., land acquisition or construction)
D. Recipient name (must match registered name in Dun and Bradstreet Universal Numbering System (DUNS)
E. Reserve Name
F. Recipient DUNS number (must match applicant information in SAM.gov)
G. Principal and other investigator (names, organization, and contact information)
H. Financial representative (names, organization, and contact information)
I. Identify the following aspects of the project including the:
i) region and specific area where the project will take place,
ii) partners or technical networks that will be leveraged or created, if applicable,
iii) resilient design features (i.e., nature-based infrastructure); and
iv) identification of the programmatic priority or priorities identified in the NERRS management plan and/or strategic plan applicable to the project.

2. Project summary. Provide a one to two-page summary of the proposed project. The summary must contain the following sections:

A. Project name/title

B. Requested funding by year (as appropriate). Brief project summary including objectives, expected results and intended benefits and outcomes, and, if applicable, a short description of partners and professional or technical networks that will be leveraged or created.

3. Project Description (limited to 15 pages, excluding title page and table of contents). All project proposals must include the following sections:

A. Goal and Objective(s) - Describe in the narrative the specific project goals and objectives to be achieved.

Goals and objectives must be specific for each year of the work plan presented. Recipients will be required to submit semi-annual progress reports in which progress against these goals and objectives will be reported.

Sufficient detail should be provided to enable reviewers to evaluate the relevance and applicability of proposed work to program priorities described in Section I.B. of this announcement; to determine the technical/scientific merit of the proposed work; to adequately review the qualifications of the applicants; and to assess whether the proposed scope of work raises any concerns with regard to federal policy considerations, such as those related to the National Environmental Policy Act, Endangered Species Act, Historic Preservation Act, and Marine Mammal Protection Act.

B. Background - Provide sufficient background information for NOAA and non-NOAA reviewers to independently assess the significance of the proposed project. Background information should summarize the problem, gap or need that the proposal

addresses; the relationship of the proposed work to other regional efforts; and the importance of the project to the reserve including specific reference and page number(s) within an approved management plan or a complete draft that has been submitted for OCM Sector review; a summary of NOAA/NERRS funds provided for construction or acquisition from FY15 - FY20 with summary of progress; and any reference to the project in a CZMA Section 312 evaluation.

Applicants must address their qualifications for performing the project. Reserves may

demonstrate in their applications that they have solid operating performance, preferably a full complement of core staff (manager, education coordinator, and research coordinator), and effective performance in completing past construction and acquisition projects. Applicants may briefly address how they possess the necessary experience, education, training, and administrative resources, to accomplish the project. The individual reserve must be capable of performing the project in general and supporting the project by supplying the required match amounts (75/25 for acquisition projects and 85/15 for construction projects as per the Consolidated Appropriations Act, 2022).

C. Approach - Provide a work plan that: identifies specific project tasks to be accomplished; explains the technical approach (including quality assurance) needed to accomplish the tasks; identifies the roles and qualifications of staff, partners, and cooperators; and identifies potential obstacles to successful completion of the goals and objectives.

The description must align with budget categories and fully explain the scope of work including preparatory work, environmental review, planning, design elements, sustainable or resilient features, etc. For acquisition or construction priorities, the description should address how the project will incorporate resilience or adaptation strategies to coastal hazards, to climate change, and/or reflect related outreach. For land acquisition projects with an ‘in-kind’ match parcel, provide information about the match parcel (in addition to the target property), such as its location, when acquired, cost/appraised value, current ownership, and relationship to the Reserve [or Reserve’s acquisition priorities]. For eligible facility retrofits, provide a description of the cost savings and other benefits resulting from the addition of sustainable or resilient features. For eligible small-scale construction projects, describe how either incorporating sustainable/resilient features or nature-based infrastructure enhances facility or infrastructure resilience to coastal hazards or climate risks. See Section I. B. Program Priorities of this FFO. If the project includes federal partners, the roles and responsibilities of the federal partners must be clearly identified.

D. Task Outcomes or Products - Identify and describe the anticipated project products or outcomes.
Explain how the project will benefit reserve programs or capabilities in support of NERRS goals and describe how the project will evaluate success including performance measures. If the goal of the project is to build resilient research or educational capacity to support key management plan goals or objectives, describe how the proposed project will ensure that reserve goals or objectives will be met as a result of the project moving forward into the future

E. Milestone Schedule – The project must display timelines for major tasks, target

milestones for important intermediate and final products, NEPA review periods, and key project outcomes.

4. Project Budget (Budget narrative and Justification). NOAA Grants Management Division Budget Narrative Guidance is accessible at http://www.ago.noaa.gov/grants/training.html.

In order to allow reviewers to evaluate the appropriateness of all costs, applications must include a detailed budget narrative and a budget justification broken out by individual task. The budget narrative submitted with the final application must match the dollar amounts included on all required forms and clearly link to the project narrative. Please explain each calculation and provide a narrative justification to explain expenditures for each budget category. The budget narrative must describe, by category of expenditure, the total funding needed to accomplish the objectives described in the project narrative for the entire award period. Please explain how categorical costs are derived in sufficient detail to enable reviewers to determine if costs are 'allowable and reasonable' according to the cost principles referenced in 2 C.F.R. 200, Subpart E. Budget narrative categories will correspond to the standard object class categories listed in Section B of the SF-424A.

Applicants should include detailed budget information regarding all contracts and sub-awards, and indicate the basis for the cost estimates in the narrative. Describe project activities to occur or products or services to be obtained and indicate the applicability or necessity of each to the project. Each identified sub-award should include form SF-424A. Detailed budget information includes:

- Name of identified qualified sub-recipient. Sub-recipient, affiliation, contact information, and method of selection. For “to be determined,” describe plans for selection. Information must include the name and location (city, state, and Congressional district) of the entity receiving the funds and the location of the primary place of performance.
- Period of Performance. Include the dates for the performance period. If it involves a number of tasks, include the performance period for each task.
- Scope of Work. List and describe the specific activities or tasks to be performed and the criteria or measuring accountability. Include an itemized line item breakdown as well as total contract/award amount. If applicable, include any indirect costs paid under the contract/award and the indirect cost rate used.
- Itemized Budget. Include categories used in program budget for sub-recipients or contractors if applicable under 2 C.F.R. 200.101. If applicable, include any direct cost paid under the sub-award and the indirect cost rate used. All sub-awards and contracts must be made consistent with the requirements of 2 C.F.R. 200.331-200.333 for sub-awards, and 200.317-200.327 for procurements.

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. 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. 200.1, 2 C.F.R. 200.313, and 2 C.F.R. 200.317-327.

The cost or price, purpose, and method of selection for identified and planned acquisition contracts should be thoroughly justified in the Budget Narrative. Describe products or services to be obtained and indicate the applicability or necessity of each to the project. Procurements are subject to policies described in 2 C.F.R. 200.317-327. For "to be determined," describe plans for selection.

The budget narrative should 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 should state the basis for the proposed travel charges. Applicants should allocate travel funds for any coordination meetings at regional or national levels.

If a foreign air carrier is anticipated to be used for any portion of travel, prior approval is required under the DOC Financial Assistance Standard Terms and Conditions, Section G.05.d., https://www.commerce.gov/sites/default/files/2020-11/DOC%20Standard%20Terms%20and%20Conditions%20-%2012%20November%202020%20PDF_0.pdf , and therefore, such travel should 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 (GMD) workshop for recipients.

Refer to item 16 below in this Section regarding treatment of Indirect Costs in the Budget Narrative.

Federal and non-federal costs per object class category identified in the NOAA grants package (Form SF 424-A and/or C) and a brief narrative justification of the budget including the source of match (25% for acquisition and 15% for construction). Administrative and/or planning costs, including data to support environmental analyses required under federal statutes (e.g., ESA, NHPA, MMPA), that are up to 20% of the federal portion of the budget are allowable. Restoration costs up to 20% of the proposed project are allowed for

restoration or enhancement associated with the proposed (See Section I.B of this FFO). Cost categories for construction include: project planning and design; administrative and legal expenses; architectural and engineering costs; project inspection fees; site work; demolition and removal costs; equipment costs; and other construction tasks breakdown such as structural (i.e., windows, doors, roofing, flooring), carpentry, plumbing, heating, electrical. For acquisition costs: personnel involved in the project; land acquisition fees; travel, equipment, supplies, and contractual. A detailed budget narrative that includes additional information regarding the use of funds for budget categories found in Form SF-424A must be included in an appendix. In this appendix, the budget narrative also shall clearly identify the cost of separable elements of the proposed work and shall identify the elements of the project prioritized 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.

5. Appendices (30 page limit)
The following information should be included as appendices to the project description. Only material submitted as a single package will be reviewed. Appendices must be limited to materials that directly support the main body of the proposal (for example, letters of collaboration, resumes, references, lists of data sources, information to support environmental analyses, and maps). Provide résumés of the Principal Investigator for the project and other key personnel critical to the success of the project that address qualifications relevant to conducting the proposed work. Please limit résumés to a maximum of two pages for each key investigator.

6. Data Sharing Plan.
This announcement is not seeking proposals that generate environmental data. Therefore, a Data Management Plan is not required as part of the Proposal.

7. National Environmental Policy Act (NEPA)

The applicants selected for funding must complete questions 1 - 19 of the Environmental Compliance Questionnaire for National Oceanic and Atmospheric Administration Federal Financial Assistance Applicants accessible at https://www.nepa.noaa.gov/docs/NOAA-Grants-Questionnaire-final.pdf 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).Questions 20 - 53 are not required with the initial application because NOAA anticipates that most projects

funded through this competition would not have impacts related to damage assessment and restoration or fisheries sampling and analysis. See Section VI.B., Administrative and National Policy Requirements, below for additional NEPA information.

8. Standard Form 424: Application for Federal Assistance (7/2003 version or newer)

Applicants requesting Federal funding in this program must submit a copy of Standard Form SF-424, 'Application for Federal Assistance'. If a hard copy final application is submitted, it must be signed and dated by the organization's authorized representative, and used as the cover page for the final application. An electronic signature and date stamp will automatically be included on SF-424 forms submitted via Grants.gov.

9. Standard Form 424A: Budget Information for Non-construction Programs (if applicable) (include a separate form for each proposed sub-award of $30,000 or more)

Applicants are required to submit a SF-424A Budget Form to summarize the budget for the proposed scope of work. The first column of sections A and B shows the federal funds requested, while the second column of sections A and B shows the non-federal matching funds provided for the project. Total award funding is shown in the final column of section B.
Non-federal funding is broken out by source in section C. Forecasted cash needs in Section D should be inclusive of all funding for the project. Both federal and non- federal funds should be expended at a similar rate throughout the course of the project. Section E may be left blank. Section F summarizes the direct charges in line 21 and lists the indirect charges requested; please show the rate used in line 22. Please note that completion of the SF-424A form as described above represents NOAA's preference and may not be consistent with the instructions that accompany the SF-424A form. All budget figures must match the funding requested on the application cover sheet and correspond with the descriptions contained in the project and budget narratives.

All sub-awards should also be accompanied by a separate SF-424A form to fully document the proposed sub-award budget.

10. Standard Form 424B: Assurances for Non-Construction Programs
Applicants are required to submit a signed SF-424B, 'Assurances for Non-Construction Programs' for acquisition proposals.

11. Standard Form 424C: Budget for Construction Programs (if applicable)” Applicants are

required to submit a signed SF424C “Budget for Construction Programs” for construction projects.

12. Standard Form 424D: Assurances for Non-Construction Programs
Applicants are required to submit a signed SF-424C, 'Assurances for Construction Programs' for construction projects

13. Standard Form CD-511: Certification Regarding Lobbying
Applicants are required to submit a form CD-511, 'Certifications Regarding Lobbying.

14. Standard Form LLL Disclosure of Lobbying Activities (if applicable)
If applicable, applicants may be required to disclose certain lobbying activities described in form SF-LLL.

15. Permits and Approvals
It is the responsibility of the applicant to obtain all necessary federal, state, and local government permits and approvals for the proposed work. Applicants must provide a list of all known permits that will be required to perform the proposed work and an indication of the status of any permits needed (e.g., not yet applied, permit application submitted/pending, permit granted, etc.) or a statement indicating that no permits are necessary. You should include this required element even if permits are not required.

Failure to apply for and/or obtain federal, state, and local permits, approvals, letters of agreement, or failure to provide environmental analyses where necessary (i.e., NEPA environmental assessment) will delay or prevent the award of funds for projects that have been preliminarily selected for funding.

For work proposed within National Marine Sanctuaries, National Parks, National Seashores, and other federally designated managed areas, it is the responsibility of the applicant to request and obtain any necessary permits or letters of agreement from the appropriate government agencies prior to commencement of an award. For applicants who propose to conduct research or monitoring activities that may affect any coral species that are listed under the Endangered Species Act, you will likely need an Endangered Species Act Section 10(a)(1)(A) permit.

16. Negotiated Indirect Cost Rate Agreement (if applicable)
The proposed budget may include an amount for indirect or Facilities and Administrative costs if the applicant has an established indirect cost rate with the federal government.

Indirect costs are essentially overhead costs for basic operational functions (e.g., utilities, rent, and insurance) that are incurred for common or joint objectives and, therefore, cannot be identified specifically within a particular project. See 2 C.F.R. 200.56-.57 and 200.412-.415.

A copy of the current, approved negotiated indirect cost agreement with the federal Government must be included with the final application package, however, if an applicant does not have a current 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 Modified Total Direct Costs (as allowable under 2 C.F.R. §200.414). Refer to Section IV.F. of this announcement for more information.

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

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, 31 U.S.C. 6101 note, to the extent applicable, any proposal 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 (www.dnb.com) as identified in OMB guidance published at 2 C.F.R. 25, found at http://go.usa.gov/xZZn4. A recipient's DUNS number must correspond with the recipient's information in SAM.Gov.

Applicants should allow a minimum of thirty days to receive a DUNS number and to be registered in SAM.Gov, or to assure that required annual updates are complete. Applicants are strongly encouraged not to wait until the application deadline date to begin the application process through www.grants.gov.

Each applicant, unless excepted under 2 C.F.R. 25.110, is required to be registered in SAM before submitting its application, provide a valid unique entity identifier in its application, and continue to maintain an active SAM registration with current information at all times during which it has an active Federal award or application under consideration by a Federal agency. A Federal agency may not make an award to an applicant until the applicant has complied with all applicable unique entity identifier and SAM requirements, and if the applicant has not fully complied by the time the agency is ready to make an award, the agency may determine that the applicant is not qualified to receive and award and my use

that determination as a basis for making an award to another applicant.

D. Submission Dates and Times

Applications submitted for funding under this competition must be (1) received and validated by Grants.gov; or (2) postmarked or provided to a delivery service that provides a tracking number and receipt on or before the deadline of 11:59 p.m. Eastern Time, on April 28, 2022.

Applicants shall be aware that localized hazardous weather or other situations beyond their control impacting their ability to submit packages before deadlines may not result in changes to the application deadline.

E. Intergovernmental Review

Funding applications submitted under this competition are subject to Executive Order 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 EO 12372. To assist the applicant, the names and addresses of the SPOCs are listed on the Office of Management and Budget's website < https://www.whitehouse.gov/wp-content/uploads/2020/04/SPOC-4-13-20.pdf >.

F. Funding Restrictions

1. Indirect Costs

Applicants are permitted to request indirect costs if their organization has an established Negotiated Indirect Cost Rate Agreement with a federal agency that covers the period of the award. Applicants requesting indirect costs will submit a copy of their current and signed indirect cost rate agreement with their application package.

If an award recipient does not have a current indirect cost rate with any federal agency, the recipient may request to use the de minimus rate described at 2 C.F.R. 200.414, as described in Section IV.B. of this Announcement. Alternatively, the negotiation and approval of a new rate is subject to the procedures required by NOAA DOC. The U.S. Department of Commerce, Financial Assistance Standard Terms and Conditions require that recipients within 90 days of the award start date, submit to the address listed below documentation (indirect cost proposal, cost allocation plan, etc.) necessary to perform the review.

Lamar Revis, Grants Officer
NOAA Grants Management Division
1325 East West Highway, 9th Floor

Silver Spring, Maryland 20910
Lamar.Revis@noaa.gov

Indirect-cost-rate-agreement documentation is not required for sub-awardees, however indirect cost rates at the negotiated levels should be paid by the primary awardee. Under 2 C.F.R. 200.414 “Indirect (F&A) Costs,” any applicant that does not have a current indirect cost rate may elect to charge a de minimis rate of 10% of modified total direct costs which may be used indefinitely. Costs must be consistently charged as either indirect or direct costs, but may not be double charged or inconsistently charged as both pursuant to 2 C.F.R. 200.403 “Factors affecting allowability of costs.” If chosen, this methodology once elected must be used consistently for all Federal awards until such time as a cooperator chooses to negotiate for a rate, which the non-federal entity may apply to do at any time. The negotiation and approval of a rate is subject to the procedures required by NOAA and the DOC Standard Terms and Conditions Section B.06.

2. Ineligible projects:
The following projects will not be eligible for Federal funding under this competition: (1) Activities that constitute legally required mitigation for the adverse effects of an activity regulated or otherwise governed by state or federal law; (2) Activities that constitute mitigation for natural resource damages under federal or state law; and (3) Activities that are required by a separate consent decree, court order, statute or regulation.

3. Cost Principles:
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 Office of Management and Budget (OMB) requirements.

Recipients are subject to the 2 C.F.R. 200, Subpart E “Cost Principles” and as well as any DOC implementing regulations that may be in effect at the time of award. Generally, costs that are allowable include salaries, fringe benefits, travel, equipment, supplies, and training, as long as the costs are determined to be necessary, reasonable, and allocable to the award.

G. Other Submission Requirements

The standard NOAA funding application package is available at www.grants.gov (Grants.gov); and application packages, including all letters of 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, applicant must have a Dun and Bradstreet Universal Numbering System (DUNS) number

(www.dnb.com) and be registered in the SAM.Gov, and periodic renewals are required.

Applicants can receive a DUNS number at no cost by calling the dedicated toll-free DUNS Number request line at 1-866-705-5711 or online at www.dnb.com . Allow a minimum of five days to complete the SAM.Gov 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. In addition, it may take two days until the applicant is notified as to whether NOAA received the application, so allow sufficient time to ensure applications are submitted before the closing date.

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 application package for this solicitation by the Funding Opportunity Number or the CFDA number (11.420).

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. Only validated applications are sent to NOAA for review.

V. Application Review Information

A. Evaluation Criteria

Evaluation Criteria

Reviewers will assign scores to proposals ranging from 0 to 100 points based on the following evaluation criteria and respective weights specified below.

1. Importance and/or relevance and applicability of proposed project to the program goals. (35 points): This criterion is used to evaluate whether the project is appropriate under the definitions for acquisition and construction outlined in the regulations (CZMA (16 U.S.C. 1461(e)(A)(i and ii)). These definitions state that funding will be provided to a coastal state for (i) purposes of acquiring such lands and waters, and any property interests therein, as are necessary to ensure the appropriate long-term management of an area as a national estuarine Reserve and/or for (ii) purposes of the construction or enhancement of facilities or exhibits,

or associated infrastructure (as defined in Section I of this FFO). Projects will receive a higher score that fall clearly within the definitions.

The project should demonstrate intrinsic value in the proposed work and/or relevance to NOAA, federal, regional, state, or local activities.

For construction projects, planned core facilities projects will be given a higher score than those facilities not deemed as core. Dormitory projects will be given greater weight in scoring than other core facilities. Those stand-alone projects outside of the definition will rank lower (e.g., non-core facilities infrastructure, small-scale construction, and nature-based infrastructure). Core facilities that incorporate one or more of the following will receive higher scores than projects that do not include them. These are:
- Nature-based infrastructure
- Resilient features
- Sustainability features

Examples of these project attributes are specified under the technical/scientific merit criteria.

In addition, upgrades or retrofits to existing core facilities will receive higher scores if the applicant can demonstrate increased resiliency or sustainability aspects of the project.

Small-scale construction projects that incorporate resilient or sustainable features (i.e., onsite energy generation, protecting access, Firewise approaches, etc.) or utilize applicable nature-based approaches (i.e., living shorelines, wetlands creation, etc.) to minimize the adverse impacts of coastal hazards and flooding on existing facilities or other infrastructure (i.e., reserve-monitoring infrastructure, etc.) will be given higher scores than other small-scale projects.

Construction projects that include exhibit construction for new facilities will rank higher than upgrades to existing facilities. If aquaria are included in an exhibit, those that incorporate hazard resilient features will rank higher than those that do not.

For acquisition projects, lands and waters that expand or enhance a reserve's core areas, including in-holdings within the Reserve's boundaries, should be given significantly higher weight in scoring than those that do not. Additionally, potential core or buffer properties that provide pathways for the migration of key reserve habitats/species; protect key ecosystem features; or help reduce stressors that impact species or ecosystem resilience to climatic events are also given higher scores than properties that do not meet any of these criteria. Furthermore, projects that seek to acquire buffer lands identified to support the

construction of planned future core facilities should receive greater weight than other buffer acquisitions.

2. Technical/scientific merit (30 points): This criterion primarily assesses whether the approach is technically sound and/or innovative, if the methods are appropriate, and whether there are clear project goals and objectives. For this competition, this criterion is also used:
- To assess the opportunity gained by funding this project now and/or lost by not funding it now (e.g., availability of match or additional construction or land acquisition funds; option on a parcel of land; protection of a critical resource). Projects of greater immediacy are given a higher score.
- Assess whether the applicant is able to undertake the project.
- Determine how far along the recipient is in the acquisition process (e.g., contact with landowners, negotiations, current appraisal, title options) or the planning process for facilities construction (plans, design, permitting, etc.) and account for feasible timelines for completion. Applications with a detailed milestone schedule for completion of award outcomes will have a higher score than those that do not.
For construction projects, those that demonstrate efforts to minimize impacts to sensitive resources; incorporate sustainable and resilient design features and/or construction techniques; incorporate nature-based infrastructure; or reduce the environmental impacts of materials will score higher than those projects that do not incorporate these criteria.

Demonstrated examples of sustainability, resiliency and nature-based infrastructure efforts that are given greater weight in scoring include:
- Sustainable Design
The project optimizes energy performance: (a) improves energy efficiency and reduces greenhouse gas emissions of current or proposed structures; or (b) to the extent feasible, implement renewable energy generation projects on its property.
The project protects and conserves water through stormwater management (i.e., raingardens, etc.) or water use reduction approaches for facilities infrastructure.
The project employs features that enhance indoor environmental quality (i.e., high efficiency environmental control systems, low pollutant emitting materials)
- Resilient Design
The project incorporates hazard risk planning and resilient design standards (i.e., storm shutters, backup energy systems onsite, dry flood proofing, etc.) to minimize adverse impacts from coastal hazards or flooding to facilities.
The project uses approaches that mitigate risks to life and property while providing social, economic, and environmental benefits.
- Nature based Infrastructure
The project incorporates natural or nature-based approaches that mimic or support natural

processes (i.e., living shorelines, wetlands creation, constructed oyster reefs, etc.). Other examples can be found on NOAA's Digital Coast Website at https://coast.noaa.gov/digitalcoast/

In addition, construction projects should score higher for this criteria if they minimize impacts to sensitive resources or use materials that reduce environmental impacts. This includes projects that use materials with recycled content or bio-based content; minimize construction waste; uses paper of at least 30 percent post-consumer fiber content; reduce the quantity of hazardous chemicals and materials acquired, used, or disposed of by the facility; increases diversion of solid waste as appropriate; and maintains cost effective waste prevention and recycling programs at the facility.

For acquisition projects, the type of acquisition being proposed (fee-simple, easement, etc.) should provide for adequate state control of the property to be included in the Reserve and increase the resiliency of the reserve ecosystem. Projects that do not clearly allow for adequate state control will score significantly lower. In addition, acquisition projects that document the feasibility for successful completion (e.g., willing seller; a recent appraisal; initial assessment for environmental hazards) will score higher than those that do not.

To the extent relevant, NOAA encourages applicants to include an outreach and education component to their projects, where relevant, although no points will be added/deducted for this component.

3. Overall qualifications of funding applicants (20 points): This criterion ascertains whether the funding applicant possesses the necessary education, experience, training, facilities, and administrative resources, to accomplish the project. This criterion is used to assess how the individual reserve is capable of performing the project in general (based on information provided by the applicant in its proposal) and if they can support the project by supplying the required match amounts (75% federal/25% match for acquisition projects and 85% federal/15% match for construction projects). Reserves who demonstrate in their applications that they have solid operating performance and a full complement of core staff (manager, education coordinator, and research coordinator) will generally be given a higher score than those that do not. Performance in completing past construction and acquisition projects will be considered, based on information provided in the proposal. An exception may be where a particular construction or acquisition project is necessary to conduct core program activities. New reserves need to demonstrate that they have, or have access to, the necessary capabilities and capacities to complete the project. An applicant is only qualified to submit a proposal if they adhere to eligibility requirements.

4. Project costs (15 points): This criterion evaluates the budget to determine if it is realistic and commensurate with the project needs and time-frame. This criterion is used to determine whether the cost estimates and budget are reasonable, realistic, and cost-effective for the proposed project. Higher evaluation scores will be given to projects that have realistic budgets and demonstrate cost-sharing by the project proponent. Projects without clearly identified match or with highly speculative match will not be considered. Applicants must identify the necessary match 75% federal/25% match for acquisition; 85% federal/15% match for construction), and its source, and that it will be available at the time the award will be made. If a bank match is being used, the applicant must include a bank match spreadsheet/table with supporting documentation.

B. Review and Selection Process

An initial administrative review is conducted on each application to assure that it is timely, responsive, and complete. NOAA, in its sole discretion, may continue the review process for applications with non-substantive issues that may be easily rectified or cured. Applications that meet the minimum requirements will be reviewed by at least three independent peer reviewers during a merit-based review and ranking process. Appropriate mechanisms will be implemented to avoid potential conflicts of interest during the proposal review process. Each reviewer will be asked to individually evaluate and rank proposals using the weighted evaluation criteria above. Proposal evaluations will be based exclusively on information included in the application. Reviewers may discuss the applications, but if more than one non-Federal reviewer is used, final scoring will not be consensus. Merit reviewer ratings will be used to produce a rank order of the proposals.

The Selecting Official, or their designee, may negotiate the funding level or other major aspects of the proposal, and the Selecting Official will make the final recommendation for award based on the rank order and selection factors below to the Grants Officer, who is authorized to obligate Federal funding and execute the award.

NOAA may select all, some, or none of the applications, or part of any application, may ask applicants to work together or combine projects, may defer applications to the future, or may reallocate funds to different funding categories, to the extent authorized. Please note that not all activities submitted under a single proposal may be deemed appropriate for funding, and the Selecting Official may recommend alternate activities as appropriate or only partial funding, based on the selection factors and the merit and/or panel review written evaluations. For a proposal to be selected for funding, the applicant may be asked to modify objectives and activities, work plans, and budgets, and to provide supplemental information required by the agency prior to the award. This may result in submission of a revised application before final funding decisions are made. The exact amount of funds to be awarded, the final scope

of activities, the project duration, and other relevant application details will be determined in pre-award negotiations among the applicant, NOAA GMD, and Office for Coastal Management officials. Applicants should also note that modifications to projects may be necessary as a result of NOAA's efforts to comply with NEPA and other legislation.

The NOAA Grants Officer will review financial and grants administration aspects of a proposed award, including conducting an assessment of the risk posed by the applicant in accordance with 2 C.F.R. 200.206. See Section VI.B., Review of Risk, in this Announcement. In addition to reviewing repositories of government-wide eligibility, qualifications or financial integrity information, the risk assessment conducted by NOAA may consider items such as the financial stability of an applicant, quality of the applicant's management systems, an applicant's history of performance, previous audit reports and audit findings concerning the applicant and the applicant's ability to effectively implement statutory, regulatory, or other requirements imposed on non-Federal entities.

Applicants must be in compliance with the terms of any existing NOAA grants or cooperative agreements and otherwise eligible to receive Federal awards, or make arrangements satisfactory to the Grants Officer, to be considered for funding under this competition. All reports due should be received and any concerns raised by the agency should be timely addressed in order to receive a new award. Upon review of these factors, if appropriate, specific award conditions that respond to the degree of risk may be applied by the NOAA Grants Officer pursuant to 2 C.F.R. 200.208. In addition, NOAA reserves the right to reject an application in its entirety where information is uncovered that raises a significant risk with respect to the responsibility or suitability of an applicant. The final approval of selected applications and issuance of awards will be by the NOAA Grants Officer. The award decision of the Grants Officer is final.

When a decision has been made (whether an award or declination), anonymous copies of mail merit review comments or summaries of panel deliberations, can be made available to the applicant upon request.

C. Selection Factors

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

1. Availability of funding

2. Balance/distribution of funds:
- Geographically
- By type of institutions
- By type of partners
- 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 I.B of this federal funding opportunity.

5. Applicant's prior award performance: Unsatisfactory performance by a recipient under prior Federal awards may result in an application not being considered for funding.

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.

D. Anticipated Announcement and Award Dates

Successful applicants will be notified in May-June 2022 that the Selecting Official is recommending them for funding to the NOAA Grants Officer. The anticipated start date for grants made under this competition is between October 1, 2022 and November 1, 2022, dependent on funding availability, acceptable completion of all NOAA/applicant negotiations including NEPA and environmental compliance analysis and permit requirements, and the provision of other supporting documentation as requested.

Unsuccessful applicants will be notified by e-mail that their application was not recommended for funding after the final selection package has been approved by the NOAA GMD, which is expected to be approximately May-June, 2022. Unsuccessful applications submitted to this competition will be retained for three years and then destroyed.

VI. Award Administration Information

A. Award Notices

Applications recommended for funding by the selecting official will be forwarded to the NOAA GMD by the Program Office. The applicant will be notified by the program office by email that their application was recommended for funding and remains under consideration. The applicant should be aware that the notification by the program office is not the official award notice and funding is not assured. Official notification happens only when the applicant receives an award notice from the Grants Officer electronically.

The official notice of award is the Commerce Form 450 (CD-450), Financial Assistance Award, issued by the NOAA Grants Officer Electronically through NOAA's electronic grants management system, Grants Online.

In addition, award documents provided by NOAA may contain special award conditions limiting the use of funds for activities that have outstanding environmental compliance requirements and may lead to modification of the project's scope of work. These special award conditions may also include other compliance requirements for the award and will be applied on a case-by-case basis. Applicants are strongly encouraged to review award documents carefully before accepting a Federal award to ensure they are fully aware of the relevant terms that have been placed on the award.

B. Administrative and National Policy Requirements

1. Department of Commerce Pre-Award Notification Requirements 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 https://www.govinfo.gov/app/details/FR-2014-12-30/2014-30297

2. 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. Refer to http://go.usa.gov/SBYh and http://go.usa.gov/SBg4.

3. Department of Commerce Financial Assistance Standard 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 a current version is available at https://www.commerce.gov/sites/default/files/2020-

11/DOC%20Standard%20Terms%20and%20Conditions%20-%2012%20November%202020%20PDF_0.pdf . In addition, NOAA Administrative Terms will apply. A current version is at https://www.noaa.gov/sites/default/files/legacy/document/2021/Mar/Administrative%20Standard%20Award%20Conditions%20for%20NOAA%20Financial%20Assistance%20Awards%2002.18.2021.pdf . These terms may be updated by the time of award.

4. Limitation of Liability
Funding for programs listed in this notice is contingent upon the availability of appropriations. Applicants are hereby given notice that funds may not have been appropriated yet for the programs listed in this notice. NOAA or the Department of Commerce are not responsible for direct costs of proposal preparation. Publication of this announcement does not oblige NOAA to award any specific project or to obligate any available funds.

5. 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 our NOAA Administrative Order 216-6 for NEPA, http://www.nepa.noaa.gov/NAO216_6.pdf, and the Council on Environmental Quality implementation regulations, https://www.energy.gov/nepa/downloads/40-cfr-1500-1508-ceq-regulations-implementing-procedural-provisions-nepa-ceq-1978 . Consequently, as part of an applicant's package, and under their description of their 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 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.

6. 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. See also Section V. of this announcement.

7. 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.

8. Use of Applicant Information and the Freedom of Information Act
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 Department of Commerce and external program evaluators. In accordance with 2 C.F.R. § 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.

In addition, 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 will be exempt from disclosure under FOIA, that information must be identified, bracketed, and marked as Privileged, Confidential, Commercial or Financial Information. In accordance with 15 C.F.R. § 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.

C. Reporting

Award recipients will be required to submit financial and performance (technical) progress reports consistent with 2 C.F.R. 200.328-.330 and DOC Standard Terms and Conditions electronically through NOAA’s electronic grants management system, Grants Online. Performance reports must be submitted on a semi- annual schedule no later than 30 days following the end of each 6- month period from the start date of the award. Financial reports must be submitted every 6 months by the end of April and October during the period of the award in accordance with the DOC Financial Assistance Standard Terms and Conditions. NOAA will provide instructions for submitting financial and progress reports upon request.

A comprehensive final report is due 120 days after the award expiration date along with copies of all products developed under the award. Copies of all materials (including but not limited to brochures, posters, videos, DVDs, publications, reports, management plans, public service announcements, workshop proceedings, etc.) produced through the award, along with copies of any reports submitted by subcontractors as part of the award, must be provided to the program office within 120 days of the end of the award. Except where limited by law, regulation, policy or security, recipients are requested to include a statement on the front page of all products to indicate the material is "Approved for public release; distribution is unlimited." If the applicant has requested publication costs, resulting journal publications must be made available to the public free of charge.

Successful applicants 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. In their final progress report, applicants will be asked to (a) clearly state the resulting impact of their project with respect to reserve program implementation and, if applicable, environmental

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

Reporting: 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 subawards 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 $30,000. Refer to 2 C.F.R. Parts 170.

If equipment or tangible personal property is purchased with grant funds, applicants shall submit an inventory at the time of closeout and if applicable when otherwise required by Special Award Condition in accordance with the equipment requirements of the OMB Uniform Guidance set out at 2 C.F.R. Part 200.313 and Department of Commerce Financial Assistance Standard Terms and Conditions.

Recipients must inventory tangible property at least once every two years and at award closeout. When required by an award condition and at closeout, SF-428 forms may be attached as an appendix to progress reports or submitted directly to the NOAA program officer.

Recipients must submit reports at least annually and at award closeout on the status of real property in which the federal government retains an interest, unless the federal interest in the real property extends 15 years or more. As necessary, SF-429 forms may be attached as an appendix to progress reports or submitted directly to the NOAA program officer.

The program office recommends that if equipment under an award is no longer needed as described in 2 C.F.R. 200.313, 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.

VII. Agency Contacts

For administrative and technical questions regarding the program and application process, please contact Matthew Chasse, Program Coordinator, via phone: 240-533-0808, or

via email: contact Matt.Chasse@noaa.gov.

VIII. Other Information

If an applicant submits multiple electronic versions of the proposal, the applicant must advise the federal agency of the duplicate version's tracking number that should be withdrawn.

Applicants shall not electronically submit packages with files embedded within files as any such files may not be reviewed or factored into the merit review process.

The federal program office has a process to review applications for completeness. Administrative reviews generally take place after deadlines because the majority of applicants apply just before deadlines. If there are no time constraints and resources are available, the federal agency may reach back to applicants who have submitted incomplete packages.