CZM Habitat Protection and Restoration Bipartisan Infrastructure Law (BIL) Competition

TABLE OF CONTENTS

I. Funding Opportunity Description . . . 4
A. Program Objective . . . 4
B. Program Priorities . . . 5
C. Program Authority . . . 8
II. Award Information . . . 9
A. Funding Availability . . . 9
B. Project/Award Period . . . 9
C. Type of Funding Instrument . . . 10
III. Eligibility Information . . . 10
A. Eligible Applicants . . . 10
B. Cost Sharing or Matching Requirement . . . 11
C. Other Criteria that Affect Eligibility . . . 12
IV. Application and Submission Information . . . 18
A. Address to Request Application Package . . . 18
B. Content and Form of Application . . . 18
C. Unique Entity Identifier and System for Award Management (SAM) . . . 34
D. Submission Dates and Times . . . 35
E. Intergovernmental Review . . . 35
F. Funding Restrictions . . . 36
G. Other Submission Requirements . . . 37
V. Application Review Information . . . 38
A. Evaluation Criteria . . . 38
B. Review and Selection Process . . . 50
C. Selection Factors . . . 52
D. Anticipated Announcement and Award Dates . . . 53
VI. Award Administration Information . . . 53
A. Award Notices . . . 53
B. Administrative and National Policy Requirements . . . 54
C. Reporting . . . 59
VII. Agency Contacts . . . 61
VIII. Other Information . . . 61

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: CZM Habitat Protection and Restoration Bipartisan Infrastructure Law (BIL) Competition

Announcement Type: Initial

Funding Opportunity Number: NOAA-NOS-OCM-2023-2008054

Federal Assistance Listings Number: 11.473, Office for Coastal Management

Dates: Letters of Intent (LOIs) must be received by 11:59 p.m. Eastern Time on August 14, 2023.
Full proposals (by invitation only) must be received by 11:59 p.m. Eastern Time on January 10, 2024.

Funding Opportunity Description: The purpose of this notice is to solicit grant proposals from eligible state and territory Coastal Zone Management Programs (CZM Programs) for coastal habitat restoration; coastal habitat restoration planning, engineering, and design; and land conservation projects that support the goals and intent of the Coastal Zone Management Act (CZMA), the Coastal and Estuarine Land Conservation Program (CELCP), and the Infrastructure Investment and Jobs Act, Public Law 117-58. For the purposes of this funding opportunity, coastal habitat conservation is defined as the acquisition of fee simple interest in real property or conservation easements.

NOAA anticipates that approximately $59.6 million will be competitively awarded to approved state and territory Coastal Management Programs. For habitat restoration engineering, design and planning, it is anticipated that projects will range from approximately $200,000-$500,000. For habitat restoration, it is anticipated that projects will range from approximately $2 million to $6 million. For land conservation, it is anticipated that projects will range from approximately $1 million to $4 million. Applicants may propose projects with a Federal funding request less than or more than these amounts, up to $6 million.

The NOAA Office for Coastal Management (OCM) encourages applicants and awardees to support the principles of equity and inclusion when writing their proposals and performing their work. Promoting equity and inclusion through community engagement, co-development, and partnership improves creativity, productivity, and the vitality of the coastal management

community that OCM supports.

FULL ANNOUNCEMENT TEXT

I. Funding Opportunity Description

A. Program Objective

Coastal areas support communities and are home to natural infrastructure, including forests, wetlands, floodplains, and dunes. These not only support productive fisheries, coastal recreation, and other coast-dependent economic activities, but also protect these coastal communities from storm impacts and other coastal hazards. The National Coastal Zone Management Act established a national system of state and territorial Coastal Zone Management Programs and stated that there is a national interest in the effective management, beneficial use, protection, and development of the coastal zone. The Coastal Zone Management Act notes that coastal habitat is ecologically fragile and consequently extremely vulnerable to degradation or destruction by human alterations. Funding under this opportunity will enable approved coastal programs to protect and restore these ecologically significant habitats within the nation's coastal zone, including conserving lands that protect coastal habitat or lands that play a critical role in helping coastal communities build resilience to storms, flooding, inundation, erosion, tsunamis, sea level rise and lake level changes, and other climate-related hazards affecting the U.S. coastlines.

This Notice of Funding Opportunity (NOFO) supports NOAA's efforts to reduce the impacts of climate change. A key pillar is resilience to climate change and its impacts, throughout our communities and ecosystems. Specifically, this NOFO seeks projects that enhance coastal resilience. Coastal areas support the nation's largest and often fastest-growing population centers as well as key natural assets. Strengthening coastal resilience means preparing and adapting coastal communities to mitigate the impacts of and more quickly recover after extreme events such as hurricanes, coastal storms, flooding, and sea level rise. Habitat restoration and natural and nature-based infrastructure and solutions are critical to doing so by protecting lives and property; sustaining commercial, recreational, and subsistence fishing; recovering threatened and endangered species; and maintaining and fostering vibrant coastal economies and lifestyles.

This NOFO – along with the NOFOs for National Coastal Resilience Fund; Transformational Habitat Restoration and Coastal Resilience Grants; Coastal Habitat and Resilience Grants for Underserved Communities; and National Estuarine Research Reserve Habitat Protection and Restoration grants– aims to fund projects that support the overarching goal of enhancing coastal resilience. This NOFO focuses on projects by coastal zone management programs approved by NOAA under the Coastal Zone Management Act.

This announcement solicits applications from Federally-approved coastal management programs for projects relating to:

1. coastal habitat restoration;
2. coastal habitat restoration planning, engineering, and design; and
3. coastal land conservation.

Projects are expected to be scoped in a manner that would allow them to be completed within three years of the start date of the award, with the potential of up to five years.

This competition has a mandatory pre-proposal/letter of intent. Only applicants whose pre-proposals strongly align with program objectives and goals, as determined by NOAA through the review process described in Section V.A, will be invited to submit full applications. Pre-proposals must be submitted by the deadline stated in Section IV.D. For details regarding the suggested content of pre-proposals, please see Section IV.B.

B. Program Priorities

This competition is anticipated to fund a combination of habitat restoration and land conservation projects that are ‘shovel ready’ or reasonably advanced in the acquisition due diligence process, as well as habitat restoration planning, engineering, and design projects that will create a pipeline of future projects. Proposals that include on-the-ground implementation will be given priority compared to those that include only pre-implementation activities. NOAA aims to fund high-impact projects that can have a transformational effect on an ecosystem or community.

NOAA will prioritize the geographic distribution of funding. Therefore, projects may be selected out of rank order to increase geographic distribution of funds across coastal states with meritorious projects. Projects may also be selected out of rank order to fund a variety of project types or to select meritorious projects that best advance the principles of equity and inclusion or effectively factor anticipated climate change effects. NOAA intends to allocate at least 10% of the competition funding towards projects that target engagement and partnership with underserved communities, provided that a sufficient number of meritorious projects meeting this criterion are submitted to the competition.

There are three categories of projects that are eligible, as follows.

1. Habitat Restoration: For habitat restoration projects, priority will be given to projects that:
    a. reflect coastal habitat restoration priority areas identified in state/territories, tribal or regional plans;

b. restore important habitats and connected ecosystem functions/species;
c. restore hydrologic connections between habitats that improve ecosystem function;
d. enhance or restore important ecosystem services that support coastal communities, vulnerable populations or cultural resources (i.e., coastal flood protection, extreme weather resilience, water quality and quantity, food safety and security, chronic coastal erosion, etc);
e. include a long-term plan for monitoring specific criteria relevant to achieve project objectives; and/or
f. provide for engineering and design needs, if not already completed.

2. Habitat Restoration Planning, Engineering, and Design: Habitat restoration planning, engineering, and design projects will be evaluated using the same criteria as noted above for habitat restoration projects, with the exception that monitoring plans are not required for planning, engineering, and design projects.

Applicants proposing pre-implementation activities should demonstrate how these efforts will support or catalyze subsequent on-the-ground restoration. As with on-the-ground projects, all planning, engineering, and design projects must be located within a state's Coastal Zone Management Program Boundary or within a coastal watershed county.

3. Land Conservation: For land conservation projects, priority will be given to projects that:
a. have significant ecological value, and
b. have a demonstrated need for protection; and
c. can be effectively managed and protected.

Of the land conservation projects that meet the above standards, priority will also be given to projects that:
e. are designed to protect properties under an imminent threat of conversion to a use that will degrade or diminish their natural, undeveloped, or recreational state;
f. serve to mitigate the adverse impacts caused by coastal population growth in the coastal environment; and/or
g. reflect the land conservation priority area(s) that are: identified in state or regional conservation plans such as a state's CELCP plan; including the goals and objectives of its CZM Program and National Estuarine Research

Reserve (NERR) management plans approved under the CZMA; or included in other regional, tribal or state watershed protection plans.

Additionally, NOAA will seek to advance the following three Program Priorities:

1. Restoration and Conservation: priority will be given to projects that address:
    a. strengthening protection of key land and water areas and support the habitat protection goals and priorities of the National Coastal Zone Management Act;
    b. protecting or restoring high quality coastal ecosystems;
    c. increasing connectivity to improve habitat conditions; and/or
    d. preventing fragmentation, maintaining species or habitat diversity.

2. Climate Resilience: factoring anticipated climate change effects. For example, priority will be given to those projects that:
    a. account for future environmental conditions in restoration designs, ensuring long-term ecosystem function to the full extent possible with available data and information;
    b. protect pathways for habitat and species migrations in response to sea level rise or changing lake levels;
    c. reduce existing stressors that hinder the ability of species or ecosystems to withstand climatic events; and/or
    d. protect key ecosystem features, (e.g. keystone species or habitats, or natural infrastructure).

3. Equity and Inclusion: The NOAA Office for Coastal Management encourages applicants and awardees to advance the principles of equity and inclusion when developing and implementing their work. Supporting the principles of equity and inclusion in the context of this funding competition includes but is not limited to:
    a. providing benefits to underserved communities and populations experiencing heightened vulnerabilities and disproportionate impacts relating to coastal access, ocean or Great Lakes resource management, and coastal habitat stressors including climate change;
    b. providing benefits to tribes, tribal organizations and Indigenous communities to protect and restore coastal resources, including projects that incorporate Traditional Ecological Knowledge. This term refers to the cumulative body of knowledge, practice, and belief evolving by adaptive processes and handed down through generations by cultural transmission, about the relationship of living beings (including humans) with one another and with their

environment. NOAA recognizes the importance of Indigenous peoples' traditional knowledge for understanding the environment, adapting to environmental change, and mitigating negative environmental impacts;

c. seeking engagement with, input from, and partnerships with communities, groups and individuals who have not historically been actively engaged in, or may be underrepresented in the work of state or territorial coastal management programs; and

d. promoting equity and inclusion through community engagement, co-development, and partnership improves creativity, productivity, and the vitality of the coastal management community that OCM supports.

In alignment with the 2018-2023 National CZM Strategic Plan, and Executive Order 13985 on Advancing Racial Equity and Support for Underserved Communities through the Federal Government, all applicants are asked to describe how their proposed project will advance equity and inclusion (see Section V.B.4). For this funding competition, the following definitions from Executive Order 13985 are being included:

e. the term "equity" means the consistent and systematic fair, just, and impartial treatment of all individuals, including individuals who belong to underserved communities that have been denied such treatment.

f. the term "underserved communities" refers to populations sharing a particular characteristic, as well as geographic communities that have been systematically denied a full opportunity to participate in aspects of economic, social, and civic life.

C. Program Authority

Statutory authority for this program is provided under Coastal Zone Management Act, 16 U.S.C. § 1456c (Technical Assistance), 16 U.S.C. § 1456-1 (CELCP), the Infrastructure Investment and Jobs Act, Public Law 117-58, and the Inflation Reduction Act, Public Law 117-169.

Note: The eligibility and procedural requirements in this funding opportunity supersede the CELCP Guidelines, published in the Federal Register on June 17, 2003 (68 Fed.Reg. 35860-35869). Most notably, recipients are not required to have an approved CELCP plan in order to be eligible for this competition; there is no match requirement; and the details of the state project solicitation/nomination process, as well as the NOAA merit review and project selection process may differ from the procedures described in the guidelines. Applicants should follow the application procedures as described in this announcement.

II. Award Information

A. Funding Availability

Total anticipated funding for this Federal award announcement is approximately $60,000,000, subject to availability of funding and final administrative funding allocations. For habitat restoration engineering, design and planning, it is anticipated that projects ranging from approximately $200,000-$500,000 will be selected. For habitat restoration, it is anticipated that projects ranging from approximately $2 million to $6 million per project will be selected. For land conservation, it is anticipated that projects ranging from approximately $1 million to $4 million will be selected. Applicants may propose projects with a Federal funding request less than or more than these amounts, up to $6 million.

The lead applicant on any proposal will be responsible for ensuring that allocated funds are used for the purposes of, and in a manner consistent with, this program, including any funds awarded to an eligible sub-awardee.

There is no guarantee that funds will be available for this Federal funding opportunity or that any proposal will be selected for funding. If an applicant incurs any costs prior to receiving an award agreement signed by an authorized NOAA official, the applicant does so at their own risk of not being selected and these costs not being included in a subsequent award. Direct costs of proposal preparation shall not be included within the project application budget. In addition, NOAA and the Department of Commerce (DOC) will not be responsible for project costs if this program fails to receive funding. Recipients and subrecipients are subject to all Federal laws and agency policies, regulations, and procedures applicable to Federal financial assistance awards.

Highly ranked proposals not funded in the current fiscal period may be considered for funding in another fiscal period without NOAA repeating the competitive process outlined in this announcement. Funding in subsequent fiscal years encompassing the proposed period of performance is subject to the availability of funding.

B. Project/Award Period

Consistent with the Program Objectives of this announcement, projects are expected to be scoped in a manner that would allow them to be completed within three years of the start date of the award, with the potential of up to five years. It is anticipated that projects funded under this announcement will have an award start date of August 1, 2024. Applicants may submit proposals with a project period of 12 to 36 months, or, for habitat restoration projects only, applicants may request a project period of up to 48 months to allow for at least one year of post-restoration monitoring.

NOAA may extend an award for a total performance period of up to five years if circumstances warrant, such as unforeseen circumstances that prevent the project from being completed within the original period of performance. In order to qualify for an extension, award recipients must be up-to-date on all progress and financial reports, demonstrate progress during the initial period of performance, and be able to demonstrate that additional time is likely to result in successful completion of the project.

C. Type of Funding Instrument

Projects will be funded as grants or cooperative agreements, as described in 2 C.F.R. § 200.1, depending on the nature of the project. If a cooperative agreement is used, NOAA expects to be substantially involved in many aspects of the award. Applicants may propose anticipated Federal roles and responsibilities in their proposals, or NOAA may establish the particular involvement. Substantial involvement may include, but is not limited to, collaborating on the scope of work, providing assistance with technical aspects of the habitat restoration, reviewing and commenting on design plans, and reviewing procurement materials to the extent authorized by 2 C.F.R. § 200.325.

III. Eligibility Information

A. Eligible Applicants

Any coastal state or territorial CZM Program that has been approved by NOAA pursuant to the Coastal Zone Management Act (16 U.S.C. § 1455) is eligible for habitat restoration and conservation funds under this announcement. Each applicant may submit no more than three letters of intent for consideration under this competition.

For selected projects, NOAA may make financial assistance awards to the lead CZM Program agency, which will be responsible for ensuring that allocated funds are used for the purposes of and in a manner consistent with this program, including any funds awarded to an eligible sub-applicant. NOAA may, with concurrence of the state’s CZM Program lead agency, make a grant directly to an identified sub-applicant in order to expedite completion of an approved project. For these projects, the CZM Program lead state agency would submit the Letter of Intent and include a description of which CZM Program partner would be the final grant recipient. If the CZM Program is invited to submit a final application for this proposal, then the CZM Program partner would submit the final application through grants.gov. In such cases, the CZM Program partner (as the grant recipient) will be responsible for ensuring that allocated funds are used for the approved purposes of, and in a manner consistent with, this program.

Non-governmental organizations may serve as the lead applicant for habitat restoration projects or for habitat restoration engineering, design and planning projects. As noted in section III C.3. Public Benefit, all projects must be located on publicly-owned land, or land where a public entity holds a lease or easement that provides for adequate public control of the property. For these projects, the project application should also include a letter of support from the public entity who holds title or a legal interest on the project site.

Non-governmental organizations are not eligible to hold title to lands acquired with these funds and therefore may not serve as the lead applicant for habitat conservation projects and also should not be listed as a subawardee for the land acquisition portion of the project However, non-governmental organizations may participate as partners with eligible entities in the acquisition, restoration and long-term stewardship of lands through this program, such as: identifying target properties; conducting or assisting in acquisition negotiations to secure properties; conducting restoration activities; and providing stewardship and management of properties in perpetuity, including holding a secondary easement or other stewardship agreement for these lands.

DOC/NOAA supports cultural and gender diversity and is strongly committed to broadening the participation of Minority Service Institutions, including historically black colleges and universities, Hispanic serving institutions, tribal colleges and universities, and Asian American and Pacific Islander serving institutions that work in underserved areas. While this program limits applicants to state and territorial CZM Programs, DOC/NOAA encourages applicants to include partners and contributors from any of the above groups or institutions.

B. Cost Sharing or Matching Requirement

Pursuant to the Infrastructure Investment and Jobs Act, Public Law 117-58, Division J, Title II, in order to promote a more equitable competition that supports a wider variety of projects and project partners, there is no non-Federal matching requirement for this funding. However, applicants are strongly encouraged to combine NOAA Federal funding with formal matching contributions or informal leverage from a broad range of sources in the public and private sectors to implement restoration. Such cost sharing is an element considered in the evaluation criteria.

Non-Federal match funds may be optionally included within the application to demonstrate stakeholder support for the proposed work. For applications including non-Federal match funds within the proposed budget, the ratio of approved NOAA funds to non-Federal match funds will be legally binding within the award document signed by NOAA’s Grants Management Division, if the application is selected for funding. NOAA is under no

obligation to amend the match contributions once the award document is signed by the recipient, unless the amount is amended based on extenuating circumstances. NOAA encourages applicants to include and describe informal leveraged funds in the budget narrative to demonstrate partnership and collaboration. Leveraged funds are funds that are in addition to Federal BIL funds and voluntary matching funds that are spent on a funded project. Federal sources cannot be considered for voluntary matching funds, but can be described in the budget narrative as leveraged funds. NOAA will require successful applicants to track leveraged funds as part of the project reporting requirements.

C. Other Criteria that Affect Eligibility

Criteria 1-6 apply to all project types. Criteria 7-8 are specific to land conservation projects.

1. Each applicant may submit no more than 3 proposals (Letters of Intent) for this competition.

2. Project location. All projects must be located within a state's Coastal Zone Management Program Boundary or within a coastal watershed county, as described in the NOAA publication "Defining coastal counties," available at https://coast.noaa.gov/data/digitalcoast/pdf/defining-coastal-counties.pdf.

3. Public Benefit. All projects should provide clear public benefit. Eligible habitat restoration projects must be located on publicly-owned land, or land where a public entity holds a lease or easement that provides for adequate public control of the property. Restoration planning, engineering, and design projects should also be for publicly owned or controlled project sites, or for sites where the majority of the project area is under public ownership or control. Land conservation projects must provide for non-Federal public ownership by the grant recipient or sub-recipient for conservation in perpetuity.

   For the purposes of this announcement, non-Federal public ownership includes state agencies, Federally recognized Indian tribes and tribal organizations as defined at 25 U.S.C. § 5304 (see also 2 C.F.R. § 200.1), local governments as defined at 15 C.F.R. § 28.105, or other local or regional entities as included in the definition under section 306A(e) of the CZMA (16 U.S.C. § 1455a(e)), provided that each has the authority to acquire and manage land for conservation purposes.

   Projects must allow passive public access or provide other public benefit(s), to the extent it is appropriate and consistent with resource protection. However, this funding

is not intended to support public access infrastructure; therefore, public access infrastructure projects such as construction or restoration of boardwalks, boat ramps, bridges, bathrooms, or walkways would not be eligible for funding under this competition.

4. Mitigation. Federal project funds may not be used to comply with mandatory or compensatory mitigation for recent, pending or future habitat losses resulting from the actions of agencies, organizations, companies, or individuals. Project funds also may not be used for enforcing fish, wildlife, or other regulations, either solely or primarily, except when necessary for the accomplishment of approved project purposes.

5. Monitoring. Applications requesting funding for restoration activities should include a Monitoring Plan. Applicants should be willing to work with NOAA to adjust the plan, if necessary, to ensure that the proposed parameters are adequate and meaningful. All Monitoring Plans should propose sufficient, cost-effective monitoring metrics that assess whether the restoration action was carried out as designed and provide a basic level of effectiveness. Monitoring Plans should:
    a. include parameters that evaluate short-term structural changes at the project site(s) (e.g. as-built surveys), and may also include a basic measure of effectiveness (e.g. presence/absence of target species);
    b. propose pre-implementation data collection, when applicable;
    c. include parameters with quantitative or clearly defined ecological targets; and
    d. include parameters with ecological targets that can be evaluated within approximately one-year post-implementation.

    Applications requesting funding for feasibility and planning projects should include a pre-restoration monitoring that meets the requirements listed above. On a limited basis, NOAA may also consider funding more in-depth, longer-term monitoring that addresses ecological effectiveness or restoration technique effectiveness. NOAA may choose to provide additional out year funds to an award, increase the award period, and/or an additional out year award for successful applicants whose awards are identified as suitable for longer-term effectiveness monitoring. Projects proposing such effectiveness monitoring should describe the specific question or hypothesis that will be addressed, and detail the monitoring methods and analyses proposed.

    NOAA encourages projects that align monitoring metrics with regional and/or other restoration funding programs. Monitoring should support ecosystem service goals of

the restoration projects, as well as consider cultural ecosystem services.

6. Post Award Changes in Scope: In the event that a funded project is determined to be no longer feasible, in-full or in-part, after the start of the award, the recipient may propose a replacement project that also meets the intent and purposes of this funding competition. This project will be reviewed by NOAA staff using the criteria within this funding announcement and if the project is found meritorious consistent with program priorities in section I.B. and evaluation criteria in V.A., then NOAA may approve the replacement project. However, NOAA may take the need for a replacement project into account when making subsequent years' funding recommendations, in order to ensure that one coastal state is not being approved for a disproportionate number of projects.

7. Eligible Coastal Land Conservation Projects: This competition provides support for acquisition of fee simple interests in lands or conservation easements from willing sellers within eligible states (as defined in Eligible Applicants, above). In order to be eligible, a project must:
    a. protect important coastal and estuarine areas that have significant conservation or ecological values, or that are threatened by conversion from their natural, undeveloped, or recreational state to other uses. Historic and aesthetic values will also be evaluated, but for the purposes of this competition, the primary purpose of the project must be based on conservation or ecological values;
    b. provide for non-Federal public ownership by the grant recipient or sub-recipient for conservation in perpetuity. If the grant recipient is a state agency that does not have authority to hold title to lands, the property may be held by another eligible non-Federal public entity as defined under #3, "Public Benefit", above. Applications requesting funding for land conservation should describe the proposed strategy for long-term stewardship of the site once acquired, including ongoing monitoring and management, and, if restoration is proposed, how that will be accomplished.
    c. provide for passive public access or other public benefit on some portion of the property, as appropriate and consistent with resource protection, or clearly describe why passive public access would be detrimental to the conservation goals of the property;
    d. Advance the goals, objectives, and implementation of state, tribal or regional conservation plans such as a state's Coastal and Estuarine Land Conservation Program (CELCP) plan; included the goals and objectives of its coastal management plan and National Estuarine Research Reserve (NERR)

management plans approved under the CZMA; or included in other regional, tribal or state watershed protection plans;

e. Acquire property or conservation easements from willing sellers;

f. Be consistent with a state's coastal management program approved under the CZMA; and

g. Complement (or not conflict with) working waterfront needs, to the extent practicable.

8. For Land Conservation projects, award funds may be used for:

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

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

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

Although uncommon, projects involving lands already held by a public entity or by a conservation organization (such as a land trust) whose purpose is to manage and protect land for ecological or conservation values, or lands already subject to an easement or deed restriction that limits the conversion of such lands from their natural, undeveloped or recreational state, may also qualify if they meet the following criteria to demonstrate their need for protection:

i. the property was acquired and has been held by such entity in a "buy and hold" arrangement for a period less than three years from the publication date of this funding announcement, or

ii. the property was previously acquired and/or managed for a non-conservation purpose by a public entity; and

- the agency or entity currently holding title does not have a mission to manage land for conservation purposes, or
- the agency or entity currently holding title has governing authorities that require sale when transferring property to another public agency.

In these circumstances, reimbursement of some "holding costs" may be eligible subject to a limit of five percent of the total award. Any costs incurred prior to the start of the award are considered pre-award costs subject to prior approval by NOAA. See Section III C.8.c below.

b. Costs for administering a land conservation grant award. Staffing and administrative costs must be incurred within the period of performance, and should only include the amount of time necessary to complete the proposed project. Such costs may include time spent by staff for project planning, implementation, and review, as well as costs for certain initial land stewardship activities, such as signage, baseline report development, public safety, or other stewardship purposes.

c. Expenses such as appraisals, surveys, title opinions, and other direct transaction costs, are considered acquisition costs and do not count toward the five percent limit for administrative costs. Appraisal reports for properties valued more than $250,000 should also be reviewed by a qualified review appraiser. Applicants may consider budgeting costs for an independent appraisal review for all properties valued more than $250,000.

Allowable grant costs are limited to costs necessary and reasonable to achieve the approved objectives of a grant and must be consistent with

general cost principles for grants awarded by Federal agencies, as specified in 2 C.F.R. Part 200, available at http://go.usa.gov/c3pre. Land trusts and other nonprofit partners may participate as project subawardees or contractors to assist with obtaining necessary due diligence materials or to manage land stewardship portions of the project. However, nongovernmental organizations may not be subawardees for the land acquisition portion of a project since competition funding can only be utilized to provide for the acquisition of non-Federal public ownership interests.

NOAA will not reimburse expenses that have been incurred prior to the start of a grant award, except in the following cases. Generally, applicants may receive reimbursement for certain costs incurred within 90 days prior to the grant's official start date if such costs are requested in the application and the applicant can demonstrate it is necessary to incur the costs prior to the official award start date. Grant recipients must seek prior approval from NOAA for reimbursement for pre-award costs over 90 days before the award start date. Such costs are allowable only to the extent that they would have been allowable if incurred after the date of the Federal award and only with the written approval of NOAA. In general, NOAA will not reimburse pre-award costs that occur prior to the publication date of this funding announcement. Pre-award costs eligible for consideration include costs necessary for conducting appraisals, title work, and environmental assessments. The cost of land acquisition may also be reimbursed as a pre-award cost. Reimbursement of funds is subject to NOAA's approval of due diligence documents; closing on a property prior to the award start date is at the applicant's risk.

d. Land Conservation funds may not be used for:
    i. funding long-term operations, maintenance, and management of the land (above those costs allowed for initial land stewardship);
    ii. construction of buildings, boat launching facilities, docks or piers, shoreline armoring, or other facilities;
    iii. research;
    iv. outreach and education;
    v. acquisition of lands, or interests in lands, that completely restrict access to specific persons (e.g., non-residents of a community);
    vi. acquisition of lands, or interests in lands, to comply with mandatory or compensatory mitigation for recent, pending or future habitat losses resulting from the actions of agencies, organizations, companies, or individuals;

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

viii. acquisition of land for active recreation, such as sports facilities, water parks, playgrounds, or similar uses, except for at a de minimis scale;

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

e. De minimis uses: Sustainable aquaculture, forestry, agriculture, and small-scale community recreation facilities (such as playgrounds, sports fields, non-primitive camping areas, or paved bicycle paths) may be allowed on a de minimis scale if they are located away from sensitive ecological features. For the purposes of this competition, de minimis scale is considered to be no more than 10 percent of the total acreage of the project. The location, size, and nature of these uses should be described in the project proposal and NOAA may negotiate with the applicant if the project is selected for funding.

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 the Office for Coastal Management via email at ocm.czm.infrastructure@noaa.gov.

B. Content and Form of Application

Applicants should submit a complete standard NOAA financial assistance application package in accordance with the guidelines in this document. Applications that do not follow the Letter of Intent and proposal application requirements stated in this announcement may not be considered for review.

All application materials should use a legible 11 or 12-point font with 1-inch margins on all sides, single spaced. Electronic applications must be submitted as Adobe Acrobat (.pdf) to the extent possible.

For this funding competition, a pre-proposal Letter of Intent (LOI) is required before submitting a full proposal. The LOI should provide a concise description of the proposed work and its relevance to program objectives. The goal of the pre-proposal process is to streamline the application and review process by inviting full applications only from

applicants whose projects are most likely to support NOAA's goals as described in this announcement and for those projects that are most likely to be ready to start implementation soon after being awarded funding.

Please note that only LOIs that strongly align with the program objectives and goals will be invited to submit a full proposal. Applicants will not be invited to submit a proposal if the LOI does not strongly align with the program objectives and goals, or the LOI does not include the required components listed below. Applicants may not submit a full proposal unless they receive an invitation from NOAA. Any proposal submitted without having received an invitation will not be reviewed.

The Office for Coastal Management will respond to each LOI by email informing the lead Principal Investigator whether or not they are invited to submit a proposal. We anticipate sending responses by October 6, 2023. If the lead principal investigator does not receive an email by October 6, 2023, the applicant must contact ocm.czm.infrastructure@noaa.gov and request the status of his or her LOI. The results of the LOI review will be released to the lead principal investigator only. The proposal submission deadlines in this announcement will apply to everyone.

The LOI must contain the following:

1. LOI Cover Page: The LOI should include the following information on a cover page:
    a. Applicant;
    b. Project title;
    c. Type of Project: Habitat Restoration; Habitat Restoration Planning, Engineering, and Design; or Land Conservation;
    d. Names and affiliation of the lead principal investigators (PIs) with contact information. NOAA will communicate with the lead PI on the status of their LOI;
    e. Proposed project start and end dates; and
    f. Total Federal Funding request

2. LOI Content: The body of the LOI should be no more than 4 pages, 11 or 12-point font, single spaced, and must include the following components:
    a. Statement of Purpose: state the intent, goal, and outcome of proposed work;
    b. Brief Project Description. Briefly describe the proposed project and activities, ensuring to highlight and describe:
        i. the ecosystem benefits of the project; and
        ii. the intended benefits to the region and local community in improving resilience.

c. Milestones: Include a short, bulleted list of key project milestones.
d. Equity and Inclusion: Briefly describe how the proposed activity broadens the participation of, and/or supports the needs of underrepresented groups.
e. Climate: Briefly describe how the proposed activity will enhance climate resilience.
f. Geography and Maps: Describe the location of the project, providing regional and site-specific maps as appropriate. Maps will not count against the page limit for the LOI.
g. Landowner (for habitat restoration and habitat restoration planning, design, and engineering projects). Include the name and address of the landowner of the project site.
h. Pre-Existing Uses: Briefly describe the existing uses of the property, the nature of those uses, and whether those uses will continue after completion of the project.
i. Partnerships: Describe any public, non-governmental organizations, private or individual partners involved in the project and their intended roles.
j. Project Readiness. For habitat restoration projects:
    i. identify and list all consultations, permits, and regulatory approvals necessary for the proposed project and include documentation or approval status (e.g., not applied for; pending; secured). Please describe whether project design plans are construction ready (90 to 100% complete). Please describe whether experienced contractors are available and likely to compete under project bid process, if this information is known at the time of application submittal.

  For land conservation projects:
    ii. identify whether sites have been identified, the property is on the market, and/or negotiations with landowner have resulted in an option or purchase & sale agreement or other evidence that a seller would be willing to sell at a mutually agreeable price and terms; whether appraisal, title opinion, and other documentation have been completed or can be produced within the performance period; and whether the site has any uncertainties (such as liens, judgments, need for remediation) that are not likely to be resolved within the proposed award performance period.
k. Project Timeline. Provide a realistic timeline of all project activities to be supported with Federal funds, including an indication of when activities will begin.
l. Budget summary. Provide an overview of the estimated amount of funding requested, match or leveraged funding expected, and brief details on how funds

will be used.

If and once a PI is invited to submit a full proposal, the complete application package should include the following forms and documents, with each below group as separate files:

1. Full Proposal Details:
    a. Project description (proposal), as described in the application component section below, should be limited to no more than 15 pages, 11 or 12-point font, single spaced. The project description should also include a title page and table of contents, but these pages (title and table of contents) will not count towards the page limit. Additionally, the budget narrative, budget justification, budget forms, and Appendices will not count towards the 15-page limit for the project description.

    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 removed 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.

2. The following Federal forms from the SF-424 Form Family should be included in the application package, as applicable (no page limit with forms and related mandatory Federal form information):
    a. Application for Federal Assistance: Form SF-424: Applicants requesting Federal funding under this program must submit a copy of SF-424, 'Application for Federal Assistance'. An electronic signature and date stamp will automatically be included on SF-424 forms submitted via Grants.gov.
    b. Budget Information for Non-construction Programs: Form SF-424A. Applicants are required to submit a SF-424A Budget Form to summarize the budget for the proposed scope of work. If the application is requesting an award period of more than one year (multiple year award), the applicant must provide a budget and budget justification for each year. The application should include separate federal and non-federal (if applicable) budgets for each year in separate columns in Section B of the 424A. Total award funding is shown in the final column of Section B. Non- Federal funding is broken out by source in Section C. Federal and non-Federal funds should be expended at a similar rate throughout the course

of the project. 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 should match the funding requested on the application cover sheet and correspond with the descriptions contained in the project and budget narratives. Each proposed sub-award of $30,000 or more should be accompanied by a separate SF-424A form to fully document the proposed subaward budget.

c. Assurances for Non-construction Programs: Form SF-424B.
d. Certification Regarding Lobbying: Form CD-511.
e. Disclosure of Lobbying Activities: Form SF-LLL (if applicable).
f. Federal forms and National Environmental Policy Act (NEPA) information, as well as information provided to complete the Federal forms (e.g., Negotiated Indirect Cost Rate Agreement), can be submitted separately or combined and submitted as one PDF document.

All full Proposal applications should contain the following:

1. Title Page (Proposal Cover Sheet, not included in page limit), with:
   a. Project title.
   b. Type of Project: Habitat Restoration; Habitat Restoration Planning, Engineering, and Design; or Land Conservation.
   c. Proposed project start and end dates.
   d. Applicant Information: Recipient name; Names and affiliations of principal and other investigators (names, organization, and contact information); Financial representative (names, organization, and contact information).
   e. Total Federal Funding request

2. Project summary (included in page limit). Provide a one to two-page summary of the proposed project. The summary should contain the following sections:
   a. Project name/title
   b. Requested funding
   c. Brief project summary including objectives, expected results, and intended benefits and outcomes.

3. Project Description (included in page limit). All project descriptions (proposals) should include the following sections:

a. Relevance to Program Priorities: describe how the proposed project meets the program priorities identified in Section I.B of this announcement: restoration and conservation, climate resilience, and equity and inclusion. Describe the:
   i. benefits to the Program;
   ii. the ecosystem benefits of the project; and
   iii. the intended benefits to the region and local community in improving resilience. Describe how the project will factor anticipated climate change effects.

   Applications should provide sufficient detail to enable reviewers to evaluate the relevance and applicability of the 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, the Endangered Species Act, the Historic Preservation Act, Federal Consistency, the Marine Mammal Protection Act, and the Magnuson-Stevens Fishery and Conservation Act.

b. 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. For land conservation projects, the narrative should specify the primary purpose of the project (i.e., ecological value or conservation).

c. 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 state's coastal management program, including references within coastal management program planning documents, or other regional, state, tribal or watershed plans, as applicable.

   For land conservation projects, background information should specify:
   i. how the proposed project meets the competition eligibility criteria and its expected benefits in terms of coastal and estuarine land conservation, and specifically, how the project supports the land conservation priorities identified in the state or regional plans such as a state's Coastal and Estuarine Land Conservation Plan;
   ii. pre-existing uses of the property and the nature of those uses (including existing structures, leases, etc.); and

iii. activities or uses planned for the project site after acquisition and how those activities/uses are consistent with the long-term protection of the site's ecological or other values.

Applicants should address their qualifications for performing the project. Programs may demonstrate in their applications that they have solid operating performance and effective performance in completing past restoration and acquisition projects. Applicants may briefly address how they possess the necessary experience, education, training, administrative resources, and overall capacity to accomplish the project. The individual Program should be capable of performing the project in general.

d. Equity and Inclusion Statement. The NOAA Office for Coastal Management recognizes that it has a particular and unique opportunity to support NOAA's commitment to diversity and inclusion by taking an intentional step that encourages program applicants to consider equity and inclusion in their projects. In this section, all applicants to this competition should include a statement that describes how the proposed project will:
   i. broaden and/or target the participation of vulnerable and/or underserved communities through meaningful involvement in the proposed project;
   ii. develop and sustain mutually-beneficial partnerships, including the potential for co-development, with vulnerable and/or underserved communities;
   iii. seek to address vulnerabilities and disproportionate impacts relating to coastal access, coastal hazards and climate change on communities; and
   iv. otherwise benefit, support, or engage with underserved communities.
e. Partnerships and networks. Identify and describe any partners in the project (including professional or technical networks) and describe their role in implementing the project or its ongoing maintenance or management. Describe how the partners will interact with the project, and how they will use the outcome or results of the project. Identify and describe what partners and/or key personnel from other agencies and institutions will be partnering on the project and how they will be connected, integrated and/or leveraged. Describe the relevant experience and expertise of the partners and/or networks that will be involved in the project. Applicants are encouraged to include letters of support and/or commitment from partner organizations or entities (especially any potentially vulnerable or underserved communities) that would be involved in and/or benefit from the proposed project. Projects may include funding to support internships related to the project, as well as eligible participant support costs as defined in 2 C.F.R. § 200.456.
f. Approach. Provide a work plan that:

i. identifies specific project tasks to be accomplished;
ii. explains the technical approach (including quality assurance) needed to accomplish the tasks;
iii. identifies the roles and qualifications of staff, partners, and cooperators; and
iv. identifies potential obstacles to successful completion of the goals and objectives.

The description should align with budget categories and fully explain the scope of work including preparatory work, environmental review, planning, design elements, sustainable or resilient features, etc. The description should address how the project will incorporate resilience or adaptation strategies to coastal hazards, to climate change, and/or reflect related outreach and how the project will be maintained or managed in the future.

For restoration projects, describe the monitoring plan and activities, both for what is included in the award and for post-award monitoring plans.

For land conservation projects, describe the plan for developing a baseline monitoring report of the project site as well as any initial stewardship activities, and plans for long-term stewardship and management of the property beyond the period of this award.

g. Task Outcomes or Products. Identify and describe the anticipated project products or outcomes. Explain how they will benefit the coastal resource management community and describe performance measures that will be used to evaluate project success. The narrative should include information on dissemination of the findings/results to resource managers, local communities, and other stakeholders as appropriate. The project narrative also should include information about how the project will be evaluated for success.
h. Milestone Schedule. Display time lines for major tasks, target milestones for important intermediate and final products, and key project outcomes.

4. Budget Narrative and Justification (included in the page limit): In order to allow reviewers to evaluate the appropriateness of all costs, applications should include a detailed budget narrative and justification of costs broken out by individual task per year of the award. The budget narrative submitted with the final application should match the dollar amounts included on all required forms and clearly link to the project narrative. All budget amounts within the budget narrative and the SF-424 and SF-424A Forms should be listed in whole dollar amounts. Please explain each calculation and provide a narrative justification to explain expenditures for each budget

category.

The budget narrative should describe in detail any formal matching contributions and informal leveraged funding. The budget narrative should 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. Part 200, Subpart E. Budget narrative categories should correspond to the standard object class categories listed in Section B of the SF-424A. For additional details, please review the budget guidance provided at: https://coast.noaa.gov/data/coasthome/funding/_pdf/forms/budget-narrative-guidance-for-NOAA-grants.pdf.

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

a. Name: Name of identified qualified sub recipient or contractor, 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 under the contract or subaward.
b. Period of Performance: Include the dates for the performance period. If it involves a number of tasks, include the performance period for each task.
c. Scope of Work: List and describe the specific activities or tasks to be performed.
d. Criteria for 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.
e. Itemized Budget: Include categories used in program budget for subrecipients or cost-based contractors. If applicable, include any direct cost paid under the subaward or contract and the indirect cost rate used.
f. Leveraged Funds: Include Federal, state, local, nonprofit, or private funds that are likely to be leveraged towards the completion of this project. If these funds are not intended to be included as voluntary match, please label any leveraged funds as ‘Leveraged/Non-match’ and do NOT include these funds on the 424 or 424a budget forms.

All subawards and contracts must be made consistent with the requirements of 2 C.F.R.

§§ 200.331-200.333 for subawards, and §§ 200.317-200.327 for procurements. For any equipment, a description of the item and associated costs or price 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, Equipment, and 2 C.F.R. § 200.313.

Non-Federal applicants should identify if this information is known when submitting the grant application, who they plan to request that NOAA transfer equipment or property ownership titles to after the project ends. The decision on grant ownership requests will be made by the Grants Officer during the grant closeout process.

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 workshop for recipients.

Land acquisition costs should be based on appraised value or other estimate of fair market value. Land conservation projects should refer to Section III.C.5 of this announcement for eligible and ineligible uses of project funds. Refer to item (i) below in Appendices regarding treatment of Indirect Costs in the Budget Narrative.

4. Appendices (not included in the page limit): Appendices should 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 narrative, letters of collaboration, letters of support, lists of data sources, and maps). Applicants should number the pages in their proposal and any appendices.

   As a standard practice, NOAA requires that resumes for Principal Investigators of competitive awards be on file and maintained in the grants processing system used by the Department of Commerce, Grants Online. Recipients of any award (competitive or non-competitive) are required to designate PIs in Grants Online within 30 days of receiving award offers.

   The following appendix documents should be included in the application package:
   a. Letters of Collaboration: All supporting letters from partner organizations that are instrumental to the project should be included in the application package. Letters must clearly indicate the level of commitment and/or collaboration. Letters of collaboration do not need original signatures.
   b. Resumes: Provide resumes of the Principal Investigator for the project and other key personnel critical to the success of the project. Ensure that resumes address qualifications relevant to conducting the proposed work. Please limit resumes to a maximum of two pages for each key investigator.
   c. Geography and Maps: Describe the location of the project, providing regional and site-specific maps, geographic coordinates, and the name(s) of the nearest town(s) or watershed. If multiple sites are proposed, please include this information for all sites.
   d. Supplemental Information for Land Conservation (if available): For land conservation projects, the following supplemental elements can be included as an indication of project readiness. These elements are not required with the initial application but should be submitted if available. If the project is selected and funded, these elements and other forms will be required before grant funds can be released:
      i. Documentation of Willingness or Intent to Sell: The applicant should submit a letter from the seller affirming that s/he is a willing participant in negotiations to sell the property at a mutually agreeable price.
      ii. Evidence of Agreement: The applicant should submit documentation verifying the terms of the purchase, such as a contract or purchase & sale agreement.
      iii. Appraisal: The applicant should submit a complete and self-contained

appraisal establishing the fair market value of the property. The appraisal must be developed in accordance with the Uniform Appraisal Standards for Federal Land Acquisition ("Yellow Book") (http://www.usdoj.gov/enrd/land-ack/). Review appraisals will also be required for all properties valued at more than $250,000. The recipient has the option of obtaining an independent review appraisal from a qualified review appraiser or NOAA could contract to conduct the review. Please note that NOAA retains the right to conduct a separate and/or additional appraisal review, depending on the issues raised within the appraisal as well as the amount of Federal investment.

iv. Survey: The applicant should submit a survey plat of the property to be acquired.

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

vi. Draft deed(s) and/or conservation easement(s): Draft deeds or easements containing the required NOAA (CZM/CELCP) restriction language and copies of other easements or use agreements that may affect long term use of the property.

vii. Environmental Assessment or Environmental Impact Statement (Optional): If available, the applicant should submit any environmental assessment (e.g. phase 1 or phase 2 assessment) or environmental impact statement that has been done for the property.

viii. Working Waterfronts: The applicant should describe whether the project will complement working waterfront needs, or whether there is any potential for conflict with working waterfronts.

e. Project Designs: For restoration projects, design plans (including the basis for the proposed design), specifications, scope of work for services, and engineering, opinions of cost or cost estimates (if available) should be included in the proposal. Project design plans should be included in the application in order for reviewers to comprehensively assess the technical merit of the proposed restoration action(s).

f. Data Management Plan: The Data Management Plan should address the requirements in the following section of the Announcement. If no environmental data will be produced through the proposal, or if data is not publicly accessible due to law, regulation, policy (such as those applicable to personally identifiable information or protected critical infrastructure information or proprietary trade information) or by security requirements, then the application must include a

clear explanation as to why no data management plan is being submitted.

The Data Management Plan should address the following requirements:

i. Environmental data and information collected or created under NOAA grants or cooperative agreements must be made discoverable by and accessible to the 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 the NOAA Program. Data should be available in at least one machine-readable format, preferably a widely used or open-standard format, and should be accompanied by machine-readable documentation (metadata), preferably based on widely used or international standards.

ii. 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 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. 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. The NOAA Program is not offering specific data management technical guidance. Proposals are to describe their proposed approach. Use of open-standard formats and methods is encouraged. For more information about data sharing in this program, contact the agency official listed in Section VII. of this funding announcement.

iii. 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.

iv. 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 the 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.

v. NOAA's Administrative Order on the Management of Environmental Data Management and Information is available under: http://www.corporateservices.noaa.gov/ames/administrative_orders/chapter_212/212-15.html

vi. Principal Investigators should indicate how and when they have made their data accessible and usable by the community in the past.

vii. More information about the NOAA Data Sharing Policy is available on NOAA's Environmental Data Management Committee website at: https://nosc.noaa.gov/EDMC/PD.all.php

viii. The Office for Coastal Management provides the following specific Data Management Guidance to Applicants: The contact official for data management questions for this program is Randy Warren, Data Manager, NOAA's OCM at randy.warren@noaa.gov. Applicants may choose the data accessibility approach best suited for their projects. Proposals are to describe their proposed approach. Use of open-standard formats and methods is encouraged. Technical assistance will be provided by NOAA's OCM upon request. Applicants may include the cost of data management in their budgets.

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

The OCM environmental compliance team is willing to host pre-application conversations in order to help applicants determine what information might be needed in order to fulfill NEPA and other requirements, in the event that a given proposal is recommended for funding. This consultation is intended to assist both applicants and NOAA to determine whether a project is likely to qualify for a NOAA Categorical Exclusion. Please note that the pre-application consultation is not mandatory and the consultation results are not binding on NOAA (e.g., NOAA may later determine that additional information is necessary and/or that an environmental assessment or an environmental impact statement would be required prior to releasing funding for a project).

If an applicant is interested in a pre-proposal environmental compliance consultation, the applicant should submit a consultation request via email to ocm.czm.infrastructure@noaa.gov, and include background information on the

project(s) in question. Please include several dates and times that your project team would be available for a pre-application conversation. Due to the limited time available, each applicant will be limited to no more than one 30-minute consultation per competition, regardless of the number of applications that the applicant intends to submit to the competition.

After the application is submitted, NOAA may require additional information to fulfill NEPA and other compliance requirements. The applicants selected for funding may be required to complete –portions of the Environmental Compliance Questionnaire for NOAA Federal Financial Assistance Applicants accessible at https://drive.google.com/file/d/1WVoZ-HPMlBu8Web6ITxAJlmG2tepoTEb /view?usp=sharing 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).

If NOAA determines that an environmental assessment is required, applicants may also be requested to assist in drafting the assessment. Applicants may also be required to cooperate with NOAA in identifying and implementing feasible measures to reduce or avoid any identified adverse environmental impacts of their proposal. The failure to do so shall be grounds for the denial of an award. Applicants recommended for funding may be required to budget funds towards the identification of historic resources, including the determination and documentation of the Area of Potential effects (APE), and the subsequent review and evaluation of historic properties located within the APE, in order to facilitate State Historic Preservation Officer review as required under Section 106 of the National Historic Preservation Act.

In some cases, if additional information is required after an application is selected, funds can be withheld by the Grants Officer under a special award condition requiring the recipient to submit additional environmental compliance information sufficient to enable NOAA to make an assessment on any impacts that a project may have on the environment.

Detailed information on NOAA compliance with NEPA can be found at the following NOAA NEPA websites: http://www.nepa.noaa.gov/, NOAA Administrative Order 216-6 for NEPA,

https://www.noaa.gov/organization/administration/nao-216-6a, and the Council on Environmental Quality implementation regulations under https://www.ecfr.gov/cgi-bin/text-id?SID=30655823cf5f0dcb1c5ee59d01883b89&mc=true&tpl=/ecfrbrowse/Title40/40chapterV.tpl. See also Section VI.B. of this Announcement.

h. 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.

   Applicants 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 and 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.

i. 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. § 200.1 and §§ 200.412-415.

   A copy of the current, approved negotiated indirect cost agreement with the Federal Government should be included with the 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 minimis rate (10% of modified total direct costs) described at 2 C.F.R. § 200.414. Alternatively, the negotiation and approval

of a new rate is subject to the procedures required by NOAA and the DOC. The DOC 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.

Raishan Adams, Grants Officer
NOAA Grants Management Division
1325 East West Highway, 9th Floor
Silver Spring, Maryland 20910
Raishan.Adams@noaa.gov

Non-Federal entities may use the de minimis rate indefinitely, but may choose to negotiate an indirect (F&A) cost rate at any time. This de minimis rate option is not available to state and local governments, and tribes.

j. Optional Forms: In addition to the nine standard elements described above, applicants may upload additional supporting documentation, such as the 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.

There are rarely problems uploading or downloading large files through Grants Online; however, applicants should be aware that files that cannot be opened or downloaded will not be reviewed. Grants Online offers the following solutions to address the occasional challenge of uploading large data files to Grants Online (see this PDF at page 11): https://www.corporateservices.noaa.gov/grantsonline/Documents/EDATrainingManual_2015Oct.pdf.

As a Grants Online security measure, there is a five-minute time limit for the download and upload of files. If the user uploads a file and it takes approximately five minutes, the file upload may appear to have been successful. To test the integrity of the uploaded file, download and attempt to open the file. If the file does not open, the file is probably corrupted – the attempt to upload was incomplete and therefore unsuccessful.

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

Applicants should:

1. Be registered in the Federal System for Award Management (SAM.gov) before submitting an application;
2. provide a valid Unique Entity Identifier (UEI) on an application; and

3. continue to maintain an active SAM registration with current information at all times during which it has an active Federal award or an application or plan under consideration by a Federal awarding agency.

NOAA may not make a Federal award to an applicant until the applicant has complied with all applicable unique entity identifier and SAM requirements and, if an applicant has not fully complied with the requirements by the time NOAA is ready to make a Federal award, NOAA may determine that the applicant is not qualified to receive a Federal award and use that determination as a basis for making a Federal award to another applicant.

Applicants should allow a minimum of two weeks to complete the SAM registration; registration is required only once but must be periodically renewed. On April 4, 2022, the Federal government began using a new Unique Entity Identifier number provided by SAM. Your organization’s Employer Identification Number (EIN) will be needed to receive a UEI, which is provided by SAM. If your entity is already registered in SAM.gov, your new UEI has already been assigned and is viewable in SAM.gov. This includes inactive registrations. Registrations must be periodically renewed.

D. Submission Dates and Times

The deadline for receipt of LOIs is 11:59 p.m. Eastern Time on August 14, 2023. All LOIs must be submitted via email. The date and time indication of the receiving email server will be the basis of determining timeliness. Note that receipt may be delayed if email servers are not functioning efficiently. Applicants submitting multiple LOIs must use a unique project title for each LOI and may send all LOIs in one email or in multiple emails.

If invited, full applications must be received by and validated by Grants.gov by 11:59 PM Eastern time on January 10, 2024.

Applicants should consider the possibility of winter storms and other unforeseen impacts from natural hazards that could affect their Internet access and use of Grants.gov on or before application due dates. Applicants should be aware that localized hazardous weather or other situations beyond their control affecting 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 (EO) 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 should submit a copy of their current and signed indirect cost rate agreement with their application package. More information on establishing or negotiating indirect cost rates can be found in Section IV.B.8 of this solicitation.

   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 negotiated 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 funding:
   a. activities that constitute legally required mitigation for the adverse effects of an activity regulated or otherwise governed by state or Federal law;
   b. activities that constitute mitigation for natural resource damages under Federal or state law; and
   c. activities that are required by a separate consent decree, court order, statute or regulation.

   See also Section III.C. for additional ineligible projects and costs.

3. Cost Principles: Recipients are subject to the 2 C.F.R. § 200, Subpart E “Cost Principles,” as well as any DOC regulations that may be in effect at the time of award. Generally, allowable costs 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

Letters of intent (LOI) shall be sent via email to ocm.czm.infrastructure@noaa.gov. Insert "FY 2023 CZM Infrastructure Grant Program Letter of Intent" as the subject line of the email. Please include all pages in a single PDF. File size should not exceed 10mb.

The standard NOAA funding application package is available at www.grants.gov (Grants.gov) by searching the Funding Opportunity Number or the Federal Assistance Listings number (11.473). Application packages, including all letters of collaboration, shall be submitted through the “Apply” function on Grants.gov. The Grants.gov site contains directions for submitting an application. Applicants must register with Grants.gov before any application materials can be submitted.

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

If an applicant submits multiple electronic versions of the proposal, the applicant should advise the Federal agency of the 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.

After electronic submission of the application, applicants will receive an automatic acknowledgment from Grants.gov that contains a Grants.gov tracking number. Applications submitted through Grants.gov will be accompanied by THREE automated responses (the first confirms receipt by Grants.gov, not NOAA; the second confirms that the submission is acceptable and timely; and the third validates that the application has been forwarded to NOAA for further processing).

The Federal program office has a process to review 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 available resources, the Federal agency may reach back to applicants who have submitted incomplete packages.

V. Application Review Information

A. Evaluation Criteria

Letter of Intent Evaluation Criteria

The Letter of Intent evaluation criteria in this program and weights for each criterion are below. Each criterion will be assessed holistically, generally taking into account the supporting questions.

1. Alignment with Conservation and Restoration Program Goals (20 points). Questions relevant to this criterion include:
    a. Does the project meet any or several of the following ecosystem priorities:
        i. Does the project protect or restore (or develop plans toward restoration of) high priority natural ecosystems?
        ii. Does the project protect or restore key ecosystem features and maintain species or habitat diversity?
    b. For habitat restoration and for habitat restoration planning, engineering, and design projects:
        i. Does the project restore important coastal habitats, ecosystem functions/species, and/or hydrologic connections between habitats?
        ii. Is the project located on publicly-owned land, or land where a public entity holds a lease or easement that provides for adequate public control of the property?
        iii. Does the project include a long-term plan for monitoring? NOAA anticipates that highly ranked habitat restoration and habitat restoration planning, engineering, and design projects will satisfy most or all of the criteria listed in this section.
    c. For land conservation projects:
        i. Does the target property have significant ecological value?
        ii. Is there a demonstrated need for protecting the target property, in particular, is the property under an imminent threat of conversion that would diminish its natural state?
        iii. Will the acquisition provide for non-Federal public ownership by the grant recipient or sub-recipient for conservation in perpetuity?
        iv. Does the proposal demonstrate that the property can be effectively managed and protected in perpetuity?
        v. Does the acquisition provide for passive public access or other public benefit on some portion of the property (as appropriate and consistent with resource protection), or clearly describe why passive public access would be detrimental to the conservation goals of the property?

vi. Does protecting this property serve to mitigate the adverse impacts caused by coastal population growth in the coastal environment?

NOAA anticipates that highly ranked land conservation projects will satisfy most or all of the criteria listed in this section.

2. State, Regional, Tribal, and Community Priorities (20 points). Questions relevant to this criterion include:
   a. Is the target property identified in a State, tribal or regional conservation plan or watershed protection plan?
   b. Is the project site located geographically contiguous to other protected areas and/or high priority habitat?
   c. Does the project involve outreach to and engagement with underserved communities as a target audience or partner in the project, and does the project address heightened vulnerabilities and disproportionate impacts on underserved communities?
   d. Will the project provide additional co-benefits to communities such as contributions to ecosystem and community resilience, increased business opportunities, public community revitalization, recreational opportunities, reduced safety hazards, and/or reduced maintenance costs?

NOAA anticipates that highly ranked projects will be identified in State, regional, tribal or watershed plans, as well as meet some or all of the other priorities described in this section above.

3. Climate (10 points): Questions relevant to this criterion include:
   a. To what extent does the proposed project factor in enhanced climate resilience?
   b. Does the project or will the planning/design effort lead to a project that will:
      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, or natural infrastructure) from climate change impacts; and/or
      iv. enhance community resilience to climate hazards?

4. Equity and Inclusion (10 points). Questions relevant to this criterion include:
   a. Does the project involve outreach to and engagement with underserved communities, tribal governments or organizations, or Indigenous communities as a target audience or partner in the project, and does the project address

heightened vulnerabilities and disproportionate impacts on these partners and communities?

b. Will the project provide additional co-benefits to communities such as contributions to ecosystem and community resilience, increased business opportunities, public community revitalization, recreational opportunities, reduced safety hazards, and/or reduced maintenance costs?

5. Project Readiness and Technical Merit (25 points). NOAA anticipates that highly ranked proposals will satisfy most or all of the following criteria, as applicable for type of project:
   a. Is the approach appropriate for the stated goals and objectives?
   b. Does the project propose a habitat restoration and land conservation project that is 'shovel ready' or reasonably advanced in the acquisition due diligence process or propose a habitat restoration planning, engineering, and design project that has identified or will lead to a shovel ready project?
   c. Has the applicant proposed a realistic time-frame, and is it likely that the scope of the proposed project will be completed within the award period (completed within three years)?
   d. Does the applicant show the capability and experience in successfully completing similar projects?
   e. Are the investigators qualified and is the organizational framework appropriate to conduct a project of the nature and scope proposed?

6. Project Costs (10 points). Questions relevant to this criterion include:?
   a. Does the estimated cost of the project appear realistic and commensurate with the project needs and time frame? (8 points out of the 10 total for project costs)
   b. Does the applicant complement NOAA's investment with other funding sources, including formal, non-Federal matching contributions and/or non-Federal and Federal leveraged funds? (2 points out of the 10 total for project costs). Points allocated for this factor will be as follows:
      i. Budget does not include any formal, non-Federal matching contributions or informal, leveraged funds. (0 points).
      ii. Budget includes formal, non-Federal matching contributions and/or informal, leveraged funds, with a combined total that is less than a 1:1 ratio of matching or leveraged funds to NOAA funds. (1 point).
      iii. Budget includes formal, non-Federal matching contributions and/or informal, leveraged funds, with a combined total that meets or exceeds a 1:1 ratio of matching or leveraged funds to NOAA funds. (2 points).

7. Partnership (5 points). Questions relevant to this criterion include:
    a. Does the project demonstrate engagement with all relevant partners needed to effectively develop or leverage the project and networks?
    b. Does the project demonstrate community level support and engagement?

Letters of Intent (LOI) will undergo a technical review, ranking, and selection process to determine eligibility to submit a full application. The LOI Evaluation Criteria will be scored as follows:

0 – Poor: LOI does not address Evaluation Criterion;
1 – Fair: LOI marginally addresses Evaluation Criterion;
2 – Good: LOI adequately addresses Evaluation Criterion; or
3 – Excellent: LOI exceptionally addresses Evaluation Criterion.

The Letter of Intent's average score is then calculated using the weights and ratings for each criterion, as follows:

(Rating for "Alignment with Conservation and Restoration Program Goals" × 0.20) +
(Rating for "State, Regional, Tribal and Community Priorities" × 0.20) +
(Rating for "Climate" x 0.10) +
(Rating for "Equity and Inclusion" x 0.10) +
(Rating for "Project readiness and technical merit" × 0.25) +
(Rating for "Project Costs" × 0.10) +
(Rating for "Partnership" x 0.05)
Sum of all review scores / # of reviewers = Total Score (Range: 0.00 - 3.00)

Full Application Review Criteria

Full applications will be evaluated based on their technical merit and how well the proposal aligns with the Program's management priorities and the objectives of this NOFO. Merit-based reviewers will evaluate proposals based on the criteria and corresponding weights detailed below. The application evaluation criteria in this program and weights for each criterion are below.

1. Importance/Relevance and Applicability of Application to the Program Goals (48 points). This criterion ascertains the extent to which there is intrinsic value in the proposed work and/or relevance to NOAA, Federal, regional, state, tribal, or local activities.
    a. Alignment with Conservation and Restoration Program Goals (14 points): Questions relevant to this criterion include:

i. To what extent does the project restore or protect high priority coastal habitat?
ii. For planning, engineering, and design projects, what is the likelihood that the project will restore high priority coastal habitat, once implemented?
iii. To what extent will the project protect or restore key ecosystem features and maintain species or habitat diversity?

For Habitat Restoration, to what extent does the project:

i. restore important coastal habitats and connected ecosystem functions/species;
ii. restore hydrologic connections between habitats that improve ecosystem function;
iii. enhance or restore important ecosystem services that support coastal communities, vulnerable populations or cultural resources (i.e., coastal flood protection, extreme weather resilience, water quality and quantity, food safety & security, and chronic coastal erosion, etc.);
iv. ensure for long term management by being located on publicly-owned land, or land where a public entity holds a lease or easement that provides for adequate public control of the property; and
v. include a long-term plan for monitoring

For Habitat Restoration Planning, Engineering, and Design projects:

i. What is the likelihood that the project will restore high priority coastal habitat, once implemented?
ii. What is the likelihood that the project will translate into an on-the-ground implementation project in the near future?

For land conservation projects, to what extent does the target property:

i. have significant ecological value demonstrating the need for protecting the target property (in particular, is the property under an imminent threat of conversion that would diminish its natural state?);
ii. provide for non-Federal public ownership by the grant recipient or sub-recipient for conservation in perpetuity;
iii. demonstrate that the property can be effectively managed and protected in perpetuity;
iv. provide for passive public access or other public benefit on some portion of the property (as appropriate and consistent with resource protection), or clearly describe why passive public access would be detrimental to the conservation goals of the property; and
v. serve to mitigate the adverse impacts caused by coastal population growth in the coastal environment?

This factor will be scored as follows:

i. Project not likely to protect or restore high priority coastal habitat. Project results appear to be short-term, with little detail on long-term management plans. (0-4 points).

ii. Project likely to protect or restore high priority coastal habitat, but unclear whether or how project will be managed over the long-term or conserved in perpetuity or project is not high-impact or transformational. (5-9 points).

iii. Project very likely to protect or restore high priority coastal habitat, is high-impact or transformational, includes on-the-ground implementation or acquisition and includes a realistic plan for long-term management and/or protection in perpetuity. (10-14 points).

b. Coastal Program, Regional, Tribal, and Community Priorities (14 points): Questions relevant to this criterion include:

i. Is the project specifically prioritized in Coastal Management Program planning documents or in state, tribal, or regional plans?

ii. Is the project site located geographically contiguous to other protected areas and/or high priority habitat?

iii. To what extent will the project provide benefits to adjacent (or nearby) communities, including underserved communities?

This factor will be scored as follows:

i. Project is not prioritized in Coastal Management Program planning documents or other state, tribal, and regional plans. Project does not provide direct benefit to the Program or to adjacent communities. (0-4 points).

ii. Project mentioned in Coastal Management Program planning documents or other state, tribal, and regional plans. Project has potential to benefit adjacent communities. (5-9 points).

iii. Project is a high priority in the Coastal Management Program planning documents and/or other state, tribal or regional plans. Project likely to provide significant direct benefit to adjacent communities. (10-14 points).

c. Climate (10 points): To what extent does the proposed project factor enhance climate resilience? Does the project:

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, or natural infrastructure) from climate change impacts; and/or
iv. enhance community resilience to climate hazards?

This factor will be scored as follows:

i. Project does not enhance climate resilience (0-3 points).
ii. Project discusses anticipated climate change effects, but does not meaningfully address these effects or enhance climate resilience (4-6 points).
iii. Project discusses anticipated climate change effects, and meaningfully seeks to address these effects by enhancing climate resilience. (7-10 points)

d. Equity and Inclusion (10 points). The extent to which the project involves outreach to and engagement with underserved communities as a target audience or partner in the project, and/or the extent to which the project addresses heightened vulnerabilities and disproportionate impacts relating to coastal access, coastal hazards and climate change on underserved communities.

This factor will be scored as follows:

i. Project does not involve underserved communities as an audience or partner, and the project does not address vulnerabilities and impacts on underserved communities (0-4 points).
ii. Project discusses connections to underserved communities and potential vulnerabilities and impacts on underserved communities, but does not meaningfully engage these partners or address the impacts (5-7 points).
iii. Project directly engages underserved communities as an audience or partner, and/or the project clearly addresses vulnerabilities and impacts on underserved communities (8-10 points).

2. Technical and Scientific Merit (25 points): 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. Applicants will be evaluated on the following:

a. Project Detail (10 points).

i. For restoration projects, to what extent does the proposal completely describe the proposed restoration actions, the current status of the project permitting and environmental compliance status, and key milestones throughout the course of the project(s). A complete project description should include all relevant phases of the restoration from initial feasibility study through design, permitting, construction,

performance monitoring, operation and/or maintenance.

ii. For planning, engineering, and design projects, to what extent does the proposal completely describe the proposed restoration actions that would result if the project was constructed? To what extent does the proposal explain the planned approach, or provide examples of other projects where the approach was successful? For projects with multiple sites, does the proposal include sufficient detail about the proposed work at each site to assess the merit of the planned activities?

iii. For land conservation projects, have sites have been identified, is the property on the market, and/or have negotiations with landowner(s) resulted in a purchase & sale agreement; whether appraisal, title opinion, and other documentation have been completed or can be produced within the performance period; and whether the site has any uncertainties (such as liens or judgments) that are not likely to be resolved within the proposed award performance period.

This factor will be scored as follows:

i. Proposal provides negligible detail regarding restoration actions, project status, and key milestones (0-4 points).

ii. proposal provides moderate detail regarding restoration actions, project status, and key milestones (5-7 points).

iii. proposal provides extraordinary detail regarding restoration actions, project status, and key milestones (8-10 points).

b. Project Feasibility, Methodology, and Sustainability (10 pts).

i. For restoration projects, to what extent is the proposed project(s) feasible from a biological and engineering perspective, including whether the proposed approach is technically sound, safe for the public, and uses appropriate methods and personnel? To what extent does the proposal describe the susceptibility of the project site to climate change impacts and how the proposed restoration methodology and design provides for resilience to extreme weather events and adaptation to potential climate change impacts anticipated at the project site?

ii. For planning, engineering, and design proposals, what is the technical merit and feasibility of the proposed approach (e.g., has the applicant described similar successful projects, is the technique appropriate and proven, is the approach comprehensive?) How great is the potential of the restoration effort to be sustainable and provide lasting benefits? Is

there evidence that the applicant has chosen the most self-sustaining restoration technique that accomplishes the project's goals? To what extent does the proposal describe the susceptibility of the project site to climate change impacts and how the proposed restoration methodology and design provides for resilience to extreme weather events and adaptation to potential climate change impacts anticipated at the project site?

iii. For land conservation projects, can the site be effectively managed and protected in terms of land stewardship and/or need for restoration or enhancement, based on such factors as: whether the land is currently in the desired state for its intended purpose (e.g., land with ecological value that does not require restoration, control of invasive species, or remediation); compatibility of surrounding land uses with long-term conservation of the site’s values; whether proposed uses of the site are compatible with the primary purpose for which the land is to be protected; and whether proposed uses maintain or improve the values present on the site? Will acquisition of the site provide lasting benefits, both at the site level and within the larger landscape? Does the non-Federal public entity who will hold the title or easement have a proven history of managing conservation lands and/or does the proposal include a plan or partnership for stewardship and management of the property?

This factor will be scored as follows:

i. For restoration projects, proposed approach is not feasible, safe, or technically sound. For restoration planning, engineering, and design projects, the proposed approach does not appear likely to be feasible, safe, or technically sound. For land conservation projects, the site is not likely to be managed over the long-term to conserve or restore ecological, conservation, or recreational values and the site is not compatible with proposed land uses and surrounding land uses (0-3 points).

ii. For restoration projects, proposed approach is potentially feasible, safe, and technically sound, but lacks documentation to support the proposed methodology. For restoration planning, engineering, and design projects, the proposed approach is potentially feasible, safe, and technically sound, but lacks documentation to support the proposed methodology. For land conservation projects, the site is potentially able to be managed over the long-term to conserve or restore ecological, conservation, or recreational values and the site is

potentially compatible with proposed land uses and surrounding land uses, but the project lacks documentation to support the proposed methodology (4-7 points).

iii. For restoration projects, proposed approach is feasible, safe, and technically sound, and substantial evidence is provided to support the proposed methodology. For restoration planning, engineering and design projects, the proposed approach is feasible, safe, and technically sound, and substantial evidence is provided to support the proposed methodology. For land conservation projects, the site is very likely able to be managed successfully over the long-term to conserve or restore ecological, conservation, or recreational values and the site is compatible with proposed land uses and surrounding land uses. Substantial evidence is provided to support this methodology. (8-10 points).

c. Project Timeline (5 pts): Are the project goals and objectives achievable within the proposed time-frame?

i. For land conservation, how far along is the recipient in the acquisition process (e.g., contact with landowners, negotiations, purchase and sale agreement, current appraisal, title options).

ii. For habitat restoration projects, is the project ready to begin, with completed project plans, designs, and all necessary permits?

iii. For habitat restoration planning, engineering, and design projects, is the site identified and the project ready to start once funding is awarded?

Does the applicant have a feasible timeline for completion? Applications with a detailed milestone schedule for completion of award outcomes will have a higher score than those that do not.

This factor will be scored as follows:

i. Proposal provides negligible detail regarding timeliness, and is unlikely to be completed within the requested award period (0-1 points).

ii. Proposal provides moderate detail regarding timelines, and the project is likely to be completed within the requested award period (2-3 points).

iii. Proposal provides substantial detail regarding timelines, and the project is very likely to be completed within the requested award period. (4-5 points).

3. Overall Qualifications of the Funding Applicants (5 points): This criterion assesses whether the funding applicant possesses the necessary education, experience, training, facilities, and administrative resources to accomplish the project. Applicants will be

evaluated on the following:

a. Does the applicant show the capability and experience in successfully completing similar projects?

b. Are the investigators qualified and is the organizational framework appropriate to conduct a project of the nature and scope proposed?

c. If appropriate, are investigators from other agencies and institutions within the region included as key personnel on the project to capitalize on available expertise and promote a regional approach?

This factor will be scored as follows:

a. Unclear whether the applicant (and/or identified key personnel or investigators from other agencies and institutions) possess qualifications necessary to complete the project (0-1 points).

b. applicant (and/or identified key personnel or investigators from other agencies and institutions) appears qualified to complete the project and has demonstrated some level of successfully completing similar projects (2-3 points).

c. applicant (and/or identified key personnel or investigators from other agencies and institutions) is clearly qualified to complete the project and clearly demonstrates successful completion of similar projects (4-5 points).

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. Applicants will be evaluated on the following:

a. Proposed budget (10 points). Applicants will be evaluated on the following:

i. Is the budget request reasonable and does the applicant justify the proposed budget request?

ii. Does the budget provide sufficient detail to evaluate the project proposal?

iii. Are requested funds for salaries and fringe benefits only for those personnel who are directly involved in implementing the proposed project and/or are directly related to specific products or outcomes of the proposed project?

iv. For land conservation projects, are the land acquisition costs reasonable and based on an independent appraisal or other assessment of fair market value?

This factor will be scored as follows:

i. Budget is not reasonable and/or not well- justified. Land conservation projects do not include an appraisal or other assessment of fair market value (0-3 points).

ii. Majority of the budget is reasonable and appropriate, but some costs

may not be well-justified or appropriate given the level of work and public benefit. For land conservation projects, the application included an appraisal or other assessment of fair market value, but the valuation is outdated (more than 1 year since date of appraisal) or includes other technical concerns (4-7 points).

iii. Budget is well justified and all costs are reasonable and appropriate given the level of work and public benefit. For land conservation projects, the application includes an up-to-date appraisal or other assessment of fair market value. (8-10 points).

b. Cost sharing (5 points). To what extent will the applicant complement NOAA's investment with other funding sources, including formal, non-Federal matching contributions and/or informal, leveraged funds? Confirmed matching and/or leveraged funding sources should be documented in the Supplemental Materials. This factor will be scored as follows:

i. Budget does not include any formal, non-Federal matching contributions or informal, leveraged funds. (0-1 points).

ii. Budget includes formal, non-Federal matching contributions and/or informal, leveraged funds, with a combined total that is less than a 1:1 ratio of matching or leveraged funds to NOAA funds. (2-3 points).

iii. Budget includes formal, non-Federal matching contributions and/or informal, leveraged funds, with a combined total that meets or exceeds a 1:1 ratio of matching or leveraged funds to NOAA funds. (4-5 points).

5. Outreach with Partnerships (5 points): This criterion assesses whether the project provides a focused and effective partnership outreach strategy regarding NOAA's mission to understand and protect the Nation's natural resources. Applications will be evaluated on the following:

a. Does the proposal include strong letters of collaboration from partners and community members?

b. Does the project demonstrate engagement with all relevant partners needed to effectively develop or leverage the project and networks?

c. Does the project demonstrate community level support and engagement?

d. Does the proposal include additional leveraged funds and/or resources to support development or implementation of the project?

This factor will be scored as follows:

i. The project does not involve appropriate partners to execute the project or does not have key personnel from other agencies and institutions with the needed expertise. Partners are not contributing additional leveraged funds or resources to support the project.

(0-1 points).

ii. The project involves partners to execute the project, but the same key partners may be missing. Partners on the project have some experience, expertise and/or networks needed to capitalize on available expertise; however, expertise could be stronger in certain areas or additional leveraged resources are needed to fully execute the project. (2-3 points).

iii. The project involves appropriate partners to execute the project. Key personnel from other agencies and institutions are partnering on the project, with extensive experience, expertise and/or networks needed to capitalize on available expertise. Partners are contributing the necessary leveraged funds and/or resources to support the project. (4-5 points).

6. Data Management Plan (2 points): This criterion assesses whether the project includes a thorough and effective data management plan. Applications will be evaluated on the following:

a. Project includes a data management plan that ensures environmental data will be visible, accessible, and independently understandable to users.

b. Application includes a clear explanation if a data management plan is not required for this project (no environmental data produced) or if data is not publicly accessible due to law, regulation, policy (such as those applicable to personally identifiable information or protected critical infrastructure information or proprietary trade information) or by security requirements.

This factor will be scored as follows:

i. Proposal does not include a data management plan or an explanation as to why a data management plan is not required (0 points).

ii. Proposal includes a data management plan, but plan does not ensure that environmental data will be visible, accessible, and independently understandable to users. Alternatively, the proposal includes an explanation why data management plan is not required for this project, but the explanation is not clear (1 point).

iii. Proposal includes a strong data management plan that ensures that data will be visible, accessible, and independently understandable to users. Alternatively, proposal includes a clear explanation why a data management plan is not required for this project (2 points).

B. Review and Selection Process

LOI Review Process:

All LOIs will be evaluated by at least three independent reviewers in accordance with the assigned points of the above evaluation. The goal of this review is to determine whether the proposed project is responsive to the goals as advertised in this notice and select the projects that are strongly aligned with the goals and objectives stated in this announcement. Only the most highly ranked projects will continue on to the proposal process. Proposals that do not strongly align with the goals and objectives of this announcement or that do not score highly during the LOI review, will not be invited to submit proposals. NOAA may also use the Selection Factors described in Section V.C below to determine which LOI applicants are invited to submit full applications.

Appropriate mechanisms will be established to avoid conflict of interest. The OCM will respond to each LOI by email informing the applicant (i.e., the lead PI) whether or not they are invited to submit a proposal. We anticipate sending responses by October 6, 2023. If the lead PI does not receive an email by October 6, 2023, the lead PI must contact ocm.czm.infrastructure@noaa.gov and request the status of their LOI. The proposal submission deadline in this announcement will apply to everyone. The results of the LOI review will be released to the lead PI only.

Applicants may not submit a proposal unless they receive an invitation from NOAA to do so after submitting an LOI. Only the most well qualified LOIs will be invited to submit proposals. Any proposal that is submitted without having received an invitation will not be reviewed.

Proposers may include a list of suggested reviewers who they believe are especially well qualified to review the LOI or proposal. Proposers also may designate persons they would prefer not review the LOI or proposal, indicating why. These suggestions are optional. The Competition Manager handling the proposal will consider the suggestions and may contact the proposer for further information. However, the decision whether or not to use the suggestions remains with the Competition Manager.

Full Proposal 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 reviewers of coastal management, habitat restoration, and/or land acquisition experience 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. 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 in Section V. C. 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. A meritorious proposal not initially funded may be considered for funding later (which may be in another fiscal year), without NOAA repeating the competitive process outlined in this announcement.

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, specific NOAA cooperative involvement with activities of each project, and other relevant application details will be determined in pre-award negotiations among the applicant, NOAA GRANTS MANAGEMENT DIVISION, 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.

C. Selection Factors

The Selecting Official, an official within the Office for Coastal Management (or their designee) anticipates recommending applications for funding in rank order unless an application is justified to be selected out of rank order based upon one or more of the following selection factors:

1. availability of funding;
2. balance/distribution of funds:
    a. by geographic area,

b. by type of institutions,
c. by type of partners,
d. by research areas; or
e. by project types;

3. whether this project duplicates other projects funded or considered for funding by NOAA or other Federal agencies;
4. program priorities and policy factors set out in Sections I.A. and I.B.;
5. an applicant's prior award performance;
6. partnerships and/or participation of targeted groups; and
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 NOAA GRANTS MANAGEMENT DIVISION.

The Selecting Official or designee may negotiate the funding level of the proposal.

D. Anticipated Announcement and Award Dates

The anticipated start date for cooperative agreement awards made under this competition is August 1, 2024, 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 Grants Management Division. 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 Grants Management Division 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.

Risk Review: After applications are proposed for funding by the Selecting Official, the Grants Office will perform administration 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. Specific conditions that address any risks determined to exist may be applied per 2 C.F.R. § 200.208. Applicants may submit comments to the Responsibility/Qualifications records in the System for Award Management (formerly 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. 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 made by the NOAA Grants Officer.

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. Pre-Award Notice.

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. Refer to http://go.usa.gov/cXC7A.

2. Uniform Administrative Requirements.

Uniform Administrative Requirements, Cost Principles, and Audit Requirements at 2 C.F.R. 200, implemented by the Department of Commerce at 2 C.F.R. 1327.101, apply to awards in this program. Refer to http://go.usa.gov/cXCJQ and http://go.usa.gov/SBg4.

3.Terms and Conditions.
The Department of Commerce Financial Assistance Standard Terms a6nd Conditions will apply to awards in this program. These terms will be provided in the award package in Grants Online. A current version is available for review at https://www.commerce.gov/sites/default/files/2020-11/DOC%20Standard%20Terms%20and%20Conditions%20-%2012%20November%202020%20PDF_0.pdf. Also, NOAA will apply administrative terms, and 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. In addition, award documents provided by NOAA may contain special award conditions, including those limiting the use of funds for compliance activities such as outstanding environmental compliance requirements, which will be applied on a case-by-case basis, and requirements for submitting progress reports.

4. NEPA Requirements.
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 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, http://energy.gov/sites/prod/files/NEPA-40CFR1500_1508.pdf.

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. See also Section IV.B. of this Announcement.

5. Freedom of Information Act (FOIA).
Department of Commerce regulations implementing the Freedom of Information Act (FOIA), 5 U.S.C. § 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 Federal 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 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.

6. Data Sharing Requirements.
Refer to Section IV.B.5.f of this announcement for details on data sharing requirements.

7. 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. In no event will NOAA or the Department of Commerce be 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.

NOAA reserves the right to halt activity under the award through enforcement procedures under 2 C.F.R. §§ 200.339-.343, Remedies for Non-compliance, if the recipient is not fulfilling the requirements of the project as outlined in the grant award. Non-compliance with a Federally approved project may result in termination of the award as described in 2 C.F.R. § 200.340.

8. 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.

9. NOAA Sexual Assault and Sexual Harassment Prevention and Response Policy Applicable to Financial Assistance Awards.
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. NOAA expects all financial assistance recipients to establish and maintain clear and unambiguous standards of behavior to ensure harassment free workplaces wherever NOAA grant or cooperative agreement work is conducted, including notification pathways for all personnel, including students, on the awards. This expectation includes activities at all on- and offsite facilities and during conferences and workshops. All such settings should have accessible and evident means for reporting violations and recipients should exercise due diligence with timely investigations of allegations and corrective actions. For more information, please visit: https://www.noaa.gov/organization/acquisition-grants/noaa-workplace-harassment-training-for-contractors-and-financial.

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.

10. Required Use of American Iron, Steel, Manufactured Products, and Construction Materials.
If applicable, and pursuant to the Infrastructure Investment and Jobs Act (“IIJA”), Pub.L. No. 117-58, which includes the Build American, Buy American (BABA) Act, Pub. L. No. 117-58, §§ 70901-52 and OMB M-22-11, recipients of an award of Federal financial assistance from the Department of Commerce are hereby notified that none of the funds provided under this award may be used for a project for infrastructure unless:

1. all iron and steel used in the project are produced in the United States–this means all manufacturing processes, from the initial melting stage through the application of coatings, occurred in the United States;
2. all manufactured products used in the project are produced in the United States—this means the manufactured product was manufactured in the United States; and the cost of the components of the manufactured product that are mined, produced, or manufactured in the United States is greater than 55 percent of the total cost of all components of the manufactured product, unless another standard for determining the minimum amount of domestic content of the manufactured product has been

established under applicable law or regulation; and

3. all construction materials are manufactured in the United States—this means that all manufacturing processes for the construction material occurred in the United States. The Buy America preference only applies to articles, materials, and supplies that are consumed in, incorporated into, or affixed to an infrastructure project. As such, it does not apply to tools, equipment, and supplies, such as temporary scaffolding, brought to the construction site and removed at or before the completion of the infrastructure project. Nor does a Buy America preference apply to equipment and furnishings, such as movable chairs, desks, and portable computer equipment, that are used at or within the finished infrastructure project but are not an integral part of the structure or permanently affixed to the infrastructure project.

WAIVERS. When necessary, recipients may apply for, and DOC may grant, a waiver from these requirements. DOC will notify the recipient for information on the process for requesting a waiver from these requirements. When DOC has made a determination that one of the following exceptions applies, the awarding official may waive the application of the domestic content procurement preference in any case in which DOC determines that:

1. applying the domestic content procurement preference would be inconsistent with the public interest;
2. the types of iron, steel, manufactured products, or construction materials are not produced in the United States in sufficient and reasonably available quantities or of a satisfactory quality; or
3. the inclusion of iron, steel, manufactured products, or construction materials produced in the United States will increase the cost of the overall project by more than 25 percent.

A request to waive the application of the domestic content procurement preference must be in writing. DOC will provide instructions on the format, contents, and supporting materials required for any waiver request. Waiver requests are subject to public comment periods of no less than 15 days and must be reviewed by the Made in America Office. There may be instances where an award qualifies, in whole or in part, for an existing waiver described at whitehouse.gov/omb/management/made-in-america.

DEFINITIONS. “Construction materials” includes an article, material, or supply—other than an item of primarily iron or steel; a manufactured product; cement and cementitious materials; aggregates such as stone, sand, or gravel; or aggregate binding agents or additives —that is or consists primarily of: non-ferrous metals; plastic and polymer-based products (including polyvinyl chloride, composite building materials, and polymers used in fiber optic cables); glass (including optic glass); lumber; or drywall. “Domestic content procurement preference’’ means all iron and steel used in the project are produced in the United States;

the manufactured products used in the project are produced in the United States; or the construction materials used in the project are produced in the United States. “Infrastructure” includes, at a minimum, the structures, facilities, and equipment for, in the United States, roads, highways, and bridges; public transportation; dams, ports, harbors, and other maritime facilities; intercity passenger and freight railroads; freight and intermodal facilities; airports; water systems, including drinking water and wastewater systems; electrical transmission facilities and systems; utilities; broadband infrastructure; and buildings and real property. Infrastructure includes facilities that generate, transport, and distribute energy. ‘‘Project’’ means the construction, alteration, maintenance, or repair of infrastructure in the United States. -- 1 Excludes cement and cementitious materials, aggregates such as stone, sand, or gravel, or aggregate binding agents or additives. 2 IIJA, § 70917(c)(1).

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.

In order to track project success, all funded projects will be required to report programmatic performance measures, including the total acres restored or protected and the number of jobs created, in addition to performance measures related to meaningful engagement with underserved communities. Funded projects will also be required to report on leveraged funds. NOAA will provide additional guidance on the final performance measures established for this program.

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 GRANTS MANAGEMENT DIVISION and are up-to-date. In their final progress report, applicants will be asked to (a) clearly state the resulting overall impact of their project with respect to coral reef conservation or within the coastal management community; and (b) certify that "Final financial reports have been submitted to NOAA's GRANTS MANAGEMENT DIVISION and a final funding draw-down has been made through the Automated Standard Application for Payments (ASAP)."

If equipment or tangible personal property is purchased with grant funds, applicants shall submit an inventory to the extent required by the Office of Management and Budget Uniform Guidance set out at 2 C.F.R. § 200.313. As necessary, SF-428 forms may be attached as an appendix to the final progress report or submitted directly to the NOAA program officer.

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

As required by 2 C.F. R. § 200.330, recipients must submit reports on the status of real property in which the Federal government retains an interest at award closeout and at least annually thereafter, unless the Federal interest in the real property extends 15 years or more. As properties acquired under this Announcement will have a Federal interest in perpetuity, NOAA reduce the frequency of real property reports post-award. 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 the equipment is no longer needed, recipients are encouraged to request disposition instructions for equipment approximately 150 days before the project period ends to allow sufficient time to have equipment disposition requests addressed before a project ends. Equipment disposition instructions typically require that recipients “Submit Additional Closeout Documents" as an award action request in Grants Online. NOAA will provide instructions for disposition in accordance with OMB requirements.

The Federal Funding Accountability and Transparency Act, 31 U.S.C. § 6101, includes a requirement for awardees of applicable Federal grants to report information about first-tier

subawards and executive compensation under Federal assistance awards issued. All awardees of applicable grants and cooperative agreements are required to report to the Federal Subaward Reporting System (FSRS) available at www.FSRS.gov on all subawards over $30,000. See 2 C.F.R. § 170 at http://www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title02/2cfr170_main_02.tpl.

VII. Agency Contacts

For administrative or technical questions regarding this announcement, contact the Office for Coastal Management via email at ocm.czm.infrastructure@noaa.gov.

VIII. Other Information

Funds awarded cannot necessarily pay for all the costs that the recipient might incur in the course of carrying out an award. Generally, costs that are allowable include salaries, equipment and supplies, as long as these are "necessary and reasonable" specifically for the purpose of the award. Allowable costs are determined by reference to the OMB Uniform Guidance at 2 C.F.R. Part 200, codified by the Department of Commerce at 1327.101. All cost reimbursement sub-awards (e.g., subgrants, subcontracts) are subject to those Federal cost principles applicable to the particular type of organization concerned.

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, Federal agents and contractors, and/or by non-Federal personnel, all of whom enter into appropriate conflicts of interest and nondisclosure 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 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.