

FY23-24 CRCP State and Territorial Coral Reef Conservation Cooperative Agreements

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NOTICE OF FUNDING OPPORTUNITY

EXECUTIVE SUMMARY

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

Funding Opportunity Title: FY23-24 CRCP State and Territorial Coral Reef Conservation Cooperative Agreements

Announcement Type: Initial

Funding Opportunity Number: NOAA-NOS-OCM-2023-2007487

Federal Assistance Listings Number: 11.482, Coral Reef Conservation Program

Dates: PROJECT LISTS are strongly encouraged but not required. If submitted, we recommend Wednesday, September 14, 2022 as the submission date to allow adequate time for NOAA review and comments on proposed projects.

PRE-APPLICATIONS are required and must be received by email no later than 11:59 p.m. Eastern Time on Friday, October 14, 2022.

FINAL APPLICATIONS are required and must be received through grants.gov no later than 11:59 p.m. Eastern Time on Wednesday, February 15, 2023.

Funding Opportunity Description: The NOAA Coral Reef Conservation Program, as authorized by the Coral Reef Conservation Act of 2000, provides matching awards of financial assistance to State, Territorial and Commonwealth resource management agencies appointed by their respective Governors to serve as the primary point of contact agencies for coral reef conservation activities in each of the jurisdictions of American Samoa, Florida, the Commonwealth of the Northern Mariana Islands, Guam, Hawaii, Puerto Rico, and the U.S. Virgin Islands. The awards are administered as cooperative agreements to enable the collaboration and involvement of NOAA in the planning and implementation of the work. The objective of these Cooperative Agreements is to support coral reef management and monitoring programs and conservation projects that seek to improve the condition of coral reef ecosystem resources located in these seven U.S. States, Territories and Commonwealths.

Funding for this program is subject to the availability of Congressional appropriations and is expected to range between approximately \$4,000,000 and \$5,000,000 in FY 2023. Funding made available from NOAA's Coral Reef Conservation Program is intended to support priority coral reef management activities as described in Section I.B. of this Federal Funding Opportunity

announcement. Continued support in FY 2023 is contingent upon the availability of future funding; the recipient's ability to administer Federal funds provided by NOAA Coral Reef Conservation Program; and the performance of the recipient during the initial year of the award and past awards. NOAA expects that each eligible applicant will request Federal funding at a funding level between \$500,000 and \$900,000 per year, depending on the existing capabilities of the applicant agency to implement the proposed work. The average annual award size is expected to be approximately \$600,000 per year.

FULL ANNOUNCEMENT TEXT

I. Funding Opportunity Description

A. Program Objective

Coral reefs and associated seagrass and mangrove communities are among the most complex and diverse ecosystems on earth. They support important fishing and tourism industries, protect coasts from wave and storm damage, build tropical islands, contain an array of potential pharmaceuticals, and provide local communities with a source of food, materials and traditional activities.

As shallow-water, near shore communities, coral reef ecosystems are ecologically linked to adjacent watersheds and are highly vulnerable to human activity. Stresses in the coral reef environment include poor water quality from runoff and inadequate sewage treatment, sedimentation, destructive fishing practices, recreational overuse and misuse, and impacts from climate change, including changes in ocean chemistry.

To address these and other threats, Congress passed the Coral Reef Conservation Act of 2000 (Act), 16 U.S.C. 6401-6409, which established the NOAA Coral Reef Conservation Program (CRCP) and provided guidance for allocation of Federal funding toward efforts to conserve coral reef ecosystems in the U.S. and internationally. As described in the Act, one of the primary functions of the CRCP is to provide financial assistance to external partners for coral reef conservation projects consistent with the Act and CRCP priorities. From 2002 to 2008, CRCP efforts were focused on priorities articulated in A National Coral Reef Action Strategy (<http://coris.noaa.gov/activities/actionstrategy>), which outlined the efforts needed to better understand coral reef ecosystems and reduce impacts from 13 key threats that had been identified by NOAA in conjunction with the U.S. Coral Reef Task Force.

Coral Reef Conservation Program priorities have been refined and redirected in 2018 to refocus program investments on three existing pillars which include the most pressing threats to coral reefs: land-based sources of pollution, fishing impacts, and climate impacts; and a new fourth pillar: restoration. The CRCP's approach for addressing these threats is described in more detail in a number of documents, including:

- *the new CRCP Strategic Plan (2018;
https://www.coris.noaa.gov/activities/strategic_plan2018);
- *the seven Jurisdictional Coral Reef Management Priorities documents
(http://www.coris.noaa.gov/activities/management_priorities/);
- *the Jurisdictional Capacity Assessments, which identify impediments to effective coral reef conservation and management in each jurisdiction and offer both practical and creative solutions to address those challenges

(http://www.coris.noaa.gov/activities/capacity_assessment/);

*Local Action Strategies developed after 2010 based on CRCP priorities. If used, the applicant must reference the relevant document(s) with either a URL or attach in an appendix.

*Priorities identified at the 2019 NOAA CRCP Priority Setting Workshops in the jurisdictions and any updated priority documents that have been released since then.

All applications submitted in response to this Federal Funding Opportunity announcement must be consistent with the requirements stated herein and the CRCP Grant Program Implementation Guidelines. Funding is subject to the availability of Federal appropriations. In FY 2023, the CRCP only intends to initiate new awards through this opportunity.

B. Program Priorities

Since 2001, CRCP has provided annual funding to eligible State, Territorial, and Commonwealth agencies for conservation projects in coral reef jurisdictions. This funding, in the form of cooperative agreements, has supported development and implementation of numerous projects and activities, based on guidance provided by the U.S. Coral Reef Task Force, NOAA, strategic guidance documents, such as Local Action Strategies and the National Coral Reef Action Strategy, and the State and Territorial agencies themselves.

Subject to Congressional Appropriations, NOAA's National Ocean Service (NOS), Coral Reef Conservation Program (CRCP) anticipates being able to continue to provide funding for cooperative agreements in FY 2023 to support state and territorial coral reef ecosystem management, monitoring and other conservation activities which lead to or support an improvement in the condition of U.S. coral reef ecosystems. Activities funded under this announcement are intended to focus on shallow water coral reefs and associated ecosystems, including those found at mesophotic depths, which occur in U.S. States, Territories, and Commonwealths and are subject to local management authority. Applicants are also invited to propose conservation projects in watersheds immediately adjacent to or directly influencing U.S. coral reef ecosystems in an effort to reduce acute and/or chronic threats to adjacent reefs.

CRCP developed overarching goals and objectives to help guide the program's funding investments beginning FY 2019 and articulated those goals and objectives in a new CRCP Strategic Plan which is available on the NOAA CRCP website (https://www.coris.noaa.gov/activities/strategic_plan2018). Subsequently, the CRCP sponsored priority-setting processes at the jurisdictional level to help local coral reef managers articulate a set of common priority goals and objectives upon which local coral reef management efforts would focus and identify priority locations for conservation action;

these Jurisdictional Coral Reef Management Priorities from 2019 workshops may be referenced if clearly identified in the proposal. Additionally, some jurisdictions developed additional action-oriented strategies, site-based management plans and conservation action plans, and updated their coral reef Local Action Strategies based on CRCP priorities. CRCP has also sponsored an assessment of the administrative and technical capacity of each jurisdiction to help identify bottlenecks and impediments to coral reef conservation efforts. The resulting Jurisdictional Capacity Assessment documents, which contain a variety of recommendations, are available at:

http://www.coris.noaa.gov/activities/capacity_assessment/.

Together, these documents identify the actions needed to address the specific priority conservation needs identified by the CRCP and jurisdictional partners, particularly in instances where the priorities of both overlap. As such, CRCP expects that the majority of projects proposed in applications to this competition will involve the development and implementation of projects that address both the CRCP Strategic Plan and either a Jurisdictional Coral Reef Management Priority or a recommendation from the Jurisdictional Capacity Assessment, and that applications will focus effort in the locations and associated watersheds previously identified to CRCP as priority sites for coral reef management. Projects involving Jurisdictional Capacity Assessments should focus on an aspect of capacity building that it is appropriate for NOAA, as a science agency, to address. Projects that do not specifically address established priorities or designated locations may be proposed, but are likely to be less competitive.

In an effort to explain how these strategic documents will influence preferences in funding determinations, the CRCP has developed a tiered approach scheme, which the CRCP will apply to both external (e.g., grants and cooperative agreements) and internal funding decisions. The amount of investment is expected to decline from Tiers 1 through 3, as scores will be weighted (See Section V.B. for more information about the review and selection process).

*Tier 1 consists of projects that address BOTH a National Objective from the new CRCP Strategic Plan AND a Jurisdictional Priority; including, but not limited to, priorities identified in the 2019 Jurisdictional Priority Workshops.

*Tier 2 consists of projects that address an established Jurisdictional Priority, Local Action Strategy, or a recommendation from a Jurisdictional Capacity Assessment that is appropriate for NOAA to address. Funding for projects that are identified as a jurisdictional priority but do not meet a National Objective from the new CRCP Strategic Plan are included because the CRCP recognizes that circumstances and management issues vary by jurisdiction over

time.

*Tier 3 includes management goals or objectives that were not previously identified as a priority, including emerging issues or new threats. The CRCP understands jurisdictions require flexibility to effectively manage their reefs, and certain opportunities or conditions might make working on these off-priority goals important in a given year. Applicants are encouraged to clearly state the importance of immediate action for each identified issue or threat. Due to the fluid nature of this tier, CRCP may elevate emerging issues or threats to a higher tier at its discretion and without prior notification to applicants. However, all proposed projects initially identified as Tier 3 may not total more than 10% of the overall proposed budget in any year.

Cooperative agreements between the CRCP and governor-appointed coral reef agencies in each of seven U.S. States, Territories, and Commonwealths are intended to provide programmatic support for coral reef management in each location as well as funding for various specific conservation projects and/or studies that will be undertaken by local agency staff in collaboration with NOAA offices and/or other local partners. NOAA will allocate funding competitively among eligible recipients based on the merits of the scopes of work described in the PRE-APPLICATIONS and according to the tiered approach described above.

1. Programmatic funding:

Programmatic funding may be provided to eligible applicants to support the costs associated with maintaining a local coral reef conservation program. Examples of the types of costs commonly requested under programmatic funding include salary and fringe benefits for key and/or long-term program staff (e.g., local program coordinator, grant administration staff, monitoring staff, watershed coordinator and/or other technical specialists who provide ongoing legal support or outreach or education services; not simply staff needed for one-time individual projects); appropriate training and professional development opportunities; computers and office supplies; limited staff travel to relevant regional and national meetings focused on coral reef conservation; purchase and maintenance of equipment; etc. Application materials should indicate which staff will work on each project and the percentage of time they expect to spend on each. Funding requests for all staff positions, whether included as a federal expense or matching contribution, must be accompanied by a specific scope of work and be directly related to project tasks within the proposal or the day-to-day execution of a jurisdiction's coral program, as described in Section IV.B.3.

Funding for long-term coral reef monitoring efforts that collect, analyze and report on the condition of coral reef ecosystems based on established, scientifically defensible

methodologies may be incorporated into applications as part of the programmatic funding described in this section. Priorities for long-term coral reef monitoring efforts include continuation of programs to collect data that document trends in the condition of nearshore benthic habitats (seafloor communities), associated biological communities (including reef-associated fish and invertebrates), and water quality in reef environments. All monitoring projects should include regular communication of results to, and/or the direct involvement of staff from resource management agencies, and monitoring program staff will be required to work with NOAA to complete data archiving and regional coordination tasks.

Monitoring data collected in each jurisdiction are intended to complement national-level monitoring efforts and to inform local coral reef conservation and management decisions, particularly with regard to fisheries management and efforts to manage marine protected areas. NOAA/CRCP expects proposed monitoring efforts to concentrate on answering the most urgent questions being asked by local coral reef managers, and to focus effort on coral reef habitats and key reef species that are subject to local management authority or are part of a long-term study, on reefs that have been identified previously by the jurisdiction as a priority location, and/or on reefs adjacent to other CRCP projects in order to measure the project's conservation impact. Summarized results and data collected by jurisdictions under this award must be made available to management authorities and the interested public on a regular basis through the publication of periodic assessment reports and other communication methods, in addition to any peer-reviewed publications. NOAA also requires a copy of all data files in accordance with the applicant's Data and Information Sharing Plan as described in Section IV.B.6. Funding requested for the coral reef monitoring component of the application is expected to fall within a range of \$120,000 to \$200,000 per jurisdiction per year in FY 2023 and FY 2024.

Because CRCP and its collaborating offices have considerable expertise in designing and implementing coral reef monitoring programs, the agency may contribute technical assistance to award recipients conducting coral reef monitoring activities as part of NOAA's substantial involvement in the award. As a result, recipients must consult with their Federal Program Officer prior to making any major changes to their coral reef monitoring plan, including approval of changes to staff scopes of work and a review of the qualifications of the top three candidates under consideration for positions funded through the long-term monitoring program. CRCP wishes to work closely with each jurisdiction to ensure that monitoring efforts are coordinated, to the maximum extent possible, with both NOAA's National Coral Reef Monitoring Plan and other agency-sponsored efforts.

Monitoring efforts may include both the continued long-term monitoring programs included in the programmatic funding portion of the application described above and other targeted

studies or assessments. Targeted studies or assessments that supplement long-term monitoring efforts may receive funding under this program in an effort to: provide recent, reliable information about the condition of particular coral reef ecosystem components in a given location (i.e., near a disposal site or sediment source); build capacity in local monitoring expertise; investigate and respond to disturbance events including boat groundings and coral reef bleaching events; and produce reliable scientific information that has a direct application for a pressing coral reef management concern.

2. Project funding: In addition to programmatic funding, the CRCP will consider supporting conservation projects proposed by recipient agencies in collaboration with other local partners in an effort to promote greater community participation in coral reef conservation and management efforts. All projects proposed under this funding opportunity should be clearly linked to CRCP and/or Jurisdictional priorities and/or other established local coral reef management priorities or initiatives (e.g., watershed management plans, conservation action plans, Local Action Strategies, communication and outreach strategies, MPA management plans, restoration plans), and linkages should be clearly explained in application materials. Project proposal narratives should clearly articulate links between programmatic and project goals, and include quantifiable performance indicators to demonstrate progress toward conservation goals. All proposed projects should be coordinated, to the degree possible, with ongoing and proposed NOAA coral reef mapping, monitoring, coastal zone and fishery management initiatives, and other Federal, state and local coral reef conservation activities. Applicants are expected to submit a proposal that addresses multiple threats to coral reef ecosystems in their jurisdiction and supports a variety of activities to address those threats.

To ensure that the results of funded projects are communicated to other relevant resource management agencies at local, State and Federal levels, all projects should include a description of the specific ways in which partners will be informed of project results and any recommendations for how project results can be applied to coral reef management. This requirement may be accomplished in a number of ways, from the involvement of additional coral reef manager(s) on the project team during planning and implementation phases to presentation of interim and final results during meetings that allow managers and interested stakeholders to interact with principal investigators. At a minimum, applicants must submit a Data Management Plan as described in Section IV.B.6.

Restoration Projects: Only projects that have clear linkages to an established local strategic restoration plan are eligible for funding under Tier 1 or Tier 2. Any proposed project without clear linkages to an established plan may be proposed as a Tier 3 project. The applicant must provide evidence of this strategic restoration plan by providing a URL within the narrative

and/or attaching the plan in an appendix. If a strategic restoration plan is under development and expected to be complete by the start of the award, the applicant must provide the latest draft version and note the expected completion date to be considered for Tier 1 or Tier 2. Proposals are expected to have a balance of threat reduction and restoration activities and restoration-heavy proposals will not be favored over other proposals.

Research Projects: CRCP recognizes that scientific studies and research projects can be an important part of coral reef management strategies and programs, however, research oriented projects are not a priority under this funding category. Only scientific studies and research projects that have a clear linkage and application to urgent management priorities are eligible for consideration under this funding category. Furthermore, the following criteria must be satisfied for research studies or projects to be eligible for funding:

- a) The project results must contribute to pressing coral reef management decisions or actions under consideration by local management authorities;
- b) The project must be an integral component of a broader management initiative and the proposal narrative must clearly explain the management need for the research project; and
- c) The project/task description must include a clear and concrete plan for how the research findings or observations data will translate into management action including:
 - i) Identification of the management authority, organization that will take action;
 - ii) A letter of support from the management authority or organization identified if different from the applicant organization;
 - iii) A list of management-relevant products that will result from the project; and
 - iv) A plan for communicating and providing research results to the identified management authority, other managers and stakeholders.

3. Expected Outcomes and Outputs:

CRCP Coral Reef Conservation Cooperative Agreements are intended to support programmatic activities and projects that result in tangible and significant improvements in the condition of coral reef ecosystems. To achieve this outcome, the activities proposed under this competition should be coordinated with CRCP and local program staff throughout the duration of the project(s), including the provision of project updates, interim results, and final project results in a timely manner. Approaches for accomplishing this type of communication could include periodic workshops and/or meetings of management and technical advisory committees that involve a spectrum of regional stakeholder interests. Some activities and projects funded through these cooperative agreements may contribute toward a set of common CRCP performance metrics that will be applied to all projects awarded across all CRCP funding mechanisms; in such instances, CRCP will assist the applicant in determining how to measure the contribution of the project to CRCP

performance metrics.

Outputs that are expected to result from funded awards include:

a) Specific management actions that address Jurisdictional Coral Reef Management Priorities (http://www.coris.noaa.gov/activities/management_priorities/), Jurisdictional Capacity Assessment recommendations (http://www.coris.noaa.gov/activities/capacity_assessment/) and/or goals and objectives outlined in the CRCP Strategic Plan, such as developing and implementing management plans in priority coral reef areas, developing new laws, regulations or policies to conserve coral reef resources, addressing gaps in local technical capacity, outreach and education initiatives, applying best management practices to reduce threats to coral reef ecosystems, and conducting research that addresses specific information gaps. Proposed activities should support improving coral reef ecosystem condition through novel and/or traditional approaches, and management recommendations should be communicated broadly;

b) Other outputs, such as assessments, publications, summary reports, outreach and education materials, and other useful products that provide resource managers and the public with timely and readily understandable information on coral reefs. These outputs and products should be identified in the original application as described in Section IV.B.4 and provided to NOAA at the end of the award period; products of awards may be made available to the public via NOAA's Coral Reef Information System. As such, all products should be of publishable quality, be written in English unless another language is specified in the application and approved by NOAA, and include appropriate acknowledgement of the support provided by NOAA Coral Reef Conservation Program. A graphic identifier can be provided by the Program at the time of product preparation.

Applicants should document their previous involvement in coral conservation efforts in each jurisdiction in which they are proposing to work. If the applicant does not have previous experience or existing staff in a particular jurisdiction, they should provide specific information about how the applicant intends to fill such gaps through reassignment of existing staff or through the establishment of agreements and/or subawards with other partner organizations that have successfully worked in that location.

C. Program Authority

Authority for the NOAA Coral Reef Conservation Grant Program is provided by Section 6403 (Coral Reef Conservation Program) of the Coral Reef Conservation Act of 2000 (16 U.S.C. 6401 et seq).

II. Award Information

A. Funding Availability

Funding for this program is subject to the availability of Congressional appropriations and is expected to range between approximately \$4,000,000 and \$5,000,000 in FY 2023. Funding made available from NOAA's Coral Reef Conservation Program is intended to support priority coral reef management activities as described in Section I.B. of this Federal Funding Opportunity announcement. Continued support in FY 2024 is likewise contingent upon the availability of future funding; the recipient's ability to administer Federal funds provided by NOAA Coral Reef Conservation Program; and the performance of the recipient during the initial year of the award and during past awards. NOAA expects that each eligible applicant will request Federal funding at a funding level between \$500,000 and \$900,000 per year, depending on the existing capabilities of the applicant agency to implement the proposed work. The average award size is expected to be approximately \$600,000 per year.

In certain instances, when requested by the applicant and agreed upon by NOAA, NOAA may hold back a portion of awarded funds in order to provide specific technical assistance to the recipient in the form of contractual or other services. Such requests will be reviewed on a case-by-case basis with respect to the specific management objectives of the local coral reef program. NOAA will work with recipients to ensure the greatest degree of success in meeting local, state, territorial and national coral reef management needs.

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. Proposal preparation costs shall not be included as direct costs within the project application budget. In addition, NOAA and 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.

If no proposal is funded in the current fiscal period a proposal may be considered for funding in another fiscal period without NOAA repeating the competitive process outlined in this announcement.

B. Project/Award Period

Each applicant must submit an application that covers a 24-month period with an anticipated start date of either July 1, 2023 or October 1, 2023.

Multi-year applications must specify the budget and activities for each year. Awards made in FY 2023 will only provide funding for the first year of activities and are expected to cover 12 months of expenses. Funding for the second year is contingent on subsequent years' appropriation and acceptable performance in administering previous funding, hiring Federally-funded positions, and implementing projects and activities in the first year. Provided NOAA receives continued funding for this program in FY 2024, CRCP intends to implement second-year activities as described in the original multi-year application unless there is a need to reprogram funds, significantly alter the original scope of work, or reduce funding based on lack of performance.

C. Type of Funding Instrument

Successful applicants will enter into a 24-month (2-year) cooperative agreement with NOAA's Coral Reef Conservation Program. Federal cooperative agreements are different from traditional grants in that they allow for 'substantial federal involvement' in the planning and implementation of funded projects. NOAA plans to collaborate with recipients in the scope of work as described above in Section I.B.. In addition, applicants may propose anticipated federal roles and responsibilities in their proposals. Substantial involvement on the part of NOAA may include the participation of NOAA Coral Reef Management Liaisons and other CRCP staff in project development, planning and implementation; and coordination of funded projects with other CRCP-funded efforts as needed. NOAA Coral Reef Conservation Program (CRCP) staff, including the Federal Program Officer (FPO) and the assigned CRCP Management Liaison, will provide technical assistance and guidance to cooperative agreement recipients and participate in programmatic activities beyond the normal financial and technical stewardship responsibilities in the administration of these awards. CRCP staff will monitor implementation of the awards and coordinate with recipients as needed to help accomplish project objectives. CRCP staff will also provide assistance to recipients in the management and technical performance of grant activities and help to coordinate award- funded activities with other activities supported by NOAA CRCP. Federal involvement in these awards may include but is not limited to: project planning and implementation, coordination with project partners, participating in the hiring process for positions funded through this award (i.e., through the NOAA Federal Program Officer's evaluation of the qualifications of the top 3-5 candidates for key personnel positions, prior to an offer of employment); considering requests for professional development opportunities and out-of- state/territory travel experiences; assisting with data management, dissemination and documentation of information products generated through this and previous awards; providing training and/or assistance with grants administration issues; and other coordination

activities as appropriate. CRCP staff will also become substantially involved if the recipient submits a request to change or amend their award, such as through a reprogramming request or a change in scope, and recipients should consult with CRCP staff prior to formally requesting such changes in a funded project.

Applications should be written as cooperative agreements and the proposal should clearly identify this funding instrument in the proposal abstract and cover sheet. The federal government will be substantially involved in the project; applicants may propose anticipated Federal roles and responsibilities in their proposal. NOAA will add a condition to each award further describing its substantial involvement.

III. Eligibility Information

A. Eligible Applicants

Eligible applicants are limited to the State, Territorial and Commonwealth natural resource management agencies that were appointed by their respective Governors to serve as the primary point of contact agencies for coral reef conservation activities in each of the jurisdictions of American Samoa, Florida, the Commonwealth of the Northern Mariana Islands, Guam, Hawaii, Puerto Rico, and the U.S. Virgin Islands.

The designated point of contact agency is considered to be the lead applicant on any proposal and is responsible for ensuring that allocated funds are used for the purposes of, and in a manner consistent with, this program, including any Federal funds awarded to an eligible sub-recipient.

NOAA employees and affiliates (contract staff) are not permitted to assist in the preparation of applications or write letters of support for any application. NOAA CRCP staff is available to provide general information on programmatic goals and objectives, ongoing coral reef conservation programs/activities, and regional funding priorities. For proposals that involve collaboration with current NOAA projects or staff, NOAA employees may provide a limited statement verifying the nature and extent of the collaboration and confirming any prior coordination activities. Letters of support from NOAA employees are not allowable and will not be included among the materials considered by peer reviewers.

Federal agencies and employees are not allowed to receive funds under this announcement but may serve as collaborative project partners. Federal agencies and employees "in-kind" services cannot be considered as part of an applicant's match on shared costs. If federal agencies are collaborators, applicants are expected to provide detail on the planned level of federal engagement in the application. Examples might include, but are not limited to

partnership services; serving in a review capacity; or participating in priority task teams, working groups, or leadership teams. Federal staff may provide a limited statement verifying the nature and extent of any such collaboration and confirming any prior coordination activities.

DOC/NOAA supports cultural and gender diversity and is strongly committed to broadening the participation of historically black colleges and universities, Hispanic serving institutions, tribal colleges and universities, and institutions that work in underserved areas. While this program limits applicants to the State, Territorial and Commonwealth natural resource management agencies, DOC/NOAA encourages applicants to include partners and contributors from any of the above groups or institutions.

B. Cost Sharing or Matching Requirement

NOAA Coral Reef Conservation Grant Program awards are subject to statutory and regulatory matching fund policies. Federal funds for any coral conservation award funded under 16 U.S.C. 6403(b) may not exceed 50 percent of the total cost of the award. Therefore, any coral conservation project under this Grant Program requires a 1:1 contribution of non-federal matching funds.

“Cost sharing or matching” is defined by 2 CFR 200.29 as “the portion of project costs not paid by federal funds (unless otherwise authorized by federal statute).” NOAA will accept any shared costs or matching funds and all contributions, including cash and third party in-kind contributions of goods and services, will be accepted as part of an applications cost sharing or matching when they meet all of the following criteria listed in 2 CFR 200.306(b):

- *Are verifiable from the non-federal entity's records;
 - *Are not included as contributions for any other federal award;
 - *Are necessary and reasonable for accomplishment of project or program objectives;
 - *Are allowable under Subpart E—Cost Principles of this part;
 - *Are not paid by the federal Government under another federal award, except where the federal statute authorizing a program specifically provides that federal funds made available for such program can be applied to matching or cost sharing requirements of other federal programs;
 - *Are provided for in the approved budget when required by the federal awarding agency;
- and
- *Conform to other provisions of this part, as applicable.

Matching funds may come from a variety of public and private sources and may include third party in-kind goods and services such as private boat use and volunteer labor. Goods

and services provided by the recipient have the valuation described in 2 CFR 200.306.

Federal agencies and employees' in-kind services cannot be considered as part of an applicant's matching funds, but can be described in the budget narrative to demonstrate additional leverage. Applicants are permitted to combine contributions from multiple non-federal partners in order to meet the 1:1 match requirement, consistent with the standards described in 2 CFR 200.306, and if funds are available within the project period stated in the application.

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

If the applicant plans to use any federal funds as match, the applicant should identify the federal statute authorizing the program to use federal funds to meet the match or cost sharing requirements.

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

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

The NOAA Administrator may waive all or part of the matching requirement if the Administrator determines that the project meets the following two requirements identified in 16 U.S.C. 6403(b)(2):

No reasonable means are available through which an applicant can meet the matching requirement, and the probable benefit of such project outweighs the public interest in such matching requirement.

In the case of a waiver request, the applicant must provide a detailed justification explaining the need for the waiver including attempts to obtain sources of matching funds, how the benefit of the project outweighs the public interest in providing match, and any other

extenuating circumstances preventing the availability of match. Match waiver requests, including the appropriate justification, must be submitted as part of the FINAL APPLICATION. Please address the waiver request as described in Section IV.B.11 of this announcement.

In addition, under 48 U.S.C. 1469a, the Department of Commerce has determined that any requirement for local matching funds under \$200,000 (including third party in-kind contributions) to be provided by the governments of American Samoa, Guam, the Virgin Islands, and the Northern Mariana Islands shall be waived, notwithstanding any other provision of law. Any matching funds otherwise required by law to be provided by government entities of an insular area may be waived at the discretion of the operating unit. Please contact the individual listed in Section VII. Agency Contacts for more information about eligibility for this exemption.

C. Other Criteria that Affect Eligibility

This section is intentionally left blank.

IV. Application and Submission Information

A. Address to Request Application Package

The standard SF-424 application package is available through the Apply function on Grants.gov (<http://www.grants.gov/web/grants/forms.html>). If an applicant does not have Internet access, application packages may be requested from Dana Wusinich-Mendez via phone (561) 223-1629 or via e-mail at dana.wusinich-mendez@noaa.gov.

B. Content and Form of Application

This funding announcement requires that each applicant submit a PRE-APPLICATION and a FINAL APPLICATION. A PROJECT LIST is highly recommended but optional and it should be submitted to the appropriate NOAA Coral Reef Management Liaison and dana.wusinich-mendez@noaa.gov by Wednesday, September 14, 2022. The submission will allow adequate time for NOAA review and comments on proposed projects. The list of liaisons and their contact information is in Section VII. All application materials should use a legible 11- or 12-point font with 1-inch margins on all sides. Electronic applications must be submitted as Adobe Acrobat (PDF) files.

Optional PROJECT LISTS are a table of proposed projects with: descriptive title, description of activities (one to two paragraphs, maximum), number of years, estimated cost per year, and NOAA and/or Jurisdictional Priority(ies) to be addressed.

PRE-APPLICATIONS must include fully developed drafts of the application cover sheet, summary table, and project and budget narratives (as described in items 1-3 below). The ONLY differences between a PRE-APPLICATION and a FINAL APPLICATION are the page limits and that the Federal forms are to be submitted as part of the FINAL APPLICATION only, hence, all other requirements that follow apply to both types of applications. Applicants may request an optional PRE-APPLICATION template by contacting Dana Wusinich-Mendez at dana.wusinich-mendez@noaa.gov. PRE-APPLICATIONS will be reviewed by technical experts and CRCP staff according to the process described in Section V of this funding announcement. Initial proposed funding allocations will be communicated to the applicant along with summarized reviewer comments at least four weeks in advance of the FINAL APPLICATION due date to allow time for the applicants to respond to comments and/or adjust their FINAL APPLICATION to NOAA as needed.

FINAL APPLICATIONS must be revised to respond to and/or incorporate changes suggested by the reviewers into the final project and budget narratives, and provide additional detail where requested. Applicants may request a conference with CRCP staff to review and discuss the comment letter and clarify any necessary modifications to the FINAL APPLICATION. FINAL APPLICATIONS are comprised of the PRE-APPLICATION materials described below and all required forms.

PRE-APPLICATIONS may not exceed 60 pages and FINAL APPLICATIONS may not exceed 75 pages in Microsoft Word or Adobe Acrobat format, meaning the project and budget narratives. PRE-APPLICATIONS that exceed the 60-page limit will be shortened by removing pages at the end of the proposal narrative (item 3 below) before it is forwarded to peer reviewers for evaluation. Because pages excised from lengthy applications will not be reviewed, activities described therein will not be reviewed for funding consideration. The required Federal financial assistance forms and appendices do not count towards the page limits for both types of applications. All the contents of the project narrative and budget narrative including tables should be in legible 11- or 12-point font with 1- inch margins on all four sides.

Scopes of work for staff funded through the Cooperative Agreements or included as a matching contribution (and spending 50% or more of their time working on the award) should be included as appendices if available at the time of the Pre- or Final application submission; otherwise a Special Award Condition will be placed on the award to prevent expenditure of any federal funds until complete and acceptable scopes of work for all positions have been provided. Scopes of work must describe all of the efforts and activities

that will be completed by funded personnel during the first 12 months of the award (at minimum) and indicate the percentage of their time represented in this proposal. If the award continues to receive funding in FY 2024 and the scope of work for the second year was not already provided, a Special Award Condition will be placed on the award to require that the recipient submit scopes of work for all federally-funded positions to account for the efforts and activities planned for the subsequent 12 months of the 24-month award period.

Statement of Diversity and Inclusion: The NOAA Office for Coastal Management (OCM) 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 diversity and inclusion as part of their scientific projects. This action has the potential to make an impact on not only the diversity and inclusion in science at NOAA, but also beyond the agency. In this section, describe how well the proposed activity broadens the participation of underrepresented groups (e.g., gender, ethnicity, disability, geographic, etc.). Examples could include, but are not limited to, full participation of women, persons with disabilities, and underrepresented minorities in science, technology, engineering, and mathematics (STEM).

Underserved Communities: This term 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. Underserved communities are defined in Executive Order 13985:

<https://www.federalregister.gov/documents/2021/01/25/2021-01753/advancing-racial-equity-and-support-for-underserved-communities-through-the-federal-government>.

PRE-APPLICATIONS and FINAL APPLICATIONS must include the following information in this order:

1. Application Coversheet and Table of Content (do not apply to page limit)
 - a. Project title
 - b. Applicant/Recipient name and address (Recipient name must match registered name in Sam.gov)
 - c) Recipient Unique Entity Identifier number (must match applicant/recipient information in SAM.Gov)
 - d. Primary and alternate points of contact including address, phone/fax numbers, and e-mail address;
 - e. Geographic Location;
 - f. Amount of Federal funding requested by Fiscal Year;
 - g. Amount and sources of matching funds provided by Fiscal Year;
 - h. Requested award start date and award period;

i. A brief application summary that provides an overview of the types of projects and tasks that are proposed for funding in each year; provide one paragraph for each year of funding, indicating the year in which each of the projects is expected to occur. This brief summary may be utilized during Congressional notification or shared with the public.

j. Table of content

2. Summary Table

Each application must include a table that summarizes all the positions, projects and tasks contained in the application. For each entry, please include a title, a brief description, information about Federal and matching funds, and a list of anticipated work products or outcomes. Please organize the summary table by year to show which projects will be active in each year. Multi-year projects should report this information for each year and may appear multiple times in the table in the same way that programmatic expenses would be listed in each year.

3. Project Narrative

Project and budget narratives, as described in the application component section below, should be limited to no more than a total of 60 pages for the PRE-APPLICATION and 75 pages for the FINAL APPLICATION. The Title page, table of content and all other appendices will not count towards the 60- and 75-page limits. Acceptable formats are limited to Adobe Acrobat (.PDF) or Microsoft Word files.

For the PRE-APPLICATION, project and budget narratives that exceed the 60-page limit will be shortened by removing pages at the end of the proposal narrative (see elements a-c of the component section below) before it is forwarded to peer reviewers for evaluation. Pages excised from lengthy applications will not be reviewed or considered. Pre-applications that are incomplete, unclear, or contain numerous typographical errors may not be understood effectively by peer reviewers, resulting in lower evaluation scores, so applicants are advised to review their pre-application materials closely before they are submitted to the agency for consideration. Since PRE-APPLICATIONS are to be submitted to an email address, only 20 megabytes are accepted per email by the email server, therefore, multiple emails may be submitted.

Appendices do not count towards the page limits and 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 information, letters of collaboration, letters of support, a data management plan, and maps). Applicants

should paginate their proposal and any appendices. When attaching appendices to the FINAL APPLICATION, please keep in mind that the total Grants.gov electronic file size of the proposal narrative and appendices combined should not exceed 200 megabytes and much less is encouraged. Files that are larger may not be properly downloaded, uploaded, or received by the agency or the reviewers. Files that cannot be opened or downloaded will not be reviewed.

For the PRE-APPLICATION, sufficient detail should be provided to enable reviewers to evaluate the relevance and applicability of proposed work to program priorities described in Section I.B. of this announcement; to determine the technical/scientific merit of the proposed work; to adequately review the qualifications of the applicants; and to assess whether the proposed scope of work raises any concerns with regard to Federal policy considerations, such as those related to the National Environmental Policy Act, Endangered Species Act, Historic Preservation Act, and Marine Mammal Protection Act. Applicants should clearly describe how each activity or project will directly benefit coral reef management efforts.

For both the PRE-APPLICATION and FINAL APPLICATION, the project narrative components should be comprised of the following elements:

a. Introduction: The introduction provides a succinct overview of current coral reef conservation efforts and explains how proposed projects will improve local coral reef management. Please highlight any project synergies or particular urgencies related to the timeliness of conservation projects.

b. Programmatic activities: The proposal narrative should include complete descriptions of all programmatic efforts, positions and projects being proposed in the application. The programmatic activities portion of the application describes the resources needed to continue implementation of local coral reef management programs, including recruiting and retaining staff in federally-funded positions; supplies requested for general program use; limited travel for capacity building and professional development for key program staff, etc. All staff positions included in the award, whether as a federal expense or matching contribution, should be accompanied by a specific scope of work to describe the staff person's activities for each year of funding.

c. Projects: The 'projects' portion of the application describes all projects and activities being proposed for funding under the award that will be accomplished through local partnerships. List each project separately and include:

i. A project title and task number.

ii. **Project Summary.** Please provide a brief project summary justifying the need for the proposed project and explaining the relationship of the project to previous efforts. Please explain how the project will be coordinated with other related activities of local governmental and nongovernmental agencies and organizations. Please also reference by number the specific CRCP Objective (as identified in the CRCP Strategic Plan) and/or Jurisdictional Priority each project will address, as appropriate. Please be aware of the specific rules that apply to research projects that appear in Section I.B.2. and provide additional documentation as needed.

iii. **Task Description and Methodology.** Provide a detailed project description that describes, to the extent possible, the scope the project and the work to be accomplished. Clearly describe or explain: project goals and objectives, proposed activities, methods, procedures and any special equipment that will be used in support of the project goals.

iv. **Outcomes and Products.** Identify and describe in as much detail as possible the expected benefits of the project and the specific products or outcomes that will result from the project, and explain how project success will be measured.

v. **Schedule.** Indicate when each project is expected to begin (month and year) and include a timeline for key project activities and benchmarks. Provide a timeline by task in a narrative or table format.

vi. **Project Management and Personnel.** Identify the project manager or Principal Investigator (PI). Identify other individual(s), by name or by position, who will be responsible for performing the activities proposed, and describe their specific roles and responsibilities.

vii. **Task Budget Summary Table.** A summary budget must be provided for each project or task to account for all Federal and non-Federal matching funds. Applicants should include a detailed breakdown of costs by category of expenditure and provide explanatory notes so that reviewers understand how the estimated costs were derived and can determine if those costs are reasonable. Federal funding provided by the recipient to a third party via a subaward (i.e., a grant, contract, agreement, etc.) should also be clearly documented.

d. **Table of Anticipated Products and Outcomes**

For the programmatic and projects sections of the PRE- and FINAL APPLICATIONS, please provide a table summarizing the specific products or outcomes that will be produced under each task. All products that result from Federally-funded awards must be provided to NOAA within 90 days of the end of the award period (except environmental data and peer-reviewed publications; see Section IV.B.6) and should be of publishable quality or they may

be rejected or returned for revision. NOAA may make award products available to the public, so recipients are encouraged to omit sensitive information (e.g., budget or salary information) from products submitted to NOAA. Products should explicitly acknowledge the support of NOAA's Coral Reef Conservation Program according to guidance that will be provided by the Program to selected applications.

Include in the table all products that will be developed in conjunction with the Federal funding provided through this award. For each entry, please indicate the task associated with the product, the working title of the product, the type or format of the product (e.g., journal publication, public service announcement, watershed management plan, presentation, newsletter, metadata record, annual monitoring summary), and the expected date(s) of availability, including environmental data and peer-reviewed publications (see Section IV.B.6). NOAA will use this information to ensure that products are submitted to the agency in a timely manner; award products will be made available to the public whenever possible, primarily through NOAA's Coral Reef Information System (CoRIS).

4. Budget Narrative and Justification

In order to allow reviewers to evaluate the appropriateness of all costs, PRE- and FINAL APPLICATIONS should include a detailed budget narrative and a budget justification broken out by individual task. These sections will count towards the page limits. The budget narrative should match the dollar amounts included on all required forms and clearly link to the project narrative. Please explain each calculation and provide a narrative justification to explain expenditures for each budget category. The budget narrative 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 CFR 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://www.noaa.gov/sites/default/files/atoms/files/gmd_budget_narrative_guidance_-_05-24-2017_final.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. Describe activities to occur or products or services to be obtained and indicate the applicability or necessity of each to the project. Detailed budget information includes:

*Name of identified qualified subrecipient or contractor, affiliation, contact information, and method of selection. For "to be determined," describe plans for selection.

*Period of Performance. Include the dates for the performance period. If it involves more

than one task, include the performance period for each task.

*Scope of Work. List and describe the specific activities or tasks to be performed.

*Itemized Budget. Include categories used in the 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.

All subawards and contracts must be made consistent with the requirements of 2 CFR 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 CFR 200.33 Equipment, 2 CFR 200.313, and 2 CFR 200.317-326.

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 CFR 200.317-.326. For “to be determined,” describe plans for selection.

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

If a foreign air carrier is anticipated to be used for any portion of travel, prior approval is required under the DOC Financial Assistance Standard Terms and Conditions, Section G.05.d., <https://www.commerce.gov/sites/default/files/2020-11/DOC%20Standard%20Terms%20and%20Conditions%20>

%2012%20November%202020%20PDF_0.pdf, and therefore, such travel should be included in the proposal to avoid having to request prior approval after the project starts. Applicants may factor in travel costs for participation in an annual NOAA Grants Management Division (GMD) workshop for recipients. Refer to item 11 below in this Section regarding treatment of Indirect Costs in the Budget Narrative.

For the FINAL APPLICATION a complete standard NOAA financial assistance application package in the form of federal forms must be submitted in accordance with the guidelines below. The FINAL APPLICATION includes the revised project and budget narratives per suggestions in the comment letter, appendices not submitted with the Pre-application and the following federal financial assistance forms which will be sorted as separate attachments by Grants.gov and will not count towards the page limit of 75 pages:

i. Standard Form 424 (SF-424): Application for Federal Assistance (expiration date of 12/31/2024). Applicants requesting Federal funding under this program must submit a copy of SF-424, 'Application for Federal Assistance'. If the applicant submits a hard copy of the final application, the SF-424 must be signed and dated by the organization's authorized representative and used as the cover page for the final application. An electronic signature and date stamp will automatically be included on SF-424 forms submitted via Grants.gov.

ii. Standard Form 424A (SF-424A): Budget Information for Non-construction Programs (includes a separate form for each year of funding and for each proposed sub-award. Applicants are required to submit a SF-424A Budget Form to summarize the budget for the proposed scope of work. The first column of Sections A and B shows the federal funds requested, while the second column of Sections A and B shows the non-federal matching funds provided for the project. Total award funding is shown in the final column of Section B. Non-federal funding is broken out by source in Section C. Forecasted cash needs in Section D should be inclusive of all funding for multiyear projects. Federal and non-federal funds should be expended at a similar rate throughout the course of the project. Section E may be left blank. Section F summarizes the direct charges in line 21 and lists the indirect charges requested; please show the rate used in line 22. Multi-year awards will have out year funds shown in Section E. 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 \$25,000 or more should be accompanied by a separate SF-424A form to fully document the proposed subaward budget.

iii. Standard Form 424B (SF-424B): Assurances for Non-Construction Programs

Applicants are required to submit a signed SF-424B, 'Assurances for Non-Construction Programs'.

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

v. Standard Form LLL (SF-LLL): Disclosure of Lobbying Activities (if applicable).

6. Data Management Plan

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

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

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

NOAA's Administrative Order on the Management of Environmental Data Management and Information is available under:

https://www.corporateservices.noaa.gov/ames/administrative_orders/chapter_212/212-15.html Principal Investigators should indicate how and when they have made their data accessible and usable by the community in the past. 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.DSP.php>

d. Data Management Guidance to Proposal Writers. Responsible NOAA Official for questions regarding this guidance and for verifying accessibility of data produced by funding recipients: Dana Wusinich-Mendez, Federal Program Officer, NOAA Coral Reef Conservation Program, dana.wusinich-mendez@noaa.gov, 561-223-1629.

Data Accessibility: The NOAA Coral Reef Conservation Program requires that public access to grant/contract-produced data be enabled. Funding recipients are expected to submit data to NOAA National Centers for Environmental Information (NCEI), which will provide public access and permanent archiving. The NOAA Program has held preliminary consultation with NCEI regarding these pending data.

Technical Recommendations: The NOAA Coral Reef Conservation Program is not offering specific technical guidance. Proposals are to describe their proposed approach. Use of open-standard formats and methods is encouraged.

Resources: NOAA Coral Reef Conservation Program resources for data sharing or archiving have already been identified; proposals should not include such costs (unless data volume is expected to exceed 20 GB).

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.

7. National Environmental Policy Act

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

After the PRE-APPLICATION is reviewed by peer and technical reviewers, NOAA may identify tasks or activities which require additional information on environmental impacts for the FINAL APPLICATION to fulfill NEPA and other compliance requirements. If NOAA determines that an environmental assessment is required, applicants may also be

requested to assist in drafting the assessment. Applicants may also be required to cooperate with NOAA in identifying and implementing feasible measures to reduce or avoid any identified adverse environmental impacts of their proposal. This includes implementing relevant required best management practices (Appendix A) identified in the Coral Reef Conservation Program's Environmental Impact Statement (PEIS) (https://coast.noaa.gov/data/coralreef_noaa_gov/about/resources/CRCP_FPEIS_07132020_NS_508c.pdf), and all required terms and conditions and conservation recommendations from the CRCP's Programmatic Biological Opinion and Essential Fish Habitat Consultation Response, along with any applicable discretionary mitigation measures (Appendix B of the CRCP PEIS), additional mitigation measures from Endangered Species Act consultations with the US Fish and Wildlife Service, and/or required actions from other environmental consultations (e.g., National Historic Preservation Act). A list of required best management practices and other measures will be provided at the time of the award as Special Award Conditions. The failure to do so shall be grounds for the denial of an application. In cases where 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.

Activities that require additional information on environmental impacts for the FINAL APPLICATION must complete questions 10, 11, 16, 17, and 18 of the Environmental Compliance Questionnaire for National Oceanic and Atmospheric Administration Federal Financial Assistance Applicants accessible at www.nepa.noaa.gov/questionnaire.pdf to provide detailed information on the activities to be conducted, locations, sites, species and habitat to be affected, possible construction activities, and any environmental concerns that may exist (e.g., the use and disposal of hazardous or toxic chemicals, introduction of non-indigenous species, impacts to endangered and threatened species, aquaculture projects, and impacts to coral reef systems).

Question 10. Describe the proposed activity's location, including geographic coordinates, river mile markers, etc., and indicate whether it includes unique geographic areas of notable recreational, ecological, scientific, cultural, historical, scenic, or aesthetic importance (Examples include, but are not limited to: coral reefs; marine protected areas; national marine sanctuaries; essential fish habitat; habitat area of particular concern; critical habitat designated under the Endangered Species Act; park or refuge lands; wild or scenic rivers; wetlands; prime or unique farmland; sites listed on the National Register of Natural Landmarks; sites listed or eligible for the National Register of Historic Places; sites that are ecologically significant or critical areas including areas that are normally inundated by water or areas within the 100-year flood plain).

Question 11. Would the proposed activity degrade or disturb previously undisturbed areas?

Question 16. If the proposed activity would be conducted in partnership with NOAA or require NOAA's direct involvement, activity, or oversight, describe NOAA's involvement, activity, or oversight, including the name of the office or program that is involved.

Question 17. List all other interested or affected Federal, state, and local agencies; Tribal governments, nongovernmental organizations; minority or economically disadvantaged communities; and individuals. Describe listed entities involvement, activity, or oversight regarding the proposed activity.

Question 18. List all Federal, state, or local permits, authorizations, waivers, determinations, or ongoing consultations that would be required for the proposed activity to comply with all applicable environmental laws and regulations. Provide the date the permit, authorization, waiver, or determination was obtained or would be obtained. Provide copies of the permits, authorizations, waivers, or determinations you have secured.

Detailed information on NOAA compliance with NEPA can be found at the following NOAA NEPA websites: <http://www.nepa.noaa.gov/> including NOAA Administrative Order 216-6 for NEPA, https://www.corporateservices.noaa.gov/ames/administrative_orders/chapter_216/NAO_216-6A.pdf and the Council on Environmental Quality implementation regulations under <https://www.ecfr.gov/cgi-bin/text-idx?SID=30655823cf5f0dcb1c5ee59d01883b89&mc=true&tpl=/ecfrbrowse/Title40/40chapterV.tpl>

See also Section VI.B. of this announcement for additional NOAA NEPA information.

8. 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. For the PRE- and FINAL APPLICATIONS, 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 in the PRE- and FINAL APPLICATIONS project narrative 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.

9. Match waiver request letter (if applicable)

The match waiver request should be submitted as part of the PRE-APPLICATION. Preference under this competition will be given to applicants who provide a 1:1 ratio of matching funds to Federal funds (inclusive of the \$200,000 Waiver for Insular Areas) in accordance with the provisions of the Coral Reef Conservation Act. If the proposal lacks sufficient matching funds, the applicant may include a separate document in which the applicant requests a waiver to the matching funds requirement as described in Section 6403(b)(2) of the Act. Please address all waiver requests to Jennifer Koss, CRCP Director, NOAA National Ocean Service, 1305 East West Highway, 10th Floor, SSMC4, N/ORM, Silver Spring, MD 20910 and provide a detailed justification explaining the need for the waiver, the total amount of matching funds requested to be waived, attempts to obtain sources of matching funds, how the benefit of the project outweighs the public interest in providing match, and any other circumstances preventing the availability of match. For more details, see Section III.B.

10. 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 CFR 200.56-.57 and 200.412-.415. A copy of the current, approved negotiated indirect cost agreement with the Federal Government should be included with the FINAL APPLICATION package as an attachment that does not count towards the page limit.

If the applicant does not have a current negotiated rate and plans to establish a new negotiated indirect cost rate agreement, documentation necessary to establish a rate must be submitted within 90 days of receiving an award. See Section IV.F1. for more information on indirect cost rates and establishing a new indirect cost rate with the Department of Commerce.

Applicants are strongly encouraged to consult with CRCP program staff and Federal Program Officers well before the PRE-APPLICATION due date to maximize the efficiency of the PRE-APPLICATION development process. These consultations are intended to facilitate open conversation and discussion of project ideas, and to eliminate time and effort spent on the development of projects that do not represent a funding priority for the program.

When submitting a FINAL APPLICATION via Grants.gov, we recommend that applicants save their completed application package with two different names before submission to avoid having to re-create the package if you experience submission problems. If you experience submission problems, send an e-mail to support@Grants.gov and/or call the Grants.gov help desk at the phone number posted on the Grants.gov web site.

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

Applicants must: (1) Be registered in the federal System for Award Management (SAM.gov) before submitting a FINAL APPLICATION in Grants.gov; (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. Applicants are strongly encouraged not to wait until the application deadline date to begin the application process through www.grants.gov.

D. Submission Dates and Times

Applications must be received by NOAA by no later than 11:59 p.m. Eastern Time on the dates specified below. Late applications will not be reviewed or considered for funding.

1. PROJECT LISTS are strongly encouraged but not required and should be submitted via email to the appropriate NOAA Coral Reef Management Liaison (see Section VII. of this announcement) and Dana.Wusinich-Mendez@noaa.gov by 11:59 p.m. Eastern Time on Wednesday, September 14, 2022. The submission will allow adequate time for NOAA review and comments on proposed projects.

2. PRE-APPLICATIONS are due to NOAA no later than 11:59 p.m. Eastern Time on Friday, October 14 2022. Applicants must submit an electronic copy of their PRE-APPLICATION (application elements 1-3) via email to coral.grants@noaa.gov with a copy to their NOAA Coral Reef Management Liaison (see Section VII. of this announcement). Federal financial assistance forms ARE NOT required with the PRE-APPLICATIONS.

3. FINAL APPLICATIONS are due to NOAA no later than 11:59 p.m. Eastern Time on Wednesday, February 15, 2023 via <http://www.grants.gov>. Please keep in mind that the total Grants.gov electronic file size of the proposal narrative and appendices combined should not exceed 200 megabytes and less is encouraged. Files that are larger may not be properly downloaded, uploaded, or received by the agency or the reviewers. Files that cannot be opened or downloaded will not be reviewed. For applications submitted through Grants.gov, a signature, date and time receipt indication is automatically included and will be the basis of determining timeliness. In addition, the Federal financial assistance forms will be included in the application package. After electronic submission of the application, the person submitting the application will receive within the next 24 to 48 hours two e-mail messages from Grants.gov updating them on the progress of their application. The first email will confirm receipt of the application by the Grants.gov system, and the second will indicate that the application has either been successfully validated by the system prior to transmission to the grantor agency or has been rejected due to errors. After the application has been validated, this same person will receive another email when the application has been downloaded by the Federal agency.

Due to the COVID-19 situation and NOAA staff telework status, paper format applications delivered at our physical address will NOT be accepted for this FY23-24 application cycle because there will be no guarantee of its receipt.

Important: All applicants, both electronic and paper, should be aware that adequate time

should be factored into applicant schedules for delivery of the application. We recommend allowing no less than 48 hours for the application to be accepted and validated in Grants.gov. Electronic applicants are advised that volume on Grants.gov may be heavy, and if Grants.gov is unable to accept applications electronically in a timely fashion, applicants are encouraged to exercise their option to submit applications in paper format as described above. Applicants may also choose to send a backup paper application which must be postmarked and received on time, taking into account that guaranteed overnight carriers are not always able to fulfill their guarantees.

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.

If an award recipient has not previously established an indirect cost rate with any Federal agency, the recipient may request to use the de minimis rate described at 2 CFR 200.414, as described in Section IV.B.11 of this Announcement. Alternatively, the negotiation and approval of a new rate is subject to the procedures required by NOAA and the Department of Commerce. The U.S. Department of Commerce, Financial Assistance Standard Terms and Conditions require that recipients within 90 days of the award start date, submit to the address listed below documentation (indirect cost proposal, cost allocation plan, etc.) necessary to perform the review.

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

Indirect-cost-rate-agreement documentation is not required for sub-awardees; however, indirect cost rates at the negotiated levels should be paid by the primary awardee. Under 2 CFR 200.414 “Indirect (F&A) Costs,” any applicant that has never received a 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 CFR 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: (1) Activities that constitute legally required mitigation for the adverse effects of an activity regulated or otherwise governed by state or federal law; (2) Activities that constitute mitigation for natural resource damages under federal or state law; and (3) Activities that are required by a separate consent decree, court order, statute or regulation.

3. Cost Principles:

Funds awarded cannot necessarily pay for all the costs that the recipient might incur in the course of carrying out the project. Allowable costs are limited to costs necessary and reasonable to achieve the approved goals and objectives and are determined by reference to relevant Office of Management and Budget (OMB) requirements.

Recipients are subject to the 2 CFR 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.

4. Other:

Expenditures on large equipment and/or infrastructure are not a priority for funding under this program. Such purchases proposed herein will be reviewed on a case by case basis with respect to the specific management objectives of the local coral reef program and the CRCP's capital expenditures policy.

G. Other Submission Requirements

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 (11.482). 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. To use Grants.gov, applicants must have a Unique Identity Identifier and be registered in the SAM.gov, which requires periodic renewals. Refer to Section IV.C. for details on receiving a unique identity identifier number and registering with SAM.gov.

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 confirm 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).

V. Application Review Information

A. Evaluation Criteria

Programmatic tasks will not be scored by merit reviewers but will be available for review and reference.

PRE-APPLICATION individual project tasks will be reviewed and scored as follows:

1) Importance and/or relevance and applicability of proposed project to the program goals (35 points): This ascertains whether there is intrinsic value in the proposed work and/or relevance to NOAA, Federal, regional, state, or local activities.

Reviewers will assess whether the proposed work contributes to CRCP Strategic Plan and/or jurisdictional coral reef management goals and priorities and will result in direct benefits to coral reef ecosystems. Applications will be evaluated based on the potential of the project(s) to achieve the program priorities listed in Section I.B. In addition, the application should demonstrate that the proposed activities are part of a comprehensive and integrated approach to address listed CRCP Strategic Plan and/or jurisdictional coral reef conservation program goals (e.g., watershed management plans, conservation action plans, Local Action Strategies, and MPA management plans, capacity assessment recommendations, local strategic restoration plan, etc.). The application should clearly describe the goal of the activity and explain how the activity will help achieve the objectives;

2) Technical/scientific merit (35 points): This assesses whether the approach is technically sound and/or innovative, if the methods are appropriate, and whether there are clear project goals and objectives.

Reviewers will assess the degree to which the proposed work (a) will be successful in meeting the proposed objectives; (b) will produce sustainable and long-lasting conservation benefits; (c) uses scientifically-defensible methods or approaches in implementation of programs and/or projects; and (d) can be implemented in compliance with State and Federal environmental laws and Federal consistency requirements.

3) Overall qualifications of applicants (10 points): This ascertains whether the applicant possesses the necessary education, experience, training, facilities, and administrative resources to accomplish the project.

For this competition, the application should include qualifications of the applicant, any programmatic staff positions, and the project PIs. Consideration of an applicant's qualifications to perform the proposed work within the budget and time available may be

influenced by the past performance of the relevant individual or organization, as described in the application.

4) Project costs (10 points): The budget is evaluated to determine if it is realistic and commensurate with the project needs and time-frame.

For this competition, the budget should demonstrate that the proposed work can be completed within the funding and time available. Applications will be evaluated on their ability to demonstrate that significant benefit will be generated for a reasonable cost. Projects will also be reviewed in terms of their need for funding and the ability of NOAA funds to act as a catalyst to implement projects, precipitate partnerships, and attract other sources of funding to support coral reef conservation efforts.

5) Outreach and education (10 points): NOAA assesses whether this project provides a focused and effective education and outreach strategy regarding NOAA's mission to protect the Nation's natural resources.

Reviewers will assess whether proposed work will have its own outreach and education plan or otherwise link as a component to a larger outreach and education plan. If an individual project cannot be reasonably allocated to an outreach or education plan for any reason, the reviewers will be instructed to assign that task a score of 5, not "N/A" or 0.

Note: A Data Management Plan is required for each award but will not be scored for each individual project task.

B. Review and Selection Process

An initial administrative review is conducted on each PRE- and FINAL APPLICATION to assure that it is timely, responsive, and complete. NOAA, in its sole discretion, may continue the review process for both stages of applications with non-substantive issues that may be easily resolved. PRE-APPLICATIONS that meet the minimum requirements will be reviewed by at least three independent peer reviewers with coral reef and/or fisheries management 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 score individual PRE-APPLICATION project tasks within proposals using the evaluation criteria above as well as the application as a whole. Reviewers will be instructed to score each project task within each application individually and then score each individual project task and the application

as a whole on a scale of one to five, where scores represent:

Excellent (5): Project/Application should be supported and funded at the requested funding level.

Very Good (4): Project/Application needs minimal revisions and should be supported at or near the requested funding level.

Good (3): Project/Application needs several revisions and should be supported at a reduced funding level.

Fair (2): Project/Application needs several revisions and should be supported at a reduced funding level.

Poor (1): Project/Application has serious deficiencies and should not be supported.

Proposal evaluations will be based exclusively on information included in the pre-application. Additional subject matter experts may be used as technical reviewers to provide comments and recommendations for specific projects, such as coral restoration or monitoring. These reviews will not be scored or affect the initial rankings. Merit reviewer ratings will be used to produce a weighted rank order of the individual projects and overall ranking of proposals.

Programmatic tasks will not be reviewed by peer reviewers, as each will be funded at some level.

Once the peer review process has been completed, a committee of CRCP representatives will meet to discuss the PRE-APPLICATIONS. The committee will review and consider the programmatic tasks and determine if costs are allowable, allocable, reasonable, and necessary. The committee will also assign weights to the individual projects tasks based on priority tier. Tier 1, 2, and 3 scores will be weighted at 100%, 95%, and 90%, respectively. The committee will consider the individual project rankings, overall proposal rankings, and the comments of the peer and technical reviewers. Based on this review and availability of funding, the committee will assign a preliminary funding recommendation for each application.

All programmatic tasks will be funded at some level and individual project tasks will be funded in rank order as funding remains, based on the selection factors identified in Section V.C. Please note that not all activities submitted under a single proposal may be deemed appropriate for funding, and the committee may recommend alternate activities as appropriate or only partial funding, based on the selection factors and the merit and/or panel review written evaluations as well as the selection factors identified in Section V.C. For a proposal to be recommended to the Selecting Official and 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.

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, including the requirements of the Coral Reef Conservation Act. Written comments will be provided to each selected applicant and will include the funding recommendation and a summary of reviewer comments on the PRE-APPLICATION as a whole and on the individual projects or tasks proposed. Comment letters will be provided to applicants at least four weeks in advance of the FINAL APPLICATION due date and will include input from peer reviewers and the review committee. Upon receipt of the comment letter, an applicant may request a meeting to discuss the comments with CRCP staff and clarify what changes to the application are necessary prior to submission of a FINAL APPLICATION in Grants.gov. Applicants should address issues and comments raised during the review process by revising the project and/or budget narratives submitted as part of their FINAL APPLICATION.

Upon receipt of the complete and FINAL APPLICATION package that includes the federal financial forms, CRCP staff will review the FINAL APPLICATION and make final funding recommendations to the Selecting Official based on a review of the applicant's responses to reviewer comments and improvements made to the PRE-APPLICATION. CRCP may review the ranking of the FINAL APPLICATIONS and make recommendations to the Selecting Official based on the merit reviews and selection factors listed below.

The Selecting Official or their designee may negotiate the funding level or other major aspects of the proposal, and the Selecting Official will make the final recommendation for award based on the rank order and selection factors below to the Grants Officer, who is authorized to obligate Federal funding and execute the award. In making the final selections, the Selecting Official will make recommendations in rank order unless the final application is justified to be selected out of rank order based upon one or more of the selection factors listed below.

If no proposal is funded in the current fiscal period, a proposal may be considered for funding in another fiscal period without NOAA repeating the competitive process outlined in this announcement. Applicants may be asked to modify objectives, work plans or budgets, and provide supplemental information required by the agency prior to the award. NOAA may select all, some, or none of the applications, or part of any application, ask applicants to work together or combine projects, defer applications to the future, or reallocate funds to different funding categories, to the extent authorized. The exact amount of funds to be awarded, the final scope of activities, the project duration, and specific NOAA cooperative involvement with the activities of each project will be determined in pre-award negotiations

among the applicant, the NOAA Grants Office, and NOAA program staff.

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

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

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

C. Selection Factors

The merit review ratings shall provide a rank order to the Selecting Official for final funding recommendations. The CRCP competition manager may make recommendations to the Selecting Official applying the selection factors below. The Selecting Official shall award in rank order unless there is justification for selecting a proposal out of rank order based upon one or more of the following factors:

1. Availability of funding
2. Balance/distribution of funds

- a) Geographically
 - b) By type of institutions
 - c) By type of partners
 - d) By research area
 - e) By project types
3. Whether this project duplicates other projects funded or considered for funding by NOAA/Federal agencies
4. Program priorities and policy factors as described in Section I of this Federal funding opportunity.
5. Applicant's prior award performance
6. Partnerships and/or participation of targeted groups
7. Adequacy of information necessary for NOAA staff to make a NEPA determination and draft necessary documentation before recommendations for funding are made to the Grants Officer.

The Selecting Official or designee may negotiate the funding level of the proposal. Hence, awards may not necessarily be made to the highest-scored applications. Unsuccessful applicants will be notified that their application was not among those recommended for funding. Unsuccessful applications submitted in hard copy will be kept on file in accordance with NOAA records requirements and then destroyed.

D. Anticipated Announcement and Award Dates

Successful applicants will be notified by the NOAA Grants Management Division prior to the requested start date. The anticipated start date for cooperative agreement awards made under this competition is either July 1, 2023 or October 1, 2023, 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, which is expected to be approximately September 2023. Unsuccessful applications submitted to this competition will be retained for a period of up to 12 months and then destroyed.

Projects should not be initiated until the applicant has received official notice of an award from the NOAA Grants Officer with a confirmed start date and the applicant has reviewed

and accepted the terms of the award.

VI. Award Administration Information

A. Award Notices

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

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

In addition, award documents provided by NOAA may contain special award conditions as necessary, such as a limitation on the use of funds for activities that have outstanding environmental compliance requirements which 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.

Per 2 CFR 200.458, NOAA authorizes award recipients to expend pre-award costs up to 90 days before the period of performance start date at the applicant's own risk without approval from NOAA and in accordance with the applicant's internal policies and procedures. Such costs are allowable only to the extent that they would have been allowable if incurred after the date of the Federal award. This does not include direct proposal costs (as defined at 2 CFR 200.460). NOAA or the Department of Commerce are not responsible for direct proposal preparation costs. Pre-award costs will be a portion of, not in addition to, the approved total budget of the award. Pre-award costs expended more than 90 days prior to the period of performance start date require approval from the Grants Officer. This does not change the period of performance start date.

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 and may be accessed online at <http://www.gpo.gov/fdsys/pkg/FR-2014-12-30/pdf/2014-30297.pdf>.

2. Uniform Administrative Requirements

Through 2 C.F.R. § 127.101, the Department of Commerce adopted Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards at 2 C.F.R. Part 200, which applies to awards in this program. Refer to <http://go.usa.gov/SBYh> and <http://go.usa.gov/SBg4>.

3. Terms and Conditions

The Department of Commerce Financial Assistance Standard Terms and Conditions will apply to awards in this program. A current version of this document is available at https://www.commerce.gov/sites/default/files/2020-11/DOC%20Standard%20Terms%20and%20Conditions%20-%202012%20November%202020%20PDF_0.pdf.

NOAA will also add administrative terms, for which a current version is found at <https://www.noaa.gov/organization/acquisition-grants/financial-assistance>. These terms will be provided in the award package in NOAA's Grants Online grants management system at <http://www.ago.noaa.gov>. 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.

4. Research Terms and Conditions

For awards designated on the CD-450 as Research, the Commerce Terms, and the Federal-wide Research Terms and Conditions (Research Terms) as implemented by the Department of Commerce, currently, at <https://www.nsf.gov/awards/managing/rtc.jsp>, both apply to the award. The Commerce Terms and the Research Terms are generally intended to harmonize with each other; however, where the Commerce Terms and the Research Terms differ in a Research award, the Research Terms prevail, unless otherwise indicated in a specific award condition.

5. National Environmental Policy Act

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 for additional NOAA NEPA policies.

6. Science Integrity

a. Maintaining Integrity. The non-Federal entity shall maintain the scientific integrity of research performed pursuant to this grant or financial assistance award including the prevention, detection, and remediation of any allegations regarding the violation of scientific integrity or scientific and research misconduct, and the conduct of inquiries, investigations, and adjudications of allegations of violations of scientific integrity or scientific and research misconduct. All the requirements of this provision flow down to subrecipients.

b. Peer Review. The peer review of the results of scientific activities under a NOAA grant, financial assistance award or cooperative agreement shall be accomplished to ensure consistency with NOAA standards on quality, relevance, scientific integrity, reproducibility, transparency, and performance. NOAA will ensure that peer review of influential scientific information or highly influential scientific assessments is conducted in accordance with the

Office of Management and Budget (OMB) Final Information Quality Bulletin for Peer Review and NOAA policies on peer review, such as the Information Quality Guidelines.

c. In performing or presenting the results of scientific activities under the NOAA grant, financial assistance award, or cooperative agreement and in responding to allegations regarding the violation of scientific integrity or scientific and research misconduct, the non-Federal entity and all subrecipients shall comply with the provisions herein and NOAA Administrative Order (NAO) 202-735D, Scientific Integrity, and its Procedural Handbook, including any amendments thereto. That Order can be found at <http://nrc.noaa.gov/ScientificIntegrityCommons.aspx>.

d. Primary Responsibility. The non-Federal entity shall have the primary responsibility to prevent, detect, and investigate allegations of a violation of scientific integrity or scientific and research misconduct. Unless otherwise instructed by the grants officer, the non-Federal entity shall promptly conduct an initial inquiry into any allegation of such misconduct and may rely on its internal policies and procedures, as appropriate, to do so. (5) By executing this grant, financial assistance award, or cooperative agreement the non-Federal entity provides its assurance that it has established an administrative process for performing an inquiry, investigating, and reporting allegations of a violation of scientific integrity or scientific and research misconduct; and that it will comply with its own administrative process for performing an inquiry, investigation, and reporting of such misconduct.

e. The Non-Federal entity shall insert this provision in all subawards at all tiers under this grant, financial assistance award, or cooperative agreement.

7. Human Subjects Research. For research projects involving Human Subjects, an Institutional Review Board (IRB) approval or an exemption determination will be required in accordance with DOC Financial Assistance Standard Terms and Conditions “Research Involving Human Subjects” found at <https://www.commerce.gov/oam/policy/financial-assistance-policy>.

8. NOAA Sexual Assault and Sexual Harassment Prevention and Response Policy NOAA requires organizations receiving federal assistance to report findings of sexual harassment, or any other kind of harassment, regarding a Principal Investigator (PI), co-PI, or any other key personnel in the award. 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

9. Use of Applicant Information and the Freedom of Information Act. The applicant acknowledges and understands that information and data contained in applications for financial assistance, as well as information and data contained in financial, performance and other reports submitted by applicants, may be used by the Department of Commerce in conducting reviews and evaluations of its financial assistance programs. For this purpose, applicant information and data may be accessed, reviewed and evaluated by Department of Commerce employees, other Federal employees, and also by Federal agents and contractors, and/or by non-Federal personnel, all of whom enter into appropriate conflict of interest and confidentiality agreements covering the use of such information. As may be provided in the terms and conditions of a specific financial assistance award, applicants are expected to support program reviews and evaluations by submitting required financial and performance information and data in an accurate and timely manner, and by cooperating with Department of Commerce and external program evaluators. In accordance with 2 C.F.R. § 200.303(e), applicants are reminded that they must take reasonable measures to safeguard protected personally identifiable information and other confidential or sensitive personal or business information created or obtained in connection with a Department of Commerce financial assistance award.

In addition, Department of Commerce regulations implementing the Freedom of Information Act (FOIA), 5 U.S.C. Sec. 552, are found at 15 C.F.R. Part 4, Public Information. These regulations set forth rules for the Department regarding making requested materials, information, and records publicly available under the FOIA. Applications submitted in response to this 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 CFR § 4.9, the Department of Commerce will protect from disclosure confidential business information contained in financial assistance applications and other documentation provided by applicants to the extent permitted by law.

10. Data Management Requirements

Refer to Section IV.B.6. of this announcement for details on data management requirements.

11. Limitation of Liability. Funding for programs listed in this notice is contingent upon the availability of appropriations. Applicants are hereby given notice that funds have not yet been appropriated for the programs listed in this notice. NOAA or the Department of

Commerce are not responsible for direct costs of proposal preparation. Publication of this announcement does not oblige NOAA to award any specific project or to obligate any available funds.

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. 200.339.

12. 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.

13. 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 (DOC) 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:

- a. Applying the domestic content procurement preference would be inconsistent with the public interest;
- b. 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
- c. 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).

Implementation of Domestic Sourcing Requirements Prior to initiation of any infrastructure construction that may arise in this award, the Recipient will be required to inform the NOAA Grants Officer and the Federal Program Officer whether it is using iron, steel, manufactured products, or construction materials as described above. In addition, the Recipient will be required to inform the NOAA Grants Officer and the Federal Program Officer whether those materials are produced or manufactured in the United States, or alternatively, it is requesting one or more waivers, as described in the award condition. The Recipient will be required to coordinate with NOAA regarding its compliance with this law, to the extent applicable.

C. Reporting

Award recipients will be required to submit financial and performance (technical) progress reports consistent with 2 CFR 200.327-.329 and Department of Commerce Standard Terms and Conditions electronically through NOAA's electronic grants management system, Grants Online. Performance reports must be submitted at least 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 although quarterly reporting may be required for some recipients. Financial reports must be submitted at least every 6 months by the end of April and October during the period of the award in accordance with the Department of Commerce Financial Assistance Standard Terms and Conditions. NOAA will provide instructions for submitting financial and progress reports upon request. 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. Quarterly reporting may be required based on an applicant's past performance record and will be required through a Specific Award Condition, as necessary. In addition to the technical reporting requirements of 2 CFR 200.328, NOAA may require the submission of additional OMB-approved reporting forms that include additional information specific to the Coral Reef Conservation Program and progress toward Strategic Plan indicators. NOAA anticipates applying this reporting requirement to awards funded under this announcement. Each progress report must include a copy of the overall product table with updates of product due dates.

A comprehensive final report is due 120 days after the award expiration date along with copies of all products developed under the award. Applicants in their final progress report will be asked to a) clearly state the resulting impact of their project with respect to coral reef conservation; 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)." 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. In addition to the technical reporting requirements of 2 CFR 200.328, NOAA may require the submission of additional OMB-approved reporting forms that include additional information specific to the Coral Reef Conservation Program and progress toward Strategic Plan indicators. NOAA anticipates applying this reporting requirement to awards funded under this announcement. The comprehensive progress report must include a copy of the overall product table with updates of product due dates.

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. Part 200.313. 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 the final progress report or submitted directly to the NOAA program officer.

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

The program office recommends that if 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 Note, 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 \$25,000. See 2 CFR 170 at http://www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title02/2cfr170_main_02.tpl.

VII. Agency Contacts

The Federal Program Officers and technical points of contact for CRCP State and Territorial Coral Reef Conservation Cooperative Agreements are:

Dana Wusinich-Mendez for Florida, Puerto Rico and the U.S. Virgin Islands applicants. She can be reached by phone at (561) 223-1629, or by email at dana.wusinich-mendez@noaa.gov.

Liz Fairey for Guam, Hawaii, and American Samoa applicants. She can be reached by phone at 301-427-8632 or by email at liz.fairey@noaa.gov

Stephanie Bennett for CNMI. She can be reached by phone at 323-372-2912 or by email at stephanie.bennett@noaa.gov.

NOAA Coral Reef Management Liaison name and email addresses by jurisdiction:

American Samoa: Jewel.Tuiasosopo@noaa.gov <jewel.tuiasosopo@noaa.gov>

The Commonwealth of the Northern Mariana Islands: Janice Castro
<janice.castro@noaa.gov>

Florida: Dana Wusinich-Mendez <dana.wusinich-mendez@noaa.gov>

Guam: Marie Auyong <marie.auyong@noaa.gov>

Hawaii: Paulo.Maurin@noaa.gov <Paulo.Maurin@noaa.gov>

Puerto Rico: Aurora Justiniano-Santos <aurora.justiniano-santos@noaa.gov>

U.S. Virgin Islands: Leslie Henderson <leslie.henderson@noaa.gov>

VIII. Other Information

There is no guarantee that funds will be available to make awards for this Federal

funding opportunity or that any proposal will be selected for funding. If an applicant incurs any costs prior to receiving an award agreement signed by an authorized NOAA official, they do so at their own risk of these costs not being included in a subsequent award. NOAA or the Department of Commerce are not responsible for the direct costs of proposal preparation. In addition, NOAA and DOC will not be responsible for proposal or project costs if this program fails to receive funding. Recipients and sub-recipients are subject to all Federal laws and agency policies, regulations, and procedures applicable to Federal financial assistance awards. Applicants must be in compliance with requirements for any existing NOAA grants and/or cooperative funding agreements in order to receive funds under this announcement.

The NOAA program office reserves the right to implement enforcement actions authorized by 2 C.F.R. 200.338-200.342 if the recipient fails to fulfill the requirements of the project as described in the final negotiated application submitted to the agency. Non-compliance may result in termination of the award.