NOTICE OF FUNDING OPPORTUNITY

EXECUTIVE SUMMARY

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

Funding Opportunity Title: Species Recovery Grants to States (Section 6 Program)

Announcement Type: Initial

Funding Opportunity Number: NOAA-NMFS-PRPO-2024-2008090

Catalog of Federal Domestic Assistance (CFDA) Number: 11.472, Unallied Science Program

Dates: Applications must be received by www.grants.gov by 11:59 p.m. Eastern Daylight Time on November 7, 2023. PLEASE NOTE: When developing your submission timeline, keep in mind that (1) a free annual registration process in the electronic System for Award Management (SAM) may take between three and five business days or as long as several weeks (see Section IV.C.), and (2) it may take Grants.gov up to two business days to validate or reject an application.

Funding Opportunity Description: States play an essential role in conserving and recovering species listed as endangered or threatened under the Endangered Species Act (ESA), 16 U.S.C. 1535. Listed species under NOAA's National Marine Fisheries Service's (NMFS) jurisdiction may spend all or part of their lifecycles in state waters, and success in conserving these species depends largely on working cooperatively with the States. NMFS is authorized to provide Federal assistance to eligible State agencies to support the development and implementation of conservation programs for listed marine and anadromous species that reside within that State. This assistance, provided in the form of grants or cooperative agreements through the Species Recovery Grants to States Program, can be used to support conservation activities for any endangered or threatened species, as well as monitoring of candidate species, recently delisted species, and species proposed for listing under the ESA. Proposals that address the recovery of the following endangered species are encouraged as part of the agency's Species in the Spotlight initiative: Gulf of Maine Distinct Population Segment (DPS) of Atlantic salmon (*Salmo salar*), Cook Inlet DPS of beluga whales (*Delphinapterus leucas*), North Atlantic right whales (*Eubalaena glacialis*), southern resident DPS of killer whales (*Orcinus orca*), Hawaiian monk seals (*Neomonachus schauinslandi*), white abalone (*Haliotis sorenseni*), and Pacific leatherback sea turtles (*Dermochelys coriacea*). Funded activities may include development and

implementation of management efforts, scientific research, and public education and outreach. Any State agency that has entered into an agreement with NMFS pursuant to section 6(c) of the ESA or enters into such an agreement within 30 days of the application deadline is eligible to apply under this solicitation. Proposals focusing on Pacific salmonids will not be considered for funding under this grant program; such projects may be considered through the NMFS Pacific Coastal Salmon Recovery Fund. This document describes how to submit proposals for funding in fiscal year (FY) 2024 and how NMFS will evaluate and select proposals for funding. This document should be read in its entirety; some information has changed from the previous year.

FULL ANNOUNCEMENT TEXT

I. Funding Opportunity Description

A. Program Objective

The principal objective of the Species Recovery Grants to States Program is to support the development and implementation of States' programs to conserve and recover threatened and endangered species under NMFS' jurisdiction. Funding may also support monitoring of candidate species, species proposed for listing, and recently delisted species (see definitions below). Proposed activities may involve management, scientific research, monitoring, and outreach activities or any combination thereof. Proposals should include clear and specific information about how the work being proposed would contribute to species recovery. Successful applications will be those that demonstrate a direct conservation benefit to the species or its habitat.

Proposals may address new or ongoing work. If the proposal includes a continuation of previous or ongoing work, a brief discussion of accomplishments to date and a justification for the continuation of the work must be included in the project description in order to receive full consideration.

Threatened and endangered species under the jurisdiction of the NMFS are listed at https://www.fisheries.noaa.gov/species-directory/threatened-endangered.

Candidate species. A candidate species is one that is actively being considered for listing as either threatened or endangered under the ESA and is the subject of a positive 90-day finding but not yet the subject of a proposed rule, or a species for which NMFS has initiated an ESA status review and has announced the review in the Federal Register. Candidate species are listed at: https://www.fisheries.noaa.gov/endangered-species-conservation/candidate-species-under-endangered-species-act.

Proposed species. Proposed species are those that are currently the subject of a proposed rule to list as threatened or endangered under the ESA. A list of proposed species is available at: https://www.fisheries.noaa.gov/endangered-species-conservation/proposed-species-under-endangered-species-act.

Recently delisted species. Recently delisted, for purposes of this solicitation, are those species delisted within the past five years. A list of all delisted species and the year they

were delisted is available at: https://www.fisheries.noaa.gov/national/endangered-species-conservation/delisting-species-under-endangered-species-act. Under this solicitation, only species delisted due to recovery may receive funding.

As NMFS strives to build an inclusive environment in which we leverage diversity (including, but not limited to, the representation of all ages, races, national, cultural, and socioeconomic backgrounds, genders, gender identities, sexual orientations, and physical abilities) to achieve our mission goals and objectives, we encourage proposals that clearly support diversity and inclusion and promote underrepresented groups in Science, Technology, Engineering, and Math (STEM) fields. Diversity is defined as a collection of individual attributes that together help organizations achieve objectives. Inclusion is defined as a culture that connects each employee to the organization. Promoting diversity and inclusion improves creativity, productivity, and the vitality of the State in which we partner with.

B. Program Priorities

General. Priority will be given to proposals addressing listed species under the ESA over proposals that address proposed, candidate, or recently delisted species. Additionally, in order to balance the distribution of funds, priority will be given to proposals that address listed species that rarely receive funding from other NMFS sources in order to help with their recovery. Priority will also be given to proposals supporting the recovery of the following highly endangered species: Gulf of Maine DPS of Atlantic salmon (*Salmo salar*), Cook Inlet DPS of beluga whales (*Delphinapterus leucas*), North Atlantic right whales (*Eubalaena glacialis*), southern Resident DPS of killer whales (*Orcinus orca*), Hawaiian monk seals (*Neomonachus schauinslandi*), white abalone (*Haliotis sorenseni*), and Pacific leatherback sea turtles (*Dermochelys coriacea*). These species are part of NOAA's Species in the Spotlight initiative to prevent the extinction of the most at-risk species. More information and action plans are available online at: https://www.fisheries.noaa.gov/topic/endangered-species-conservation#species-in-the-spotlight. While priority will be given to proposals addressing Species in the Spotlight, it is not a requirement.

Priority will also be given to proposals that address objectives or actions identified in a Recovery Outline or final or draft ESA Recovery Plan. Greater priority may be given to those proposals that enable adaptation and resilience of listed species and their habitats to climate-related changes through specific climate-informed actions. Proposals should indicate how the project will address one or more of the recovery objectives or actions and the

priority level assigned to the action. Greater priority may be given to proposals addressing higher-priority recovery actions or objectives as indicated by the particular Recovery Plan. Recovery Plans are available at: https://www.fisheries.noaa.gov/resources/documents?title=&field_category_document_value%5Brecovery_plan%5D=recovery_plan&sort_by=created

Priority will also be given to proposals that address a NMFS-identified regional priority or need. Current NMFS regional priorities and needs can be found at: https://www.fisheries.noaa.gov/national/endangered-species-conservation/species-recovery-grant-regional-priorities.

Proposals that present a series of unrelated or seemingly unrelated projects are unlikely to compete well. Applicants that propose multiple projects within a proposal must clearly articulate within their proposal how the distinct projects relate to one another and how the results will be synthesized. Additionally, proposed budgets should reflect the costs associated with each distinct project; however, the total project costs and justification will be used to evaluate the proposal. Alternatively, States are encouraged to submit separate proposals for each distinct project because there is no limit on the number of proposals that can be submitted by an individual state.

Management. Highest priority will be given to those projects that are designed to have a direct impact on recovery of listed species through development and implementation of management actions that reduce or eliminate threats. Proposals involving management activities should demonstrate a high probability of contributing to the recovery of the species, especially through mitigation of existing threats or factors inhibiting recovery of the species. Management proposals may, for example, involve the development and implementation of fishery bycatch reduction measures, habitat restoration or habitat conservation, scenario planning for a range of plausible climate futures to improve adaptive management strategies for climate-vulnerable species, design and implementation of poaching-reduction campaigns, development of an ESA section 10 incidental take permit application and associated conservation plan, or development of a management plan pursuant to an ESA section 4(d) rule.

Aspects of developing an ESA section 10 incidental take permit application and associated conservation plan that can be supported through this program include collecting and analyzing bycatch data, designing measures to minimize and mitigate the incidental take of listed species, and drafting a conservation plan and/or the associated incidental take

permit application.

Proposals addressing habitat restoration can involve the engineering and design of a restoration project, actual implementation of a restoration activity, and/or science-based monitoring of a previously funded or simultaneously proposed NOAA habitat restoration project that will yield information on population benefits accruing to listed species resulting from the restoration action.

Habitat or land acquisition proposals must clearly identify the expected benefits for the target species or habitats on which they depend. Proposals should also discuss how the property is threatened by conversion from its natural, undeveloped, or recreational state to other uses; how existing and future uses will be managed consistently with long-term conservation of the target species; the likelihood that the project will be completed in a timely manner; and, if applicable, whether the project addresses an action identified in an ESA Recovery Plan. Other funding sources for a given acquisition should also be identified in the proposal.

Proposals including enforcement-related activities must be coordinated with a Joint Enforcement Agreement (JEA), where applicable. Enforcement activities for listed species that are specifically identified in a State's JEA and are being funded through that JEA should not be included in a proposal for this program.

Research and Monitoring. Research proposals that are designed to fill critical data gaps and directly contribute to the management and recovery of eligible species are competitive under this solicitation. However, proposals that involve only research will be considered a lower priority for funding relative to "management proposals" described above.

Proposals involving scientific research must articulate how the research will provide information that can be directly used to recover, manage, or improve current management strategies for a given species. Important research topics include, for example, defining, characterizing, and evaluating the effects of threats to the species, particularly effects of climate change; evaluating methods to reduce or mitigate threats to the species including identifying strategies to ensure protected species populations are more adaptable and resilient to climate change; improving bycatch estimates (e.g., through observer programs); estimating effective population sizes; synthesizing or analyzing stranding or observer data; or evaluating the effectiveness of a habitat restoration project.

Research proposals must include a clear question or set of questions to be answered,

methods by which experiments or work will be conducted, methods by which data will be analyzed, and Data Management Plans for storing and sharing or disseminating the results. Generalized statements about research objectives and expected results are insufficient.

Proposals involving scientific research on ESA-listed marine mammal species for which NMFS has published a Take Reduction Plan under the Marine Mammal Protection Act should indicate how the project would address one or more of the research recommendations. Greater priority may be given to proposals addressing higher-priority research and data collection needs as indicated by the particular plan. Marine mammal take reduction plans are available at: https://www.fisheries.noaa.gov/national/marine-mammal-protection/marine-mammal-take-reduction-plans-and-teams.

Proposals involving scientific research on a listed DPS or a specific, recognized management unit of a taxonomic species or subspecies should demonstrate a high probability of providing information specific to the recovery and/or management of the particular DPS or management unit. To do so, such proposals may be required to include genetic analyses or other acceptable techniques to properly identify specimens to their DPS or management unit, when appropriate. Proposed budgets must reflect costs associated with any such analyses.

Outreach. Proposals involving public education and outreach should demonstrate a high probability of improving or increasing public understanding of and participation in conservation activities, particularly for underserved communities and underrepresented groups. In order to be considered a priority for funding, proposals that exclusively address outreach activities should demonstrate how the proposed work will directly mitigate or reduce a significant threat(s) to the target species and describe efforts that will be taken to broaden participation and engage underrepresented groups and underserved communities in the development and execution of these outreach activities.

Outreach projects could, for example, involve developing outreach tools (e.g., websites, brochures), convening regional coordination workshops or meetings, or working with local fishermen or boaters to address a particular issue (e.g., hook and line entanglement, boat strikes). Note that all proposals should address the dissemination of results and/or information resulting from completion of the proposed activities (including peer-reviewed publications) as explained in detail under the evaluation criteria listed in Section V. (Application Review Information) of this document.

Applicants interested in further discussion of funding priorities should contact the

Federal Program Officer listed in Section VII, Agency Contacts.

C. Program Authority

16 U.S.C. 1535

II. Award Information

A. Funding Availability

Approximately $1.7 million may be available under the FY 2024 Species Recovery Grants to States Program to support new awards. New awards may range up to about $250,000 in federal funding per year; however, there is no required minimum or maximum. The exact amount of funds that may be awarded will be determined during pre-award negotiations between the applicant and NOAA representatives.

Note that funds have not yet been appropriated for this program, and there is uncertainty regarding the level of available funding for FY 2024. Thus, there is no guarantee that sufficient funds will be available to make any new awards or that awards will be made for all qualified projects. Publication of this notice does not obligate NOAA to award any specific grant proposal or to obligate any available funds.

If an application for a financial assistance award is selected for funding, NOAA has no obligation to provide any additional funding in connection with that award in subsequent years. Notwithstanding verbal or written assurance that may have been received, pre-award costs in this program are not allowed under the award unless approved by the Grants Officer in accordance with 2 C.F.R. §200.458.

B. Project/Award Period

In general, a project period will extend up to a maximum of three years. For multi-year proposals, applicants must include project plans and separate budgets for each year of the project. Multi-year projects may be funded in one-year increments depending on available funds and terms of the award. Multi-year awards do not compete for funding in subsequent budget periods within the approved award period. Rather, any funding required for subsequent years is added to the multi-year award incrementally, provided a demonstration of satisfactory performance by the recipient and provided funds are available to support the continuation of the project. If a grant recipient wishes to continue work on a funded project beyond the project period and obligated award funds have not been expended by the end of

this period, the recipient can notify the assigned Federal Program Officer no later than 30 days prior to the end of the award period to determine eligibility for a no-cost extension. If, however, the money is expended and funds are needed to continue the project, the applicant should submit another proposal during the next competitive award cycle or seek an alternate source of funding.

Project start dates should be no earlier than July 1, 2024, unless an earlier start date request is approved by the Program Office. The end date should always end on the last day of any given month when making a projection for the award start and end dates.

C. Type of Funding Instrument

Under this solicitation, NOAA will fund projects as grants or cooperative agreements, as appropriate for the nature of the project. The funding instrument (grant or cooperative agreement) will be determined by the NOAA Grants Management Division. A cooperative agreement will be used if the proposed project involves substantial Federal scientific or programmatic involvement. Substantial involvement means that, after the award, NOAA scientific or program staff will assist, guide, coordinate, or participate in project activities in a partnership role; it is not to assume direction, prime responsibility, or a dominant role in the activities. The dominant role and prime responsibility resides with the award recipient for the project as a whole, although specific tasks and activities may be shared among the recipient and NOAA.

III. Eligibility Information

A. Eligible Applicants

Eligible applicants are state agencies that have entered into an agreement with NMFS pursuant to section 6(c) of the ESA. The terms "state" and "state agency" are used as defined in section 3 of the ESA (16 U.S.C. 1532).

Currently, eligible state agencies are listed here: https://www.fisheries.noaa.gov/national/endangered-species-conservation/endangered-species-act-section-6-program-cooperation. Any state agency that enters into a section 6(c) agreement with NMFS within 30 days of the grant application deadline is also eligible to apply.

Federal agencies or institutions are not eligible to receive Federal assistance under this

notice. In addition, no Federal employee (or agency) shall provide assistance by writing or editing any part of an application, write letters of support advocating for any application, or otherwise confer any unfair advantage on a particular application. However, proposed activities can involve collaboration with current NMFS programs or NMFS employees, and NMFS employees can submit letters verifying that they would collaborate on a particular project if funded. Applicants must contact the Species Recovery Grants Federal Program Officer listed in Section VII, Agency Contacts, prior to submission for guidance if collaborating with a NMFS program or NMFS employee. The level of collaboration may dictate whether the funding is awarded through a grant or cooperative agreement.

B. Cost Sharing or Matching Requirement

In accordance with section 6(d) of the ESA, proposals must include a minimum non-Federal cost share of 25 percent of the total project budget if the proposal involves a single state. If a proposal involves collaboration of two or more states, the minimum non-Federal cost share decreases to 10 percent of the total project budget. The project proposal and budget must reflect the work and responsibilities to be carried out by each of the cooperating states. Cooperating states do not necessarily have to cooperate on all aspects of, or equally in, the proposed work. However, there must be meaningful cooperation among the state partners on some or all portions of the proposed work. Please note that proposing to share data between cooperating states will not, in and of itself, be considered "meaningful cooperation" as data sharing (and making data publicly available) is a required component of each proposal. Cooperating states must have specific, identified activities that they will be responsible for (and that are clearly described in the method section of the proposal) to achieve the goal of the joint proposal. See Section IV, Application and Submission Information, for details on what to include for a multi-state proposal.

The non- Federal cost share must be identified in the project budget and on the Standard Form (SF)-424A and may include in-kind contributions according to the regulations at 2 C.F.R. § 200.306. The source or sources of the non-Federal cost share is up to the particular applicants involved and may come from more than one entity.

The non-federal cost-share requirements of section 6(d) of the ESA do not apply to insular areas covered by the Omnibus Insular Areas Act of 1977 (48 U.S.C. 1469a), including Guam, American Samoa, Commonwealth of the Northern Mariana Islands, and the U.S. Virgin Islands.

C. Other Criteria that Affect Eligibility

State agencies may apply for funding to conduct work on federally listed species that are already included in their ESA section 6 agreement or added to their agreement within 60 days following the grant application deadline. This criterion also applies to multi-state proposals seeking an increased rate of Federal participation in the cost share. In this case, all cooperating states must have the federally listed species included on their respective ESA section 6 agreements, or added to them within 60 days following the grant application deadline.

State agencies may also apply for funding to conduct work on any species that has become a candidate or a proposed species by the grant application deadline. State agencies may also apply to conduct post-delisting monitoring only for recovered species that have been delisted within the past 5 years.

Projects focusing on Pacific salmonids will not be considered under this grant program. State conservation efforts for these species may be supported through the Pacific Coastal Salmon Recovery Fund. Species under the sole jurisdiction of the U.S. Fish and Wildlife Service will also not be considered.

Proposals cannot seek funding for projects that serve to satisfy regulatory requirements of the ESA, including complying with a biological opinion under section 7 of the ESA or fulfilling Federal mitigation requirements of an incidental take permit issued under section 10 of the ESA, or that serve to satisfy other Federal regulatory requirements (e.g., mitigation for Clean Water Act permits). An exception is granted for section 10 conservation plans that include conservation obligations pursuant to State law or local ordinances that are above and beyond the Federal mitigation requirements for that conservation plan and associated permit.

IV. Application and Submission Information

A. Address to Request Application Package

The federal funding announcement and application instructions for this grant program are available via the Grants.gov website at http://www.grants.gov. Applicants without internet access can obtain application instructions from Maggie Miller, NOAA/NMFS/Office of Protected Resources, (phone) 301-427-8457, (email) Margaret.H.Miller@noaa.gov.

B. Content and Form of Application

All prospective applicants should read this section in its entirety. All instructions regarding formatting and preparation of proposals must be followed. Proposals should be submitted via the Grants.gov website.

There is no limit on the number of applications that can be submitted by the same Principal Investigator, agency, or State. Multiple applications submitted by the same applicant must, however, be clearly distinct projects.

Multi-State Proposals

State agencies that are interested in partnering on a particular proposal in order to seek an increased rate of Federal participation in the cost share may submit applications in one of two ways:

1) Cooperating states may submit a single application through a lead state agency. The lead State agency would provide funding, if requested, to the cooperating state(s) through a sub-award that they administer. The proposal must clearly explain the nature of the collaboration within the body of the project description, with the methods section (and associated budget narrative) detailing the activities that will be conducted by each cooperating state agency. As the cooperating states will be responsible for achieving the goal of the joint proposal, it is important to outline and describe the responsibilities and work to be carried out by each of the partnering states in the methods section of the proposal. Furthermore, the required progress reports will need to describe the tasks scheduled and accomplished by each cooperating state during the reporting period. Cooperating states should also be listed as co-applicants, Co-PIs, or cooperators. If the cooperating states are not listed as co-applicants, there should be a letter of agreement from the partnering states agreeing to the cooperative efforts of the joint project.

2) Cooperating states may submit separate applications that include identical proposal components (i.e., title page, summaries, project descriptions, budget justification, budget tables) and federal forms specific to the particular state agency submitting the application. Joint proposals structured in this manner must indicate they are a multi-state proposal and must list the other applicant state agencies on the title page. Additionally, the proposal must clearly explain the nature of the collaboration within the body of the project description, with the methods section (and associated budget narrative) detailing the activities that will be conducted by each cooperating state agency. Each state would receive a separate award

should the proposal be selected.

Proposals must adhere to the following provisions and requirements by the proposal submission deadline. Failure to follow these instructions will be reflected in lower scoring by reviewers (see Section V., Application Review Information). Applicants are encouraged to submit proposals early in the event that we are able to pre-screen applications for any deficiencies, contact applicants, and obtain revised applications by the solicitation deadline. This pre-screen is a courtesy, not an obligation on the part of the Program Office, and it is not a guarantee for this competition. The pre-screen is limited to addressing technical matters, confirming receipt of application components, and providing publicly available information about the applications. No substantive comments or pre-review of application content will take place.

The following forms are required as part of each application: Application for Federal Assistance (SF-424); Budget Information, Non-Construction Programs (SF-424A); Assurances, Non-Construction Programs (SF-424B); and Certifications Regarding Lobbying (CD-511). These forms are available on Grants.gov with the application package.

Proposals and all attachments must be formatted to fit on letter-sized paper (8.5" x 11"). Text must be no smaller than 10-point font, with one-inch margins, and all pages must be numbered. If possible, please submit proposal documents as pdf files to ensure conversion errors do not occur when proposal documents are later accessed in the Grants Online system. Please do not submit the same file or sections of the application more than once when submitting your application to Grants.gov.

The Project Description is limited to 15 pages. Appended material must not exceed a total of 15 pages, as described further below in Section IV.B.3(j). Pages exceeding these limits will not be reviewed. However, the budget table, budget narrative, Data Management Plan, indirect cost rate agreement, and list of references cited will not be counted against page limits.

Letters of support or endorsement from any NMFS, NOAA, or Department of Commerce personnel or office will NOT be accepted.

Proposals must include the following elements:

1. Title Page (does not count toward any page limits)

Provide the project title, project period (dates), applicant name(s), name(s) of the

Principal Investigator (or Project Manager) and any Co-Investigators (or Co-Managers), complete contact information (mailing address, email address, and phone number) for the applicant(s) and all Co-investigators (or Co-Managers), and a statement regarding the Federal, non-Federal, and total costs of the project. If the proposal is a multi-state proposal being submitted through multiple agencies, include a list of the other applicant state agencies. Start dates must be no earlier than July 1, 2024, unless applicants request and get approval for an earlier start date from the Program Officer (Maggie Miller; See Section VII, Agency Contacts).

2. Project Summary (**300-word limit**, does not count toward any page limits)

Provide a brief summary discussing the proposal's purpose; the proposed activities; the general geographic area where the activities would occur; the recovery objectives or actions as specified in an ESA Recovery Plan, State section 6 management plan, or State Wildlife Action Plan (as applicable), or as identified by NMFS as a regional priority; and the expected outcomes and benefits of the proposed activities. If the proposal focuses on implementing recovery actions identified in a Recovery Plan, indicate the priority number or level assigned to the particular actions. Please make this summary as succinct and cogent as possible; it will be made publicly available if the project is funded.

3. Project Description (**15-page limit**)

The Project Description should be a clear statement of all work to be undertaken and must include the information listed below in (a)-(h); however, the Data Management Plan will not be counted against page limits. Multi-year proposals must include a project description that covers each year of the proposed award period. If multiple projects are included in the proposal, the information listed below must be included for each project. The 15-page limit does not change if a proposal includes multiple projects.

(a) Goals/objectives: Identify the specific problem(s) or opportunities the project intends to address and describe its significance to the conservation of the species. Identify the project objectives, which should be simple and understandable, as specific and quantitative as possible, and attainable with the time, money, and human resources available. Scientific research proposals must state the question or questions to be answered.

(b) Methods: Describe the methodologies or technical plan for activities that are to be conducted during each budget period of the project. Include detailed descriptions of the specific plan and/or methods that will be employed. Project milestones and the timelines

(e.g., the number of months) necessary to meet them should also be discussed for each budget period. Information about relevant permits necessary to conduct the work must be included. See Section IV.G. (Other Submission Requirements (Permits and Approvals)) below for further information about permits and approvals.

(c) Benefits or results expected (**300-word limit**): Identify the outcomes or results and the benefits to the species that should result from the successfully completed project. Discuss how the project's success in meeting the stated goals and objectives will be measured or assessed. Describe how these expected outcomes, results, or products will be applied and/or shared with appropriate user groups.

(d) Need for government financial assistance: Demonstrate the need for government financial assistance. List all other sources of funding that are or have been sought for the project.

(e) Federal, State, and local government activities: List any plans or activities (Federal, State, or local) this project would affect and, if applicable, identify the relationship between the proposed work and other ongoing work, or work planned, anticipated, or underway through Federal Assistance or other means. If the proposal is a continuation of previous or ongoing work, a brief discussion of results or accomplishments to date should be included.

(f) Environmental impacts: Discuss whether any negative environmental, biological, social, political, or economic impacts are expected as a result of the proposed activities. Also, discuss any potential negative impacts on listed species or their critical habitat as a result of the proposed activities. If any negative impacts are anticipated, describe what steps will be taken to minimize or mitigate these impacts. Incidental take of protected species and impacts on Essential Fish Habitat should be noted. This information is the basis for a determination of the level of analysis required under the National Environmental Policy Act (NEPA), so please be thorough. See Section VI.B. (Administrative and National Policy Requirements) below for further information about NEPA requirements.

(g) Project management: Describe how the project will be organized and managed and who will be responsible for carrying out project activities. The lead organization/individual and person listed as the technical contact should be identified as the Project Manager (PM) or Principal Investigator (PI). Use of subawardees, subcontractors, or volunteer staff time to complete project activities and oversight of those individuals should be discussed. We encourage applicants to support diversity and inclusion in their selection of subawardees,

subcontractors, and volunteer staff. The PM/PI is responsible for all technical oversight and implementation of the approved work plan as delineated in the proposal. One PM or PI must be designated for each project, but the PM/PI may or may not be the applicant. However, if the applicant is not the PM/PI, there must be an explanation of the relationship between the applicant and PM/PI (e.g., applicant will be responsible for managing the grant funds, and the PM will be responsible for completing the project milestones on time and within budget, etc.). Project participants or organizations that will have a significant role in conducting the project should be listed as Co-investigators or Co-Managers. Organizations or individuals that support the project, for example, researchers contributing data or materials or NMFS collaborators, should be referred to as Cooperators. Copies of the PM's or PI's and all Co-investigator's/Co-Manager's abbreviated resumes or curricula vitae must be appended.

(h) Data Management Plan (**2-page limit**, but not counted toward Project Description 15-page limit): 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, free of charge or at no more than the cost of reproduction, unless an exemption is granted by the NOAA Program. "Timely" means no later than publication of a peer-reviewed article based on the data, or two years after the data are collected and verified, or two years after the original end date of the grant (not including any extensions or follow-on funding), whichever is sooner. 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.

Proposals submitted in response to this Announcement must include a Data Management Plan of up to two pages describing how these requirements will be satisfied. The Data Management Plan should be aligned with the Data Management Guidance for this program, which is available at: https://www.fisheries.noaa.gov/national/funding-and-financial-services/frequently-asked-questions-species-recovery-grants-states#data-management-and-data-sharing. 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 storing and sharing requirements; however, NCEI is not obligated to accept all submissions and may charge a fee, particularly for large or unusual datasets.

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.

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

For further information on NOAA's Data Sharing Policy, please refer to information posted here: https://www.fisheries.noaa.gov/national/funding-and-financial-services/frequently-asked-questions-species-recovery-grants-states#data-management-and-data-sharing.

More information can also be found on NOAA's Data Management Procedures at: https://nosc.noaa.gov/EDMC/documents/Data_Sharing_Directive_v3.0_remediated.pdf and at NAO 212-15 Management of Environmental Data and Information: https://www.noaa.gov/organization/administration/nao-212-15-management-of-environmental-data-and-information

(i) Total project costs and budget justification (not counted towards page limits): Each application must include clear and concise budget information, both on the required Federal forms and as described in this section. All budget costs should be ROUNDED to the nearest dollar; any budgets containing cents will be returned for revision.

Applications must include OMB standard form (SF) 424A, "Budget Information – Non-construction Programs." All instructions should be read before completing the form, and the amounts per category and total amounts indicated on the form must correspond with amounts indicated on other proposal documents. For an example of how to complete the

form, please refer to the sample SF424A here https://media.fisheries.noaa.gov/2021-07/SF424A_example.pdf.

Additionally, provide a budget spreadsheet or table showing costs by category (e.g., salary, benefits, travel, equipment, supplies, contractual, subawards, indirect) and by Federal and non-Federal share. A detailed subaward or contract budget spreadsheet or table should also be provided. For multi-year applications, costs must also be shown by year for each year of the proposal. Costs should be itemized to the maximum extent possible. For proposals with multiple, distinct projects, costs should be broken out to reflect the costs associated with each distinct project. In order to display correctly, budget tables need to be formatted to fit letter-sized paper (8.5" x 11") and preferably saved as pdf files. Do NOT format tables as multiple sheets or tabs within an Excel spreadsheet as sheets can be lost when applications are prepared for review in NOAA's electronic grants management system, Grants Online. For an example of how to display costs and format budget tables, please refer to the sample table here: https://media.fisheries.noaa.gov/dam-migration/sample_budget_table.pdf.

A budget justification for each year of the requested budget must also be provided to explain and justify all project costs, including contractual and/or subaward costs. This narrative must be organized to clearly correspond to the information provided in the budget table. For instructions on how to prepare a budget justification, please refer to the guidance posted here: https://www.noaa.gov/sites/default/files/legacy/document/2019/Jun/gmd_budget_narrative_guidance_-_05-24-2017_final.pdf.

Detail provided in the budget table and the budget justification must be sufficient so that reviewers can interpret how costs were estimated or calculated, especially for expenses over $5,000 (including any contractual and/or subaward costs). For the non-Federal share, applicants should identify the itemized costs and describe valuations consistent with 2 C.F.R. 200.306(d)-(k). If third-party in-kind contributions are included as part of the non-federal cost share, the basis for estimating the value of these contributions must also be provided. Additionally, the budget should display the expenditure of the non-Federal share, whether in cash or third-party in-kind contributions, at the same general rate as the Federal share. Exceptions to this requirement may be granted by the Grants Officer based on sufficient documentation demonstrating previously determined plans for, or later commitment of, cash or third-party in-kind contributions.

(j) Appendices (**15-page limit**): Abbreviated curricula vitae or resumes of the PM/PI,

any Co-Managers/ Co-Investigators, and any other relevant individuals necessary for the success of the project and named in the proposal must be included as an appendix with the application. Applicants requiring ESA scientific research permits must also include evidence of such a permit (e.g., by providing the permit number) or evidence that they have submitted an ESA permit application. If indirect costs are being requested as part of the proposed budget, documentation of the applicant's indirect cost rate agreement must be provided (see Section IV.F.1. below). Indirect cost rate agreements do not count against any page limits. Additional appended materials that are necessary or useful may also be provided, including letters of endorsement; letters of cooperation; and maps, photos, tables, or other visual materials. Applicants are highly encouraged to submit a map or maps of the geographic location of the proposed work (as applicable); such visual information helps inform reviewers. Do not submit any letters of support or endorsement from any NMFS, NOAA, or Department of Commerce personnel.

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

Each applicant (unless the applicant is an individual or Federal awarding agency that is excepted from those requirements under 2 C.F.R. §25.110(b) or (c), or has an exception approved under 2 C.F.R. §25.110(d)) is required to: (i) be registered in SAM before submitting its application; (ii) provide a valid unique entity identifier in its application (i.e., the Unique Entity ID); and (iii) continue to maintain an active SAM registration with current information at all times during which it has an active Federal award, application, or plan under consideration by a Federal awarding agency.

To enable the use of a universal identifier and to enhance the quality of information available to the public as required by the Federal Funding Accountability and Transparency Act, 31 U.S.C. 6101 note, to the extent applicable, any proposal awarded in response to this announcement will be required to use the SAM, which may be accessed online at https://sam.gov/.

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.

D. Submission Dates and Times

Applications must be received and validated by Grants.gov (www.grants.gov) by 11:59 p.m. Eastern Daylight Time on November 7, 2023. Proposals submitted after the deadline cannot be considered for funding. Applicants must track their own applications to ensure receipt by NOAA.

For applications submitted through Grants.gov, there will be several automated email receipts sent to the application submitter with the date and time of submission. The final email confirms the application has been forwarded to NOAA for further processing. If email confirmation receipts are not provided within two business days of application submission, contact the Grants.gov Help Desk (800-518-4726) and contact the NMFS Office of Protected Resources (301-427-8457) to confirm the application has been received by NOAA.

PLEASE NOTE: It may take Grants.gov up to two business days to validate or reject an application, and an advance registration process described in Sections IV.C. (above) may take up to three weeks or more in some cases. Please keep this in mind when developing your submission timeline.

E. Intergovernmental Review

Applications under this program are subject to Executive Order 12372, "Intergovernmental Review of Federal Programs."

F. Funding Restrictions

1. Indirect Cost Rates

The budget may include an amount for indirect 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, insurance) that are incurred for common or joint objectives and, therefore, cannot be identified specifically within a particular project. Applicants may use indirect costs or a portion of these costs as part of the non-federal cost share.

Documentation of the most recent, approved negotiated indirect cost agreement with the federal government must be included in the application. Applicants that do not have a current negotiated rate but plan to seek reimbursement for indirect costs, must submit documentation necessary to establish a rate within 90 days of receiving an award.

In accordance with 2 C.F.R. § 200.414(f), an applicant that does not have a current

negotiated indirect cost rate may elect to: charge a de minimis rate of 10% of modified total direct costs (MTDC); describe all costs as direct costs in the budget narrative; or establish a new rate through their cognizant agency for indirect costs as defined under 2 C.F.R. § 200.1. Please also refer to Section VI.B. for additional information.

2. Allowable Costs

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 determined by reference to the Office of Management and Budget's "Uniform Administrative Requirements, Cost Principles, and Audit Requirements" regulations published in 2 C.F.R. part 200, Subpart E. A project begins on the effective date of an award agreement between the recipient and the Grants Officer and ends on the date specified in the award. Accordingly, applicants cannot be reimbursed for time expended or costs incurred in developing a project or preparing the application; such expenditures also cannot be accepted as part of the cost share.

G. Other Submission Requirements

1. Permits and Approvals

It is the applicant's responsibility to obtain all necessary Federal, State, and local government permits and approvals where necessary for the proposed work to be conducted. If applicable, documentation of requests or approvals of permits must be included in the proposal package.

Most projects involving directed or incidental take of threatened or endangered species require permits under section 10 of the ESA (as implemented at 50 C.F.R. § 222.307 and 222.308). If an ESA permit covering the proposed activities has already been issued, the permit number must be provided in the application. Issuance of the necessary ESA permit(s) or evidence that the applicant has submitted a permit application is required in order for a proposal to be considered for funding. If the grant applicant is not the Principal Investigator or the permit holder, a copy of the authorization to work under the permit (e.g., designation as a Co-Investigator under the permit) or a letter of support from the permit holder is required.

Projects involving rescue of non-listed marine mammals in accordance with the regulations at 50 C.F.R. § 216.22, rescue or salvage of stranded or dead endangered sea

turtles in accordance with 50 C.F.R.§ 222.310, or take of threatened sea turtles in accordance with 50 C.F.R.§ 223.206 do not require an independent ESA section 10 permit.

For further information on permit requirements and application procedures for federal natural resource permits, contact the NMFS Office of Protected Resources Permits, Conservation, and Education Division (301-427-8401) or see https://www.fisheries.noaa.gov/permits-and-forms#protected-resources. If proposed activities will take place within National Marine Sanctuaries, National Parks, National Seashores, and other federally designated protected areas, the applicant is responsible for requesting and obtaining any necessary permits or letters of agreement from the appropriate government agencies.

Failure to obtain other Federal, State, and local permits, approvals, or letters of agreement where necessary may delay or prevent the award of funds if a project is selected for funding.

2. Address for Submitting Proposals

Applications should be submitted electronically through the Grants.gov website at http://www.grants.gov. NOAA strongly recommends that applicants do not wait until the application deadline to begin the application process through Grants.gov. To use Grants.gov, applicants must have a unique entity identifier (i.e., the Unique Entity ID) and register in the System for Award Management (SAM) before submitting their application; the Central Contractor Registration (CCR) is now a part of SAM and is located at https://sam.gov/. Applicants should allow at least 5 business days to complete the SAM registration; registration is only required once but must be updated annually. If issues arise, the process may take three weeks or more. Also, it may take Grants.gov up to two business days to validate or reject an application. Please keep this in mind when developing your submission timeline.

If you experience a Grants.gov "systems issue" (technical problems or glitches with the Grants.gov website) that you believe threatens your ability to complete submission before the application deadline, please (i) print any error message received, and (ii) call the Grants.gov Contact Center at 1-800-518-4726 for immediate assistance. Applicants need to obtain a case number regarding communications with Grants.gov. Please note: problems

with an applicant organization's computer system or equipment or failure to comply with the Grants.gov system requirements are not considered "systems issues." Similarly, an applicant's failure to: (i) complete the required registration, (ii) ensure that a registered Authorized Representative (AOR) submits the application, or (iii) notice receipt of an email message from Grants.gov are not considered systems issues. A Grants.gov "systems issue" is an issue occurring in connection with the operations of Grants.gov itself, such as the temporary loss of service by Grants.gov due to unexpected volume of traffic or failure of information technology systems, both of which are highly unlikely. It is the applicant's responsibility to take necessary steps to document a "systems issue" and contact NOAA. In the event of a confirmed "systems issue," NOAA reserves the right to accept an application in an alternate format (i.e., hard copy submission); however, all applications must be received by the deadline. Late applications will not be accepted.

V. Application Review Information

A. Evaluation Criteria

Proposals will be evaluated by reviewers based on the criteria described here (with their relative weights):

1. Importance/Relevance and Applicability of the Proposal to the Program Goals (30 Points)

This criterion addresses whether there is intrinsic value in the proposed work and/or relevance to the program goals as stated in sections I.A. and I.B of this document. Reviewers will consider the current program priorities as stated in section I.B. of this document. Additionally, reviewers will evaluate whether proposals clearly identify project goals and objectives and whether those goals and objectives are applicable to conservation and recovery of threatened or endangered species, delisted species, proposed, or candidate species as specified in sections I.A. and I.B. of this document.

Reviewers will also score the proposal based on their consideration of the contribution of potential outcomes, results, or products to species conservation and management goals, and whether milestones and products are clearly identified. Reviewers will consider whether the proposal is designed to have a direct impact on species recovery as a result of implementation of management actions. If the proposal addresses the continuation of previously funded or ongoing work, reviewers should consider whether the applicant

provides an adequate justification for the continuation of the same work (e.g., what benefit would additional results have?).

Scoring: 1-30 points; where, for example, 1= no importance/relevance to the program goals or objectives, very limited potential to contribute to species recovery, no implementation of management actions; 15 = moderately important/ relevant, reasonably likely to make some meaningful contribution to species recovery; 30 = extremely important/relevant, extremely likely to make a significant contribution to recovery of a threatened or endangered species, involves implementation of significant management actions, addresses a priority species.

2. Technical/ Scientific Merit (30 Points)

For proposals including management and outreach, this criterion addresses whether the approach is appropriate for achieving the stated goals and objectives, whether the approach will result in successful execution of the project, and if the anticipated results can be achieved in the timeline specified. Reviewers will consider whether sufficient information is provided to evaluate the design of the project relative to the stated goals/objectives.

For proposals including research and monitoring, this criterion addresses whether the approach is technically sound, if the methods are appropriate for achieving the stated goals/objectives, and if the anticipated results can be achieved in the timeline specified.

Reviewers will consider the sufficiency of information to evaluate the project technically, the strengths and/or weaknesses of the technical design relative to securing productive results, and the inclusion of quality assurance considerations for data collected.

Scoring: 1-30 points; where, for example, 1= completely unsound and/or unlikely to meet the stated objectives, and information insufficient to evaluate project design; 15 = intermediately sound, and/or reasonably likely to meet the stated objectives; 30 = extremely sound and highly likely to meet the stated objectives.

3. Overall Qualification of Applicant (10 Points)

This criterion addresses whether the applicant possesses the necessary expertise, experience, facilities, and administrative resources to accomplish the project. Reviewers will consider previous related experience and qualifications of the project's PM or PI, Co-Manager(s) or Co-Investigator(s), and other personnel, including designated contractors, consultants, and cooperators. Reviewers will also consider the extent to which the applicant

complied effectively with the application instructions in this Announcement.

Scoring: 1-10 points; where, for example, 1= completely unqualified and/or lacking the resources or capacity to accomplish the project, application instructions were not followed; 5 = intermediate level of relevant expertise and experience and adequate resources and capacity to accomplish the project, application instructions were generally followed; 10 = extremely qualified and experienced, has all necessary resources and demonstrated capacity to accomplish the project, application instructions followed thoroughly.

4. Project Costs (15 Points)

Reviewers will evaluate the budget to determine if it is sufficiently detailed, realistic, and commensurate with the project needs and time frame. The itemized costs and the overall budget must be adequately justified and appropriately allocated. Reviewers will consider whether sufficient detail was provided to evaluate how costs were estimated.

Scoring: 1-15 points; where, for example, 1= unrealistic and lacking sufficient detail; 8 = adequately detailed and realistic; 15 = extremely detailed and realistic.

5. Outreach and Education (10 Points)

This criterion addresses whether the project provides a focused and effective education and outreach strategy regarding NOAA's mission to protect the Nation's natural resources.

Reviewers will consider whether project results or products will be shared appropriately, including with underserved community residents and/or organizations, given the nature of the proposed work and whether sufficient detail is provided to make this determination. Depending on the nature of the project, 'outreach and education' may include, for example, peer-reviewed publications, presentations at professional meetings, development of brochures, internal agency meetings, public meetings, or distribution of project results to appropriate managers or management agencies. Proposals will be rated on whether the outreach/education component is appropriate for the type and nature of the proposal, whether the outreach/education component includes the fair treatment and meaningful involvement of all people, and whether the outreach/education is expected to be effective.

Scoring: 1-10 points, where 1= insufficient/ineffective outreach; 5 = adequate outreach; 10 = extremely effective outreach.

6. Data Management Plan Technical Soundness (5 points)

This criterion addresses the contents of the Data Management Plan. Proposals should be rated on the extent to which the plan includes 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.

Scoring: 1-5 points, where 1= poorly detailed or no data management plan; 3 = adequately detailed data management plan, 5 = comprehensive and clear data management plan.

B. Review and Selection Process

Programmatic evaluation of proposals will take place in three steps: initial screening, merit review, and selection by the Selecting Official (i.e., the Assistant Administrator for NMFS). Initial screening of applications will be conducted to ensure that application packages have all required forms and application elements, clearly relate to the Species Recovery Grants solicitation, and meet all of the eligibility criteria. NOAA, in its sole discretion, may continue the review process for applications with non-substantive issues that may be easily rectified or cured.

Applications meeting the requirements of this solicitation will then undergo merit review. Each application will undergo an expert review by qualified person(s) with appropriate subject-matter expertise who may be from Federal or state agencies, academic institutions, or non-profit organizations. However, a person named as a PM/PI, Co-PI/Co-PM, or Cooperator on a submitted application will not be eligible to serve as an expert reviewer. Expert reviewers must also complete a Conflict of Interest certification prior to reviewing an application.

Expert reviewers will independently evaluate and score proposals using the evaluation criteria provided in section V.A. (Evaluation Criteria) above. Review scores from these subject matter experts will be provided to a panel of Federal employees, consisting of at least three technical reviewers from at least three of NMFS' regional offices. The panel may convene and discuss applications during a panel review, including the expert review scores and comments, application materials, regional and program priorities, and the applicant's prior award performance, if applicable. However, all scoring conducted by the panel members, including the technical reviewers, using the evaluation criteria provided in section

V.A. will be non-consensus. The panel members' scores will be averaged and used to produce a rank order of the proposals.

After applications have undergone merit review, the Selecting Official will decide which applications will be forwarded to the NOAA Grants Officer based upon the numerical ranking of the applications as well as the selection factors set forth in Section V.C. (Selection Factors) below.

C. Selection Factors

The merit review scores provide a rank order of proposals to the Selecting Official for final recommendation to the NOAA Grants Officer. The Selecting Official shall recommend awarding in the rank order of the review ratings unless a proposal is justified to be selected out of rank order based upon the following factors, where applicable:

a. Availability of funding

b. Balance/distribution of funds

i. Geographically

ii. By type of institutions

iii. By type of partners

iv. By research areas

v. By project types

vi. By species or species groups

c. Whether this project duplicates other projects funded or considered for funding by NOAA or other federal agencies

d. Program priorities and policy factors as set out in Sections I.A. (Program Objectives) and B (Program Priorities) and Section II. A. (Funding Availability) of this announcement

e. The applicant's prior award performance

f. Partnerships with and/or participation of targeted groups

g. 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.

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. Applicants may be asked to modify objectives, work plans or budgets, and provide supplemental information required by the agency prior to the award. 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. 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.

D. Anticipated Announcement and Award Dates

Subject to the availability of funds, review of proposals will occur during winter 2023, and funding is expected to begin during summer 2024 for most approved projects.

VI. Award Administration Information

A. Award Notices

Successful applicants will receive notification that the application has been

recommended for funding to the NOAA Grants Management Division. This notification is not an authorization to begin performance of the project. Official notification of funding, signed by a NOAA Grants Officer, is the authorizing document that allows the project to begin. The official notice of award is the Standard Form CD-450, Financial Assistance Award, which the NOAA Grants Officer will issue electronically through NOAA's Grants Online system. The authorizing document, the CD-450 award cover page, is provided to the Authorized Representative identified by the applicant on the SF-424.

Unsuccessful applicants will be notified that their proposal was not recommended for funding. Unsuccessful applications will be kept on file in the Program Office for a period of at least 12 months and then destroyed.

NOAA is not responsible for delays in processing new awards that are not accompanied by adequate and accurate budget tables, justifications, and forms. For guidance on preparing budgets, please refer to tips and examples posted on our website at https://www.fisheries.noaa.gov/national/funding-and-financial-services/frequently-asked-questions-species-recovery-grants-states.

PRE-AWARD COSTS. 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). In no event will NOAA or the Department of Commerce be 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.

GRANTS OFFICER SIGNATURE. Proposals submitted in response to this solicitation are not considered awards until the Grants Officer has signed the grant or cooperative agreement. Only Grants Officers can bind the Government to the expenditure of funds. The Grants Officer's digital signature constitutes an obligation of funds by the federal government and formal approval of the award.

B. Administrative and National Policy Requirements

1. Department of Commerce Pre-Award Notification Requirements

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, Cost Principles, and Audit Requirements

Through 2 C.F.R. § 1327.101, the Department of Commerce adopted Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards at 2 C.F.R. Part 200, which applies to awards in this program. Refer to http://go.usa.gov/SBYh and http://go.usa.gov/SBg4.

3. Department of Commerce (DOC) Terms and Conditions

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

4. Bureau Terms and Conditions

Successful applicants who accept an award under this solicitation will be bound by bureau-specific standard terms and conditions. These terms and conditions will be provided in the award package in NOAA's Grants Online system. For NOAA awards only, the Administrative Standard Award Conditions for National Oceanic and Atmospheric Administration (NOAA) Financial Assistance Awards U.S. Department of Commerce are applicable to this solicitation and may be accessed online at https://www.noaa.gov/organization/acquisition-grants/financial-assistance.

5. 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.

6. 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 America, Buy America (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 (excludes cement and cementitious materials, aggregates such as stone, sand, or gravel, or aggregate binding agents or additives) 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 (see IIJA, §70917(c)(1)) —that is or consists primarily of non-ferrous metals; plastic and polymer-based products (including polyvinylchloride, 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.

7. Limitation of Liability

Funding for programs listed in this notice is contingent upon the availability of funds. Applicants are hereby given notice that funds have not yet been appropriated for the programs listed in this notice. Publication of this announcement does not obligate NOAA to award any specific project or to obligate any available funds.

8. Review of Risk

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

9. 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.

10. National Environmental Policy Act (NEPA)

NOAA must analyze the potential environmental impacts, as required by the National Environmental Policy Act (NEPA), for applicant projects or proposals 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 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, impacts to non-listed marine mammals, aquaculture projects, and impacts to coral reef systems). NOAA has a NEPA Questionnaire (https://www.nepa.noaa.gov/docs/NOAA-Grants-Questionnaire-final.pdf) that may be applicable to some projects, but applicants do not need to provide answers to the NOAA NEPA Questionnaire at this time. However, NOAA may require additional information from the applicant regarding potential environmental impacts prior to reviewing the application. In addition to providing specific information that will serve as the basis for any required impact analyses, applicants will also be required to cooperate with NOAA in identifying feasible measures to reduce or avoid any identified adverse environmental impacts of their proposed project. The 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 of any impacts that a project may have on the environment.

Applicants are expected to design their proposals so that they minimize potential adverse impacts on the environment. Applications will be reviewed to ensure that they have sufficient environmental documentation to allow program staff to determine whether the proposal is categorically excluded from further analysis, covered under an existing programmatic analysis, or whether additional analysis is necessary in conformance with requirements of NEPA. For those applications needing further analysis, affected applicants will be informed after the merit review stage and asked to assist by providing any information necessary to complete a draft Environmental Assessment or Environmental Impact Statement. Failure to provide information necessary to complete environmental analyses may delay or prevent the award of funds if a project is selected for funding.

11. 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.

12. Science Integrity

1. 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.

2. 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.

3. 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

https://www.noaa.gov/organization/administration/nao-202-735d-2-scientific-integrity.

4. 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.

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

13. Indirect Cost Rate

If an applicant does not have a current indirect cost rate with a Federal agency they may choose to negotiate a rate with the Department of Commerce or use the de minimis indirect cost rate of 10% of MTDC (as allowable under 2 C.F.R. §200.414). The negotiation and approval of a rate are subject to the procedures required by NOAA and the Department of Commerce Standard Terms and Conditions. The NOAA contact for indirect or facilities and administrative costs is: Raishan Adams, Grants Officer, NOAA Grants Management Division, 1325 East-West Highway, 9th Floor, Silver Spring, MD 20910, or raishan.adams@noaa.gov.

14. Reviews and Evaluation

The applicant acknowledges and understands that information and data contained in applications for financial assistance, as well as information and data contained in financial, performance and other reports submitted by applicants, may be used by the Department of Commerce in conducting reviews and evaluations of its financial assistance programs. For this purpose, applicant information and data may be accessed, reviewed and evaluated by Department of Commerce employees, other Federal employees, and also by Federal agents and contractors, and/or by non-Federal personnel, all of whom enter into appropriate conflict

of interest and confidentiality agreements covering the use of such information. As may be provided in the terms and conditions of a specific financial assistance award, applicants are expected to support program reviews and evaluations by submitting required financial and performance information and data in an accurate and timely manner, and by cooperating with the Department of Commerce and external program evaluators. In accordance with §200.303(e), applicants are reminded that they must take reasonable measures to safeguard protected personally identifiable information and other confidential or sensitive personal or business information created or obtained in connection with a Department of Commerce financial assistance award.

C. Reporting

Grant recipients will be required to submit financial and performance (technical) reports through the Grants Online system (https://grantsonline.rdc.noaa.gov/flows/home/Login/LoginController.jpf). All financial and performance (technical) reports shall be submitted through Grants Online in accordance with 2 C.F.R. 200.328-.330 and the Department of Commerce Financial Assistance Standard Terms and Conditions. In accordance with 2 CFR 200.328-9 and the terms and conditions of the award, financial reports are to be submitted semi-annually. All performance reports will be submitted on a semi-annual schedule and must be submitted no later than 30 days following the end of each 6-month period from the start date of the award. The last semi-annual performance report may not be required depending on award conditions. Additional reporting on project outputs and outcomes may be required at the request of the Office of Protected Resources to facilitate program performance evaluation. A comprehensive final report is due 120 days after award expiration. Data collected by recipients under a Species Recovery Grant must be made publicly available in accordance with the approved Data Management Plan. Any reports or publication resulting from funded work should acknowledge funding received through the "NOAA Fisheries' Species Recovery Grant Program."

The Federal Funding Accountability and Transparency Act, 31 U.S.C. 6101 Note, includes a requirement for awardees of applicable Federal grants to report information about first-tier sub-awards and executive compensation under Federal assistance awards. All awardees of applicable grants and cooperative agreements are required to report to the Federal Sub-award Reporting System (FSRS) available at https://www.fsrs.gov/ on all sub-awards of $30,000 and over. Refer to 2 CFR Part 170.

VII. Agency Contacts

If you have any questions regarding this proposal solicitation, please contact the Species Recovery Grants Federal Program Officer, Maggie Miller (301-427-8457, Margaret.H.Miller@noaa.gov).

VIII. Other Information

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. § 552, are found at 15 C.F.R. Part 4, Public Information. These regulations set forth rules for the Department regarding making requested materials, information, and records publicly available under the FOIA. Applications submitted in response to this Notice of Funding Opportunity may be subject to requests for release under the Act. In the event that an application contains information or data that the applicant deems to be confidential commercial information that should be exempt from disclosure under FOIA, that information should be identified, bracketed, and marked as Privileged, Confidential, Commercial, or Financial Information. In accordance with 15 C.F.R. § 4.9, the Department of Commerce will protect from disclosure confidential business information contained in financial assistance applications and other documentation provided by

applicants to the extent permitted by law.