FY23 Bluefin Tuna Research Program

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NOTICE OF FUNDING OPPORTUNITY

EXECUTIVE SUMMARY

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

Funding Opportunity Title: FY23 Bluefin Tuna Research Program

Announcement Type: Initial

Funding Opportunity Number: NOAA-NMFS-SE-2023-2007495

Federal Assistance Listings Number: 11.472, Unallied Science Program

Dates: Applications must be received on grant.gov by 5:00 p.m. Eastern Time on October 28, 2022 to be considered for funding. Please note: Validation or rejection of your application by Grants.gov may take up to 2 business days after submission. Please consider this process in developing your submission timeline.

Funding Opportunity Description: The objective of the program is to provide a basis for advancing science-based fisheries management for Atlantic bluefin tuna. Such advancement will depend upon improvements in understanding of the fisheries and biology of bluefin tuna, especially regarding the effects of mixing and movement between the eastern and western Atlantic populations. Contracting Parties to the International Convention for the Conservation of Atlantic Tunas (ICCAT), of which the US is one, and other partners have embarked upon a multi-year research program on bluefin tuna as a step toward improving ICCAT's science-based management of Bluefin fisheries. Research sponsored under this funding opportunity represents a contribution to this partnership. Proposals that demonstrate collaborations with the ICCAT Atlantic Bluefin Tuna Research Program and other ICCAT partners are strongly encouraged.

FULL ANNOUNCEMENT TEXT

I. Funding Opportunity Description

A. Program Objective

The objective of the program is to provide a basis for advancing science-based fisheries management for Atlantic bluefin tuna. Such advancement will depend upon improvements in understanding of the fisheries and biology of bluefin tuna, especially regarding the effects of mixing and movement between the eastern and western Atlantic populations. Contracting Parties to the International Convention for the Conservation of Atlantic Tunas (ICCAT), of which the U.S. is one, and other partners have embarked upon a multi-year research program on bluefin tuna as a step toward improving ICCAT's science-based management of Bluefin fisheries. Research sponsored under this funding opportunity represents a contribution to this partnership. Proposals that demonstrate collaborations with the ICCAT Atlantic Bluefin Tuna Research Program and other ICCAT partners are strongly encouraged.

B. Program Priorities

The main premise for a Bluefin Tuna Research Program (BTRP) project is to provide usable and relevant information to aid fishery researchers, scientists, and managers to make informed management decisions. The Standing Committee for Research and Statistics (SCRS), which develops scientific advice for the International Commission for the Conservation of Atlantic Tunas (ICCAT), has developed a list of priorities for research needed to improve bluefin tuna stock assessments. These priorities are summarized below, in no particular order of importance. Proposals must address one of these priority areas as they pertain to Atlantic bluefin tuna Federal fisheries management plans. If you select more than one priority, you should list first on your application the priority that most closely reflects the objectives of your proposal.

Research priorities for this funding opportunity include:

1. Representative sampling of hard and soft tissues and associated analytical techniques for studies of population genomics, stock composition, age composition, growth and total reproductive contribution by size and age.

2. Large-scale conventional, electronic and genetic tagging experiments specifically designed to estimate movement rates, abundance, and mortality of the eastern or western stocks.

3. Historical data (both paper copies or archived biological material) mining to sharpen estimates of catch, catch composition, fishing effort, and spatial aspects of catch.

4. Simulation modeling to evaluate the performance of assessment models and management strategies in light of uncertainties related to stock mixing, reproductive potential and other life history traits.

5. Improving the quality of fishery data for stock assessments (e.g., using advanced technology to obtain representative data on catch per unit effort, size composition, etc…).

6. Developing novel fishery-independent techniques to estimate abundance, mortality or to implement novel management strategies (e.g., using advanced technology, genomics or enhancing coverage through effective multi-institution partnerships).

7. Integration of satellite remote sensing, oceanographic modeling and other multidisciplinary scientific products to consider environmental effects upon biology (recruitment, mortality, movement, etc), fishery operations or to resolve the uncertainties in current and historical recruitment.

C. Program Authority

Authority for the BTRP is provided by the following: 16 U.S.C. 661.

II. Award Information

A. Funding Availability

Approximately $600,000 may be available in fiscal year (FY) 2023 for projects. Actual funding availability for this program is contingent upon FY 2023 Congressional appropriations. The NMFS Southeast Fisheries Science Center estimates awarding approximately 5 projects that will range from $25,000 to $300,000. The expected average award is $125,000. Publication of this notice does not obligate NMFS to award any specific grant or cooperative agreement or any of the available funds.

B. Project/Award Period

The period of awards can be for a maximum period of up to 12 months

C. Type of Funding Instrument

Proposals selected for funding will be funded through a cooperative agreement. NMFS is substantially involved as a partner in the BTRP activities with the recipient. Substantial

involvement includes planning, scheduling, conducting, and analyzing proposed project activities and frequent contact with the grantee to help solve technical problems/situations as they arise during performance of the award.

III. Eligibility Information

A. Eligible Applicants

Eligible applicants may be institutions of higher education, nonprofits, commercial organizations, individuals, and state, local, and Indian Tribal governments. Federal agencies or institutions are not eligible. Foreign governments, organizations under the jurisdiction of foreign governments, and international organizations are excluded for purposes of this solicitation since the objective of the BTRP is to optimize research and development benefits from U.S. marine fishery resources.

B. Cost Sharing or Matching Requirement

Cost-sharing is not required for this program.

C. Other Criteria that Affect Eligibility

All applicants must include a written agreement with a person employed by the National Marine Fisheries Service (NMFS), who will act as a partner in the proposed research project. This written agreement must be signed by the Southeast Fisheries Science Center (SEFSC) Director or a designee.

IV. Application and Submission Information

A. Address to Request Application Package

The standard application package is available at http://www.grants.gov. If you do not have internet access, an application package may be received by contacting Dax Ruiz, Federal Grants Program Manager, NOAA/NMFS/SERO; 263 13th Avenue, South, St. Petersburg, FL, 33701, Phone: (727) 824-5324, e-mail: Dax.Ruiz@noaa.gov.

B. Content and Form of Application

1. Format Requirements:

All pages must be single-spaced and should be composed in at least a 12-point font with one inch margins on 8 1/2 x 11 paper. The project description may not exceed 8 pages, exclusive of title page, project synopsis, literature cited, budget information, resumes of investigator,

and letters of support (if any). Failure to follow the requirements will result in the rejection of the application and subsequent return.

Any PDF or other attachments that are included in an electronic application must meet the above format requirement when printed out.

2. Content Requirements:

The following information must be included. Failure to submit it will result in an application not being reviewed.

a. Signed Title Page: The Application for Federal Assistance (SF-424) must be signed by the authorized representative. Electronic signatures submitted through grants.gov satisfy this requirement.

b. Project Synopsis (1-page limit): It is critical that the project synopsis accurately describes the project being proposed and conveys all essential elements of the activities. It is imperative that potential applicants tie their proposals to one of the program priorities described in Section I.B. The Project Synopsis must identify the principal investigator(s) and a brief statement of qualifications.

c. Project Description (6-page limit): The applicant should describe and justify the project being proposed and address each of the evaluation criteria as described below in Section V. Project descriptions should include clear objectives and specific approaches to achieving those objectives, including methods, timelines, and expected outcomes.

d. Proposals submitted in response to this Announcement must include a Data Management Plan (up to 2 pages). See Section VI.B., Administrative and National Policy Requirements, below for additional information on what the plan should contain.

e. Literature Cited: If applicable.

f. Budget and Budget Justification: All applications must have a detailed budget narrative explaining and justifying the Federal and non-Federal expenditures as listed on the SF-424A budget forms. Refer to NOAA Grants Management Division’s Budget Narrative Guidance at https://www.noaa.gov/sites/default/files/legacy/document/2019/Jun/gmd_budget_narrative_guidance_-_05-24-2017_final.pdf. Provide justifications for all budget items in sufficient detail to enable the reviewers to evaluate the appropriateness of the funding requested.

g. Resumes (2 pages maximum for each major participant).

h. Standard Application Forms: Assurances, Non-Construction Programs (SF-424B); and Certifications Regarding Lobbying (CD-511). These forms are available on Grants.gov. Please refer to the appropriate application package available through www.grants.gov. If you do not have internet access, an application package may be received by contacting Dax Ruiz, Federal Grants Program Manager, NOAA/NMFS/SERO; 263 13th Avenue, South, St. Petersburg, FL, 33701, Phone: (727) 824-5324, e-mail: Dax.Ruiz@noaa.gov.

i. Each application should include: NOAA NEPA Questionnaire (https://www.nepa.noaa.gov/docs/NOAA-Grants-Questionnaire-final.pdf). It is recommended that you pay attention to responding to Questions 1-29 and 39-49.

j. Applications must identify the principal participants, and include copies of any agreements describing the specific tasks to be performed by participants. Project applications should give a clear presentation of the proposed work, the methods for carrying out the project, its relevance to managing and enhancing the use of Atlantic Bluefin Tuna fishery resources, and cost estimates as they relate to specific aspects of the project. Budgets must include a detailed breakdown, by category of expenditures, with appropriate justification for both the Federal and non-Federal shares.

k. Applications should exhibit familiarity with related work that is completed or ongoing. Successful applicants are required to collect and manage data in accordance with standardized procedures and format approved or specified by NMFS and to participate with NMFS in specific cooperative activities that are determined by consultations between NMFS and successful applicants before project grants are awarded. All data collected as part of an awarded grant must be provided to the National Marine Fisheries Service.

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 CFR 25.110(b) or (c), or has an exception approved by the Federal awarding agency under 2 CFR 25.110(d)) is required to: (i) Be registered in SAM before submitting its application; (ii) Provide a valid unique entity identifier (UEI) in its application; and (iii) Continue to maintain an active SAM registration with current information at all times during which it has an active Federal award or an application or plan under consideration by a Federal awarding agency.
NOAA may not make a Federal award to an applicant until the applicant has complied with all applicable UEI 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 by www.grants.gov, postmarked, or provided to a delivery service by 5:00 PM Eastern Standard Time (EST) on October 28, 2022. Note: It may take www.grants.gov up to two (2) business days to validate or reject an application. Please keep this in mind when developing your submission timeline. Use of U.S. mail or another delivery service must be documented with a receipt. Applications received later than 5 calendar days following the closing date will not be accepted. No facsimile or electronic mail applications will be accepted. See Section IV F. Other Submission Requirements for complete mailing information.

E. Intergovernmental Review

Applications submitted by state and local governments are subject to the provisions of Executive Order (E.O.) 12372, Intergovernmental Review of Federal Programs. Any applicant submitting an application for funding is required to complete item 16 on SF-424 regarding clearance by the State Single Point of Contact (SPOC) established as a result of E.O. 12372. To find out about and comply with a State's process under EO 12372, the names, addresses and phone numbers of participating SPOCs are listed in the Office of Management and Budget's home page at: https://www.whitehouse.gov/wp-content/uploads/2020/04/SPOC-4-13-20.pdf.

F. Funding Restrictions

Construction is not an allowable activity under this program. Therefore, applications will not be accepted for construction projects.

G. Other Submission Requirements

Applicants should submit applications electronically through http://www.Grants.gov. Applicants should note that it can take between 3-5 business days or as long as 3 weeks to register with Grants.gov if all steps are not completed in a timely manner and registration is required only once. Users of Grants.gov will be able to download a copy of the application package, complete it offline, and then upload and submit the application via the Grants.gov site. If an applicant has problems downloading the application forms from Grants.gov, contact Grants.gov Customer Support at 1-800-518-4726 or support@Grants.gov.
Paper applications must be postmarked or provided to a delivery service and documented with a receipt and sent to: Dax Ruiz, Federal Grants Program Manager, NOAA/NMFS/SERO; 263 13th Avenue, South, St. Petersburg, FL, 33701, Phone: (727)

824-5324, e-mail: Dax.Ruiz@noaa.gov.

Applications postmarked or provided to a delivery service after 5:00 pm October 28, 2022 will not be considered for funding. Applications submitted via the U.S. Postal Service must have an official postmark; private metered postmarks are not acceptable. In any event, applications received later than 5 calendar days following the closing date will not be accepted. No facsimile or electronic mail applications will be accepted.

V. Application Review Information

A. Evaluation Criteria

Applications responsive to this solicitation will be evaluated by three or more appropriate private and/or public sector experts to determine their technical merit. These reviewers will provide individual evaluations of the proposals. No consensus advice will be given. These reviewers provide comments and assign scores to the applications based on the following criteria, with the points shown in parentheses:

1. Importance/relevance and applicability of proposed projects to the program goals (30 points):

This criterion ascertains whether there is intrinsic value in the proposed work and/or relevance to NOAA, Federal, regional, state, or local activities.

Does the proposal describe its relevance to a Bluefin Tuna Research Program Priority, and how information gathered will contribute to NOAA’s mission to enhance the understanding of the fishery resource and contribute to the body of information on which management decisions are made? Does this study address an important problem, providing a clear definition of the problem, need, issue, or research need?

Using the scale below (lowest score possible is 0)

Marginally Adequately Frequently Strongly Highly
0----------10----------15----------25----------30

2. Technical/scientific merit (25 points):

This criterion assesses whether the approach is technically sound and/or innovative, if the

methods are appropriate, and whether there are clear project goals and objectives. Proposals should provide a clear definition of the approach to be used, including descriptions of field work, theoretical studies, and laboratory analysis to support the proposed research.

Are the conceptual framework, design, methods, and analyses adequately developed, well-integrated, and appropriate to the aims of the project? Is sufficient detail provided about the methods proposed for monitoring and evaluating the success of the project, and are they appropriate? Are the objectives in the proposal clearly defined and focused, realistic and attainable within the proposed project period? Does the project demonstrate support, cooperation, and/or collaboration with the fishing industry and members of the international science community?

Using the scale below (lowest score possible is 0)

Marginally Adequately Frequently Strongly Highly
0----------10----------15----------20----------25

3. Overall qualifications of applicants (20 points):

This criterion ascertains whether the applicant possesses the necessary education, experience, training, facilities, and administrative resources to accomplish the project.

Does the applicant have the expertise to conduct the proposed work? Does the applicant describe the facilities, equipment and/or administrative resources available to support and successfully manage the work and award responsibilities? Does the proposal include resumes of the Principal Investigator(s)?

Using the scale below (lowest score possible is 0)

Marginally Adequately Frequently Strongly Highly
0----------5----------10----------15----------20

4. Project costs (20 points):

This criterion evaluates the budget to determine if it is realistic and commensurate with the project needs and time frame.

Is the proposed budget sufficiently detailed, with appropriate breakdown and justification of costs by object class? Is the proposed budget cost-effective and realistic based on the applicant's stated objectives and time frame?

Using the scale below (lowest score possible is 0)

Marginally Adequately Frequently Strongly Highly
0----------5----------10----------15----------20

5. Outreach and education (no points):
This criterion assesses whether the project provides a focused and effective education and outreach strategy regarding NOAA's mission to protect the Nation's natural resources. This criterion is not used by the BTRP program.

6. Data Management Plan Technical Soundness (5 points):
This criterion assesses whether the Data Management Plan ensures that the data collected and/or created will be made available to general users in a timely manner free of charge, or at minimal cost.

Using the scale below (lowest score possible is 0)

Marginally Adequately Frequently Strongly Highly
0----------2----------3----------4----------5

B. Review and Selection Process

When we receive applications we will screen them to ensure that they were received by the deadline date (see Submission Dates and Times); include an SF 424 authenticated by an authorized representative; were submitted by an eligible applicant; address one of the funding priorities for federally managed species; and include a budget, statement of work, and milestones, and identify the principal investigator. We do not have to screen applications before the submission deadline in order to identify deficiencies that would cause your application to be rejected so that you would have an opportunity to correct them. However, should we do so and provide you information about deficiencies, or should you independently decide it is desirable to do so, you may correct any deficiencies in your application before the deadline. After the deadline, the application must remain as submitted; no changes can be made to it.

If your application does not conform to these requirements and the deadline for submission has passed, the application will be returned without further consideration.

Following the technical review, we will determine the score for each individual review and average the individual technical review scores to determine the final technical score for each application. Then, we will rank applications in descending order by their average technical scores. The top twenty applications will be forwarded to a panel for further review. Those applications that are not in the top twenty category will be eliminated from further consideration.

Those applications that meet the top twenty ranking will be presented to a panel of bluefin fishery experts known as the BTRP panel. Each member of the BTRP panel individually considers: if needs of the Agency are addressed in each proposal and if the project addresses issues that are important to Atlantic Bluefin Tuna fishery management. Needs of the Agency follow the information identified in the Magnuson- Stevens Act, Title III, Sections 301 and 404. The individuals on the BTRP Panel provide comments and will independently assign a numerical rating between 1.0 and 5.0 (marginally meets the need to highly meets the need) for each of these proposals according to the following scale. The BTRP Panel will give no consensus advice. After the BTRP Panel scores are submitted, a compilation of all proposals in rank order is developed based on the average score from the BTRP Panel. In the event that there are two or more projects tied in the panel's percent selected category that are competing for the final available funds, all tied projects will be given equal consideration by the selecting official regardless of their peer review score. The selecting official will resolve any ties by selecting the projects that are most pertinent to the research needs as listed under the program priorities in Section I.B., at the time of selection. Program priorities are not listed in order of importance because the importance can change over time.

Each member of the panel will independently assign a numerical rating on Grants Online between 1 and 5 for each application according to the following scale, and provide comments to support their score (zero and fractions of whole numbers will not be accepted):

1– Application marginally meets the need to the evaluation criteria (Section V. B) but does not address program priorities outlined in the NOFO.
2– Application adequately meets the need to the evaluation criteria (Section V. B) and marginally addresses program priorities outlined in the NOFO.
3– Application frequently meets the need to the evaluation criteria (Section V. B) and partially addresses program priorities outlined in the NOFO.
4 – Application strongly meets the need to the evaluation criteria (Section V.B) and satisfactorily addressed program priorities outlined in the NOFO.

5– Application highly meets the need to the evaluation criteria (Section V. B) and exceptionally addresses program priorities outlined in the NOFO.

C. Selection Factors

The BTRP panel or peer ratings will be provided in rank order to the Selecting Official for final funding recommendations. The Selecting Official shall award in the rank order unless the proposal is justified to be selected out of rank order based on the following factors:

1. Availability of funding

2. Balance/distribution of funds:

a. geographically
b. by type of institutions
c. by type of partners
d. by research areas
e. by project types

3. Duplication of other projects funded or considered for funding by NOAA/federal agencies;

4. Program priorities and policy factors;

5. Applicant's prior award performance;

6. Partnerships with/Participation of targeted groups;

7. Adequacy of information necessary for NOAA staff to make a NEPA determination and draft necessary documentation before recommendations for funding are made to the Grants Officer.

The Selecting Official may negotiate the funding level of the proposal. The Selecting Official makes final recommendations for award to the Grants Officer who is authorized to obligate funds.

D. Anticipated Announcement and Award Dates

Subject to the availability of funds, successful applications are usually recommended for funding within 365 days from the date of publication of this notice. The earliest start date of

awards (1st of a month) is approximately 425 days after the date of publication of this notice. Applicants should consider this selection and processing time in developing requested start dates for their applications. It is suggested that a September 1, 2023, start date be requested on the application.

The exact amount of funds awarded, the final scope of activities, the project duration, and specific NMFS cooperative involvement with the activities of each project are determined in pre-award negotiations between the applicant, the NOAA Grants Office and the NMFS Program Office.

VI. Award Administration Information

A. Award Notices

Successful applicants will receive notification that the application has been approved for funding by the NOAA Grants Office with the issuance of an award signed by a NOAA grants officer. This is the authorizing document that allows the project to begin. The award will be issued electronically to the authorizing official of the project. Unsuccessful applicants will be notified by the NMFS program office that their proposals were not selected for recommendation.

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.

LIMITATION OF LIABILITY. Funding for programs listed in this notice is contingent upon the availability of funds. Applicants are hereby given notice that funds may not have

been appropriated yet for the programs listed in this notice. Publication of this announcement does not oblige NOAA to award any specific project or to obligate any available funds.

B. Administrative and National Policy Requirements

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.

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.

DEPARTMENT OF COMMERCE PRE-AWARD NOTIFICATION REQUIREMENTS FOR GRANTS AND COOPERATIVE AGREEMENTS.
The Department of Commerce Pre-Award Notification Requirements for Grants and Cooperative Agreements contained in the Federal Register notice of December 30, 2014 (79 FR 78390) are applicable to this solicitation and may be accessed online at http://www.gpo.gov/fdsys/pkg/FR-2014-12-30/pdf/2014-30297.pdf.

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.

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.

NATIONAL ENVIRONMENTAL POLICY ACT (NEPA).
NOAA must analyze the potential environmental impacts, as required by the National Environmental Policy Act (NEPA), for applicant projects or proposals which are seeking NOAA federal funding opportunities. Detailed information on NOAA compliance with NEPA can be found at the following NOAA NEPA website: http://www.nepa.noaa.gov/, including our NOAA Administrative Order 216-6 for NEPA, http://www.nepa.noaa.gov/NAO216_6.pdf, and the Council on Environmental Quality implementation regulations, http://energy.gov/sites/prod/files/NEPA-40CFR1500_1508.pdf. Consequently, as part of an applicant's package, and under their description of their program activities, applicants are required to provide detailed information on the activities to be conducted, locations, sites, species and habitat to be affected, possible construction activities, and any environmental concerns that may exist (e.g., the use and disposal of hazardous or toxic chemicals, introduction of non-indigenous species, impacts to endangered and threatened species, aquaculture projects, and impacts to coral reef systems). In addition to providing specific information that will serve as the basis for any required impact analyses, applicants may also be requested to assist NOAA in drafting an environmental assessment, if NOAA determines an assessment is required. Applicants will also be required to cooperate with NOAA in identifying feasible measures to reduce or avoid any identified adverse environmental impacts of their proposal. Failure to do so shall be grounds for not selecting an application. In some cases if additional information is required after an application is selected, funds can be withheld by the Grants Officer under a specific award condition requiring the recipient to submit additional environmental compliance information sufficient to enable NOAA to make an assessment on any impacts that a project may have on the environment.

FREEDOM OF INFORMATION ACT.
Department of Commerce regulations implementing the Freedom of Information Act (FOIA), 5 U.S.C. Sec. 552, are found at 15 C.F.R. Part 4, Public Information. These regulations set forth rules for the Department regarding making requested materials, information, and records publicly available under the FOIA. Applications submitted in response to this Notice of Funding Opportunity may be subject to requests for release under the Act. In the event that an application contains information or data that the applicant deems to be confidential commercial information that should be exempt from disclosure under FOIA, that information should be identified, bracketed, and marked as Privileged, Confidential, Commercial or Financial Information.
In accordance with 15 CFR § 4.9, the Department of Commerce will protect from disclosure confidential business information contained in financial assistance applications and other

documentation provided by applicants to the extent permitted by law.

REQUIRED USE OF AMERICAN IRON, STEEL, MANUFACTURED PRODUCTS, AND CONSTRUCTION MATERIALS

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

1) all iron and steel used in the project are produced in the United States–this means all manufacturing processes, from the initial melting stage through the application of coatings, occurred in the United States;

2) all manufactured products used in the project are produced in the United States—this means the manufactured product was manufactured in the United States; and the cost of the components of the manufactured product that are mined, produced, or manufactured in the United States is greater than 55 percent of the total cost of all components of the manufactured product, unless another standard for determining the minimum amount of domestic content of the manufactured product has been established under applicable law or regulation; and

3) all construction materials (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.

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.

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

format, and should also be accompanied by machine-readable documentation (metadata), preferably based on widely used or international standards.
2. Proposals submitted in response to this Announcement must include a Data Management Plan of up to two pages describing how these requirements will be satisfied. The Data Management Plan should be aligned with the Data Management Guidance provided by NOAA in the Announcement. The contents of the Data Management Plan (or absence thereof), and past performance regarding such plans, will be considered as part of proposal review. A typical plan should include descriptions of the types of environmental data and information expected to be created during the course of the project; the tentative date by which data will be shared; the standards to be used for data/metadata format and content; methods for providing data access; approximate total volume of data to be collected; and prior experience in making such data accessible. The costs of data preparation, accessibility, or archiving may be included in the proposal budget unless otherwise stated in the Guidance. Accepted submission of data to the NOAA National Centers for Environmental Information (NCEI) is one way to satisfy data sharing requirements; however, NCEI is not obligated to accept all submissions and may charge a fee, particularly for large or unusual datasets.
3. NOAA may, at its own discretion, make publicly visible the Data Management Plan from funded proposals, or use information from the Data Management Plan to produce a formal metadata record and include that metadata in a Catalog to indicate the pending availability of new data.
4. Proposal submitters are hereby advised that the final pre-publication manuscripts of scholarly articles produced entirely or primarily with NOAA funding will be required to be submitted to NOAA Institutional Repository after acceptance, and no later than upon publication. Such manuscripts shall be made publicly available by NOAA one year after publication by the journal.
More information can 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

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.

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 http://nrc.noaa.gov/ScientificIntegrityCommons.aspx.
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.

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.

INDIRECT COST RATE.
If an applicant has not previously established an indirect cost rate with a Federal agency they may choose to negotiate a rate with the Department of Commerce or use the de minimis indirect cost rate of 10% of MTDC (as allowable under 2 C.F.R. §200.414). The negotiation and approval of a rate is 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: Lamar Revis, Grants Officer, NOAA Grants Management Division, 1325 East West Highway, 9th Floor, Silver Spring, MD 20910, or lamar.revis@noaa.gov.

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

Unless otherwise specified by terms of the award, performance and financial reports are to be submitted semi-annually. Performance reports should include progress on identified milestones. Electronic submission of reports is required and conducted through the use of NOAA's Grants Online system. All 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. In addition to the financial and performance reports, grant recipients will be required to submit a comprehensive final performance report and a final financial report within 120 days after the project end date.

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

VII. Agency Contacts

For questions regarding the application process, you may contact: Dax Ruiz, State/Federal Liaison Branch, (727) 824-5324, or Dax.Ruiz@noaa.gov.

VIII. Other Information

Applicants must be registered in the Systems for Award Management (SAM) (www.sam.gov). Allow a minimum of thirty days to be registered in SAM. Applicants are strongly encouraged not to wait until the application deadline date to begin the application process through http://www.grants.gov.