# FY 2020 Community-based Restoration Program Coastal and Marine Habitat Restoration Grants

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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: FY 2020 Community-based Restoration Program Coastal and Marine Habitat Restoration Grants

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Announcement Type: Initial

Funding Opportunity Number: NOAA-NMFS-HCPO-2020-2006306

Catalog of Federal Domestic Assistance (CFDA) Number: 11.463, Habitat Conservation

Dates: This program has a mandatory pre-proposal. Pre-proposals must be received by Grants.gov, postmarked, or provided to a delivery service by 11:59 PM Eastern time on January 8, 2020. See Section IV.B for more information regarding pre-proposal requirements. The full application deadline will be no earlier than April 9, 2020 at 11:59 PM Eastern time. The actual deadline will be provided by direct notice to all eligible applicants, after pre-proposal review. At least 45 days will be provided for completion of a full application.

Pre-proposals and full applications must be received by www.Grants.gov, postmarked, or provided to a delivery service by 11:59 PM Eastern time on the due date. The time the application was provided to a delivery service must be documented with a receipt. No facsimile or electronic mail applications will be accepted for pre-proposals or full applications. See Section III.C for more information, including a limit on transit time and Section IV.G for an address to submit paper applications.

Funding Opportunity Description: The principal objective of the NMFS Community-based Restoration Program Coastal and Marine Habitat Restoration solicitation is to support habitat restoration projects that use an ecosystem-based approach to foster species recovery and increase populations under NOAA's jurisdiction. Proposals submitted under this solicitation will be primarily evaluated based on their ability to demonstrate how the proposed habitat restoration actions will: 1) help recover threatened and endangered species listed under the Endangered Species Act (ESA) (hereafter, Listed Species), including species identified by NMFS as "Species in the Spotlight" (https://www.fisheries.noaa.gov/topic/endangered-species-conservation#species-in-the-spotlight); 2) sustain or help rebuild fish stocks managed under the Magnuson-Stevens Fishery Conservation and Management Act (hereafter, Managed Species); and/or 3) contribute to the sustainability of saltwater recreational fisheries. Successful proposals will: 1) identify a habitat-based issue/concern limiting the recovery or sustainability of one or

more species targeted by the proposed restoration action; 2) describe in detail the habitat restoration project(s) to be undertaken to resolve the issue/concern and; 3) describe the project(s)' expected outcomes and measurable impact on the project's target species and their ecosystem. Proposals may include: restoration feasibility and/or design; implementation (i.e., on-the-ground activities); or a combination thereof.

Proposals selected for funding through this solicitation will be funded through cooperative agreements. One-year or multi-year awards up to three funding years will be considered. Multiyear awards are awards that are funded for up to three years. The funding for the second and/or third year (Fiscal Year [FY] 2021 and/or FY 2022) will be estimated in FY 2020, with final amounts determined in future years, pending future federal appropriations and progress towards project milestones. Proposals for multi-year funding should outline the costs expected for year two and/or year three in detail in this proposal (see Section IV.B for more details about the budget narrative for multi-year awards). NOAA anticipates typical federal funding for awards will range from \$300,000 to \$1.5 million over one to three years. NOAA will not accept proposals with a federal funding request of less than \$75,000 or more than \$3 million total over three years. NOAA anticipates up to \$4 million will be available under this announcement in FY20. Within this funding opportunity, some funds may be targeted toward Chesapeake Bay oyster reef restoration, Atlantic salmon recovery, and coral reef restoration as described in Program Priorities (Section I.B) in this announcement. Funds will be administered by the Community-based Restoration Program within the NOAA Restoration Center. Awards are dependent upon the amount of funds Congress makes available to NOAA in the FY20 - FY22 budgets.

#### **FULL ANNOUNCEMENT TEXT**

# I. Funding Opportunity Description

# A. Program Objective

The principal objective of the NMFS Community-based Restoration Program Coastal and Marine Habitat Restoration solicitation is to support habitat restoration projects that use an ecosystem-based approach to foster species recovery and increase populations under NOAA's jurisdiction. Proposals submitted under this solicitation will be primarily evaluated based on their ability to demonstrate how the proposed habitat restoration actions will:

- 1. Contribute to the recovery of threatened and endangered species listed under the Endangered Species Act (ESA) (hereafter, Listed Species), including species identified by NMFS as "Species in the Spotlight" (https://www.fisheries.noaa.gov/topic/endangered-species-conservation#species-in-the-spotlight),
- 2. Sustain or help rebuild fish stocks managed under the Magnuson-Stevens Fishery Conservation and Management Act (hereafter, Managed Species), or
- 3. Contribute to the sustainability of saltwater recreational fisheries by the restoration of habitat that supports the National Saltwater Recreational Fisheries Policy and Implementation Plans (https://www.fisheries.noaa.gov/national/recreational-fishing/national-saltwater-recreational-fisheries-policy).

Healthy habitat is critical to the recovery of protected resources and sustainability of commercial and recreational fisheries. In addition to habitat restoration actions that will benefit Listed, Managed, and saltwater recreational fisheries species as outlined above, proposals benefiting coastal and marine species with a nexus to NMFS fishery management through the following mechanisms will also be considered: the Atlantic Coastal Fisheries Cooperative Management Act; the Atlantic Striped Bass Conservation Act; the Marine Mammal Protection Act; the Coral Reef Conservation Act, and actions benefiting Species of Concern under NMFS.

NOAA promotes a holistic, landscape-scale approach to resource management in a changing climate. Proposed habitat restoration actions may also provide important ecosystem services such as protection from coastal flooding, extreme weather events, and coastal erosion. Successful proposals will: 1) identify the habitat-based issue(s)/concern(s) limiting the recovery or sustainability of one or more species targeted by the proposed restoration action; 2) describe in detail the habitat restoration project(s) to be undertaken to resolve the issue(s)/concern(s) and; 3) describe the expected outcomes and measurable impacts on the project's target species and ecosystem.

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

# B. Program Priorities

The principal objective of the NMFS Community-based Restoration Program Coastal and Marine Habitat Restoration solicitation is to support habitat restoration projects that use an ecosystem-based approach to foster species recovery and increase populations under NOAA's jurisdiction. Habitat restoration projects include, but are not limited to, activities that contribute to the return of degraded or altered marine, estuarine, coastal, and freshwater, diadromous fish habitats to functioning habitats, or techniques that provide species access to their historic habitats. Typical habitat restoration projects that the NOAA Restoration Center supports include, but are not limited to: removal of in-stream migration barriers for diadromous fish; hydrologic reconnection of wetlands; coral reef restoration; and bivalve shellfish habitat restoration that includes some form of protection from harvest. Applicants should refer to the following website for more detailed information about program priorities: https://www.fisheries.noaa.gov/national/funding-and-financial-services/priorities-habitat-restoration-grants.

Highest priority will be given to habitat restoration proposals that have the greatest potential to (in no priority order):

- 1. Contribute to the recovery of Listed Species under NOAA jurisdiction, including those species designated by NOAA as Species in the Spotlight, where habitat availability and quality is limiting the recovery of the species. To be considered a priority, restoration projects should also be consistent with priority habitat restoration actions identified in Recovery Plans and 5-Year Action Plans (for Species in the Spotlight).
- 2. Sustain or help rebuild populations of Managed Species or their prey, specifically through projects that restore or enhance Essential Fish Habitat (EFH) or address actions supported by Fishery Management Plans.
- 3. Contribute to the sustainability of saltwater recreational fisheries by the restoration of habitat that supports the National Saltwater Recreational Fisheries Policy and Implementation Plans.
- 4. Provide sustainable and lasting ecological benefits of regional or national significance for the target species and habitat. Projects that restore natural ecosystem function and processes will receive higher priority than projects that install structures that require maintenance. For example, dam removal projects will receive higher priority than projects installing fish passage devices.

5. Demonstrate importance within the watershed or other geographic boundary through an inclusive planning process that determines the project's relative importance and context within the landscape. Projects that were developed through collaborative processes and have coordinated investment strategies across multiple organizations will be prioritized. Example planning documents range from watershed plans developed in conjunction with hydropower licensing, to Recovery Plans for Listed Species, to agency-specific priority-setting. Applicants should refer to the following website:

https://www.fisheries.noaa.gov/national/funding-and-financial-services/priorities-habitat-restoration-grants#how-do-i-find-planning-documents-that-can-support-the-relative-importance-of-my-project-and-context-within-the-landscape?

Within this competition, NOAA anticipates specific funding may be available to support restoration of oyster reefs in Chesapeake Bay (anticipated funding of \$500,000), recovery of Atlantic salmon (anticipated funding of \$750,000), and restoration of coral reefs (anticipated funding of \$800,000). In FY20, these funds will provide support for existing awards and potential new awards. Awards are dependent upon the amount of funds Congress makes available to NOAA in FY20.

# C. Program Authority

The Secretary of Commerce is authorized under the following statutes to provide grants and cooperative agreements for habitat restoration and conservation: Fish and Wildlife Coordination Act 16 U.S.C. 661, as amended by the Reorganization Plan No. 4 of 1970; Magnuson-Stevens Fishery Conservation and Management Reauthorization Act of 2006, 16 U.S.C. 1891a; and Endangered Species Act, 16 U.S.C. 1535.

#### II. Award Information

# A. Funding Availability

One-year or multi-year awards up to three funding years will be considered, and additional releases of funds may be used to fund selected proposals through FY22 without further competition. NOAA anticipates typical federal funding awards will range from \$300,000 to \$1.5 million over one to three years. NOAA will not accept proposals with a federal funding request of less than \$75,000 or more than \$3 million over three years.

NOAA anticipates up to \$4 million will be available under this solicitation in FY20. Dependent on the level of funding made available by Congress, NOAA anticipates an additional \$8 million may be available over the next two years (FY21 - FY22) to support selected awards, for a maximum of \$12 million awarded under this announcement. Within

this funding opportunity, some funds may be targeted toward Chesapeake Bay oyster reef restoration, Atlantic salmon recovery, and coral reef restoration as described in Program Priorities (Section I.B) in this announcement.

Funds will be administered by the Community-based Restoration Program within the NOAA Restoration Center. The exact amount of funds that may be awarded will be determined in pre-award negotiations between the applicant and NOAA. Any funds provided to successful applicants for subsequent-year funding requests will be determined by progress towards stated milestones and availability of funding at the discretion of the NOAA Office of Habitat Conservation and the NOAA Grants Management Division (GMD).

NOAA or the Department of Commerce are not responsible for direct costs of application preparation if programs fail to receive funding or are cancelled because of other agency priorities. Publication of this announcement does not oblige NOAA to award any specific project or to obligate any available funds. There is no guarantee that sufficient funds will be available to support awards for all top-ranked applications. The number of awards to be made as a result of this solicitation will depend on the number of eligible applications received, the amount of funds requested for habitat restoration, the merit and ranking of the applications, and the amount of funds made available by Congress in FY20 and subsequent fiscal years.

## B. Project/Award Period

Applications should cover a period of performance between 12 and 36 months. NOAA anticipates that the period of performance for most awards will be for 36 months, but may select a project where the period of performance extends up to 48 months. The earliest anticipated start date for awards will be October 1, 2020. Both federal and match pre-award costs, incurred up to 90 days prior to the award start date, may be requested and will be considered during pre-award negotiations between the applicant and NOAA. Incurring pre-award costs before NOAA GMD offers a grant is at the applicant's own risk.

Once funds are awarded in FY20, recipients of multi-year awards will not need to compete for funding in subsequent years. NOAA expects, but is not obligated, to provide additional funding to multi-year awards in subsequent years. Adding funds to multi-year awards is contingent on the availability of funds and satisfactory progress toward milestones, and is at the sole discretion of NOAA.

# C. Type of Funding Instrument

Selected applications will be funded through cooperative agreements, as described in 2 C.F.R. Sec. 200.24, meaning that NOAA expects to be substantially involved in many

aspects of the awards. Substantial involvement may include, but is not limited to, collaboration on the scope of work, providing assistance with technical aspects of the habitat restoration project, review and comment on design plans, and review of procurement materials to the extent authorized by 2 C.F.R. Sec. 200.324.

# III. Eligibility Information

#### A. Eligible Applicants

Eligible applicants are institutions of higher education, non-profits, commercial (for profit) organizations, U.S. territories, and state, local and Native American tribal governments. Applicants must propose work in geographic areas that benefit species with a nexus to NOAA management. Applications from federal agencies or employees of federal agencies will not be considered. Federal agencies are strongly encouraged to work with states, non-governmental organizations, municipal and county governments, and others that are eligible to apply.

#### B. Cost Sharing or Matching Requirement

There is no statutory matching requirement for this funding opportunity. NOAA typically leverages its federal funding with matching contributions from a broad range of sources in the public and private sectors to implement coastal and marine habitat restoration. To this end, applicants should note that cost sharing is an element considered in Evaluation Criterion #4 "Project Costs" (Section V.A.4).

Federal sources cannot be considered for matching funds, but can be described in the budget narrative to demonstrate additional leverage and collaboration. Match to NOAA funds can come from a variety of public and private sources and can include third party in-kind goods and services and volunteer labor. Refer to 2 C.F.R. 200.306 for cost sharing or matching policies. Applicants are permitted to combine contributions from non-federal partners, as long as such contributions are not used to match any other federal funds and are available within the project period stated in the application. Applicants with approved indirect cost rates planning to provide cost sharing may find it convenient to propose a portion or all of their indirect costs as match, since the valuation of such costs has already been federally approved and documentation is readily available. Refer to Section IV.F "Funding Restrictions" for information on indirect costs. Refer to Section II.B "Project/Award Period" for information on pre-award costs.

Applicants whose proposals are selected for funding will be bound by the percentage of cost sharing reflected in the award document signed by NOAA's Grants Management Division,

unless amended based on extenuating circumstances. NOAA is under no obligation to amend the matching contributions once agreed to by the recipient. Successful applicants should be prepared to carefully document matching contributions, including the overall number of volunteers and third party in-kind participation hours devoted to habitat restoration projects. Letters of commitment for any secured resources that will be used as match for an award under this solicitation should be submitted as an attachment to the application (see Section IV.B).

# C. Other Criteria that Affect Eligibility

This competition has a mandatory pre-proposal. Only those applicants whose pre-proposals strongly align with program objectives and goals, as determined by NOAA (through the criteria described below in Section V.A), will be allowed to submit full applications. The recommended content and form of the mandatory pre-proposal are described in Section IV.B. Eligible full applications should include the proposal ID provided by NOAA on form SF-424, field 5b.

Pre-proposals and full applications submitted through Grants.gov must be submitted by the due date and time provided in Section IV.D. Late applications will not be considered for funding. Paper applications received later than five business days following the post-mark due date and time will not be accepted. Submission time will be documented by electronic submission to Grants.gov, a U.S. Postal Service postmark, or a delivery service receipt. No facsimile or electronic mail applications will be accepted. Information regarding electronic submission through Grants.gov and for submitting paper applications is contained in Section IV.G.

All applications MUST contain ALL required forms; if these forms are not signed via the www.Grants.gov application process, they MUST be signed in ink (SF-424, SF-424B, CD-511). Failure to submit signed forms shall result in disqualification from this competition. See Section IV.G for more details.

NOAA will not accept proposals with a federal funding request of less than \$75,000 or more than \$3 million over three years.

For the purposes of this competition, work in geographic areas that benefit species with a nexus to NOAA management will be considered (also described in Sections I.A and III.A). Please review Section I.B and the Evaluation Criteria in Section V.A.1 to understand the priority target species within coastal areas. Section III.A presents information distinguishing eligible versus ineligible organization types. Applications that propose projects in the Commonwealth and Territories of the United States, for this solicitation defined as American

Samoa, Guam, Northern Mariana Islands, U.S. Virgin Islands, and Puerto Rico, are eligible, but those in the Freely Associated States are not eligible for funding consideration. Projects in the Great Lakes region are not eligible under this solicitation. The Great Lakes Restoration Initiative (GLRI) will continue to fund habitat restoration projects in the Great Lakes at this time. The NOAA Restoration Center will continue to support current Great Lakes partnerships with GLRI funds in FY20.

The following information describes ineligible project proposal types and activities:

- 1. Proposals that solely benefit freshwater fish species or Listed Species under the jurisdiction of the United States Fish and Wildlife Service are not eligible, unless the species is jointly managed by NOAA.
- 2. Proposals that focus on marine debris prevention and removal are not eligible.
- 3. Proposals that focus on acquisition of real property are not eligible.
- 4. Proposals that focus on beach renourishment solely for recreational purposes are not eligible.
- 5. Proposals addressing hard infrastructure only for water quality improvement are not eligible. Ineligible activities include, but are not limited to, wastewater treatment plant upgrades, elimination of combined sewer outfalls, and replacement of failing septic systems and implementation of agricultural animal waste management plans. However, projects that improve water quality through the creation or enhancement of fish habitat are eligible.
- 6. Activities that alleviate the liability associated with legally required mitigation for the adverse environmental impacts of an activity regulated or otherwise governed by local, state, or federal law are ineligible for federal funding.
- 7. Activities that alleviate the liability associated with legally required compensatory restoration for natural resource damages under federal, state, or local law are ineligible for federal funding.
- 8. Activities that are required by a separate consent decree, court order, statute, or regulation are ineligible. Applicants planning to combine grant or matching funds with mitigation should review the Compensatory Mitigation for Losses of Aquatic Resources; Final Rule at 73 Fed. Reg. 19594 (April 10, 2008). NOAA plans to follow the approach adopted by some other Federal agencies on Page 19636 that describes scenarios where mitigation credits may or may not be obtained in association with federal financial incentives.

# IV. Application and Submission Information

#### A. Address to Request Application Package

Complete application packages, including required federal forms and instructions, can be found on www.Grants.gov. If a prospective applicant is having difficulty downloading the

application forms from www.Grants.gov, contact www.Grants.gov Customer Support at 1-800-518-4726 or support@Grants.gov. Instructions for these forms are available at http://www.grants.gov/web/grants/form-instructions.html. Information about the recommended format for pre-proposals and full applications is contained in Section IV.B.

### B. Content and Form of Application

#### 1. PRE-PROPOSAL CONTENT AND FORMAT

Applicants must submit a pre-proposal and receive an invitation from NOAA before submitting a full application. The pre-proposal must include the Standard Form (SF)-424. The pre-proposal narrative should be no more than five (5) pages in length. The narrative should provide a concise description of the proposed work and its relevance to the competition's priorities. Applicants are strongly encouraged to submit maps and/or photographs of the project site embedded within the five-page narrative. NOAA requests that applicants use single-spacing, 11- or 12-point font, and 1-inch margins. Files should be submitted in PDF format to ensure readability and reduce file size.

Pre-proposals will undergo an initial administrative screening to determine if they are eligible and complete. NOAA, in its sole discretion, may continue the review process for pre-proposals with non-substantive issues that may be easily rectified or cured. The pre-proposal process is a critical step to determine if proposed projects are well-suited for this specific competition. Only those applicants whose pre-proposals strongly align with program objectives and goals, as determined by NOAA (through the criteria described below in Section V.A), will be allowed to submit full applications. The goal of the pre-proposal process is to streamline the application and review process by inviting full applications only from applicants whose projects are most likely to support NOAA's goals as described in this announcement.

Pre-proposals must include the following Federal application form: Standard Form (SF)-424: Application for Federal Assistance. If not submitted through Grants.gov, this form MUST be signed in ink by the authorized representative for the application to be eligible. The SF-424 form may be downloaded from https://www.grants.gov/web/grants/forms.html.

In addition to the SF-424, NOAA recommends the following components for the Project Summary.

- 1) Applicant Organization
- 2) Project Title
- 3) Site Location. Include the geographic coordinates and the nearest town or watershed. If multiple sites are proposed, please include the geographic coordinates for all sites. Maps are

encouraged.

- 4) Brief Project Description
- a) Benefits to Fisheries Species. Describe how the proposed actions will: contribute to the recovery of Listed Species; sustain or help rebuild Managed Species; and/or contribute to the sustainability of saltwater recreational fisheries.
- b) Regional Priority. Describe how the proposed actions demonstrate importance within the watershed or other geographic boundary through an inclusive planning process that determines the project's relative importance and context within the landscape.
- c) Realistic Timeline. Provide a timeline of all project activities to be supported with federal or match funds, including an indication of when activities will begin.
- d) Project Assessment. For construction projects, describe how the restoration project will measure near-term implementation success following the monitoring requirements outlined in Section IV.B and listed in the NOAA Restoration Center Implementation Monitoring (Tier 1) Guidance (https://www.fisheries.noaa.gov/national/habitat-conservation/resources-noaa-restoration-center-applicants#restoration-monitoring-and-data-management). For feasibility and planning projects, describe milestones to be achieved and how any pre-restoration monitoring meets the requirements outlined in Section IV.B and listed in the NOAA RC Implementation Monitoring (Tier 1) Guidance.

Optional: Additional Effectiveness Monitoring. If the application includes effectiveness monitoring that exceeds the requirements listed in Section IV.B, describe a clear, relevant question or hypothesis that will be answered. Additional effectiveness monitoring is NOT a required element of the proposal and efforts will be funded on a limited basis; therefore, it is not required in the Evaluation Criteria (Section V.A).

- e) Sustainability. Describe the potential of the restoration effort to be sustainable and provide lasting benefits of regional or national significance for the target species and habitat. 5) Project Performance Measures and Outcomes. Describe the expected outcomes of the project and measurable impacts on the project's target species and ecosystem. Include the number of acres to be restored and/or stream miles to be made accessible to diadromous fish
- number of acres to be restored and/or stream miles to be made accessible to diadromous fish through the proposed activities, and any other anticipated long-term ecological and socioeconomic outcomes.
- 6) Permits and Approvals. Identify and list all consultations, permits, and regulatory approvals necessary for the proposed project and include documentation or approval status (e.g., not applied for; pending; secured).
- 7) Landowner. Include name and address (if privately owned) or public agency contact.
- 8) Funding Request. Outline the total request for federal funds and the amount anticipated for non-federal match, and state whether the match is confirmed or secured. Outline any leveraged funds beyond proposed non-federal match that are part of the overall project costs. If requesting a multi-year award, outline the federal requests per funding year.

#### 2. FULL APPLICATION CONTENT AND FORMAT

If invited by NOAA to submit a full application, applicants should apply through the www.Grants.gov website. A complete standard NOAA financial assistance application package should be submitted, as described below.

Each full application must include the following Federal application forms:

- 1) Standard Form (SF)-424: Application for Federal Assistance. If not submitted through Grants.gov, this form MUST be signed in ink by the authorized representative for the application to be eligible. The SF-424 form family may be downloaded from https://www.grants.gov/web/grants/forms.html.
- 2) SF-424A: Budget Information for Non-construction Programs. Selected applications will require an SF-424A for each funding year.
- 3) SF-424B: Assurances for Non-construction Programs
- 4) CD-511: Certification Regarding Lobbying
- 5) SF-LLL (if applicable): Disclosure of Lobbying Activities

In addition to the Federal application forms, NOAA recommends the following components as part of a complete application package. Page limits assume an 11- or 12-point font and 1-inch margins. Components should be organized into a maximum of four (4) PDF files outlined below:

- 1) Project Summary, Project Narrative, and Data Management Plan (19 page limit)
- 2) Budget Justification (6 page limit)
- 3) Project Designs (no page limit)
- 4) Supplemental Information (15 page limit)

The full application should follow the organization and descriptions of the Evaluation Criteria (see Section V.A) to receive a consistent review against competing applications. Additional information is provided below for sections of the Project Narrative, Budget Justification, and Supplemental Information. Refer to the Evaluation Criteria outlined in Section V.A to view all required components.

- 1) Project Summary (2 page limit)
  Follow guidelines for Project Summary listed above in Section IV.B.1 (PRE-PROPOSAL CONTENT AND FORMAT).
- 2) Project Narrative (15 page limit)
  Provide sufficient background and contextual information for reviewers to independently

assess the significance of the proposed project.

- a) Importance/Relevance and Applicability of Proposal to the Program Goals. Describe the extent to which the proposed project aligns with the stated Program Objective (Section I.A) and Program Priorities (Section I.B). Highlight how the proposed habitat restoration actions are identified in, or are consistent with, ESA Recovery Plans, Species in the Spotlight 5-year Action Plans, Fishery Management Plans, watershed plans, or other fishery-related strategic planning, conservation, or management documents. The narrative should succinctly describe the historic condition of the restoration site(s) and the primary habitat-based issue(s)/concern(s). Describe any processes that have resulted in degradation of the habitat and how these processes have been abated to allow for successful restoration. Identify one or more species targeted by the proposed habitat restoration, their historic and current status or population estimates, and whether they are species under NOAA's jurisdiction (https://www.fisheries.noaa.gov/national/funding-and-financial-services/priorities-habitatrestoration-grants). Define the project's context within the ecosystem and how project planning and design incorporates an ecosystem-based approach. Identify any other restoration efforts planned or completed within the watershed for the benefit of the proposed target species. Describe the expected outcomes and measurable impacts on the project's target species and ecosystem, and indicate how the anticipated outcomes have been determined (e.g., ground-truthing, desktop assessment, etc.). Describe any additional societal benefits, such as increased community or ecosystem resilience, business opportunities, recreational opportunities, decreased safety hazards, or reduced maintenance costs that may result from the proposed habitat restoration.
- b) Technical/Scientific Merit. Proposals should describe in detail the actions to be undertaken to resolve the issue(s)/concern(s). For each restoration site, applicants should clearly identify the project phase(s) proposed (e.g., feasibility study, design, construction) and proposed restoration techniques. Proposals that include multiple restoration sites should fully describe the proposed restoration activity at each site within the project narrative section. Furthermore, if multiple restoration sites are included within one proposal, the habitat issue or target species should be linked across all proposed sites to achieve a substantive outcome. If page limits are restrictive, focus the application on the technical aspects of the proposed actions and on those actions with highest priority funding needs. If all aspects of a multi-year or multi-project award cannot be described within the recommended page limits, applicants should consider submitting more than one application. For applicants proposing feasibility and design activities, a detailed scope of services or tasks should be included in the proposal. Applicants should describe the overall habitat restoration goals of the feasibility and design activities, and how support for the proposed activity would catalyze subsequent on-the-ground restoration.

Suggested Details by Project Type. For fish passage projects, please indicate whether there are other dams or obstructions upstream or downstream of the target barrier and whether the target barrier is a partial or complete barrier. Applicants proposing to alter tidal exchange should also provide a hydrograph and/or other information explaining any tidal restriction(s) and projected conditions with restoration. Applicants proposing to place plants or release animals into the environment should include the origin/source and regional genetic stock of the plant or animal, and describe the proximity to any existing or remnant sources of similar type in the area.

Timeline and Milestone Schedule. The project narrative should include a timeline with key milestones identified and outline how the project(s) will be completed within the specified time period. This includes identifying all consultation and permitting requirements and the documentation or approval status (e.g. not applied for; pending; secured), as well as a commitment to quickly provide information needed by NOAA to analyze project impacts under the National Environmental Policy Act (NEPA, see Section VI.B.2). For projects with NEPA documents completed or under development, please indicate the status and level of NEPA review (Categorical Exclusion [CE], Environmental Assessment [EA], or Environmental Impact Statement [EIS]), lead Federal agency, contact information for the lead agency person, and where public copies of the document are available. Applications for multi-year awards should identify annual/interim milestones that correspond to funding increments. As described in Section II.A, NOAA will consider progress towards identified milestones when making funding decisions for multi-year awards in subsequent years.

Project Assessment. Applications requesting funding for restoration implementation/construction activities should include a discrete Monitoring Plan. Applicants should be willing to work with NOAA to adjust the plan, if necessary, to ensure that the proposed parameters are adequate and meaningful and meet the requirements below. All Monitoring Plans should propose sufficient, cost-effective monitoring metrics that assesses whether the restoration action was carried out as designed and provides a basic level of effectiveness. Monitoring Plans should: 1) include parameters that evaluate short-term structural changes at the project site(s) (e.g. as-built surveys), and may also include a basic measure of effectiveness (e.g. presence/absence of target species); 2) propose preimplementation data collection, when applicable; 3) include parameters with quantitative or clearly defined targets; and 4) include parameters with targets that can be evaluated within approximately one year post-implementation. Applications that include one of the Restoration Center's four primary restoration methods (fish passage barrier removal, hydrologic reconnection of wetlands, coral reef restoration, or bivalve shellfish habitat restoration) must incorporate the monitoring parameters found in the NOAA RC Implementation Monitoring (Tier 1) Guidance available at

https://www.fisheries.noaa.gov/national/habitat-conservation/resources-noaa-restoration-center-applicants#restoration-monitoring-and-data-management. Applications requesting funding for feasibility and planning projects should describe how pre-restoration monitoring meets the requirements listed above. On a limited basis, NOAA will also consider funding more in-depth, longer-term monitoring that addresses ecological effectiveness or restoration technique effectiveness of the Restoration Center's primary restoration methods. NOAA may choose to provide additional funds to an award or increase the award period for successful applicants whose awards are identified as suitable for effectiveness monitoring. Projects proposing such effectiveness monitoring should describe the specific question or hypothesis that will be addressed, and detail the monitoring methods and analyses proposed. Additional effectiveness monitoring is NOT a requirement of the proposal and is not included in the Evaluation Criteria (Section V.A).

Sustainability. To protect the federal investment, the narrative should describe future management, beyond the award period, including mechanisms to protect, maintain, or sustain the restoration site(s) so the effects of the funded project(s) can benefit the target species and habitat into the future. Proposed habitat restoration actions that are sustainable and provide lasting benefits for the species targeted by the project and its habitat are preferred (see Evaluation Criteria 2.(e): Sustainability). In particular, applicants proposing to install structures such as fish passage devices or tide gates as a component of the project should include discussion of an operation and management plan that specifies the entity responsible for the operation and maintenance of the structure(s) and how they will be operated and maintained throughout the life of the structure(s) to ensure lasting habitat benefits. Applicants proposing new or modified tide gates should also describe measures that will be put in place to prevent filling of the flood storage area upstream of the proposed tide gate. Applicants proposing to enhance existing tidal wetlands, including beneficial re-use of dredged material to increase substrate elevation to keep pace with sea level rise and subsidence effects, should provide information on the source of the dredge materials, the site-specific rate of sea-level rise and subsidence, target substrate elevation(s), and how the restored site is expected to keep pace with the rate of sea level rise and subsidence. As mentioned above, applicants should also describe how the proposed restoration design, methodology, and techniques account for, or provide for, resilience to extreme weather events or adaptation to potential climate change impacts at the project site.

#### 3) Data Management Plan (2 pages)

Proposals submitted in response to this announcement should include a Data Management Plan of up to two pages. NOAA provides the following Data Management Guidance for this program. The Data Management Plan should follow the Guidance for Data Management Plans at https://www.fisheries.noaa.gov/national/habitat-conservation/resources-noaa-

restoration-center-applicants#restoration-monitoring-and-data-management. 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. Final Data Management Plans may be developed in coordination with NOAA as part of NOAA's substantial involvement, as described in Section II.C. See also Section VI.B of this announcement. NOAA's Data and Publication Sharing Directive for NOAA Grants, Cooperative Agreements, and Contracts is available at https://nosc.noaa.gov/EDMC/PD.DSP.php.

## 4) Budget Justification (6 pages)

Reviewers will evaluate project costs by reviewing the budget justification. The budget justification narrative must include a detailed breakdown by category of cost (i.e., object class) separated into federal and non-federal shares as they relate to specific aspects of the award, with a detailed narrative justification for both the federal and non-federal (if applicable) shares. The object classes should match those found in the SF-424A. If requesting funds for a multi-year proposal, award costs should be broken into annual/interim funding requests up to three years in duration, based on logical milestones in the implementation plan. For instance, a proposal might include a request for a project's design costs in year one, estimated construction costs in year two, and estimated post-project monitoring costs in year three. Another example would be a project that requests construction costs for discrete sites in each year of a multi-year award. One, two, or threeyear proposals will be accepted. If funding will be used to complete part of a larger project, a budget overview for the entire project to demonstrate how the NOAA request relates to the overall project budget and outcomes should be provided. If the project has been submitted for funding consideration elsewhere, the amount(s) requested or secured from other sources, and whether the funds requested/secured are federal or non-federal should be included. If the proposed project includes a monitoring component, the applicant should provide an estimate of all monitoring-related costs within the proposed budget.

The NOAA Restoration Center and GMD staff will review budget information in recommended applications to determine if costs are allowable, allocable, reasonable, and realistic. The narrative budget justification should be sufficiently detailed to enable a clear

understanding of the cost breakdown and calculations used to derive the line item subtotals in each object class of the SF-424A budget form. An SF-424A for each year of requested funding will be required prior to an award offer, but not as part of the initial application. Additional budget development guidance, including a budget narrative template, is available in the "Supplemental Instructions" at: https://www.fisheries.noaa.gov/national/habitat-conservation/resources-noaa-restoration-center-applicants#restoration-budget-guidance.

# 5) Project Designs (no page limit)

For applications proposing construction, design plans (including the basis for the proposed design), specifications, scope of work for services, and engineering, opinions of cost or cost estimates (if available) should be included in the proposal. Project design plans should be included in the application in order for reviewers to comprehensively assess the technical merit of the proposed restoration action(s). Please do not attach feasibility studies or watershed plans.

# 6) Supplemental Information (15 pages)

All supplemental attachments should be combined into one file which includes a list of the documents and associated page numbers.

- a) Include a site location map such as a US Geological Survey topographic quadrangle map or aerial photo with site location(s) highlighted;
- b) Include brief resumes or curriculum vitae (CV) for up to three (3) key personnel (maximum of 1 page per person) and any examples of projects similar in scope and nature that have been successfully completed by the project team;
- c) If applicable, include a letter documenting private owner or public land manager support of the project proposed for the owned site(s); and
- d) Include any other relevant supporting materials, such as letters of support (including those from adjoining landowners and those documenting financial and in-kind support), federally Negotiated Indirect Cost Rate Agreements, Monitoring Plan, site photos, etc. Environmental Compliance Questionnaire for NOAA Federal Financial Assistance Applicants: This program does not use this questionnaire, except as described in Section VI.B.4.

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

Applicants should: (1) Be registered in the System for Award Management (SAM) before submitting an application; (2) provide a valid Data Universal Number System (DUNS) number on an application; and (3) continue to maintain an active SAM registration with current information at all times during which it has an active federal award or an application or plan under consideration by a federal awarding agency. The federal awarding agency may not make a federal award to an applicant until the applicant has complied with

all applicable DUNS and SAM requirements and, if an applicant has not fully complied with the requirements by the time the federal awarding agency is ready to make a federal award, the federal awarding agency may determine that the applicant is not qualified to receive a federal award and use that determination as a basis for making a federal award to another applicant.

Applicants should allow a minimum of two weeks to complete the SAM registration; registration is required only once but must be periodically renewed. Applicants can receive a DUNS number at no cost by calling the dedicated toll-free DUNS Number request line at 1-866-705-5711 or online at http://fedgov.dnb.com/webform. Your organization's Employer Identification Number (EIN) will be needed on the application form.

#### D. Submission Dates and Times

This program has a mandatory pre-proposal. Pre-proposals must be received by Grants.gov by 11:59 PM Eastern time on January 8, 2020. See Section IV.B for more information regarding pre-proposal requirements and Section IV.G for more application submission instructions and requirements.

The full application deadline will be no earlier than April 9, 2020 at 11:59 PM Eastern time. The actual deadline will be provided by direct notice to all eligible applicants, after preproposal review. At least 45 days will be provided for completion of a full application. See Section III.C for more information, including a limit on transit time, and Section IV.G for an address to submit paper applications.

#### E. Intergovernmental Review

Applications submitted by state and local governments are subject to the provisions of Executive Order 12372, "Intergovernmental Review of Federal Programs." Any applicant submitting an application for funding is required to complete item 19 on SF-424 regarding clearance by the State Single Point of Contact (SPOC) established as a result of EO 12372. To find out about and comply with a State's process under EO 12372, contact the official listed in Section VII of this announcement for referral information.

#### F. Funding Restrictions

Both federal and match pre-award costs incurred up to 90 days prior to the award start date may be requested and will be considered during pre-award negotiations between the applicant and NOAA. Incurring pre-award costs before the NOAA GMD provides an award document (generally via NOAA Grants Online on Form CD-450) is at the applicant's own risk. The earliest date for receipt of awards for this funding opportunity is anticipated to be

October 1, 2020.

The budget may include indirect (facilities & administrative [F&A]) costs if the applicant has an established indirect cost rate with the federal government. As defined at 2 C.F.R. § 200.56, indirect (F&A) costs are incurred for a common or joint purpose benefiting more than one cost objective, and not readily assignable to the cost objectives specifically benefited, without effort disproportionate to the results achieved (e.g., lights, rent, water, and insurance). A copy of the current, approved negotiated indirect (F&A) cost agreement with the federal government should be included with the application. In accordance with 2 C.F.R. § 200.414(f), an applicant that has never received a negotiated indirect cost rate, may elect to charge a de minimis rate of 10% of modified total direct costs (MTDC), describe all costs as direct costs in the budget narrative, or establish a new rate through the Department of Commerce by contacting Lamar Revis, Grants Officer at NOAA Grants Management Division, 1325 East-West Highway, 9th Floor, Silver Spring, MD 20910, or lamar.revis@noaa.gov. Applicants may elect to propose all or part of indirect costs as cost sharing.

# G. Other Submission Requirements

Applicants should submit pre-proposals and full applications electronically through www.Grants.gov. Users of Grants.gov will be able to create an online application workspace to submit the application. If an applicant has problems accessing the online workspace at Grants.gov, contact Grants.gov Customer Support at 1-800-518-4726 or support@Grants.gov.

Pre-proposals and full applications must be submitted by the due date and time provided in Section IV.D. Late applications will not be considered for funding. We highly recommend that applicants do not wait until the application deadline to begin the application process through Grants.gov, as registration with SAM and DUNS are required, as described in Section IV.C.

After electronic submission of the application, applicants will receive an automatic acknowledgment from Grants.gov that contains a Grants.gov tracking number. Applications submitted through Grants.gov will be accompanied by THREE (3) automated responses (the first confirms receipt; the second validates that the submission is acceptable and timely; and the third confirms that the application has been forwarded to NOAA for further processing). If all notifications are not received, applicants should follow up with both the Grants.gov help desk and the NOAA Restoration Center to confirm NOAA receipt of the complete submission. After submitting the application package, applicants should download a copy of the submitted application for offline record-keeping and to verify the contents of the

submission zip file. Grants.gov recommends downloading the submitted application via the Details tab of the workspace and verifying the contents of each file in the zip.

Submission time for pre-proposals and full applications will be documented by electronic submission to Grants.gov, a U.S. Postal Service postmark, or a delivery service receipt for paper applications. Facsimile or electronic mail applications will not be accepted. Applications submitted via the U.S. Postal Service must have an official postmark; private metered postmarks are not acceptable. Applications received later than five business days following the closing date will not be accepted.

Paper applications should be sent to: NOAA Restoration Center, NOAA Fisheries (F/HC3), 1315 East West Highway, Rm. 14853, Silver Spring, MD 20910. ATTN: FY 2020 Coastal and Marine Habitat Restoration Grants.

All applications MUST contain ALL required forms; if these forms are not signed via the www.Grants.gov application process, they MUST be signed in ink (SF-424, SF-424B, CD-511). Failure to submit signed forms shall result in disqualification from this competition. Project design plans may be submitted on CD, DVD, or USB drive, if an application is submitted in hard copy. The full application must arrive in one package, either through Grants.gov or hard copy. Applicants are responsible for tracking their own applications. Please notify the contact official in Section VII of this announcement by email if you are submitting by paper.

# V. Application Review Information

#### A. Evaluation Criteria

## 1. PRE-PROPOSAL Evaluation Criteria

Reviewers will assign scores based on the following five evaluation criteria and respective weights specified below.

1) Benefits to Fisheries Species (30 percent). To what extent does the proposed project meet the Program Objective described in Section I.A? Describe how the proposed actions will: contribute to the recovery of Listed Species; sustain or help rebuild Managed Species; and/or contribute to the sustainability of saltwater recreational fisheries. Successful pre-proposals will: identify the habitat-based issue(s)/concern(s) limiting the recovery or sustainability of one or more species targeted by the proposed restoration action; describe in detail the habitat restoration project(s) to be undertaken to resolve the issue(s)/concern(s); and describe the expected outcomes and measurable impacts on the project's target species and ecosystem.

- 2) Regional Priority (25 percent). To what extent does the proposed project align with the Program Priority outlined in Section I.B.5? Describe how the proposed actions demonstrate importance within the watershed or other geographic boundary through an inclusive planning process that determines the project's relative importance and context within the landscape. Projects that were developed by collaborative processes with coordinated investment strategies across multiple organizations will be prioritized.
- 3) Realistic Timeline (15 percent). Has the applicant proposed a realistic time-frame and interim milestones, and is it likely that the scope of the proposed project will be completed within the award period?
- 4) Project Assessment (15 percent). To what extent will the project measure near-term implementation success following the requirements in Section IV.B, including use of parameters listed in the NOAA RC Implementation (Tier 1) Monitoring Guidance for projects that include one of the Restoration Center's four primary restoration methods? For restoration feasibility and design proposals, are there clear milestones and is any pre-restoration monitoring aligned with the requirements in Section IV.B?
- 5) Sustainability (15 percent). How great is the potential of the restoration effort to be sustainable and provide lasting benefits of regional or national significance for the target species and habitat? Is there evidence that the applicant has chosen the most self-sustaining restoration technique that accomplishes the project's goals and/or evidence that habitat impacts will not re-occur? To what extent does the proposal describe the susceptibility of the project site to climate change impacts and how the proposed restoration methodology and design provides for resilience to extreme weather events and adaptation to potential climate change impacts anticipated at the project site?

Pre-proposals will undergo a technical review, ranking, and selection process to determine eligibility to submit a full application. The pre-proposal Evaluation Criteria will be scored as follows:

- 0 Poor: pre-proposal does not address Evaluation Criteria;
- 1 Fair: pre-proposal marginally addresses Evaluation Criteria;
- 2 Good: pre-proposal adequately addresses Evaluation Criteria; or
- 3 Excellent: pre-proposal exceptionally addresses Evaluation Criteria.

The pre-proposal's average score is then calculated using the weights and ratings for each criterion, as follows:

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(Rating for "Benefits to Fisheries Species" \times 0.30) + (Rating for "Regional Priority" \times 0.25) + (Rating for "Realistic Timeline" \times 0.15) + (Rating for "Project Assessment" \times 0.15) + (Rating for "Sustainability" \times 0.15) Sum of all review scores / # of reviewers = Total Score (0.00 - 3.00)
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#### 2. FULL APPLICATION Evaluation Criteria

Reviewers will assign scores to applications ranging from 0 to 100 points based on the following five standard NOAA evaluation criteria and respective weights specified below. Applications that best address these criteria will be most competitive.

- 1) Importance/Relevance and Applicability of Proposal 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. For this competition, applications will be evaluated based on the following:
- (a) Benefits to Fisheries Species. How great is the potential of the proposed actions to restore or enhance habitat for the benefit of: 1) Listed Species, through actions that are prioritized in recovery plans or action plans; 2) Managed Species; and/or 3) saltwater recreational fisheries? This includes projects benefiting Critical Habitat, Essential Fish Habitat, and projects that benefit Listed Species or Managed Species through ecosystem improvements such as restoring habitat for forage fish or recreational fish as described in the National Saltwater Recreational Fisheries Policy and Implementation Plans. For feasibility and design proposals, what is the likelihood of the project to benefit Listed Species, Managed Species, and/or saltwater recreational fisheries, once implemented? (8 points)
- 0 no marine or coastal habitat will benefit from the proposed restoration project, and no specific species to benefit is identified; 4 meaningful marine and coastal habitat restoration will result from the proposed work, with some potential to benefit Listed Species, Managed Species, or saltwater recreational fisheries; 8 extraordinary marine and coastal habitat restoration will result, and will produce direct benefits to Listed Species, Managed Species, or saltwater recreational fisheries (e.g., multiple priority species will benefit, or specific action(s) at project site(s) is/are a high priority in a recovery plan).
- (b) Regional Priority. To what extent does the proposal demonstrate importance within the watershed or other geographic boundary, as determined through an inclusive planning process and/or a rigorous scientific analysis to identify the project's relative importance and context within the landscape? Was the project developed through collaborative processes

with coordinated investment strategies across multiple organizations? (6 points)

- 0 no evidence that the project was selected through an inclusive planning process or a coordinated investment strategy; 3 the project was developed through an inclusive planning process and/or a rigorous scientific analysis, and multiple organizations are contributing to the project; 6 proposal focuses on specific action(s) and/or location(s) identified in a conservation or restoration plan, and was developed through an inclusive planning process across multiple organizations and/or a rigorous scientific analysis.
- (c) Impact on Habitat Issue. To what extent does the proposal describe the habitat issue limiting the recovery or sustainability of the target species, the state of the species' habitat/populations within the watershed/affected area, and propose restoration actions that will directly improve the habitat limiting issue, thereby benefiting the species? (6 points)
- 0 no habitat issue or restoration action is identified; 3 habitat issue and status of target species is adequately described, and proposed habitat restoration actions will result in some benefit to the species; 6 habitat issue and status of target species is described in detail, and the proposed habitat restoration actions will result in significant benefit towards recovery or sustainability of the species.
- (d) Measurable Results. To what extent will the proposed project(s) deliver meaningful, measurable results for the target species, once implemented (e.g., acres restored, stream miles opened for fish passage, number of corals transplanted)? For restoration feasibility or design projects, what is the likelihood that the project will yield measurable benefits, once implemented? (5 points)
- 0 proposed project will not lead to measurable results; 3 project will deliver some measurable results for target species, once implemented; 5 project will deliver substantial, measurable results for target species, once implemented. Whether the amount of habitat restored is "substantial" can be weighed within the context of available habitat in the watershed or the range of the target species.
- (e) Multiple Benefits. To what extent will the proposed project(s) have multiple benefits, such as contribute to ecosystem and community resilience, and yield environmentally compatible socio-economic benefits, such as increased business opportunities, public community revitalization, recreational opportunities, reduced safety hazards, or reduced maintenance costs? For restoration feasibility or design projects what is the likelihood that the project will yield multiple benefits, once implemented? (5 points)

- 0 project will not lead to any resilience or socio-economic benefits; 3 project will result in some resilience or socio-economic benefits, once implemented; 5 project will result in multiple, important resilience and socio-economic benefits, once implemented.
- 2) Technical/Scientific Merit (28 points): This criterion assesses whether the restoration activity or approach is technically sound, if the methods are appropriate, and whether there are clear goals and objectives. For this competition, applications will be evaluated based on the extent to which the applicant has described a realistic and thorough implementation plan that includes:
- (a) Project Feasibility and Methodology. To what extent is the proposed project(s) feasible from a biological and engineering perspective, including whether the proposed approach is technically sound, safe for the public, and uses appropriate methods and personnel? For feasibility and design proposals, what is the technical merit and feasibility of the proposed approach (e.g, has the applicant described similar successful projects, is the technique appropriate and proven, is the approach comprehensive?) (8 points)
- 0 proposed approach is not feasible, safe, or technically sound; 4 proposed approach is potentially feasible, safe, and technically sound, but lacks documentation to support the proposed methodology; 8 proposed approach is feasible, safe, and technically sound, and substantial evidence is provided to support the proposed methodology.
- (b) Project Detail. To what extent does the proposal completely describe the proposed restoration actions, the current status of the project (e.g. 60% design plans complete), permitting and environmental compliance status, and key milestones throughout the course of the project(s). A complete project description should include all relevant phases of the restoration from initial feasibility study through design, permitting, construction, performance monitoring, operation and/or maintenance. If the proposal is a feasibility and design proposal only, to what extent does the proposal explain the planned approach, or provide examples of other projects where the approach was successful? For projects with multiple sites, does the proposal include sufficient detail about the proposed work at each site to assess the merit of the planned activities? (4 points)
- 0 proposal provides negligible detail regarding restoration actions, project status, and key milestones; 2 proposal provides moderate detail regarding restoration actions, project status, and key milestones; 4 proposal provides extraordinary detail regarding restoration actions, project status, and key milestones.
- (c) Realistic Timeline. Based on the details provided, has the applicant proposed a realistic

time-frame and interim milestones, and is it likely that the scope of the proposed project will be completed within the requested award period? (3 points)

- 0 proposal provides negligible detail regarding timeliness, and is unlikely to be completed within the requested award period; 2 proposal provides moderate detail regarding timelines, and the project is likely to be completed within the requested award period; 3 proposal provides substantial detail regarding timelines, and the project is highly likely to be completed within the requested award period.
- (d) Project Assessment. To what extent will the project measure near-term implementation success following requirements in Section IV.B including use of parameters described in NOAA RC Implementation Monitoring (Tier I) Guidance for projects that include one of the four primary RC restoration methods? For restoration feasibility and design proposals, is the proposed pre-restoration monitoring aligned with the requirements? See the NOAA RC Implementation Monitoring (Tier 1) Guidance for more information: https://www.fisheries.noaa.gov/national/habitat-conservation/resources-noaa-restoration-center-applicants#restoration-monitoring-and-data-management. (4 points)
- 0 proposal does not include plans for monitoring near-term implementation success; 2 proposal includes a satisfactory Monitoring Plan, as outlined in Section IV.B.; 4 proposal includes a well-described monitoring plan following requirements in Section IV.B. Projects that include one of the RC primary restoration methods strictly follows the NOAA RC Implementation Monitoring (Tier I) Guidance.
- (e) Sustainability. How great is the potential of the restoration effort to be sustainable and provide lasting benefits of regional or national significance for the species targeted by the project and its habitat? Is there evidence that the applicant has chosen the most self-sustaining restoration technique that accomplishes the project's goals and/or evidence that habitat impacts will not re-occur? To what extent does the proposal describe the susceptibility of the project site to climate change impacts and how the proposed restoration methodology and design provides for resilience to extreme weather events and adaptation to potential climate change impacts anticipated at the project site? (5 points)
- 0 project is not sustainable and will not provide lasting benefits for target species; 3 project is sustainable and will potentially provide lasting benefits for target species; 5 project is sustainable and will provide lasting benefits for target species, and the design provides for resilience to extreme weather events and adaptation to potential climate change impacts.

- (f) Landowner Support. Is there substantiated landowner/land manager support and commitment to the project documented within the application (e.g., a support letter)? (2 points)
- 0 proposal does not provide documentation of landowner/land manager support; 1 proposal provides documentation of landowner/land manager permission to implement the project; 2 proposal provides documentation of landowner/land manager permission to implement the project, in addition to financial or in-kind support for implementation.
- (g) Data Management Plan. Has the proposal included a Data Management Plan, including descriptions of the types of environmental data and information 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? If no data will be collected through the project, applicant must clearly explain the rationale for the lack of data collection in order to receive full points. See pages 3 5 in the NOAA RC Implementation Monitoring (Tier 1) Guidance for a template and more information: https://www.fisheries.noaa.gov/national/habitat-conservation/resources-noaa-restoration-center-applicants#restoration-monitoring-and-data-management. (2 points)
- 0 proposal does not provide a Data Management Plan; 1 proposal provides an adequate Data Management Plan; 2 proposal provides a complete and well-detailed Data Management Plan.
- 3) Overall Qualification of Applicant (10 points): This criterion ascertains whether the applicant possesses the necessary education, experience, training, facilities, and administrative resources to support the proposed award. For this competition, applications will be evaluated based on the following (as demonstrated by attached resumes, past project experience, and accomplishments of the key technical and financial staff):
- (a) Restoration and Conservation Background. Does the applicant have the capacity and knowledge to conduct the scope and scale of the proposed work, as indicated by the qualifications and past experience of the project leaders and/or partners in designing, implementing and effectively managing and overseeing projects that restore marine and coastal habitats? (6 points)
- 0 proposal provides no documentation of experience in conducting the scope and scale of proposed work; 3 proposal provides documentation of adequate capacity and knowledge to conduct the proposed work; 6 proposal provides documentation of substantial capacity and

expert knowledge in the restoration field available to conduct the proposed work.

- (b) Management Capacity. Does the applicant describe the necessary experience, facilities, equipment and administrative resources available to successfully fulfill the responsibilities associated with managing a federal grant award? (4 points)
- 0 proposal provides no description of experience or available resources to manage the award; 2 proposal describes adequate experience and available resources to manage the award; 4 proposal describes extensive experience with federal grants and available resources to manage the award.
- 4) Project Costs (20 points): This criterion evaluates the budget to determine if it is realistic and commensurate with the project(s) needs and time-frame. For this competition, applications will be evaluated on the following:
- (a) Cost-benefit Comparison. Has the applicant demonstrated that a significant benefit will be generated at a reasonable cost, based on the applicant's stated objectives and time frame? If funds are requested for partial support of a larger project or for a project with multiple sites or phases, the proposal should include the full project budget and/or a budget for each site or project phase to place the funding request in spatial and temporal context. (5 points)
- 0 proposal does not provide a reasonable cost-benefit comparison; 3 project is likely to be reasonably cost-effective for anticipated benefit; 5 project is likely to be extraordinarily cost-effective for anticipated benefit.
- (b) Budget Detail. Has the applicant demonstrated a realistic understanding of costs by providing a budget (broken down by SF-424A object classes) that provides sufficient detail and credible cost estimates and justifications for both federal and non-federal shares? Multi-year or multi-phase award requests should include annual/interim milestones that correspond to logical funding request increments. (5 points)
- 0 proposal does not provide a realistic budget narrative; 3 proposal provides an adequately detailed budget narrative with realistic cost estimates; 5 proposal provides an extraordinarily detailed budget narrative with realistic cost estimates.
- (c) Funding Priorities. Does the proposed budget direct the majority of funds, including funds for salaries, to implement the project (i.e. project development/feasibility, design, or implementation and monitoring), compared to the percentage used for general program support including administration? (5 points)

- 0 proposed budget directs only a small amount of funds to support project development, design, implementation, or monitoring; 3 proposed budget allocates a majority of direct federal funds to support project development, design, implementation, or monitoring; 5 proposed budget allocates all direct federal funds to support project development, design, implementation, or monitoring.
- (d) Cost-sharing. To what extent will the applicant leverage the federal investment through non-federal matching contributions, including the amount of cash match available and amount of secured match to support the proposed restoration activities? NOAA desires cost sharing to leverage funding and further encourage partnership among government, industry, and academia (any applicant proposing at least a 1:1 ratio of federal to non-federal secured contributions would receive 3 points for this criterion. For example, an applicant requesting \$500,000 in federal funding must provide at least \$500,000 in non-federal match, leverage or in-kind support, for a total budget of \$1,000,000 to receive 3 points). (5 points)

  0 proposal does not include any non-federal match or leverage; 3 proposal provides documentation of secured, non-federal match, leveraged funds, or in-kind support that meets a 1:1 ratio of federal to non-federal funds; 5 proposal provides documentation of secured, non-federal match that meets or exceeds a 1:1 ratio of federal to non-federal match (contributions that meet the requirements of 2 C.F.R. 200.306), and includes additional leverage.
- 5) Outreach and Education (12 points): NOAA assesses whether the project is based on solid community support and the award can deliver a focused and effective outreach strategy regarding NOAA's mission to protect the nation's natural resources through coastal habitat restoration. For the NOAA Coastal and Marine Habitat Restoration Project Grants competition, applications will be evaluated based on the following:
- (a) Stakeholder Engagement and Support. Does the proposed project(s) include a wide base of stakeholder and community support that demonstrates the restoration effort has been put forward by common agreement, preferably through inclusion in a public planning process? To what degree does the project(s) have community support as demonstrated by a diversity of partners such as relevant local organizations, adjacent landowners, state and local governments, and/or members of Congress? (8 points)
- 0 proposal does not demonstrate community support or common agreement; 4 proposal demonstrates adequate community support through a diverse set of partners; 8 proposal demonstrates extraordinary community support through a diverse set of partners, with evidence of common agreement through a public planning process.

(b) Community Outreach. Does the proposal include an outreach strategy to disseminate information about restoration goals and results to a broad audience? The strategy may include, but is not limited to, opportunities for press visits, public involvement in project activities, and other outreach that supports partners and encourages support for restoration and environmental stewardship. (4 points)

0 – proposal does not include an outreach strategy as it pertains to dissemination of information about project goals and results; 2 – proposal includes an adequate outreach strategy as it pertains to dissemination of information about project goals and results; 4 – proposal includes an extraordinary outreach strategy as it pertains to dissemination of information about project goals and results and has strong potential to encourage future habitat restoration and protection actions.

#### B. Review and Selection Process

#### 1. PRE-PROPOSAL Review

All timely pre-proposals will be reviewed by at least three merit reviewers based on the criteria described under Section V.A. Proposals will be ranked, and the Selecting Official will determine the number of pre-proposals that will be accepted as full applications. NOAA may also use the Selection Factors described in Section V.C below to determine which pre-proposal applicants are invited to submit full applications. NOAA will notify all applicants via email regarding their eligibility to submit a full application approximately 30 - 40 days after the pre-proposal deadline. In the email, NOAA will provide a rating of eligible or not eligible to submit a full application. Applicants eligible to submit a full application will receive reviewer comments and notice of the full application deadline. This email will be sent from restoration.grants@noaa.gov. It is the responsibility of the applicant to confirm the status of their pre-proposal in time to develop a full application. Reviewer comments and technical assistance will be available to all pre-proposal applicants, but determination of eligibility to submit a full application is final.

#### 2. FULL APPLICATION Review

Applications will undergo an initial administrative screening to determine if they are eligible and complete. NOAA, in its sole discretion, may continue the review process for applications with non-substantive issues that may be easily rectified or cured. Applications are screened to ensure that they were received by the deadline date (see Section IV.C Submission Dates and Times); the applicant is eligible to apply; and includes a project summary, project description, budget, and supporting documentation as outlined in Section IV.B Content and Form of Application. NOAA does not have to screen applications before the submission deadline in order to identify deficiencies that would cause the application to

be rejected or receive a poor evaluation. However, if deficiencies are identified by NOAA or the applicant, the applicant may correct any deficiencies in their application before the deadline. After the deadline, the application must remain as submitted; no changes can be made to it.

Eligible applications will undergo a technical review, ranking, and selection process to determine how well they meet the program priorities and evaluation criteria of this solicitation and the mission and goals of NOAA. Eligible applications will be evaluated by three or more merit reviewers as part of a technical review based on the Evaluation Criteria listed in Section V.A. After the technical review, a panel may meet to make final recommendations to the Selecting Official regarding which proposals best meet the program objectives and priorities (Sections I.A and I.B). The panel will be comprised of federal employees and may convene in person or by teleconference, video conference, or other electronic means to discuss applications.

If convened, the panel will be presented with the top-ranked applications, per the results of the technical review. Panelists will also receive the technical review scores and comments for each application. The panel will rate all top-ranked proposals on the following scale:

- 1 Fair: application marginally addresses program priorities outlined in Section I.A and I.B and was moderately responsive to Evaluation Criteria;
- 2 Good: application adequately addresses program priorities outlined in Section I.A and I.B and was strongly responsive to Evaluation Criteria.
- 3 Excellent: application exceptionally addresses program priorities outlined in Sections I.A and I.B, and was highly responsive to Evaluation Criteria;

If a panel is held, the panel's ranked list will be the ranking considered by the Selecting Official for recommending applications for funding. If a panel is not held, the technical review ranking will be the ranking considered by the Selecting Official for recommending applications for funding.

#### C. Selection Factors

The Selecting Official will recommend applications for funding in rank order unless an application is justified to be selected out of rank order based upon one or more of the following selection factors:

- 1. Availability of funding;
- 2. Balance/distribution of funds: a) by geographic area, b) by type of institutions, c) by type of partners, d) by research areas; or e) by project types;

- 3. Whether this project duplicates other projects funded or considered for funding by NOAA or other federal agencies;
- 4. Program priorities and policy factors set out in Sections I.A and I.B;
- 5. An applicant's prior award performance;
- 6. Partnerships and/or participation of targeted groups; and
- 7. Adequacy of information necessary for NOAA staff to make a NEPA determination and draft necessary documentation before recommendations for funding are made to the NOAA GMD.

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

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.

In addition, 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. 200.205. NOAA is required to review and consider any information about the applicant that is in the designated integrity and performance system accessible through SAM (currently FAPIIS) (see 41 U.S.C. 2313). An applicant, at its option, may review information in the designated integrity and performance systems accessible through SAM and comment on any information about itself that a Federal awarding agency previously entered and is currently in the designated integrity and performance system accessible through SAM. NOAA will consider any comments by the applicant, in addition to the other information in the designated integrity and performance system, in making a judgment about the applicant's integrity, business ethics, and record of performance under Federal awards when completing the review of risk posed by applicants as described in §200.205 Federal awarding agency review of risk posed by applicants.

In addition to reviewing repositories of government-wide eligibility, qualifications or financial integrity information, the risk assessment conducted by NOAA may consider items

such as the financial stability of an applicant, quality of the applicant's management systems, an applicant's history of performance, previous audit reports and audit findings concerning the applicant and the applicant's ability to effectively implement statutory, regulatory, or other requirements imposed on non-federal entities. Applicants should be in compliance with the terms of any existing NOAA grants or cooperative agreements and otherwise eligible to receive federal awards, or make arrangements satisfactory to the Grants Officer, to be considered for funding under this competition. All reports due should be received and any concerns raised by the agency should be addressed in a timely fashion in order to receive a new award. Upon review of these factors, if appropriate, specific award conditions that respond to the degree of risk may be applied by the NOAA Grants Officer pursuant to 2 C.F.R. 200.207. 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

Applicants will receive notification that their application has been recommended for funding to the NOAA GMD by June 30, 2020. The earliest anticipated start date for awards will be October 1, 2020. Applicants that initiate award activities in anticipation of federal funding do so at their own risk, and are advised not to begin award-related work until a notice of award is received electronically from the NOAA GMD in Grants Online, NOAA's online financial assistance management system.

#### VI. Award Administration Information

#### A. Award Notices

The exact amount of funds to be awarded, the final scope of activities including monitoring, the award duration, and specific NOAA cooperative involvement with the activities of each Coastal and Marine Habitat Restoration cooperative agreement award will be determined in pre-award negotiations among the applicant, the NOAA GMD, and NOAA staff that will administer these restoration awards.

The official notice of award is the Standard Form CD-450, Financial Assistance Award, issued by the NOAA Grants Officer electronically through NOAA's Grants Online system. The authorizing document, the CD-450 award cover page, is provided to the appropriate business office of the recipient organization.

# B. Administrative and National Policy Requirements

- 1. The Department of Commerce Pre-Award Notification Requirements for Grants and Cooperative Agreements contained in the Federal Register notice of December 30, 2014 (79 FR 78390), are applicable to this solicitation. Refer to http://go.usa.gov/cXC7A.
- 2. Uniform Administrative Requirements, Cost Principles, and Audit Requirements at 2 C.F.R. 200, implemented by the Department of Commerce at 2 C.F.R. 1327.101, apply to awards in this program. Refer to http://go.usa.gov/cXCJQ.
- 3. The Department of Commerce Financial Assistance Standard Terms and Conditions and NOAA Standard Administrative Terms will apply to awards in this program. A current version of the Department of Commerce Financial Assistance Standard Terms and Conditions is available at https://go.usa.gov/xVHng. The NOAA Standard Administrative Terms are found at: https://go.usa.gov/xVHnK. Current versions are subject to change. In addition, award documents provided by NOAA may contain specific award conditions, including those limiting the use of funds for compliance activities such as outstanding environmental compliance requirements, which will be applied on a case-by-case basis, and requirements for submitting progress reports. These award conditions are subject to change prior to award, but examples can be provided by the contact listed in Section VII.
- 4. NEPA Requirements NOAA must analyze the potential environmental impacts for individual projects as required by NEPA. 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, and the Council on Environmental Quality's (CEQ) implementation regulations. Consequently, as part of an applicant's package, and under the description of their activities, applicants are required to provide detailed information on the activities to be conducted, safety concerns, 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).

Applicants are encouraged to consult with NOAA as early as possible on proposed projects to discuss NEPA considerations, and should review the restoration-specific environmental compliance documents available at https://www.fisheries.noaa.gov/national/habitat-conservation/resources-noaa-restoration-center-applicants. Funds will not be released until NOAA completes the requisite NEPA analysis and documentation. Funds may be withheld by the GMD under a special award condition requiring the recipient to submit additional environmental law compliance information sufficient to enable NOAA to make an assessment of impacts that the award may have on the environment.

Applicants proposing activities that cannot be categorically excluded from further NEPA

analysis, that are not covered by existing NOAA programmatic NEPA documents, or whose activities are not covered under another agency's NEPA compliance procedures, which can be analyzed and adopted by NOAA, will be informed after the technical review stage. Such applicants may be requested to complete the Environmental Compliance Questionnaire for NOAA Federal Financial Assistance Applicants (https://www.nepa.noaa.gov/grants.html), assist in the preparation of an EA prior to an award being made, or provide for NOAA review a copy of an EA/EIS that covers proposed activities if one exists. Awardees will be required to cooperate with NOAA in identifying feasible measures to reduce or avoid any identified adverse environmental impacts of their proposed sub-award or sub-contract projects, especially for projects requiring NOAA to consult under the ESA. Failure to agree to do so shall be grounds for not awarding funds or for terminating an award.

# 5. NOAA's Data Sharing Policy

- (a) Environmental data and information collected and/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 based on widely used or open-standard format, and should also be accompanied by machine-readable documentation (metadata), preferably based on widely-used or international standards.
- (b) Proposals submitted in response to this Announcement must include a Data Management Plan of up to two pages describing how these requirements will be satisfied. 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.
- (c) 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.
- (d) 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 about the Data Sharing Policy is available on NOAA's Environmental Data Management Committee website at: www.nosc.noaa.gov/EDMC/PD.DSP.php

- 6. Certifications Regarding Tax Liability and Felony Criminal Convictions When applicable under appropriations law, NOAA will provide certain applicants a form to be completed by the applicant's authorized representative making a certification regarding Federally-assessed unpaid or delinquent tax liability or recent felony criminal convictions under any Federal law.
- 7. Limitation of Liability Funding for programs listed in this notice is contingent upon the availability of Federal appropriations. Applicants are hereby given notice that funds may not yet have been appropriated for the programs listed in this notice. NOAA or the Department of Commerce are not responsible for direct costs for proposal preparation if these programs fail to receive funding or are cancelled because of other agency priorities. Publication of this announcement does not oblige NOAA to award any specific project or to obligate any available funds. Recipients and sub-recipients are subject to all Federal laws and agency policies, regulations and procedures applicable to Federal financial assistance awards.
- 8. Minority Serving Institutions The Department of Commerce/National Oceanic and Atmospheric Administration (DOC/NOAA) is strongly committed to increasing the participation of Minority Serving Institutions (MSIs), i.e., Historically Black Colleges and Universities, Hispanic-serving institutions, Tribal colleges and universities, Alaskan Native and Native Hawaiian institutions, and institutions that work in underserved communities.
- 9. NOAA Sexual Assault and Sexual Harassment Prevention and Response Policy Applicable to Financial Assistance Awards If NOAA-operated, leased, or owned facilities are involved in any awards funded under this announcement, such awards are subject to the NOAA Sexual Assault and Sexual Harassment Prevention and Response Policy Applicable to Financial Assistance Awards Involving NOAA Operated Facilities (May 2018) found at: http://www.ago.noaa.gov/grants/facilities\_assault\_policy.html.

## C. Reporting

Award recipients will be required to submit financial and performance (technical) reports in accordance with 2 C.F.R. 200.327-329 and the Department of Commerce Financial Assistance Standard Terms and Conditions. Progress reports shall use the NOAA

Restoration Center's progress report narrative format and form approved by OMB under control number 0648 0472. This form will be provided to awardees by the NOAA Federal Program Officer. In addition, award recipients proposing multiple site locations may be required to complete individual reports for each site, or provide a project/site list including status and expenditures.

Narrative progress reports shall be due on the same fiscal year schedule as financial reports (Oct. 30 and April 30) covering April 1 - September 30 and October 1 - March 31, respectively. A comprehensive final report covering all activities during the award period is required and must be received by NOAA within 90 days after the end date of this award.

The Federal Funding Accountability and Transparency Act, 31 U.S.C. 6101 Note, includes a requirement for awardees of applicable federal grants to report information about first-tier subawards and executive compensation under federal assistance awards. All awardees of applicable grants and cooperative agreements are required to report to the Federal Subaward Reporting System (FSRS) available at www.FSRS.gov on all subawards of \$25,000 and over.

# VII. Agency Contacts

Supplemental Guidance regarding application writing, a checklist to submit a complete application, and FAQs about this Announcement can be found at https://www.fisheries.noaa.gov/grant/coastal-and-marine-habitat-restoration-grants. For further information contact Natalie McLenaghan at (301) 427-8687, or by e-mail at natalie.mclenaghan@noaa.gov. Prospective applicants are strongly encouraged to contact NOAA Restoration Center staff before submitting an application to discuss their NOAA project ideas with respect to technical merit and NOAA's objectives. NOAA will make every effort to respond to prospective applicants on a first come, first served basis. These discussions will not include review of draft proposals or site visits during the application period.

#### VIII. Other Information

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

cost principles applicable to the particular type of organization concerned.

Access to Information. Applications submitted in response to this Announcement may be subject to requests for release under the Freedom of Information Act (FOIA) (5 U.S.C. § 552). In the event that an application contains information or data that the applicant deems to be confidential commercial information which is exempt from disclosure under FOIA, that information should be identified, bracketed, and marked as Privileged, Confidential, Commercial or Financial Information. Based on these markings, the confidentiality of the contents of those pages will be protected to the extent permitted by law. Department of Commerce regulations implementing FOIA 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.

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.