

ANNOUNCEMENT OF FEDERAL FUNDING OPPORTUNITY

EXECUTIVE SUMMARY

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

Funding Opportunity Title: FY2015 Great Lakes Areas of Concern Land Acquisition Grants

Announcement Type: Initial

Funding Opportunity Number: NOAA-NOS-OCRM-2015-2004312

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

Dates: Full proposals must be received and validated by Grants.gov, postmarked, or provided to a delivery service on or before 11:59 p.m. Eastern Time on March 6, 2015.

Funding Opportunity Description: The purpose of this document is to advise eligible Great lakes coastal states and project partners that NOAA's Office for Coastal Management is soliciting proposals for competitive funding available for land acquisition in U.S. Great Lakes Areas of Concern (<http://www.epa.gov/glnpo/aoc/>) under the Great Lakes Restoration Initiative as anticipated in the President's FY2015 Budget. Applications should be submitted for any project that is to be considered for this funding, even for those projects already submitted as applications to other NOAA competitions. Applications selected for funding through this solicitation will be implemented through a grant, with awards dependent upon the amount of funds made available to NOAA for this purpose through the Great Lakes Restoration Initiative administered by the U.S. Environmental Protection Agency.

FULL ANNOUNCEMENT TEXT

I. Funding Opportunity Description

A. Program Objective

The principal objective of the NOAA Great Lakes Areas of Concern Land Acquisition Grants is to provide federal financial and technical assistance to land acquisition (fee simple interest or conservation easements) projects within the U.S. Great Lakes Areas of Concern and their associated watersheds that meet NOAA's mission to protect and restore coastal habitats and that support the Great Lakes Regional Collaboration Strategy (<http://glrc.us/strategy.html>) and the Great Lakes Restoration Initiative Action Plan. The designated lead agency for implementing each approved coastal zone management program may solicit proposals from local governments as defined at 15 C.F.R. §24.3, or entities eligible for assistance under section 306A(e) of the Coastal Zone Management Act (CZMA) (16 U.S.C. §1455a(e)), defined below, provided that each agency or entity has the authority to acquire and manage land for conservation purposes. Successful applications will be those that (1) contribute to the delisting of fish and wildlife habitat -related beneficial use impairments (BUIs) in Great Lakes Areas of Concern; (2) yield significant ecological benefits; (3) can be acquired within the award period; and (4) document community benefits such as improved opportunities for recreation, park use, open space, or other tangible community benefits.

B. Program Priorities

NOAA seeks to support projects that will result in protection of Great Lakes coastal habitat, as well as support future habitat restoration efforts. Projects must be within a U.S. Great Lakes Area of Concern or its associated watershed and contribute to the removal of either project-based delisting targets or numeric delisting targets for fish and wildlife habitat related beneficial use impairments (degradation of fish and wildlife habitat, loss of fish and wildlife habitat, and degradation of benthos) as described in the target AOC's Remedial Action Plan. Additionally, the project must be endorsed by the Remedial Action Plan (RAP) implementation group (defined as the state agency responsible for implementing the AOC program or the local public stakeholder group working with the state agency on implementing the RAP) to contribute to delisting of either individual beneficial use impairments or the entire AOC.

All properties or interests in properties must be acquired from willing sellers. This grant competition is intended to support the acquisition of ecologically significant coastal habitats, as well as areas in need of habitat restoration activities, within AOC boundaries and their associated watersheds. Please note that this grant competition is not intended to support the

acquisition of highly contaminated sites or other properties where uncertain effects or effects involving unique or unknown risks would trigger extensive NEPA review.

Priority consideration will be provided to those project proposals that:

- Work towards achieving measurable gains in identified delisting targets and that document how the project activities will lead to delisting fish and wildlife habitat-related beneficial use impairments (including loss of fish and wildlife populations, degradation of fish and wildlife habitat, and degradation of benthos) in Areas of Concern (<http://www.epa.gov/glnpo/aoc/>)

- Identify the project as an Area of Concern priority based on specific restoration planning goals, publicly vetted plans, or other priority setting planning documents (e.g. State II RAP documents) with appropriate ecological performance metrics and measures

- Can be completed within 18 months as evidenced by having appropriate due diligence documentation such as appraisals and phase I environmental assessments

- If habitat restoration is needed, provide an overview of the long-term restoration plans for the site.

C. Program Authority

Fish and Wildlife Coordination Act 16 U.S.C. §661, as amended by the Reorganization Plan No. 4 of 1970.

II. Award Information

A. Funding Availability

NOAA anticipates that approximately \$800,000 may be available through the Great Lakes Restoration Initiative for land acquisition projects within Great Lakes Areas of Concern. Typical awards for land acquisition are expected to range between \$100,000 and \$800,000. Funding is contingent upon the availability of FY 2015 Federal appropriations. There is no guarantee that sufficient funds will be available to make awards for all 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 projects by the applicants, the merit and ranking of the applications, and the amount of funds made available. Funds will be administered by NOAA's Office for Coastal Management in partnership with the federally approved Great Lakes State Coastal Zone Management Programs.

B. Project/Award Period

The standard financial assistance award period is 18 months. Project proposals must include a timeline with discrete benchmarks for completing the project within this award period. NOAA will evaluate project readiness and feasibility for completion within this timeframe. For FY 2015, projects should assume a start date of October 1, 2015. NOAA has the authority to extend an award by an additional 18 months, for a maximum performance period of three years, if circumstances warrant, such as unforeseen circumstances that prevent the project from being completed within the original award period. In order to qualify for an extension, grant recipients must be in good standing (i.e., up-to-date on all progress and financial reports), demonstrate progress during the initial award period, and be able to demonstrate that additional time is likely to result in successful completion of the project.

Proposals not funded in the current fiscal period may be considered for funding in another fiscal period without NOAA repeating the competitive process outlined in this announcement.

C. Type of Funding Instrument

Projects will be funded as grants.

III. Eligibility Information

A. Eligible Applicants

All proposals must be submitted by the designated lead agency for implementing an approved state Coastal Zone Management Program. NOAA will not consider any proposals submitted independently of the state's CZM lead agency. NOAA will also not consider any proposals submitted without a letter of endorsement from the Remedial Action Plan (RAP) implementation group. Only Great Lakes States are eligible to participate in the FY2015 AOC Land Acquisition competition.

The CZM Lead Agency may solicit proposals from local governments as defined at 15 C.F.R. § 24.3, or entities eligible for assistance under section 306A(e) of the Coastal Zone Management Act (CZMA) (16 U.S.C. § 1455a(e)), defined below, provided that each agency or entity has the authority to acquire and manage land for conservation purposes. As defined at 15 C.F.R. § 24.3, local government means a county, municipality, city, town,

township, local public authority (including any public and Indian housing agency under the United States Housing Act of 1937), school district, special district, intrastate district, council of governments (whether or not incorporated as a nonprofit corporation under State law), any other regional or interstate government entity, or any agency or instrumentality of a local government. Under section 306A(e) of the CZMA, an eligible entity may be a local government, an areawide agency designated under Chapter 41, Subchapter II, Section 3334 of Title 42, a regional agency, or an interstate agency.

The CZM Lead Agency may choose to prioritize/rank projects for the regional competition according to state conservation and/or AOC restoration priorities.

B. Cost Sharing or Matching Requirement

There is no statutory matching requirement for this funding. However, NOAA typically leverages its federal funding with matching contributions and/or partnerships from a broad range of sources from the public and private sector to implement locally important coastal habitat restoration. To this end, applicants are encouraged to demonstrate a 1:1 non-federal match for land acquisition funds requested to conduct the proposed project. Applicants with less than 1:1 match will not be disqualified, however, applicants should note that cost sharing is an element considered in Evaluation Criterion #4 "Project Costs" (Section V.A.4.). Non-federal matching funds may be derived from state, local, non-governmental or private sources in the form of cash or in-kind contributions. Applicants are permitted to combine contributions from non-federal partners, as long as such contributions are not being used to match any other federal funds and are available within the project period stated in the application. Federal sources cannot be considered for matching funds, but can be described in the budget narrative to demonstrate additional leverage. Applicants whose proposals are selected for funding will be bound by the percentage of cost sharing reflected in the award document signed by the NOAA Grants Officer.

Non-federal matching funds may be derived from in-kind contributions of conservation lands or services associated with acquiring such lands. In-kind contributions may include:

- Other properties acquired by the grant recipient during the period of the grant award. These properties must meet the eligibility criteria and ownership and stewardship conditions required by this funding competition. Please note that NOAA will not accept 'banked match' for the purposes of the Great Lakes AOC Land Acquisition competition; the Great Lakes AOC Land Acquisition Grant Program will also not accept as match the value of lands held by parties other than the project applicant (i.e. third party match). These match restrictions differ from the eligible match allowed under NOAA's CELCP program.

- Donated land value (i.e., a 'bargain sale' of a property to the grant recipient in cases where the purchase price is less than full appraised value and the seller intends to contribute the difference in value to the project).

- In-kind services such as land management planning, on-site remediation, restoration, and/or enhancement (including donated labor and supplies) for properties to be acquired with AOC Land Acquisition funds are eligible if the expenses are incurred within the award performance period.

- Costs associated with acquisition of lands or easements proposed for acquisition or use as in-kind match, (e.g. direct acquisition-related expenses such as title, appraisal, survey, etc.), may be used as non-federal match if expenses are incurred within the period of the grant award. Please note that this timing differs slightly from that allowed under NOAA's CELCP program.

- Direct and indirect costs for administering the grant award can be included as match, but must be incurred within the grant period. Please see section C. 1. Eligible projects and uses of AOC Land Acquisition Funds, for more details.

For the purposes of the AOC Land Acquisition Grant program, match will be valued at the time that the recipient acquires the match property. Please note that this differs from the requirements of NOAA's Coastal and Estuarine Land Conservation Program

C. Other Criteria that Affect Eligibility

1. Eligible projects and uses of AOC Land Acquisition Funds

The AOC Land Acquisition Grant Program provides support for acquisition of fee simple interests in lands or conservation easements from willing sellers, provided the terms and conditions will ensure that the property will be administered for conservation in perpetuity. Projects must be in a U.S. Great Lakes Area of Concern or associated watershed and contribute to the delisting of fish and wildlife habitat-related beneficial use impairments.

AOC Land Acquisition funds (i.e., the Federal share) may be used for:

- Acquisition of properties or interests in properties (conservation easements) from willing sellers, including direct expenses relating to the acquisition of lands; costs to be paid from the federal share must be documented and expended within the grant award period.

The negotiated price of the property or conservation easement should be based on the fair market value as established by a complete and self-contained appraisal prepared by an independent state-approved appraiser. Appraisals must reflect nationally-recognized appraisal standards, including the Uniform Appraisal Standards for Federal Land Acquisition (the 'Yellow Book'). If an appraisal has not been completed at the time a project proposal is

submitted, the applicant may propose a good-faith estimate of the cost for the project based on market value or agreement with the willing seller. However, if the project is selected for funding, an appraisal will be required before funds can be released. The amount of the grant cannot exceed the estimated cost in the project application; if the appraised value of the property is higher than the estimated cost in the project proposal, the applicant must make up the difference. If the appraised value is lower than the estimated cost, NOAA will reduce the federal share of the project as appropriate.

- Direct and indirect costs for administering the grant award. Federal funds allocated for award administration may not exceed the value of five percent of the federal (e.g., a proposal requesting \$1 million in federal funds may include a maximum of \$50,000 for administrative costs in the budget). These costs must be incurred within the grant award period. Direct and indirect costs may include time spent by staff for project planning, implementation, and review, as well as costs for certain initial land stewardship activities, such as signage, public safety, or other stewardship purposes. Expenses such as appraisals, surveys, title opinions, and other transaction costs, are considered acquisition costs and do not count toward the five percent limit. If an application includes indirect costs, the amount must be based on the indirect cost rate negotiated and approved by the applicant's cognizant federal agency. NOAA requires applicants to submit a copy of their indirect cost rate agreement.

Allowable grant costs are limited to costs necessary and reasonable to achieve the approved objectives of a grant and must be consistent with general cost principles for grants awarded by federal agencies, as contained in the Office of Management and Budget (OMB) Circular A-87 "Cost Principles for State, Local, and Indian Tribal Governments." A copy of OMB Circular A-87 (and A-122, referenced later in this notice) can be found at http://www.whitehouse.gov/omb/grants/grants_circulars.html.

In general, properties acquired with funds through this competition should be open to the public, as appropriate. User fees should not be charged to access lands acquired through this program. However, if state or local law requires that user fees be charged (such as entrance fees that would be required for access to any state park), or if additional revenue is needed specifically for the purposes of managing user access of the property, the fees must comply with applicable standards for such user fees. In such cases, all income or other revenues derived from the fees shall be used for the maintenance or management of the property.

Leasing or renting of the property or interest in property is generally prohibited unless specifically authorized by NOAA (e.g., if the property or easement to be acquired is subject to an existing lease that is consistent with the objectives of the AOC Land Acquisition

project). If approved, all income or other revenues derived from an approved lease or rent arrangement shall be used to maintain or manage property.

NOAA will not reimburse expenses that have been incurred prior to the start of a grant award, with the following exceptions: costs as needed for conducting appraisals, title work, and environmental assessments. The cost of land acquisition may also be reimbursed as a pre-award cost if the acquisition occurred within 90 days prior to the grant's official start date. If an applicant incurs costs before the effective date of the grant, they do so at their own risk. Applicants may receive reimbursement for certain costs incurred within 90 days prior to the grant's official start date if they are requested in the application and the applicant can demonstrate it is necessary to incur the costs prior to the official award start date.

2. Ineligible projects and unallowable uses of AOC Land Acquisition Funds

Applicants should note that the following activities will not be considered:

- Activities that constitute legally required mitigation for the adverse effects of an activity regulated or otherwise governed by local, state or federal law;

- Activities that constitute restoration for natural resource damages under federal, state or local law; and

- Activities that are required by a separate consent decree, court order, statute or regulation.

Federal AOC Land Acquisition Grant funds may not be used for:

- Funding long-term operations, maintenance, and management of the land (above those costs allowed for initial land stewardship);

- Construction of buildings, boat launching facilities, docks or piers, shoreline armoring, or other facilities;

- Research;

- Outreach and education;

- Implementation of on-the-ground habitat restoration projects or restoration design and engineering will also not be considered under this solicitation. However, NOAA anticipates a separate solicitation for projects requesting funds for shovel-ready restoration projects in the Great Lakes through the Great Lakes Habitat Restoration Program

- Acquisition of lands, or interests in lands, that completely restrict access to specific persons (e.g., non-residents of a community);

- Acquisition of lands, or interests in lands, to comply with mandatory or compensatory mitigation for recent, pending or future habitat losses resulting from the actions of agencies, organizations, companies, or individuals;

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

The following activities are considered to be inconsistent with the intent of this competition:

- Active agriculture, including timber or aquaculture production (note: timbering on a limited scale may be allowed for conservation-oriented purposes such as habitat restoration, for example, to restore a forest that has been managed for timber production to a more native forest type or to create suitable habitat for rare, threatened or endangered species);

- Shoreline armoring or other hard erosion control structures in non-urbanized environments; and

- Construction or expansion of roads, buildings or facilities, including active recreation facilities such as sports facilities, water parks, or playgrounds, except as noted under 'eligible uses.'

3. Allowable Uses of Lands Acquired with AOC Land Acquisition Funds or Used as Match

The following activities are considered consistent with conservation purposes under this funding competition:

- Resource protection;
 - Restoration and enhancement, such as vegetative erosion control or restoration of natural water flow to the area;
 - Low-impact recreational activities, such as hiking, hunting and fishing;
 - Access for swimming, canoeing, kayaking or other non-motorized vessels; and
 - Research and educational activities
- Construction of facilities on a minor scale, such as restrooms or boardwalks, to facilitate uses listed above and/or for the purpose of minimizing harm to coastal resources due to public access and recreation, may be allowed depending on the proposed use of the property and the site environment.

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

Pre-existing structures on the subject properties may be adapted for use as educational centers, for caretaking of the site, or to support recreational activities. However, the contributory value of such structures shall not be included in the appraised value of a property or conservation easement being purchased with federal funds. New structures may be allowed on a de minimus scale, if they are to be used for the values described above (educational, caretaking, or recreational support). The location, size, and intended use of any existing or proposed new structure must be described in the project proposal and is subject to negotiation or exclusion from the project, if determined to be incompatible with program or project purposes.

Pre-existing uses, including term leases or life estates, must be identified as part of the project application. If a project proposes to continue any pre-existing activities as a long-term use of the site, NOAA will review such uses for potential impacts and to determine whether they are consistent with the purposes of this funding opportunity. For properties that contain existing structures or incompatible uses (such as commercial agriculture or

forestry) at a greater than de minimus scale, applicants may wish to consider acquiring a conservation easement over a portion of the property, rather than acquiring the property in fee (or some other means that would exclude non-conforming uses from the federally-funded portion of the site). If a project is approved with pre-existing uses, such uses may not be expanded or converted to other uses without prior approval of NOAA.

Terms and conditions specified in deeds and conservation easements must be consistent with the purposes of this funding opportunity. NOAA will review deeds and conservation easements to ensure that provisions are consistent with allowable uses under the program. These provisions apply to properties acquired with AOC Land Acquisition funds, as well as to properties contributed as in-kind match.

4. Title and Ownership

Title to the land or interests in land (conservation easement) acquired with AOC Land Acquisition grant funds must be held in perpetuity by the grant recipient or subgrant recipient, or if the grant recipient is not authorized to hold and manage lands for conservation purposes, by another appropriate public agency designated by the recipient (i.e., an agency with a mission consistent with long-term conservation and that will manage AOC Land Acquisition funded and match properties consistently with the goals of this funding competition). Title and ownership of land or interests in land (conservation easement) used as match must also be held in perpetuity by the same public agency. Eligible recipients and sub-recipients are described in section III.A. above.

As a condition of the grant award, NOAA will require that language be recorded for each deed or easement advising that the property has been acquired with Federal funds from NOAA or used as match for same, and assurances that the property will be held for conservation in perpetuity.

If the property or interest in property acquired with AOC Land Acquisition Grant funds is sold, exchanged, divested, or converted to other uses that are inconsistent with the purposes for which it was acquired, the recipient must return funds to NOAA. The same is true for match properties. If a property used as match for these funds, or interest in property used as match, is sold, exchanged, divested, or converted to other uses that are inconsistent with this funding competition, the recipient must observe the disposition requirements set out at 15 CFR 24.31. The grant recipient is legally and financially accountable for the funds received and ensuring that lands (both federally funded properties and properties used as in-

kind match) remain protected consistently with the terms of the grant, regardless of ownership. If a sub-award is made, the primary grantee is still responsible for ensuring the grant terms.

IV. Application and Submission Information

A. Address to Request Application Package

Complete application packages, including required federal forms and instructions, and Supplemental Guidance for Prospective Applicants can be found on www.grants.gov. If a prospective applicant is having difficulty downloading the application forms from Grants.gov, contact Grants.gov Customer Support at 1-800-518-4726 or support@grants.gov.

If the application forms and instructions cannot be downloaded from www.grants.gov, application packages shall be requested from Elizabeth Mountz at Elizabeth.Mountz@noaa.gov or 301-713-3155 ext. 148.

B. Content and Form of Application

Each proposal must include the following five Required Elements. In addition, the following six Supplemental Elements may be submitted if they are available, but are not required with the proposal. For projects that are selected for funding, Supplemental Elements will be required before grant funds can be released. For more detailed descriptions, examples, and templates of Required and Supplemental Elements, see Appendices B-D of this funding notice. Please note that an Environmental Data Sharing Plan (as described in section VI of this FFO) is NOT required to be submitted with AOC land acquisition project proposals.

The following Federal Application Forms are required:

- o Application for Federal Assistance: Form SF-424
- o Budget Information for Non-construction Programs: Form SF-424A
- o Assurances for Non-construction Programs: Form SF-424B
- o Certification Regarding Lobbying: Form CD-511
- o Disclosure of Lobbying Activities: Form SF-LLL (if applicable);

Templates for the required elements -- Project Application Checklist, Project Description/Scope of Work, and Project Budget -- can be found in Grants.gov and the Applying for a Grant section of the CELCP website at <http://www.coast.noaa.gov/czm/landconservation/applying/>

(1) Project Description/Scope of Work. The following information must be provided for the project site and any parcel that is to be used as match. The Project Description/Scope of Work must include information on the project site's size, location and relationship within the AOC, location and relationship to Great Lakes features, environmental significance, and the legal rights to be acquired. The Project Description must specify how the proposed project will contribute to the removal of either project-based delisting targets or numeric delisting targets for fish and wildlife habitat related beneficial use impairments (degradation of fish and wildlife populations, loss of fish and wildlife habitat, and degradation of benthos). Projects should also include a description of the quantifiable targets that have been set to address the beneficial use impairments.

The project description should also describe pre-existing uses of the property and the nature of those uses (including existing structures, leases, etc.); and activities or uses planned for the project site after acquisition and how those activities/uses are consistent with the long-term protection or restoration of the site's ecological values. The description should describe the historic condition of the proposed acquisition site and, if applicable, the processes which resulted in degradation of the area and how these processes have been abated to allow for successful restoration. It should describe how the project fits into existing restoration plans for the AOC. Project descriptions should also specify a proposed award period for the grant (not to exceed 18 months) and include a project timeline with discrete benchmarks for completing the project within the requested award period. Finally, the Project Description/Scope of Work should also include photographs of the project site that document the values to be acquired.

(2) Project Budget and Justification of Proposed Costs. The budget narrative is composed of two parts, a budget table and a budget description. The project budget must include a breakdown of project costs and justification, including the source of proposed matching funds, if applicable. The budget narrative should provide the information needed to determine how the numbers outlined in the Budget Information form (Form SF-424A) were derived and the budget narrative submitted with the application must match the dollar amounts on all required Federal forms (Form SF-424, Form SF-424A). If the overall cost of the project exceeds the amount of requested federal funds plus matching share, please provide a breakout of costs for the entire project (e.g., including other sources of funding that

will be used to complete the project). Land acquisition costs should be based on appraised value or other estimate of fair market value. The project budget should also specify whether this project has been submitted for other sources of Federal funding, and if so, which Federal program(s) and year(s). Additional cost detail may be required prior to a final analysis of overall cost allowability, allocability, and reasonableness. Please note the following:

The budget may include an amount for indirect costs only if the applicant has an established indirect cost rate with the Federal government. If the applicant has an established indirect cost rate, a copy of the negotiated rate must be included with the application.

If an award recipient has not previously established an indirect cost rate with a Federal agency, the negotiation and approval of a rate is subject to the procedures required by NOAA and the Department of Commerce. The U.S. Department of Commerce, Financial Assistance Standard Terms and Conditions require that recipients within 90 days of the award start date, submit to the address listed below documentation (indirect cost proposal, cost allocation plan, etc.) necessary to perform the review.

Lamar Revis, Grants Officer

NOAA Grants Management Division

1325 East West Highway

9th Floor

Silver Spring, Maryland 20910

Funds for salaries and fringe benefits may be requested only for those personnel who are directly involved in implementing the proposed project and whose salaries and fringe benefits are directly related to specific products or outcomes of the proposed project. NOAA strongly encourages applicants to request reasonable amounts of funding for salaries and fringe benefits to ensure that your proposal is competitive.

(3) Project Checklist. The Project Checklist enables NOAA to determine if a project may have any adverse impacts and whether additional information may be required to satisfy the requirements of applicable Federal laws, regulations or policies. The project checklist must be signed by a representative of the eligible public entity that will receive funds to execute the project. Submitting an unsigned project checklist that does not identify the certifying official may prevent your project from being considered ready-to-go, as required by this funding program. The AOC Land Acquisition Grant Program requires the use of the project checklist developed for the Coastal and Estuarine Land Conservation Program. The Project Application Checklist can be found in the Funding Opportunities section of the CELCP website at <http://coast.noaa.gov/czm/landconservation/applying/>.

(4) Project Location and Site Maps. A minimum of two maps should be submitted: (1) a regional map showing the general location of the project, and (2) a map or aerial photo of the project site that shows the location and extent of the proposed acquisition, its relationship to the AOC boundary and associated watershed, and adjacent land uses.

(5) RAP endorsement. Each project application must include a letter of endorsement from the RAP implementation group (defined as the state agency responsible for implementing the AOC program or the local public stakeholder group working with the state agency on implementing the RAP).

SUPPLEMENTAL ELEMENTS

The supplemental elements are not required to be submitted with this proposal, but if the project is selected and funded, these elements and other forms would be required before grant funds can be released. Submitting one or more of these items with the project proposal may help substantiate the project's 'readiness.'

(1) Documentation of Willingness or Intent to Sell. The applicant must submit a letter from the seller affirming that s/he is a willing participant in negotiations to sell the property at a mutually agreeable price.

(2) Evidence of Agreement. The applicant must submit documentation verifying the terms of the purchase, such as a contract, purchase & sale agreement, or option.

(3) Appraisal. The applicant must submit a complete and self-contained appraisal establishing the fair market value of the property. The appraisal must be developed in accordance with the Uniform Standards of Professional Appraisal Practice (http://www.appraisalfoundation.org/s_appraisal/sec.asp?CID=3&DID=3) and the Uniform Appraisal Standards for Federal Land Acquisition ('Yellow Book') (<http://www.usdoj.gov/enrd/land-ack/>).

(4) Survey. The applicant must submit a survey of the property to be acquired.

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

(6) Phase I Environmental Assessment. The applicant must submit a phase I environmental assessment report as well as any additional environmental assessments or environmental impact statements that have been done for the property.

C. Submission Dates and Times

The deadline for receipt of proposals through Grants.gov or delivery to the OCRM office is 11:59 p.m. EST, March 6, 2014. Applications may be submitted electronically at <http://www.grants.gov> or by mail to the address listed in this announcement.

D. 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, the names, addresses and phone numbers of participating SPOCs are listed in the Office of Management and Budget's home page at: http://www.whitehouse.gov/omb/grants_spoc/

E. Funding Restrictions

Awards will contain special award conditions that recipients must meet as a term of accepting the grant, such as the requirement to include language in the property deed or conservation easement restricting the use and disposition of the property, as well as to install a permanent sign at the site acknowledging NOAA's funding. Other special award conditions may be included if not already met by the time a final grant application is submitted. A sample list of the conditions can be found at: <http://coastalmanagement.noaa.gov/land/media/celcpattachment3.pdf>

F. Other Submission Requirements

The standard NOAA funding application package is available at www.grants.gov (Grants.gov) and application packages, including all letters of collaboration, shall be submitted through the apply function on Grants.gov. Applicants must register with Grants.gov before any application materials can be submitted. To use Grants.gov, applicants must have a Dun and Bradstreet Data Universal Numbering System (DUNS) number and be registered in the Central Contractor Registry (CCR). Allow a minimum of five days to complete the CCR registration. (Note: Your organization's Employer Identification Number (EIN) will be needed on the application form.). An organization's one time registration process may take up to three weeks to complete so allow sufficient time to ensure applications are submitted before the closing date. The Grants.gov site contains the application package (forms) and submission directions, and is also where the completed application is submitted.

The Grants.gov site contains directions for submitting an application, the application package (forms), and is also where the completed application is submitted. Applicants using Grants.gov must locate the downloadable application package for this solicitation by the

Funding Opportunity Number or the CFDA number (11.463). Applicants will be able to download a copy of the application package, complete it offline, and then upload and submit the application via the Grants.gov site.

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

V. Application Review Information

A. 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 and Applicability (45 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 the NOAA Great Lakes AOC Land Acquisition Project Grants competition, applications will be evaluated based on the following:

a.) The measurable gain towards achieving delisting of fish and wildlife habitat-related beneficial use impairments (including loss of fish and wildlife populations, degradation of fish and wildlife habitat, and degradation of benthos) in Areas of Concern (<http://www.epa.gov/glnpo/aoc/>). (10 points value)

b.) The extent to which the project is an AOC priority based on specific restoration planning goals, publicly vetted plans, or other priority-setting planning documents (e.g. State II RAP documents) with appropriate ecological performance metrics and measures. (8 points)

c.) The potential of the project to restore, protect, conserve or enhance coastal habitat resulting in direct ecological benefits or otherwise contributing benefits for coastal resources. (10 points)

d.) The significance of the project in its area of impact or amount of restored habitat in context with the local environment and the target AOC, i.e. small projects in urban areas could score the same or more points than larger projects in more intact areas. (9 points)

e.) The extent to which the project provides benefits to the local community such as improved opportunities for recreation, park use, open space, or other tangible community benefits. (8 points)

2. Technical/Scientific Merit (25 points)

This criterion assesses whether the approach is technically sound and/or innovative, if the methods are appropriate, and whether there are clear project goals and objectives. For this competition, this means projects will be evaluated based on the following:

a.) The extent to which a project can be effectively managed over the long-term to conserve or restore the ecological, conservation and/or community-benefit values identified in the project application. (10 points)

(b) The likelihood that a project can be completed during the performance period, including factors such as: whether sites have been identified, the property is on the market, and/or negotiations with landowner have resulted in a purchase & sale agreement; whether appraisal, title opinion, and other documentation have been completed or can be produced within the performance period; and whether the site has any uncertainties (such as liens or judgments) that are not likely to be resolved within the proposed award performance period. (15 points)

3. Overall Qualifications of Applicants (10 points)

This criterion ascertains whether the applicant possesses the necessary education, experience, training, facilities, and administrative resources to accomplish the proposed work. For the NOAA AOC Land Acquisition Grants competition, applications will be evaluated based on the following:

a.) The applicant's authority, expertise, and previous success in acquiring land for long-term conservation. (5 points)

b.) The organization's capacity (funding, personnel, and expertise) and past successes in managing property for conservation purposes. This criterion will also allow for consideration of whether the property will be managed through a partnership or stewardship agreement with another organization (5 points)

4. Project Costs (20 points)

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

a.) The budget will be evaluated to determine if it is realistic and commensurate with the project needs and timeframe. Land acquisition costs will be given the greatest weight costs for this evaluation. Projects will be reviewed and ranked according to: whether land acquisition costs are reasonable and based on an independent appraisal or other assessment of fair market value; and whether direct and indirect costs for implementation of the project, if requested, are reasonable and consistent with the principles of this funding announcement. (15 points)

b.) Whether match or leveraged funds are included within this project application. Match funds (formally committed to the project application) will be given more weight than leveraged funds. (5 points)

5. Outreach and Education (0 points)

NOAA assesses whether the project provides a focused and effective and outreach strategy regarding NOAA's mission to protect the Nation's natural resources. This evaluation factor will not be used for this competition.

B. Review and Selection Process

Once an application has been received, NOAA will conduct an initial administrative review to determine compliance with requirements, completeness of the application, and eligibility of proposed costs and uses of the property. All proposals will be evaluated and scored individually in accordance with the assigned weights of the above evaluation criteria by an independent peer mail review and/or by an independent peer panel review. Both Federal and non-Federal experts may be used in this process.

Reviewers will evaluate the proposals, score them based on the criteria listed above, and submit individual ratings to NOAA. Each proposal will be reviewed by at least three reviewers. The scores will be presented to the program officers and averaged for a final score. No consensus advice will be given by the independent peer mail review or the review panel. The program officers will neither vote nor score proposals as part of the independent peer review process.

The merit reviewers' ratings will be used to produce a rank order of the proposals. Their recommendations and evaluations will be considered by the Federal program officers for

NOAA who will recommend to the program's selecting official, Director, Office for Coastal Management, National Oceanic and Atmospheric Administration (or the OCRM director's designee), that a final list be ranked in order unless the proposal is justified to be selected out of rank order based upon the appropriate selection factors, listed below.

C. Selection Factors

The selecting official anticipates recommending applications for funding in rank order unless an application is justified to be selected out of rank order based upon one or more of the following selection factors:

1. Availability of funding;
2. Balance/distribution of funds: a) geographically, b) by type of institutions, c) by type of partners, d) by research areas; 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 section I.A. and I.B. of this funding opportunity;
5. An applicant's prior award performance;
6. Partnerships and/or participation of targeted groups; and
7. Adequacy of information necessary for NOAA staff to make a NEPA determination and draft necessary documentation before recommendations for funding are made to the NOAA Grants Officer.

Hence, awards may not necessarily be made to the highest scored applications. The Selecting Official or designee may negotiate the funding level of the proposal.

D. Anticipated Announcement and Award Dates

NOAA anticipates that most grants will have a start date of October 1, 2015 dependent on funding availability, the completion of all NOAA/applicant negotiations, NEPA analysis, and documentation supporting cooperative agreement activities.

VI. Award Administration Information

A. Award Notices

Successful applicants may be asked to modify work plans or budgets, and provide supplemental information required by the agency prior to final approval of an award. As with the CELCP program, final project applications for projects selected for funding may be submitted either by a lead agency for a state CZM program (with local entities serving as a subgrantee), or by the local entity proposing to hold title to the target property. 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 staff that will administer these land acquisition grants. Projects should not be initiated in expectation of federal funding until a notice of award document is received electronically from the NOAA Grants Management Division in Grants Online, NOAA's online grants management system. Applications recommended for funding by the selecting official will be forwarded to the NOAA Grants Management Division (GMD) by the Program Office. The applicant will be notified by the program office by email that their application was recommended for funding. The applicant must be aware that the notification by the program office is not the official award notice. Official notification happens only when the applicant receives an award notice from the Grants Officer electronically.

Unsuccessful applicants will be notified by email that their application was not recommended for funding within 10 business days after the final program office recommendations have been approved by the NOAA GMD.

To enable the use of a universal identifier and to enhance the quality of information available to the public as required by the Federal Funding Accountability and Transparency Act of 2006, to the extent applicable, any applicant awarded in response to this announcement will be required to use the System for Award Management (SAM). The link is below:"

<https://www.sam.gov/portal/public/SAM/>

Applicants are also required to use the Dun and Bradstreet Universal Numbering System and will be subject to reporting requirements, as identified in OMB guidance published at 2 CFR Part 25. The link is below:

http://www.ecfr.gov/cgi-bin/text-idx?c=ecfr&tpl=/ecfrbrowse/Title02/2cfr25_main_02.tpl

B. Administrative and National Policy Requirements

1. Department of Commerce Pre-Award Notification Requirements for Grants and Cooperative Agreements. The Department of Commerce Pre-Award Notification

Requirements for Grants and Cooperative Agreements contained in the Federal Register notice of December 17, 2012 (77 FR 74634) are applicable to this solicitation. A copy of the notice may be obtained at: <http://www.gpo.gov/fdsys/>

2. Please note that on December 26, 2013, OMB published final guidance titled Uniform Administrative Requirements, Cost Principles, and Audit Requirements (OMB Uniform Guidance) (<https://www.federalregister.gov/articles/2013/12/26/2013-30465/uniform-administrative-requirements-cost-principles-and-audit-requirements-for-federal-awards>), which streamlines the language from eight existing OMB circulars, including Cost Principles (OMB Circulars A-21, A-87, A 122) and administrative requirements (OMB Circulars A-102 and A 110), into one consolidated set of guidance applicable to federal assistance awards. Once adopted, the OMB Uniform Guidance will supersede DOC's uniform administrative requirements set out at 15 C.F.R. parts 14 and 24. The DOC expects to adopt the OMB Uniform Guidance by December 26, 2014, meaning that the OMB Uniform Guidance will apply to all new awards and to additional funding to existing awards made after December 26, 2014. In addition, the audit requirements of the OMB Uniform Guidance will apply to audits of non-Federal entities beginning on or after December 26, 2014. Therefore, applicants should familiarize themselves with the OMB Uniform Guidance. Additional information on the substance of and transition to the OMB Uniform Guidance may be found at <https://cfo.gov/cofar/>.

3. Limitation of Liability.

There is no guarantee that funds will be available to make awards for this federal funding opportunity or that any proposal will be selected for funding. If an applicant incurs any costs prior to receiving an award agreement signed by an authorized NOAA official, they do so at their own risk of these costs not being included in a subsequent award. In no event will NOAA or the Department of Commerce be responsible for any proposal preparation costs. Recipients and sub-recipients are subject to all federal laws and agency policies, regulations, and procedures applicable to federal financial assistance awards. Applicants must be in good standing with all existing NOAA grants and/or cooperative funding agreements in order to receive funds. Publication of this announcement does not oblige NOAA to award any specific project, obligate any available funds, or provide special fishing privileges.

The NOAA program office reserves the right to immediately halt activity under the award if the recipient is not fulfilling the requirements of the project as outlined in the grant award. Non-compliance with a federally approved project may result in termination of the award.

4. Data Sharing Plan. Environmental data and information, collected and/or created under NOAA grants/cooperative agreements must be made visible, accessible, and independently understandable to general users, free of charge or at minimal cost, in a timely manner (typically no later than two years after the data are collected or created), except where limited by law, regulation, policy or by security requirements.

a. A Data/Information Sharing Plan of no more than two pages shall be required as an Appendix. A typical plan may include the types of environmental data and information 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; policies addressing data stewardship and preservation; procedures for providing access, data, and security; and prior experience in publishing such data. The Data/Information Sharing Plan will be reviewed as part of the NOAA Standard Evaluation Criteria, Item 1 -- Importance and/or Relevance and Applicability of Proposed Project to the Mission Goals.

b. The Data/Information Sharing Plan (and any subsequent revisions or updates) will be made publicly available at time of award and, thereafter, will be posted with the published data.

c. Failing to share environmental data and information in accordance with the submitted Data/Information Sharing Plan may lead to disallowed costs and be considered by NOAA when making future award decisions.

PIs must indicate how and when they have made their data accessible and usable by the community in the past.

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

http://www.corporateservices.noaa.gov/ames/administrative_orders/chapter_212/212-15.html

5. National Environmental Policy Act (NEPA) and Environmental Compliance

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

Applicants must complete the Coastal and Estuarine Land Conservation Program project application checklist (OMB Approval No.: 0648 -0459) to provide detailed information on the activities to be conducted, locations, sites, species and habitat to be affected, possible construction activities, and any environmental concerns that may exist (e.g., the use and disposal of hazardous or toxic chemicals, introduction of non-indigenous species, impacts to endangered and threatened species, aquaculture projects, and impacts to coral reef systems).

The CELCP application checklist is available via Grants.gov or at:
<http://www.coast.noaa.gov/czm/landconservation/applying/>

After an application is submitted, NOAA may require additional information to fulfill NEPA and other compliance requirements. If NOAA determines that an environmental assessment is required, applicants may also be requested to assist in drafting the assessment. Applicants may also be required to cooperate with NOAA in identifying and implementing feasible measures to reduce or avoid any identified adverse environmental impacts of their proposal. The failure to do so shall be grounds for the denial of an application. In some cases if additional information is required after an application is selected, funds can be withheld by the Grants Officer under a special award condition requiring the recipient to submit additional environmental compliance information sufficient to enable NOAA to make an assessment on any impacts that a project may have on the environment.

Detailed information on NOAA compliance with NEPA can be found at the following NOAA NEPA website: <http://www.nepa.noaa.gov/> including NOAA Administrative Order 216-6 for NEPA, http://www.nepa.noaa.gov/NAO216_6.pdf and the Council on Environmental Quality implementation regulations http://ceq.hss.doe.gov/ceq_regulations/regulations.html.

6. Paperwork Reduction Statement

The use of the standard NOAA grant application package referred to in this notice involves collection-of-information requirements subject to the Paperwork Reduction Act. The use of Standard Forms SF-424, SF-424A, SF-424B, SF-LLL, and CD-346 have been approved by OMB under the respective control numbers 0348-0043, 0348-0044, 0348-0040, 0348-0046, and 0605-0001. In addition, NOAA is requesting information through the CELCP Project Application checklist in order to adequately assess the eligibility and environmental compliance of proposed projects. This information collection has been approved under OMB #0648-0459.

Public reporting burden for this collection of information is estimated to average 10 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Elaine Vaudreuil, NOAA Ocean Service, Office for Coastal Management, 1305 East-West Hwy (N/ORM), Silver Spring, Maryland 20910. .

Notwithstanding any other provision of law, no person is required to respond to, nor shall any person be subject to a penalty for failure to comply with, a collection of information subject to the Paperwork Reduction Act, unless that collection displays a currently valid OMB control number.

7. Unpaid or Delinquent Tax Liability.

In accordance with current Federal appropriations law, NOAA will provide a successful corporate applicant a form to be completed by its authorized representatives certifying that the corporation has no Federally-assessed unpaid or delinquent tax liability or recent felony criminal convictions under any Federal law.

C. Reporting

C. Reporting

Grant recipients will be required to submit financial and performance (technical) progress reports electronically through the Grants Online System. Instructions for submitting financial and progress reports will be provided by the NOAA Grants Management Division.

Within 90 days of the conclusion of the last reporting period, recipients must submit a final report that contains a summary of the project and activities, proof of the acquisition (recorded deed or conservation easement showing NOAA language), proof that a sign was installed (photo), representative site photos (digital preferred), and a GIS shapefile of the property . NOAA will provide recipients with a template and instructions for submitting the final report and related materials. A grant is not considered complete when the property closing occurs. Each grant recipient will need to demonstrate, through performance and financial reports, that all award conditions have been met before an award can be closed. Recipients must keep reporting until the end of the official award performance period unless they request to terminate the award early for convenience.

The Federal Funding Accountability and Transparency Act of 2006 includes a requirement for awardees of applicable Federal grants to report information about first-tier subawards and executive compensation under Federal assistance awards issued in FY 2011 or later. All awardees of applicable grants and cooperative agreements are required to report to the Federal Subaward Reporting System (e) available at www.FSRS.gov on all subawards over \$25,000.

The recipient will be requested to ensure that all interim progress reports indicate whether financial reports have been submitted to NOAA's GMD and are up to date. In their final progress report, recipients will be asked to a) clearly state the resulting impact of their project and products in the coastal management community; and b) certify that "Final financial reports have been submitted to NOAA's Grants Management Division and a final

funding draw-down has been made through the Automated Standard Application for Payments (ASAP)."

If equipment or tangible personal property is purchased with grant funds, applicants shall submit an inventory in accordance with relevant OMB requirements, which shall be incorporated under the award. As noted above, DOC anticipates adopting the OMB Uniform Guidance, which is codified at 2 C.F.R. Part 200. The equipment requirements of the OMB Uniform Guidance are set out at 2 C.F.R. § 200.313. As applicable, the recipient must submit Form SF-428 (Tangible Personal Property Report) annually and in the final progress report. Form SF-428 may be attached as an appendix to progress reports. The program office recommends that if the equipment is no longer needed, recipients are encouraged to request disposition instructions for equipment approximately 150 days before the project period ends to allow sufficient time to have equipment disposition requests addressed before a project ends. Equipment disposition instructions typically require that recipients complete an "other" award action request in Grants Online. NOAA will provide instructions for disposition in accordance with OMB requirements.

As applicable, the recipient must report on real property annually and at award closeout, by completing Form SF-429 (Real Property Status Report).

Recipients must report on equipment, supplies, and real property purchased by any subrecipients.

VII. Agency Contacts

For further information contact Elizabeth Mountz at 301-563-1148 or by email Elizabeth.Mountz@noaa.gov. Prospective applicants are invited to contact NOAA staff before submitting an application to discuss whether their project ideas are within the scope of the Great Lakes Restoration Initiative's objectives and NOAA's mission and goals.

VIII. Other Information

The NOAA Office for Coastal Management will not release the names of applicants submitting proposals unless ordered by a court or requested to do so by an appropriate NOAA official and administrative protocol. Applicants can use a NOAA public search feature to find out information about NOAA awards < <https://grantsonline.rdc.noaa.gov/flows/publicSearch/begin.do> > or go through the Freedom of Information Act process to request more information about grant competitions. More information about the NOAA FOI process is online at the following address:

< www.rdc.noaa.gov/~foia/ >.

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. Applications submitted in response to this FFO may be subject to requests for release under the Act. In the event that an application contains information or data that the applicant deems to be confidential commercial information 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.