

## ANNOUNCEMENT OF FEDERAL 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: NRDA 2012 Implementation Grants

Announcement Type: Initial

Funding Opportunity Number: NOAA-NMFS-HCPO-2012-2003241

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

Dates: Applications must be postmarked, provided to a delivery service, or received by [www.grants.gov](http://www.grants.gov) by 11:59 PM EST on February 23, 2012. Use of a delivery service must be documented with a receipt. No facsimile or electronic mail applications will be accepted.

Funding Opportunity Description: The principal objective of the Natural Resource Damage Assessment (NRDA) 2012 Multi-year Implementation Grants is to administer funds for sub-awarded coastal habitat conservation and restoration projects. The funded projects/sub-awards will be selected through NRDA restoration planning processes in response to natural resource injuries and lost use of natural resources due to those injuries.

NOAA acts as a trustee on behalf of the public to protect and restore coastal and marine resources. For almost 20 years, NOAA has worked cooperatively with responsible parties (the individuals, companies, or government agencies responsible for an oil spill or hazardous substance release) and trustee councils (teams of state, tribal, and other federal agencies convened to respond to a specific spill, release, or grounding) to implement remedial actions that protect NOAA trust resources from additional harm.

If an incident diminishes the services that natural resources provide, including human services (e.g., fishing, beach-going,) and ecological services (e.g., providing habitat, nutrient cycling), the trustees will seek to implement projects to restore those lost services. Since 1992, we have recovered more than \$600 million from responsible parties to protect and restore coastal resources, including migratory fish, marine mammals, wetlands, reefs, and other coastal habitats.

Applicants selected through this federal funding opportunity will be those capable of implementing trustee-selected NRDA restoration projects, or competitively soliciting projects to meet specific restoration goals determined by the trustee council. Projects selected by the trustees may be implemented through a subcontract to a specified organization, or may be directly implemented by the grantee requiring significant oversight, provided the trustees determine the applicant has relevant expertise.

NOAA anticipates that approximately \$750,000-\$15,000,000 may be available to fund the awarded cooperative agreements over the life of any selected awards. Funding is

expected to be provided on an as-available basis to maintain the grants for up to seven years, and is dependent upon the level of funding made available by trustee councils. NOAA anticipates that typical awards will range from \$350,000 to \$2,000,000 within the first year. NOAA will not accept proposals with a first year budget less than \$300,000 or more than \$5,000,000 under this solicitation.

Eligible applicants are institutions of higher education, non-profits, and commercial (for-profit) organizations. Applications for federal, state, tribal, or local governments will not be considered, due to their potential role as trustee council members.

## FULL ANNOUNCEMENT TEXT

### I. Funding Opportunity Description

#### A. Program Objective

The principal objective of the Natural Resource Damage Assessment (NRDA) 2012 Multi-year Implementation Grants is to administer funds for sub-awarded coastal habitat conservation and restoration projects. The projects funded under this award(s) will be selected through NRDA restoration planning processes in response to natural resource injuries and lost use of natural resources due to those injuries. The National Oceanic and Atmospheric Administration (NOAA) acts as a trustee on behalf of the public to protect and restore coastal and marine resources.

NOAA established the Damage Assessment, Remediation, and Restoration Program (DARRP) in 1992 after the Exxon Valdez oil spill. The DARRP provides technical and legal expertise within NOAA to protect and restore injured natural resources. These Implementation Grants will be administered by the NOAA Restoration Center.

The DARRP assesses injuries and works with a trustee council to seek compensation (damages) to restore natural resources injured by oil spills and the release of hazardous substances, as well as by physical impacts such as vessel groundings. NOAA has worked cooperatively with responsible parties (the individuals, companies, or government agencies responsible for an oil spill or hazardous substance release) and trustee councils (teams of state, tribal, and other federal agencies convened to respond to a specific spill, release, or grounding) to implement remedial actions that protect NOAA trust resources from additional harm.

If an incident diminishes the services that natural resources provide, including human services (e.g., fishing, boating, beach-going, and wildlife viewing) and ecological services (e.g., providing habitat, nutrient cycling, and energy transfer through food webs), the co-trustees will seek to implement projects to restore those lost services. We have recovered more than \$600 million since 1992 from responsible parties to protect and restore coastal resources, including migratory fish, marine mammals, wetlands, reefs, and other coastal habitats.

Applicants selected through this federal funding opportunity will be those capable of implementing trustee-selected NRDA restoration projects, or competitively soliciting projects to meet specific restoration goals determined by the trustee council. Projects selected by the trustee council may be implemented through a subcontract to a specified organization, or may be directly implemented by the grantee requiring significant oversight, provided the trustee council determines the applicant has relevant expertise. Selected applicants will NOT become trustee council members.

#### B. Program Priorities

NOAA will support NRDA Implementation Grants in order to offset injuries related to specific releases of oil or hazardous substances, or vessel groundings. NOAA and its co-trustees seek to develop and implement plans and projects to restore, rehabilitate, replace, or acquire the equivalent of the injured natural resources and services under their trusteeship. Examples of past project types that the selected applicant may need to oversee include: habitat restoration or creation, habitat protection, species protection, public access to coastal properties, land acquisition, removal of debris, removal of invasive/exotic species, enhancing species reproduction, stocking and transplanting target species, and recreational and educational projects. Specifically, actions may include restoration of wetlands and reefs, floodplains and streams, sea grasses, corals, and other fish or shellfish habitat, as well as restoring bird and other wildlife populations.

The program priorities for this opportunity primarily support NOAA's "Ecosystems" mission goal of "Protect, Restore, and Manage Use of Coastal and Ocean Resources through Ecosystem-Based Management."

#### 1. Desirable Grantee Capabilities

Selected Implementation Grants are expected to thoroughly address the Evaluation Criteria (Section V.A.) below, and the capabilities outlined in this section. Implementation Grant applications that incorporate a combination of the capabilities identified below will be a higher priority for funding consideration. NOAA seeks recipients that:

##### Demonstrate Effective Ability to Manage Funds:

- Existing staff with federal funds management experience
- Organizational history of federal funds management and clean audits
- Ability to scale administrative costs to maximize restoration (see Evaluation Criteria Section V.A.)
- Ability to maintain an administrative record to document expenditures of federally awarded funds

##### Demonstrate Capacity to Manage Multiple Sub-awards:

- Manage multiple restoration projects (3-5 new projects per year) at a variety of scales (typically \$100,000-\$3,000,000)
- Complete reporting requirements in a timely fashion, as well as other award conditions
- Capability to award and manage international sub-awards

##### Document Experience in Soliciting Projects:

- Ability to solicit proposals through a competitive process

--Encourage potential applicants in targeted communities to respond to Requests for Proposals (RFPs)

Demonstrate Technical Knowledge of Coastal Resources, Restoration Activities and the NRDA Process:

--Ability to work across a wide variety of geographies and habitat types;

--Ability to solicit restoration projects based on typical NRDA criteria: cost effectiveness; technical feasibility; extent to which the project meets the trustees' goals and objectives in returning the injured natural resources and services to baseline conditions; and/or compensating for interim service losses; likelihood of success of each project; extent to which each project will prevent future injury as a result of the incident, and avoid or minimize collateral injury as a result of implementing a project; extent to which each project benefits more than one natural resource and/or human or ecological service; and effect of each project on public health and safety; and

--Ability to evaluate project success as identified by the relevant trustee council. Project evaluation and/or monitoring may be conducted by the successful applicant, or be sub-awarded.

## 2. Examples of Existing Injuries and Actively Restoring Areas

The following are examples of past injuries that have occurred and that could result in projects to be funded through this grant. Please also see the NOAA DARRP website for other examples (<http://www.darrp.noaa.gov/>). Applicants should be capable of implementing sub-awards in response to a range of injuries similar to those outlined in the cases below, with priority being placed on organizations with the widest geographic reach.

### Northwest

**Commencement Bay:** The port of Tacoma, WA, Commencement Bay, has been impacted by the chronic release of hazardous substances since the 1920s and was designated a Superfund Site in 1983 due to contamination in the water, sediments, and upland areas. The nearshore area and waterways of Commencement Bay are used extensively as rearing and feeding habitat by numerous marine species, and the Bay serves as a migratory pathway for salmon, including those listed under the Endangered Species Act. The trustees' concerns about the Commencement Bay area involve the adverse effects to trust resources resulting from the contaminated sediments and releases of hazardous substances in the Bay and its waterways. More than 20 restoration projects have resulted from the Commencement Bay efforts. Future work in Commencement Bay will focus on maintaining restoration sites and enhancing stewardship of restored areas through approximately \$5 million in settlement funds.

**Elliott Bay:** The waterfront of downtown Seattle is situated along Elliot Bay and the Duwamish River. These two water bodies receive most of the stormwater runoff

from 67 square kilometers of metropolitan Seattle and have become increasingly degraded by channelization and multiple industrial facilities. What was once a wide meandering river with thousands of acres of mudflats is now a highly industrialized area including port facilities, manufacturing plants, chemical and solid waste recycling companies, ship repair yards, and numerous city combined sewer overflows. Contaminants of concern include polychlorinated biphenyls (PCBs), phthalates, polycyclic aromatic hydrocarbons (PAHs), metals, pesticides, dioxins/furans. The resources at risk include flatfish, salmon and steelhead. In particular, the Chinook salmon and steelhead are listed as threatened under the ESA. To date, more than \$30 million in settlements has resulted in 15 restoration projects; an additional \$2-3 million remains to establish a stewardship program for restoration in the bay.

### Southwest

Montrose: The Montrose Settlements Restoration Program was developed in 2001 to oversee restoration of resources harmed by dichloro-diphenyl-trichloroethane (DDT) and PCBs in the Southern California Bight. The six federal and state trustee agencies that administer this program work with local resource agencies, non-profit organizations, scientists, and other technical experts to implement restoration projects and monitor recovery of resources that were harmed. The restoration projects are focused on the following resources: fish habitats, bald eagle, peregrine falcon, and seabirds.

Luckenbach: The Luckenbach trustee council was formed in 2002 when state and federal officials identified the tanker Luckenbach as the source of a decade of mystery oil spills which occurred periodically during winter storms off the coast of California. The spills resulted in the oiling of thousands of seabirds from Bodega Bay to Monterey Bay. Impacted, threatened, or endangered species include snowy plover, marbled murrelet and sea otter, as well as waterfowl, loons, grebes, cormorants, brown pelican, gulls and shorebirds. Funding for restoration is provided by the Oil Spill Liability Trust Fund, managed by the U.S. Coast Guard, to provide clean-up operations and support for restoration projects to ameliorate oil spills. The trustees received \$22.7 million to implement projects to restore the impacted seabirds and otters, ranging from British Columbia, Canada, to the Baja California Islands in Mexico and New Zealand, due to the broad home range of some of the impacted species. Remaining projects that may be funded under the Implementation Grants program total \$3-4 million.

Cosco Busan: The Cosco Busan trustee council will use most of the funds from a \$36.8 million settlement to restore natural resources injured by the Nov. 7, 2007 oil spill in San Francisco Bay and improve Bay Area recreational opportunities impacted by the spill. The Cosco Busan Oil spill killed an estimated 6,849 birds, impacted 14 to 29 percent of the herring spawn that winter, oiled 3,367 acres of shoreline habitat, and resulted in the loss of more than 1 million recreational user-days. NOAA expects to award approximately \$3 million for habitat restoration related to native oysters, eelgrass, and rockweed habitat over the next five years.

## Northeast

North Cape: NOAA worked collaboratively with the state of Rhode Island and the U.S. Fish and Wildlife Service to implement a number of restoration projects associated with the 1996 North Cape oil spill that released 828,000 gallons of fuel oil into Block Island Sound. Restoration projects included (1) conducting and managing a lobster v-notching project over several years as a means to increase recruitment of the lobster population within the injured area; (2) implementing multiple shellfish restoration projects targeting American oyster, bay scallop, and quahog; (3) constructing a structural fishway to rehabilitate a river herring run; (4) purchasing land or conservation easements on properties to protect loon and sea duck nesting and brooding habitats; and (5) securing a conservation restriction on a property along a coastal salt pond to help protect water quality in the salt pond.

## Southeast

Mulberry: In December 1997 a breach occurred in the wall of a phosphogypsum stack located at the MPI phosphoric acid/fertilizer production facility in Mulberry, Polk County, Florida. As a result of this breach, approximately 50 million gallons of acidic water overflowed into the Alafia River, a tributary to Tampa Bay. Injuries were caused to freshwater wetlands, fish, crab and shrimp, surface waters, oysters, and birds. Today, the trustee council is using settlement funds to plan, design, and implement an estuarine wetland habitat restoration project and create oyster reef. These two efforts will cost approximately \$730,000 and restore approximately four acres of oyster reef and 30 acres of estuarine wetlands.

### 3. Areas of Highlighted Expertise

NOAA's primary goals in establishing these NRDA Implementation Grants are to meet multiple trustee councils' priorities through the desirable capabilities (see Section I.B) stated above. In addition, Implementation Grant applicants may highlight their expertise in areas such as geographic locations, target habitats or coastal communities, project sizes, long-term ecological monitoring or site maintenance, or specific natural resources (i.e. fish, marine mammals, birds, corals).

NOAA intends to select one or more NRDA Implementation Grants applications in anticipation of needs related to existing injuries (see Section I.B.2) and past experience with injuries under the Oil Pollution Act, Comprehensive Environmental Response, Compensation, and Liability Act, Clean Water Act, National Marine Sanctuaries Act, and other federal agencies' authorities, such as those specific to the National Park Service. In addition to considering where existing injuries and restoration needs exist, NOAA intends to select the fewest applicants necessary to fulfill the program priorities described in the FFO to best ensure administrative costs are minimized while still maintaining a high level of preparedness for future unknown injuries. Once applications are approved by NOAA's Grants Management Division, NOAA will distribute funds based on the needs identified by trustee councils and the highlighted areas of expertise stated by the NRDA Implementation Grant recipients. Consequently, funds may not be distributed equally between award

recipients.

### C. Program Authority

The Secretary of Commerce is authorized under the following statutes to provide grants and cooperative agreements for habitat restoration:

--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.

## II. Award Information

### A. Funding Availability

NOAA anticipates that approximately \$750,000-\$15,000,000 may be available to fund the awarded NRDA Implementation Grants over the life of any selected awards. Funding is expected to be provided on an as available basis to maintain NRDA Implementation Grants for up to seven years in duration, and is dependent upon the level of funding made available by trustee councils. NOAA anticipates that typical awards will range from \$350,000 to \$2,000,000 within the first year. NOAA will not accept proposals with a first year budget less than \$300,000 or more than \$5,000,000 under this solicitation. Any funds provided to successful applicants will be at the discretion of the NOAA Restoration Center Chief (Chief). The Chief will make funding determinations for each Grantee, in consultation with trustee councils, based on past performance and capacity of the Grantee organization to generate quality projects, and based on their highlighted areas of expertise. For reference, between FY07 and FY11, the NOAA Restoration Center used grants to provide approximately \$23,000,000 to implement projects selected by eight trustee councils.

There is no guarantee that sufficient funds will be available to make awards for all Implementation Grants applications. The number of awards to be made as a result of this solicitation will depend on the number of eligible applications received, the areas of expertise proposed by the applicants, the merit and ranking of the applications, and the financial amount of damages anticipated based on documented natural resource injuries at the time of award selection.

The exact amount of funds that may be awarded will be determined in pre-award negotiations between the applicant and NOAA representatives, and multi-year funding requests are expected to be funded on an as-available basis. Publication of this document does not obligate NOAA to award any specific project or obligate all or any portion of any available funds.

### B. Project/Award Period

Applications should cover a project period of 5-7 years (up to 5 years of project selection plus approximately 24 months to implement the final projects). The earliest start date for Implementation Grant awards is anticipated to be May 1, 2012. Once

Implementation Grant funds are awarded in FY2012, grantees will not need to compete for funding in subsequent years; NOAA expects to, but is not obligated to, provide additional funding in connection with awarded grants in subsequent years. A recommendation to the NOAA Grants Management Division (GMD) to continue an award in subsequent years, to extend the period of performance, or to determine annual Implementation Grants funding levels is at the discretion of the Chief, per Section II.A, above. Permission to extend the period of performance beyond that stated in award documentation shall be requested in writing at least 60 days in advance of an award's expiration date.

### C. Type of Funding Instrument

Selected applications will primarily be funded through a cooperative agreement since NOAA staff will be substantially involved in many aspects of the Implementation Grants, including participating on the trustee councils, who lead the project selection process. Substantial involvement may include, but is not limited to, hands-on technical assistance; participation in competitive selection processes to ensure benefits to NOAA trust resources; support in development of appropriate monitoring protocols to ensure project performance can be evaluated; tracking the progression of the restoration through site visits and progress report evaluation; and involvement in public meetings and events to discuss or highlight restoration activities.

## III. Eligibility Information

### A. Eligible Applicants

Eligible applicants are institutions of higher education, non-profits, and commercial (for-profit) organizations. Applications from federal, state, tribal, or local government agencies will not be considered, due to their potential role as trustee council members. Organizations with a financial relationship to a responsible party may apply, but funds will not be awarded if a conflict of interest based on financial interests or reputation is determined. NOAA will not accept proposals with a first year budget under \$300,000 or over \$5,000,000 under this solicitation.

The Department of Commerce/National Oceanic and Atmospheric Administration is strongly committed to broadening the participation of historically black colleges and universities, Hispanic-serving institutions, tribal colleges and universities, and institutions that work in under-served areas. NOAA encourages applications involving any of the above institutions.

### B. Cost Sharing or Matching Requirement

The overall focus of the NRDA Implementation Grants is to implement coastal and marine habitat restoration to restore natural resources injured by contaminant releases or ship groundings. Matching funds are not required. Applicants who can

contribute funds to offset administration and indirect costs will receive points under the evaluation criterion "Project Costs" (See Section V.A.4), but these will be considered leveraged funds, that is, they will not be included in the award documentation as official match would be. Applicants are permitted to use federally-negotiated indirect costs in excess of federal share limits as leverage, as described in Section IV.E "Funding Restrictions."

#### C. Other Criteria that Affect Eligibility

Section III.A presents information distinguishing eligible versus ineligible organization types. All applications MUST contain ALL required forms; if these forms are not signed via the Grants.gov application process, they MUST be signed in ink. Paper applications should also be accompanied by a compact disc (CD) with the entire application as one Adobe PDF file. Paper applications without signed forms will be ineligible and will not be reviewed. Application forms are available on Grants.gov. NOAA will not accept proposals with a first year budget less than \$300,000 or more than \$5,000,000 under this solicitation.

### 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 Grants.gov ([www.grants.gov](http://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](mailto:support@grants.gov).

#### B. Content and Form of Application

Applicants should apply through the Grants.gov website ([www.grants.gov](http://www.grants.gov)). A complete standard NOAA grant application package should be submitted in accordance with the guidelines in this document. Each application must include the application forms from the SF-424 form family:

--Application for Federal Assistance: SF-424 (7/03 version or newer)

--Budget Information for Non-construction Programs: SF-424A (reflecting each requested 12-month funding period of the award up to 5 years)

--Assurances for Non-construction Programs: SF-424B

--Certification Regarding Lobbying: CD-511

--Disclosure of Lobbying Activities: SF-LLL (if applicable)

In addition, NOAA recommends the following as part of a complete application package:

--NRDA Implementation Grants summary (described below, 2 pages);

- NRDA Implementation Grants narrative (described below, 8 pages);
- A detailed budget justification (described below, with maximum of 4 pages);
- Brief curriculum vitae or resume for up to five (5) key Implementation Grants personnel (maximum of 1 page per person); and
- Any other relevant supporting materials such as an additional SF-424A, letters of support, indirect cost rate agreements, restoration planning or prioritization documents, etc.

1. NRDA Implementation Grants Summary (2 pages):

- Applicant Organization
- NRDA Implementation Grants Title
- NRDA Implementation Grants Areas of Expertise - State any and all highlighted areas of expertise as described in Sec. I.B.3.
- Project Identification - Briefly describe the process that will be used to identify high quality projects, including a proposed timeline for solicitations, project sub-awards, and initiation of on-the-ground implementation.
- Example of Funds Management Capabilities - Provide one or two examples of significant awards that your organization has managed. Significance can be determined by the amount of award, complexity of the restoration project(s), importance of the effort, or for a reason of your choosing.
- Summary of Award Management Experience - State the total amount of funds that your organization has managed over the past five years and include the number of projects that those funds supported.
- Federal Funds Requested & Non-Federal Match Anticipated
- Letters of Support - List those included with the application.

2. NRDA Implementation Grants Narrative (8 pages):

The NRDA Implementation Grants narrative should closely follow the organization of the evaluation criteria (see Section V.A Evaluation Criteria) for the application to receive a consistent review. The narrative should:

- Include a description of the applicant's relevant experience and technical capacity related to Program Priorities in Section I.B;
- Include any assumptions your organization has made related to the total funding available and the number of sub-awards to be managed; and
- Respond to all the Evaluation Criteria (below), focusing particular attention on the highest-weighted criteria.

### 3. Budget Justification (4 pages):

The narrative budget justification must include a detailed breakdown by cost categories (object classes on the SF-424A) separated into federal and non-federal shares as they relate to specific aspects of the project, with appropriate narrative justification for both the federal and non-federal (if applicable) shares. The object classes should match those found in the SF-424A. While an SF-424A for each of the anticipated three to five years of work is required, NOAA does not expect the description of expenditures to change significantly between funding years, and recommends a full narrative for the first year, accompanied by a table that shows how costs might increase in future years (e.g., annual salary and benefits increases).

Additional budget development guidance is available at: <http://www.habitat.noaa.gov/funding/darrp.html>. The NOAA Restoration Center and Grants Management Division staff will review budget information for 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 424A budget form.

Applications submitted through the Grants.gov website should include a maximum of three (3) files (PDF files only) in addition to the Federal application forms:

- NRDA Implementation Grants summary and narrative;

- Budget justification; and

- Supplemental Information - all other attachments should be combined into one, indexed file, such as budget information, maps, resumes, and support letters, not to exceed 15 pages. Information about converting documents to PDF files is available on the grants.gov website under "Download Software" under "Applicant Resources."

Page limits above assume a 12 point font and 1 inch margins.

### C. Submission Dates and Times

Applications must be postmarked, provided to a delivery service, or received by [www.grants.gov](http://www.grants.gov) by 11:59 PM EST on February 23, 2012. Use of a delivery service must be documented with a receipt. No facsimile or electronic mail applications will be accepted.

### D. Intergovernmental Review

Executive Order 12372 is not applicable to this solicitation as state and local governments are not eligible applicants.

### E. Funding Restrictions

Pre-award costs are generally unallowable. Incurring pre-award costs before the NOAA Grants Management Division provides an award document is at the applicant's own risk. The earliest date for receipt of awards for this funding opportunity is anticipated to be May 1, 2012.

The budget may include an amount for indirect costs if the applicant has an established indirect cost rate with the federal government. Indirect costs are essentially overhead costs for basic operational functions (e.g., lights, rent, water, insurance) that are incurred for common or joint objectives and therefore cannot be identified specifically within a particular project. For this solicitation, the federal share of the indirect costs should not exceed the lesser of either the indirect costs the applicant would be entitled to if the negotiated federal indirect cost rate were used or 20 percent of the federal direct costs proposed. For those situations in which the use of the applicant's indirect cost rate would result in indirect costs greater than 20 percent of the federal direct costs, the difference may be counted as non-federal leverage. Limiting indirect costs may lead to a higher score for applications (see Section V.A.4).

A copy of the current, approved negotiated indirect cost agreement with the Federal government should be included with the application. If the applicant does not have a negotiated indirect cost rate agreement with a federal agency, then they may direct cost all charges.

#### F. Other Submission Requirements

Applicants should submit applications electronically through [www.grants.gov](http://www.grants.gov). Users of Grants.gov will be able to download a copy of the application package, complete it off line, and then upload and submit the application via the Grants.gov site. If an applicant has problems downloading the application forms from Grants.gov, contact Grants.gov Customer Support at 1-800-518-4726 or [support@grants.gov](mailto:support@grants.gov).

We highly recommend that you do not wait until the application deadline to begin the application process through Grants.gov.

To use Grants.gov, applicants must have a DUNS number and current registration in the Central Contractor Registration (CCR) system. Applicants should allow a minimum of five days to complete the CCR registration; registration is required only once, but must be renewed periodically. After electronic submission of the application, applicants will receive an automatic acknowledgment from Grants.gov. Applications submitted through Grants.gov will be accompanied by THREE automated receipts of the date and time of submission (the first confirms receipt; the second confirms that there are no errors with an application submission; and the third validates 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 helpdesk and the NOAA Restoration Center to confirm NOAA receipt of the complete submission.

PLEASE NOTE: It may take Grants.gov up to two (2) business days to validate or reject the application. Please keep this in mind in developing your submission timeline. Applicants should allow themselves sufficient time to submit their application to Grants.gov in advance of the deadline to ensure applications have been submitted successfully, as the deadline for submission CANNOT be extended. If applicants are unsure about the success of their submission to Grants.gov, applicants may also mail a hard copy, see below for details. If submitting a hard copy application, all forms must be signed with an original inked signature; failure to complete this task shall result in disqualification from this competition. See sections III.C and IV.C for relevant information regarding submitting a hard copy.

If an applicant does not wish to use the preferred submission method (Grants.gov), a hard copy application must be postmarked, or provided to a delivery service and documented with a receipt, by the deadline under "Submission Dates and Times," Section IV.C and sent to: NOAA Restoration Center, NOAA Fisheries, 1315 East West Highway, Rm. 14853, Silver Spring, MD 20910. ATTN: NRDA 2012 Implementation Grants Applications.

Applications postmarked or provided to a delivery service after that time will not be considered for funding. Applications submitted via the U.S. Postal Service must have an official postmark; private metered postmarks are not acceptable. In any event, applications received later than seven business days following the postmark closing date will not be accepted. No facsimile or electronic mail applications will be accepted. Paper applications should be printed on one side only, on 8.5" x 11" paper, and should not be bound in any manner. All federal application forms MUST be signed in ink. Per section III.C, applications that do not follow these requirements will not be reviewed. Applicants submitting paper applications should include a full copy of the application as a single PDF file, including Federal forms, on a CD.

## V. Application Review Information

### A. Evaluation Criteria

Reviewers will assign scores to applications ranging from 0 to 50 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 (10 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:

--Ability to implement coastal and marine habitat restoration projects similar to those project types outlined in Section I.A;

--Capacity to act across wide geographic areas, especially in areas with a history of existing injuries and established trustee councils, both those listed as examples in section I.B.2, and those listed on the NOAA DARRP website (<http://www.darrp.noaa.gov>); and

--Complete description of any highlighted area(s) of expertise that your organization possesses, per section I.B.3.

2. Technical/Scientific Merit (10 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, applications will be evaluated based on the extent to which the applicant has described a realistic and thorough implementation plan which includes:

--The adequacy of proposed strategies for coordination with NOAA throughout all phases of project selection, design, implementation and monitoring, including a plan for the timely submission of project specific progress reports and outputs;

--Thorough description of past coastal restoration and conservation project successes, including how your organization represents the capabilities described in section I.B.1, including funds management, project tracking and reporting for multiple simultaneous efforts, project solicitation, and technical expertise;

--Thorough description of the process that will be used to identify high-quality projects including a proposed time line for solicitation, contracting of sub-awards, initiation of on-the-ground implementation, and post-project evaluation; and

--The ability to directly conduct and/or oversee project implementation, evaluation, and/or monitoring, if requested.

3. Overall Qualifications 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:

--Financial Management Skills:

--organization employs staff with administrative skills to manage contracts and financial aspects, and is prepared to adhere to requirements including reporting award conditions for invoicing and the Federal Financial Accountability and Transparency Act;

--organization has a history as a recipient of federal funds, and can demonstrate to reviewers their experience managing federal funds including a clean audit history

--Restoration and Conservation Background: organization has the ability to effectively identify, develop, select, manage, and oversee all phases of coastal conservation and restoration activities with minimal need for guidance from NOAA, and a thorough understanding of the NRDA process; and

--Administrative resources and capabilities: outline resources available to the applicant to support and successfully manage overall award requirements including efficiently managing a significant number of projects simultaneously and the financial and administrative management of sub-awards.

4. Project Costs (15 points): This criterion evaluates the budget to determine if it is realistic and commensurate with the project needs and time-frame. For this competition, applications will be evaluated on the following:

--The costs anticipated to manage one or more of the four potential activities: trustee-selected projects sub-awarded by the recipient; trustee-selected projects for which the recipient has implementation and significant oversight responsibility; competition management to sub-award projects; and implementing project evaluation and monitoring pre- and post-restoration;

--Whether the applicant proposes a cost-effective strategy to limit administrative costs. For instance, an applicant may propose to reduce the percent of administrative or indirect costs for a large, sub-awarded project, as compared to a small project for which they have direct oversight. Applications will also be evaluated for cost-effectiveness by examining the proportion of funds directed to implementing project sub-awards, as compared with that to be used for organizational support;

--The extent to which the applicant can leverage the federal investment through other funding sources. NOAA desires cost-sharing primarily to defray administrative costs and ensure sufficient administrative capacity exists related to managing projects in years when new funds are not available. Forgone indirect costs will be considered leverage, as described in section III.B; and

--Whether the proposed budget is realistic and sufficiently detailed, with appropriate budget breakdown and justification of both federal and non-federal shares, by object class as listed on form SF-424A, and by annual budget period. Section IV.B.3 describes the form and format for the budget narrative.

5. Outreach and Education (5 points): NOAA assesses whether the Implementation Grants can deliver a focused and effective education and outreach strategy regarding NOAA's mission to protect the nation's natural resources. For the NRDA 2012 Implementation Grants competition, applications will be evaluated based on the following:

--The potential of the NRDA Implementation Grants to leverage NOAA's capacity to foster long-term stewardship for living marine resources and generate increased community interest in conservation:

--The extent to which a public education and outreach component will be part of the NRDA Implementation Grant's goals to disseminate information on habitat restoration and protection that will increase awareness and transfer knowledge on lessons learned, and to publicly advance the Implementation Grants and its goals and objectives; and

--The level of support for the NRDA Implementation Grants as demonstrated by other contributing partners, letters of support from these partners, and/or from local entities, state, local or federal governments and/or members of Congress.

## B. Review and Selection Process

Applications will undergo an initial administrative review to determine if they are eligible and complete, including verifying the completion of required A-133 audits, per Section III.A. 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 panel review process. 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. Prior to the panel discussion, each member of the panel will independently assign a numerical score for each proposal based on the evaluation criteria above.

The initial proposal scores will be averaged and the interim ranking will be presented to the panel for discussion. The panel will reach consensus on the applications to be recommended for funding. The panel will rate all proposals as highly responsive, moderately responsive, or not responsive to the evaluation criteria. This rating will be presented to the Selecting Official (SO) for funding consideration and will be the primary consideration of the SO in deciding which applications will be recommended to the NOAA Grants Management Division, pending the application of selection factors below.

## C. Selection Factors

The SO 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) by geographic area, 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.;
- (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 Management Division.

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 until the selection process has been validated and approved by the Department of Commerce Financial Assistance Law Division and then destroyed.

#### D. Anticipated Announcement and Award Dates

NOAA will attempt to notify successful applicants by April 1, 2012. The earliest anticipated start date for projects will be May 1, 2012, dependent on the completion of all NOAA/applicant negotiations, National Environmental Policy Act (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. The exact amount of funds to be awarded, the final scope of activities, the Implementation Grants duration, and specific NOAA cooperative involvement with the activities of each Implementation Grants will be determined in pre-award negotiations among the applicant, the NOAA Grants Management Division, and NOAA staff that will administer these restoration Implementation Grants. Applicants that initiate Implementation Grants activities in expectation of federal funding do so at their own risk, and are advised not to begin award-related work until a notice of award document is received electronically from the NOAA Grants Management Division in Grants Online, NOAA's online grants management system.

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 proposal awarded in response to this announcement will be required to use the Central Contractor Registration and Dun and Bradstreet Universal Numbering System and be subject to reporting requirements, as identified in OMB guidance published at 2 CFR Parts 25, 170 (2010), [http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?c=ecfr&tpl=/ecfrbrowse/Title02/2cfr25\\_main\\_02.tpl](http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?c=ecfr&tpl=/ecfrbrowse/Title02/2cfr25_main_02.tpl).

## B. Administrative and National Policy Requirements

### 1. Administrative Requirements

Successful applicants that accept a NOAA award under this solicitation will be bound by Department of Commerce standard terms and conditions. This document will be provided in the award package in Grants Online, NOAA's online grants management system, and can be found at: [http://oamweb.ossec.doc.gov/gmd\\_updated-doc.html](http://oamweb.ossec.doc.gov/gmd_updated-doc.html).

In addition, award documents provided by the NOAA Grants Office through the Grants Online award package may contain special award conditions including, but not limited to, those described below.

**Cooperative Agreement/Substantial Involvement:** NOAA Fisheries and trustee council participation will be crucial to ensuring the development, selection and implementation of the most beneficial habitat restoration projects possible. NOAA will:

- provide review of sub-award solicitations and proposals;
- verify the selected projects are of high quality and protect the federal interest in the expenditure of restoration funds;
- provide hands-on assistance on technical and permitting issues for each habitat restoration project;
- monitor the progression of the restoration from planning to implementation and post-construction follow-up, including one or more site visits; and/or
- participate in public events to highlight the restoration activities and to ensure that they foster the concept of citizen-based habitat restoration.

**Adhere to All Applicable Laws:** The recipient shall ensure that implementation of the projects sub-awarded under this Implementation Grants will meet all federal environmental laws and regulations by ensuring compliance with any required federal consultations and obtaining all applicable permits and approvals prior to expenditure of federal funds for those activities requiring permits and consultations. Verification of federal permits and environmental compliance related to projects sub-awarded under this cooperative agreement shall be available to the NOAA Program Officer if requested. The sub-recipient shall be cognizant of all conditions and restrictions required by their permits and consultations, and shall immediately halt activities and contact their NOAA Technical Monitor if events occur that threaten to violate the conditions or restrictions required by their permits and consultations.

**Maintain Project Files:** The recipient shall maintain project files for the restoration projects that are addressed under this agreement. These files shall contain, at a minimum, project work plans and copies of all federal, state and local regulatory permits and consultations associated with project implementation.

Acknowledge Contributors: Projects funded under this award should be referred to as "[the project], funded by NOAA and [the grantee] pursuant to the Natural Resource Damage Assessment process as determined by the [trustee council]."

The recipient and/or sub-recipients shall display, where appropriate and practical, publicly visible signs indicating that the project has received funding through the relevant trustee council. These signs shall also identify other contributing partners, as applicable. This participation and collaboration should also be acknowledged in all communications with the media and the public and in all outreach related to the projects.

Written Safety Plan: Safety is a critical consideration for restoration project implementation. The recipient shall have a written safety plan for management of employees, contractors, and volunteers working on the project(s), as applicable. The plan shall fully consider safety in and around project sites during and after project construction, and take into account potential safety concerns with regard to the current and future use of the sites. The award recipient shall ensure that a safety briefing is conducted for all project participants immediately prior to their involvement in hands-on restoration activities under this award, and shall require that any volunteers sign a formal liability release waiver. Recipients shall be responsible for exercising reasonable care and using best efforts to prevent accidents, injury or damage to all employees, contractors, persons and property, in and around the work site. This requirement also applies to all sub-awarded projects. All safety plans shall be made available to NOAA upon request.

SCUBA Safety: For any Self-Contained Underwater Breathing Apparatus (SCUBA) diving activities in a project, it is the responsibility of the recipient to ensure that SCUBA divers are certified to a level commensurate with the type and conditions of the diving activity being undertaken. Furthermore, it shall be the responsibility of the recipient to ensure that any SCUBA diving activities using Federal grant funds under this award meet, at a minimum, all applicable Federal, State, and local laws and regulations pertaining to the type of SCUBA diving being undertaken. SCUBA diving activities shall be in compliance with relevant NOAA policies.

Invasive Species Control: Pursuant to Federal Executive Order 13112, recipients of NOAA funding are prohibited from implementing any actions that may cause or promote the introduction or spread of invasive species, and should provide for restoration of native species and habitat conditions in ecosystems that have been invaded. NOAA recipients are expected to take positive steps to prevent the introduction of invasive species, provide for control of invasive species, and minimize the economic, ecological, and human health impacts that invasive species cause. Where possible and/or practicable, recipients should also respond rapidly to and control populations of invasive species in an environmentally sound manner, promote public education on invasive species, and conduct post-construction monitoring to ensure that impacts on native species did not occur (as applicable). NOAA can provide additional guidance on the detection, control and prevention of invasive species impacts upon request.

## 2. NEPA Requirements

NOAA must analyze the potential environmental impacts for individual habitat restoration projects as required by the National Environmental Policy Act (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 their description of their program 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).

It is the grantee's responsibility to ensure that sub-awardees obtain all necessary Federal, state, and local government permits and approvals whenever necessary for the proposed work to be conducted. Sub-award projects should be designed so that they minimize the potential for adverse impacts to the environment. Grantees 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 projects. The failure to agree to do so shall be grounds for not awarding a grant.

In most cases, applicants will not be aware of specific projects to be funded as sub-awards under the proposed Implementation Grants. Therefore, under each Implementation Grant awarded, NOAA staff will review individual project proposals considered for sub-award funding for compliance with the National Environmental Policy Act on a project-by-project basis. Restoration activities that are not covered by a DARRP Restoration Plan, Court Order, another agency's NEPA compliance procedures, or NOAA Fisheries Community-based Restoration Program Environmental Assessment (EA) and Finding of No Significant Impact (FONSI) will be reviewed under NOAA Administrative Order (NAO) 216-6, Environmental Review Procedures for Implementing the National Environmental Policy Act (NEPA). NAO 216-6 is located at <http://www.rdc.noaa.gov/~nao/216-6.html>. If a project cannot be categorically excluded, the sub-awardee will be informed after the technical review stage and may be requested to assist in the preparation of the appropriate NEPA document.

Successful applicants will need to ensure that project proposals considered for sub-award funding provide enough detail for NOAA to make a NEPA determination, and that funds will not be released until NOAA fulfills the requisite NEPA documentation. Successful applicants are encouraged to consult with NOAA as early as possible on projects considered for sub-awards to obtain guidance with respect to the level and scope of information needed by NOAA to comply with NEPA. A phased approach may be recommended and funds withheld by the Grants Management Division under a special award condition requiring the recipient to submit additional environmental law compliance information sufficient to enable NOAA to make an assessment on any impacts that the Implementation Grant project

may have on the environment.

Applicants proposing restoration activities that cannot be categorically excluded from further NEPA analysis, or that are not covered by the NOAA Fisheries Community-based Restoration Program Environmental Assessment (PEA) and Finding of No Significant Impact (FONSI) or Supplemental PEA and FONSI, or whose activities are not covered under another agency's NEPA compliance procedures that can be analyzed and adopted by NOAA, will be informed after the technical review stage and may be requested to assist in the preparation of an EA prior to an award being made, or provide for NOAA review a copy of an EA that covers proposed activities if one exists.

### C. Reporting

Progress reports for the overall management and administration of this award 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, each report shall contain an attachment that lists the sub-awarded project numbers and titles, the amount allocated to each project, as well as the project and reporting status. Reports specific to sub-awarded projects shall be submitted to NOAA by the recipient as attachments to the progress report and will be in a form and format jointly agreed-to by NOAA and the award recipient.

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 the NOAA Program Officer within 90 days after the end date of this award.

Due to NOAA's commitments under NRDA regulations, recipients will be responsible for submitting project invoices to NOAA on a quarterly basis. Failure to do so shall result in suspension of funds, and will jeopardize the availability of future funds.

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 (FSRS) available at [www.FSRS.gov](http://www.FSRS.gov) on all subawards of \$25,000 and over.

## VII. Agency Contacts

Supplemental Guidance regarding proposal writing and applicant Frequently Asked Questions regarding this competition can be found at: <http://www.habitat.noaa.gov/funding/darrp.html>. For further information contact Melanie Gange at (301) 427-8664 or Julia Royster at (301) 427-8686, or by e-mail at [Melanie.Gange@noaa.gov](mailto:Melanie.Gange@noaa.gov) or [Julia.Royster@noaa.gov](mailto:Julia.Royster@noaa.gov). Prospective applicants are invited to contact NOAA staff before submitting an application to discuss their NRDA Implementation Grants ideas.

## VIII. Other Information

The Department of Commerce Pre-Award Notification Requirements for Grants and Cooperative Agreements contained in the Federal Register notice of February 11, 2008 (73 FR 7696) are applicable to this solicitation.

In no event will NOAA or the Department of Commerce be responsible for preparation costs if programs fail to receive funding or are cancelled because of other agency priorities. Publication of this announcement does not obligate NOAA to award any specific Implementation Grants or to obligate any available funds.

Funds awarded cannot necessarily pay for all the costs that the recipient might incur in the course of carrying out an Implementation Grant. 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 Circulars A-122, "Cost Principles for Non-profit Organizations"; A-21, "Cost Principles for Education Institutions"; A-87, "Cost Principles for State, Local and Indian Tribal Governments"; and Federal Acquisition Regulation, codified at 48 Code of Federal Regulations, subpart 31.2 "Contracts with Commercial Organizations." All cost reimbursement sub-awards (e.g., subgrants, subcontracts) are subject to those federal cost principles applicable to the particular type of organization concerned.

Prior notice and an opportunity for public comment are not required by the Administrative Procedure Act (5 U.S.C. 553 (a) (2)) or by any other law for this document concerning grants, benefits, and contracts. Because notice and opportunity for comment are not required pursuant to 5 U.S.C. 553 or any other law, the analytical requirements of the Regulatory Flexibility Act (5 U.S.C. 601 et seq.) are not applicable. Therefore, a regulatory flexibility analysis has not been prepared.

This action has been determined to be not significant for purposes of Executive Order 12866 (Regulatory Impact Review).

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 424, 424A, 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.

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.