

# ANNOUNCEMENT OF FEDERAL FUNDING OPPORTUNITY

## EXECUTIVE SUMMARY

- **Federal Agency Name:** National Marine Fisheries Service (NOAA Fisheries), National Oceanic and Atmospheric Administration, Department of Commerce
- **Funding Opportunity Title:** Open Rivers Initiative Project Grants
- **Announcement Type:** Initial Announcement
- **Catalogue of Federal Domestic Assistance (CFDA) Number:** 11.463, Habitat Conservation
- **Dates:** Applications must be submitted **no later than 11:59 PM EST on January 13, 2006**. No facsimile or electronic mail applications will be accepted.
- **Application Submission:** Applications should be submitted via [www.grants.gov](http://www.grants.gov). If [www.grants.gov](http://www.grants.gov) cannot reasonably be used, applications must be postmarked, or provided to a delivery service and documented with a receipt, by **January 13, 2006**. NOAA Fisheries, Office of Habitat Conservation, Restoration Division (F/HC3), 1315 East West Highway, Silver Spring, MD 20910. **ATTN:** Open Rivers Initiative Project Applications.
- **Funding Opportunity Description:** The NOAA Open Rivers Initiative (ORI) provides funding to catalyze the implementation of locally driven barrier removal projects to remove dams and other barriers, in order to benefit living marine resources, particularly diadromous fish. Projects funded through the Open Rivers Initiative have strong on-the-ground habitat restoration components that foster economic, educational, and social benefits for citizens and their communities in addition to long-term ecological habitat improvements for NOAA trust resources. The role of NOAA in the ORI is to provide funding and technical assistance for barrier removal projects. Proposals selected for funding through this solicitation will be implemented through a cooperative agreement. Funding of up to \$6,000,000 is expected to be available for ORI Project Grants in FY 2007. The NOAA Restoration Center (RC) within the Office of Habitat Conservation will administer this grant initiative, and anticipates that typical awards will range from \$50,000 to \$250,000. Although a select few may exceed this range, project proposals requesting over \$1,000,000 will not be accepted or reviewed. To help expedite the implementation of on-the-ground components of barrier removal projects in 2007, up to \$1,000,000 may be made available in 2006 from a related NOAA grant program to support feasibility, engineering, and/or design elements of a small number of projects where the same application also seeks funding for on-the-ground removal activities.

## **I. Funding Opportunity Description**

### **A. Initiative Objectives**

The principal objectives of the NOAA Open Rivers Initiative are to provide Federal financial and technical assistance to locally driven removals of dams and other barriers to enhance watershed health, to foster sustainable fish populations, and improve community vitality and economic growth. This will help to restore living marine and coastal resources and their habitats and promote stewardship and a conservation ethic for NOAA trust resources, particularly diadromous fish. The ORI focus is on implementing projects that will directly benefit diadromous species such as salmon, sturgeon, shad, river herring, striped bass, and American eel.

Successful applications will be those that:

- demonstrate collaboration among entities such as public and nonprofit organizations, citizen and watershed groups, industry, corporations and businesses, youth conservation corps, students, landowners, academia, and local government, state, and Federal agencies to cooperatively implement barrier removal projects;
- document community benefits related to increased business opportunities, removal of potential liability, reduced flood impacts, and/or improved opportunities for recreation, park use, or other tangible community benefits, and
- are able to achieve a net gain in diadromous fish-accessible stream miles, increase the number of barrier removals in a particular watershed, document education and outreach or volunteer hours involved, and maximize project partnerships.

Project partners may contribute funding, land, technical assistance, workforce support or other in-kind services; promote grass-roots participation in the improvement of locally important living marine resources; and engender local stewardship and monitoring activities to sustain and evaluate the performance of the barrier removal. Past locally driven barrier removal projects supported by NOAA have been successful because they had significant local backing, depended upon citizens' hands-on involvement and drew community support through strategic outreach and education.

### **B. Initiative Priorities**

Initiative priorities are focused on removal of fish passage barriers within historic or present diadromous fish habitat to achieve a net gain in diadromous fish-accessible stream miles. Priority consideration will be given to those proposals that include fish population health benefits, are expected to have environmentally compatible economic benefits resulting from the barrier removal, will improve watershed health with measurable outcomes, and will result in community revitalization and stewardship. Priority will also be given to those proposals that maximize the number of stream miles for which access is restored. Removal of complete barriers to fish passage will be given priority consideration, as will proposals for which the bulk

of funding will support on-the-ground implementation activities. Proposals that address partial barriers will also be considered for funding, but may receive lower priority. In limited circumstances, the initiative will consider remedies such as fish ladders that are dependent on proper stream flows, operation, and maintenance to ensure free passage. Proposals that request funds for feasibility, engineering and/or design in addition to construction elements may be considered to receive partial funding in 2006 on a limited basis so that construction elements can move forward in a timely fashion with funding made available in 2007. This initiative does not fund feasibility studies, removal, partial removal, or replacement of barriers owned by the Federal government or dams licensed by the Federal Energy Regulatory Commission (FERC). Such proposals will be disqualified.

Restoration of access may include, but is not limited to, complete dam removal; notching or breaching of dams; removal of barriers such as culverts that completely or partially block fish passage and replacement with bridges, fish passable culverts or tidegates; removal of temporary or seasonal dams that block fish migration; or removal of other barriers to diadromous fish passage. Restoration activities may include upstream and/or downstream passage of diadromous fish.

The ORI will emphasize the selection of barrier removal projects that demonstrate a coordinated effort to maximize quality diadromous fish habitat within a watershed. Proposals that show consideration of other barrier removals, in order to restore a greater portion of a watershed, will receive priority consideration. Proposals should assess the state of fish barriers/fish access in the watershed to receive greater consideration than those that demonstrate little knowledge of other barriers in the system.

Projects that restore habitats found to be socio-economically important within their region with regard to such issues as commercial (e.g., fisheries) and recreational use, aesthetic and stewardship values will be favored. This may include projects that result in beneficial uses of newly available land previously inundated by a reservoir. Projects that document community benefits related to increased business opportunities, removal of potential liability, and/or improved opportunities for recreation, park use, or other tangible community benefits will be given priority. However, this initiative does not fund urban redevelopment components.

While the focus of this initiative is to provide funding and technical expertise to support on-the-ground implementation of barrier removal projects that involve significant community support, NOAA recognizes that accomplishing barrier removal is a multi-faceted effort involving feasibility studies, project design, engineering services, permitting, construction, legal considerations, oversight, pre- and post-removal monitoring, and education and outreach. Applicants may therefore apply for funding to support a combination of these activities in addition to the barrier removal itself. NOAA anticipates that up to \$1,000,000 may be available from a related grants program to support feasibility, engineering and/or design elements of a proposal in 2006, so that removal activities can proceed with additional funding through ORI that may be provided to successful applicants in 2007 using a multi-year award process. Priority will also be given to project proposals that incorporate proven barrier removal techniques and

maximize the cost-to-benefit ratio. Although barrier removal projects are often not suitable for volunteer involvement, projects that involve an outreach and/or volunteer component tied to the barrier removal activities will receive greater consideration. Additionally, projects must have pre- and post- project monitoring components.

Implementation of on-the-ground barrier removal projects must have clearly identified goals (broad in scope) and specific, measurable objectives. Evaluating these objectives must involve monitoring during the project period of at least one structural and one functional parameter, as supported by Title I of the Estuaries and Clean Waters Act of 2000, to ensure a basic level of assessment of project success. Monitoring must be conducted in a timely fashion with a frequency and length of time appropriate for each parameter in the context of the project objectives and type. Examples of structural and functional monitoring parameters for barrier removal project types are available on the World Wide Web at <http://www.nmfs.noaa.gov/habitat/restoration>, and assistance in refining the objectives and/or selecting appropriate parameters is available from NOAA staff working with the ORI.

NOAA will consider funding more than one project under a single award, however all projects should be sufficiently developed as per the guidelines and information requirements listed in this document for an application to be competitive, and all projects should be able to be completed within the award period specified below.

### **C. Authority**

The Secretary of Commerce is authorized under the Fish and Wildlife Coordination Act, 16 U.S.C. 661, as amended by the Reorganization Plan No. 4 of 1970, to provide grants or cooperative agreements for fisheries habitat restoration.

## **II. Award Information**

### **A. Funding Availability**

This solicitation announces that funding of up to \$6,000,000 is expected to be available for Open Rivers Initiative Project Grants in FY 2007. NOAA anticipates that typical project awards will range from \$50,000 to \$250,000; applications requesting less than \$30,000 or more than \$1,000,000 will not be accepted under this solicitation. Up to \$1,000,000 is expected to be available in 2006 to support feasibility, engineering, and/or design elements of a small number of projects where the same application also seeks funding for on-the-ground removal activities. NOAA does not guarantee that sufficient funds will be available to make awards for all proposals. 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 initiating barrier removal projects by the applicants, the merit and ranking of the proposals, and the amount of funds made available to the ORI by Congress.

NOAA anticipates that between 30 and 50 awards will be made as a result of this solicitation. The exact amount of funds that may be awarded will be determined in pre-award negotiations between the applicant and NOAA representatives. Publication of this document does not obligate NOAA to award any specific project or obligate all or any parts of any available funds.

### **B. Project/Award Period**

Awards will be made for projects where requested funding will be used to complete proposed pre-project planning, barrier removal, and monitoring activities within a period of 24 months from the approved start date of the project. The earliest date for receipt of awards for most applicants that will be recommended for funding will be after Federal fiscal year 2007 begins (October 1, 2006) and funds are appropriated by Congress. Applicants should consider this selection and processing time in developing requested start dates for proposed barrier removal activities; NOAA suggests reasonable start dates of winter/spring 2007. Start dates as early as May 1, 2006 are possible for a limited number of applications, however, to support feasibility, engineering and/or design activities in 2006, in advance of subsequent barrier removal activities for which funding is expected to be available in FY 2007. If an application is selected for funding, NOAA has no obligation to provide any additional prospective funding in connection with that award in subsequent years. Any subsequent proposal to continue work on an existing project must be submitted to a competitive process for consideration and will not receive preferential treatment. Permission to extend the period of performance beyond the 24 month award period is at the discretion of NOAA and must be requested in writing at least 60 days in advance of an award's expiration date.

### **C. Type of Funding Instrument**

Selected applications will be funded through a cooperative agreement since NOAA staff will be substantially involved in aspects of the project. Substantial involvement may include, but is not limited to, assistance in identifying priority barriers for removal within watersheds, activities such as hands-on technical or permitting assistance, support in developing protocols to adequately monitor the barrier removal to evaluate success, tracking the progression of the barrier removal through site visits and progress report evaluation, and involvement in public meetings and events to gain support for and highlight barrier removal activities.

### **D. Permits and Approvals**

It is the applicant's responsibility to obtain all necessary Federal, state and local government permits and approvals where necessary for the proposed work to be conducted. Applicants are expected to design their proposals so that they minimize the potential for adverse impacts to the environment. If applicable, documentation of requests or approvals of required environmental permits should be included in the application package. Applications will be reviewed to ensure that they contain sufficient information to allow NOAA staff to conduct a NEPA analysis so that appropriate NEPA documentation, required as part of the application

package, can be submitted to the NOAA Grants Management Division (GMD) along with the recommendation for funding for selected applications. For more information see Section VI. B. “Administrative and National Environmental Policy Act Requirements.” Applications are unlikely to be submitted to GMD until a Congressional appropriation for the ORI is enacted, with the exception of those few applications that may receive partial funding in FY 2006 to support feasibility and/or engineering and design activities.

### **III. Eligibility Information**

#### **A. Eligible Applicants**

Eligible applicants are institutions of higher education, other non-profits, industry and commercial (for profit) organizations, organizations under the jurisdiction of foreign governments, international organizations, and state, local and Indian tribal governments whose projects have the potential to benefit NOAA trust resources. Applications from Federal agencies or employees of Federal agencies will not be considered. Federal agencies are strongly encouraged to work with states, non-governmental organizations, national service clubs or youth corps organizations and others that are eligible to apply.

The Department of Commerce/National Oceanic and Atmospheric Administration (DOC/NOAA) 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. The ORI encourages proposals from or involving any of the above institutions.

#### **B. Cost Sharing or Matching Requirements**

A major goal of the ORI will be to provide seed money for projects that leverage funds and other contributions from a broad public and private sector to implement locally important barrier removals to benefit living marine and coastal resources. To this end, applicants are encouraged to demonstrate a minimum 1:1 non-Federal match for ORI funds requested to conduct the proposed project. NOAA strongly encourages applicants to leverage as much investment as possible. 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.”

Match to NOAA funds can come from a variety of public and private sources and can include in-kind goods and services and volunteer labor. Federal funds are not considered matching funds. Applicants are permitted to combine contributions from additional non-Federal partners in order to meet the 1:1 match expected, as long as such contributions are not being used to match any other funds. Applicants are also permitted to apply Federally negotiated indirect costs in excess of Federal share limits as described in Section IV. E. 2. “Indirect Costs.”

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. Successful

applicants should be prepared to carefully document matching contributions, including the overall number of volunteers and in-kind participation hours devoted to individual barrier removal projects. Letters of commitment for any secured resources that will be used as match for an award under this solicitation should be submitted as an attachment to the application. Applicants should consider the timing of potential match and awards to reflect the fact that the majority of funds will not be available until fiscal year 2007. Match must be applied to the project during the award period.

#### **IV. Application and Submission Information**

##### **A. Address to Request Application Package**

This solicitation and complete application packages (including required Federal forms) with instructions and the address for submission, can be found on [www.grants.gov](http://www.grants.gov), or by contacting Melanie Gange ([Melanie.Gange@noaa.gov](mailto:Melanie.Gange@noaa.gov)) or Robin Bruckner ([Robin.Bruckner@noaa.gov](mailto:Robin.Bruckner@noaa.gov)) at 301-713-0174. Additional information on the NOAA ORI, including examples of locally led barrier removal projects that have been funded by NOAA to date, can be found on the World Wide Web at <http://www.nmfs.noaa.gov/habitat/restoration>. The required forms are as follows:

- Application for Federal Assistance: **SF-424**
- Budget Information, Non-construction Programs: **SF-424A**
- Assurances, Non-construction Programs: **SF-424B**
- Certifications Regarding Lobbying: **CD-511**
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Depending on the applicant, the following forms may also be required:

- Disclosure of Lobbying Activities: **SF-LLL** (if applicable)
- Applicant for Federal Assistance: **CD-346** (required for some applicants, including Non-profit Organizations)

If the standard NOAA application forms and instructions for applicants cannot reasonably be accessed or downloaded from [www.grants.gov](http://www.grants.gov) contact the NOAA Restoration Center, NOAA Fisheries (F/HC3), 1315 East West Highway, Silver Spring, MD 20910, 301-713-0174, email [Melanie.Gange@noaa.gov](mailto:Melanie.Gange@noaa.gov). Potential applicants are invited to contact NOAA staff involved in the ORI before submitting an application to discuss the applicability of project ideas to the ORI's goals and objectives, and/or to request an application package that contains instructions for submitting standard NOAA grant applications and supplementary instructions specific to the ORI.

## B. Content and Form of Application Submission

Applicants are encouraged to apply through the grants.gov website ([www.grants.gov](http://www.grants.gov)), the clearinghouse for Federal financial assistance. A complete standard NOAA grant application package should be submitted in accordance with the guidelines in this document. Each application should include:

- Federal application forms specified above;
- a project summary that follows the prescribed format, not to exceed two pages;
- a narrative project description of no more than 12 pages, including a detailed narrative budget justification;
- the curriculum vitae or resume of primary project personnel;
- a site location map such as a USGS topographic quadrangle map with site location(s) highlighted;
- a letter documenting private landowner or public land manager support; and
- other relevant attachments the applicant deems important to the overall understanding and evaluation of the proposed project.

### 1. Summary Information (not to exceed two pages):

- **Applicant Organization**
- **Project Title**
- **Site Location** (nearest town or watershed, and geographic coordinates if known)
- **Barrier and/or Adjacent Landowner** (name and address if privately owned, resource agency contact if public land)
- **On-the-Ground Implementation Start Date** (not proposed award start date)
- **NOAA Trust Resources to benefit from the project** - habitat(s), organism(s)(species) currently using the project area or expected to return, and any listed threatened or endangered species in the project area or in the vicinity
- **Project Scope** (Briefly list specific tasks to be accomplished with requested funds, and proposed techniques that will be used to implement and monitor the barrier removal)
- **Outcome/reporting** Number of stream miles to be made accessible to diadromous fish, number of barriers removed.
- **Project Time Line**
- **Permits** (identify permits expected to be necessary for this project and current status of applications or consultations)
- **Federal Funds Requested & Non-Federal Match Anticipated**
- **Overall Project Cost**
- **Partner and Volunteer Support Anticipated** (hours/tasks)
- **Letters of Support** (list those included with the application, particularly those from private landowner/public lands agency resource personnel)

## **2. Narrative Project Description**

The **narrative project description** should closely follow the organization of the evaluation criteria for the application to receive a consistent review against competing applications. The body of the narrative description should be no more than 12 pages long (in 12-point font) including a narrative budget justification, and should give a clear presentation of the proposed work. In general, proposals should clearly demonstrate anticipated benefits to specific streams and creeks used by diadromous fish. Describe how these benefits will be achieved through the proposed barrier removal activities, and identify the range of diadromous species expected to benefit.

The narrative should include an estimate of stream miles to be reopened for diadromous fish passage. The applicant should also indicate whether the proposed project is part of a larger community or watershed plan, or otherwise prioritized in a publicly-vetted, published restoration or planning document. Projects taking place in special management areas such as National Estuarine Research Reserves, those under state coastal management, in National Estuary Program sites, in Essential Fish Habitat (EFH) or areas within EFH identified as Habitat Areas of Particular Concern may receive greater funding consideration.

The narrative should describe the historic condition of the barrier removal site. It should list the species currently found in the project site, identify the problems the project will address, describe short- and long-term objectives and goals, detail the methods for carrying out and monitoring the project, and clearly explain the project's relevance and significance to enhancing habitat to benefit living marine and coastal resources, particularly diadromous fish. It should also describe how the removal of the barrier was determined to be the decision arrived at by most of those concerned, and outline the process used to achieve common agreement.

Detailed information about the proposed barrier removal should be included. For example, project narratives should describe:

- historic fish presence and potential for return of diadromous species in the river,
- the river length that will be restored, the distance to the next upstream blockage, any downstream blockages or seasonal impediments to fish passage,
- the quality of upstream diadromous fish habitat,
- existing restoration plans for fish passage in the watershed,
- barrier and impoundment dimensions (in acre feet),
- potential changes to hydrology and flooding regimes,
- the original purpose and age of the barrier,
- the amount and characterization of sediments behind the barrier,
- potential sources of sediment contamination within the watershed,
- safety considerations, e.g., structural integrity of the barrier and likelihood of failure,
- the likelihood of historic and cultural resources in the area,
- who the barrier owner/landowner of the project site is, and identify properties that may be affected by project implementation, and

- the process used to ensure that the project is being put forward by common agreement.

Further, the proposal should explain the history of dam and barrier construction and development in the watershed, and list any past or pending barrier removals in order to better develop a solid watershed-wide fish access restoration plan.

To ensure a basic level of assessment of project success, implementation of on-the-ground barrier removal projects must have clearly identified goals (broad in scope) and specific, measurable objectives. Proposals should describe evaluation of these objectives by indicating at least one structural and one functional parameter that will be monitored during the award period, and for an appropriate duration after project completion. For each selected parameter (minimum of two), a baseline value, reference value, and a proposed target value must be identified prior to the implementation of barrier removal efforts. Proposals should describe how monitoring will be conducted in a timely fashion by describing the frequency and length of time appropriate to each parameter in the context of the project objectives and status.

To provide assurance that the project will expeditiously meet environmental compliance and permitting requirements, so that on-the-ground activities will begin within the first 12 months after the project's start date, projects that would require permits and consultations should list all necessary permits required to complete the project, including the appropriate contact information for each permitting agency and documentation of any permits already secured for the project.

NOAA must analyze the potential environmental impacts, as required by the National Environmental Policy Act (NEPA), for applicants that are seeking NOAA Federal funding. Proposals should provide enough detail for NOAA to make a NEPA determination (see Section VI. B. "Administrative and National Environmental Policy Act Requirements"). Successful applications cannot be forwarded to the NOAA Grants Management Division with recommendations for funding until NOAA completes necessary NEPA documentation (see Section I.B. "Initiative Priorities"). Consequently, as part of an applicant's package, and under the description of proposed activities, applicants are required to provide detailed information on the activities to be conducted, such as site locations, species and habitat(s) to be affected, possible construction activities, and any environmental concerns that may exist (e.g., disposal of hazardous or toxic substances such as those that might be contained in sediment behind impoundments, introduction of non-indigenous species that might also gain access to upper watershed habitats as a result of the project, impacts to endangered and threatened species, etc.).

In addition to providing specific information that will serve as the basis for any required impact analyses, applicants may also be requested to assist NOAA in drafting of an environmental assessment if NOAA determines an assessment is required and one does not already exist for the activities proposed in the application. Applicants will also be required to cooperate with and assist 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.

Applicants are encouraged to consult with NOAA as early as possible to obtain guidance with respect to the level and scope of information needed by NOAA to comply with NEPA. A phased approach to funding project activities may be recommended or special award conditions may be imposed limiting the use of funds for activities that have outstanding environmental compliance requirements to fulfill. The type of detailed information described above is critical to evaluating the significance of a project and its readiness to use available funding.

The project narrative should describe the organizational structure of the applicant group, identify proposed project staff, and detail their experience and qualifications. If known, the applicant should state the level of NOAA involvement in, and/or support for the project and include contact information of relevant NOAA staff.

Applications will be evaluated for cost-effectiveness by examining the proportion of funds directed to on-the-ground barrier removal/monitoring activities compared with that to be used for general program support. Budgets must include a detailed breakdown by category of cost (object class) 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 shares.

If funding will be used to complete part of a larger project, a budget for the entire project should be provided to allow the selecting official to make an informed determination of a project's readiness and cost-benefit ratio. A narrative budget justification should indicate if the project has been submitted for funding consideration elsewhere, what amount has been requested or secured from other sources, and whether the funds requested/secured are Federal or non-Federal. The narrative budget justification is included within the overall narrative project description 12-page limit.

The project narrative should also describe the extent of committed community involvement in the project, such as community participants (project partners) other than the applicant and their contributions, volunteer opportunities, education/outreach/stewardship plans, and efforts to disseminate information on project goals and results and/or the sources of project funding and support. If applicable, the narrative should explain how the proposed project will complement or encourage other local barrier removal, restoration or conservation activities, and the process used to obtain common agreement that barrier removal is the correct course of action.

To demonstrate a project's potential to realize long-term benefits for NOAA trust resources, indicate project readiness, and protect the Federal investment, a letter of commitment is required from the landowner for projects on private land, or from relevant resource agency personnel for projects on public, permanently protected land, that provides assurance that the project will be maintained for its intended purpose.

Applicants should not assume prior knowledge on the part of NOAA as to the relative merits of the project described in the application. Inclusion of supplementary materials such as

photographs, project designs, diagrams, copies of secured permits, letters of support, etc. are strongly encouraged and do not count toward the project narrative page limit.

Applicants are strongly encouraged to apply through [www.grants.gov](http://www.grants.gov). It takes approximately 3 weeks to register with grants.gov, and registration is required only once. Applicants should consider the time needed to register with grants.gov, and should begin the registration process well in advance of the application due date. If grants.gov cannot reasonably be used, a hard copy (signed in blue ink) of each application may be submitted to the NOAA Restoration Center (see sub-section G. "Addresses"). Paper applications should be printed on one side only and should not be bound in any manner.

### **C. Submission Dates and Times**

Applications should be submitted via [www.grants.gov](http://www.grants.gov), and must be received by grants.gov **no later than 11:59 PM EST on January 13, 2006** to be considered for funding. If grants.gov cannot reasonably be used, applications must be postmarked, or provided to a delivery service and documented with a receipt, by **January 13, 2005**. 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 15 business days following the postmark closing date will not be accepted. No facsimile or electronic mail applications will be accepted.

### **D. Intergovernmental Review**

Applications under this initiative 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 16 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 SPOC's are listed in the Office of Management and Budget's home page at: <http://www.whitehouse.gov/omb/grants/spoc.html>.

### **E. Funding Restrictions**

#### **1. Allowable Costs**

Funds awarded cannot necessarily pay for all the costs that the recipient might incur in the course of carrying out the project. 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 (subgrants, subcontracts, etc.) are subject to those Federal cost principles applicable to the particular type of organization concerned. This initiative does not fund feasibility studies, engineering and design, removal, partial removal, or replacement of Federally-owned or FERC-licensed dams.

Pre-award costs are generally unallowable. The earliest date for receipt of awards will be after Federal fiscal year 2007 begins (October 1, 2006) and after funds are appropriated by Congress. Applicants should consider this selection and processing time in developing requested start dates for proposed barrier removal activities; NOAA suggests reasonable start dates of winter/spring 2007. An exception may be made for feasibility, engineering, and/or design elements of projects to be recommended for funding, where funding for such activities could be provided in FY 2006 so that subsequent on-the-ground removal activities can be initiated in FY2007.

## **2. Indirect Costs**

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, and 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 must 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 25 percent of the direct costs proposed. For those situations in which the use of the applicant’s indirect cost rate would result in indirect costs greater than 25 percent of the Federal direct costs, the difference may be counted as part of the non-Federal share.

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 current negotiated rate and plans to seek reimbursement for indirect costs, documentation necessary to establish a rate must be submitted within 90 days of receiving an award.

## **F. Other Submission Requirements**

If Grants.gov cannot reasonably be used, send applications to Christopher D. Doley, Director, NOAA Restoration Center, NOAA Fisheries (F/HC3), 1315 East West Highway, Silver Spring, MD 20910-3282, **ATTN: Open Rivers Initiative Project Applications.**

## **V. Application Review and Selection Information**

### **A. Evaluation Criteria**

Reviewers will assign scores to proposals ranging from 0 to 100 points based on the following five standard NOAA evaluation criteria and respective weights specified below.

### **1. Importance and Applicability of Proposal (30 points)**

This criterion ascertains whether there is intrinsic value in the proposed work and/or relevance to NOAA, Federal, regional, state or local activities. For the Open Rivers Initiative Project Grants competition, NOAA will evaluate applications based on the following:

- The potential of the project to restore, protect, conserve or enhance habitats and ecosystems vital to self-sustaining populations of living marine and coastal resources under NOAA Fisheries stewardship (including commercial, recreational, threatened or endangered species) through barrier removal activities and the degree to which they are expected to result in direct ecological benefits or otherwise maximize benefits for living marine and coastal resources, particularly diadromous fish species. Maximum benefits achieved through physical removal of complete barriers (as compared to planning or design) to fish passage may receive greater consideration.
- Projects restoring access to high quality upstream habitat or occurring in or near special management areas such as State or Federal protected areas or areas identified by NOAA as essential fish habitat (EFH) may receive greater consideration.
- The project's significance with respect to the extent of proposed barrier removal activities, such as the number of stream miles to be made accessible to diadromous fish or the significance of upstream habitat to be made accessible with respect to fish species recovery, considered in the context of the local environment.
- Whether the proposal addresses a priority barrier as evidenced by reference to a restoration plan, watershed assessment or stewardship plan or similar publicly vetted, published planning document and/or public planning process.
- The project's socio-economic benefits such as potential for community revitalization, recreational opportunities, and minimization of maintenance costs and liability associated with the barrier.

### **2. Technical/Scientific Merit (30 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 the Open Rivers Initiative Project Grants competition, proposals will be evaluated based on the following:

- The completeness and adequacy of detail in the project description, including clearly stated barrier removal objectives and goals, and the extent to which the implementation plan is achievable within the 24 month award period, including the ability to yield minimum monitoring data.
- The overall technical feasibility of the project from both biological and engineering perspectives, including whether the proposed approach is technically sound and uses

appropriate methods that are likely to achieve project goals and objectives.

- Whether there are plans for long-term management of the restored resource, including operations and maintenance plans for bridges, culverts, or tidegate devices, and an effective mechanism to evaluate project success, including adequate and meaningful monitoring that includes a clearly stated goal and at least one structural and one functional monitoring parameter for which results are achievable within the award period.
- For assurance that implementation of the project will meet all Federal, state and local environmental laws, and will expeditiously obtain applicable permits so that on-the-ground activities will begin within the first 12 months after a project's proposed start date. Projects that would require permits and consultations should list all necessary permits required to complete the project, including the appropriate contact information for each permitting agency and documentation of any permits already secured for the project.

### **3. Overall Qualifications of Applicants (10 points)**

This criterion ascertains whether the applicant possesses the necessary education, experience, demonstrated commitment, training, facilities, and administrative resources to accomplish the project. For the Open Rivers Initiative Project Grants competition, NOAA will evaluate applications based on the following:

- The capacity of the applicant and associated project personnel to conduct the scope and scale of the proposed work, as indicated by the qualifications and past experience of the project leaders and/or partners in designing, implementing and effectively managing and overseeing projects that benefit living marine or coastal resources. Examples of projects similar in scope and nature that have been successfully completed by the implementation team are encouraged, as are resumes or other documentation of professional capacities.
- Communities and/or organizations developing their first locally-driven barrier removal project may not be able to document past experience, and therefore will be evaluated on their potential to effectively manage and oversee all project phases, as evidenced by the explanation of characteristics such as education, training and/or experience of primary project participants.
- The facilities and/or administrative resources and capabilities available to the applicant to support and successfully manage the barrier removal work, including the availability of NOAA or other technical expertise to guide the project to a successful completion. Applicants with demonstrated or potential NOAA involvement in or support for the proposed project may score higher on this criterion.

### **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 the Open Rivers Initiative Grants competition, proposals will be evaluated on the following:

- Their cost-effectiveness. Reviewers will examine the percentage of funds that will be dedicated to all phases of project implementation including physical, on-the-ground coastal barrier removal and/or science-based monitoring, compared to the percentage for general program support such as administration, salaries, overhead and travel. Applications proposing to use barrier removal funds to expand an organization's day-to-day activities are unlikely to obtain a high score under this criterion. To encourage on-the-ground barrier removal, funding for salaries must be used to support staff directly involved in accomplishing the barrier removal work and should contain a detailed breakdown of personnel hours and costs by task.
- Whether the proposed budget is realistic, based on the applicant's stated objectives and time frame, 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. Requests for equipment (any single piece of equipment costing \$5,000 or more) should be strongly tied to achieving on-the-ground barrier removal and a comparison with rental costs should be used to justify the need to purchase. In general, funding requests for equipment purchases such as vehicles, heavy equipment and similar items will be a low priority.
- The ability of the applicant to demonstrate that a significant benefit will be generated for a reasonable cost. If funds are requested for partial support of a project, the budget will be examined with respect to the overall project budget to allow an informed determination of a project's readiness and cost-benefit ratio.
- The demonstrated need for funding and the overall leverage of NOAA funds anticipated, including any cash match or other Federal funding anticipated or awarded. NOAA will expect cost-sharing at a 1:1 level to leverage funding or other resources that improve cost-effectiveness and to further encourage partnerships. Applicants that provide documentation that acceptable secured match is available within the proposed project period are likely to score higher on this criterion. Applicants should consider the timing of potential match and awards to reflect the fact that ORI funds will not be available until fiscal year 2007.

#### **5. Outreach, Education and Community Involvement (15 points)**

NOAA assesses whether the project provides a focused and effective education and outreach strategy regarding NOAA's mission. For the Open Rivers Initiative Grants competition, proposals will be evaluated on the following:

- Whether the activities proposed will involve citizens in a significant, strategic pre-removal education and outreach effort that demonstrates that the barrier removal project has been put forward by common agreement, and that the project will have significant community support, as reflected by the diversity and strength of project partners, sponsorship by local entities (either through in-kind goods and services such as earth-moving services, technical expertise, conservation easements, or cash contributions), and/or written support from state and local

governments or members of Congress.

- General public outreach as it relates to the project implementation, including plans to disseminate information on project goals, results, project partners and their roles, sources of funding and other support provided; and the potential for the proposed project to encourage future barrier removal and protection of living marine and coastal resources or complement other local barrier removal or conservation activities.
- Letter of commitment from the affected landowner for a project on private land, or from the appropriate agency personnel for a project on publicly owned land, including assurance that the project will be maintained for its intended purpose.

## **B. Review and Selection Process**

Applications will be screened by NOAA staff to determine if they are eligible, complete and in accordance with instructions detailed in the standard NOAA Grants Application Package. Applications that present narrative information in the same order as the evaluation criteria set out above are likely to be more competitive, as reviewers will be more easily able to identify information that directly translates to scoring. Eligible barrier removal proposals will undergo a technical review, ranking, and selection process. As appropriate during this process, the NOAA Restoration Center will solicit individual technical evaluations of each project proposed and may request evaluations from other NOAA offices, the Regional Fishery Management Councils, other Federal and state agencies, such as state coastal management agencies and state fish and wildlife agencies, and private and public sector barrier removal experts who have knowledge of a specific applicant or project. Proposals also will be reviewed by NOAA regional and headquarters staff to determine how well they meet the stated aims of the ORI, and how well the proposal meets the goals of the NOAA Office of Habitat Conservation (OHC) and the NOAA Habitat Program.

Applications for barrier removal projects will be evaluated by at least three individual technical reviewers, including those mentioned in the above paragraph, according to the criteria and weights described in this solicitation. The proposals will be rated, and reviewer comments and composite project scores and a rank order will be presented to the Director of the NOAA Restoration Center (Director). The Director, in consultation with OHC staff, will select the proposals to be recommended to the Grants Management Division (GMD) for funding and determine the amount of funds available for each approved proposal. The proposals shall be recommended in rank order unless the proposal is justified to be selected out of rank order based upon one or more of the following factors:

1. the availability of funding;
2. the balance/distribution of funds: a) geographically, b) by type of institutions, c) by type of partners, d) by research areas, e) by project types;
3. duplication of other projects funded or considered for funding by NOAA and/or other Federal agencies;
4. initiative priorities and policy factors as set out in section I.A and B;
5. the 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 funding recommendations are acted upon by GMD.

Hence, awards may not necessarily be made to the highest scoring proposals. Unsuccessful applicants will be notified that their proposal was not among those recommended for funding. Unsuccessful applications submitted in hard copy will be kept on file until the close of the following fiscal year then destroyed.

Successful applicants generally will be identified approximately 90-120 days after the close of this solicitation. The earliest date for receipt of most awards will be approximately 60 days after the 2007 fiscal year appropriation is enacted, when all NOAA/applicant final negotiations and NEPA analysis and documentation supporting cooperative agreement activities have been completed. Applicants should consider this selection and processing time in developing requested start dates for proposed barrier removal activities; NOAA suggests reasonable start dates of winter/spring 2007.

## **VI. Award Administration Information**

### **A. Award Notices**

Successful applicants may be asked to modify objectives, work plans, or budgets prior to final approval of an award. The exact amount of funds to be awarded, the final scope of activities, the project duration, and specific NOAA cooperative involvement with the activities of each project will be determined in pre-award negotiations among the applicant, the NOAA Grants Office, and the ORI staff. Projects should not be initiated in expectation of Federal funding until a notice of award document is received from the NOAA Grants Office.

### **B. Administrative and National Environmental Policy Act 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 with a copy of the award by the NOAA Grants Office, and can be found at: <http://www.osc.doc.gov/oebam/pdf/ST&C-rev-1002.pdf>.

In addition, award documents provided by the NOAA Grants Office may contain special award conditions limiting the use of funds for activities that have outstanding environmental compliance requirements to fulfill, and/or stating other compliance requirements for the award as applicable.

#### **2. NEPA Requirements**

NOAA must analyze the potential environmental impacts, as required by the National

Environmental Policy Act (NEPA), for applicant projects or proposals that are seeking NOAA Federal funding opportunities. Detailed information on NOAA compliance with NEPA can be found at the following NOAA NEPA website: <http://www.nepa.noaa.gov/>, including our NOAA Administrative Order 216-6 for NEPA, [http://www.nepa.noaa.gov/NAO216\\_6\\_TOC.pdf](http://www.nepa.noaa.gov/NAO216_6_TOC.pdf), and the Council on Environmental Quality implementation regulations, [http://ceq.eh.doe.gov/nepa/regs/ceq/toc\\_ceq.htm](http://ceq.eh.doe.gov/nepa/regs/ceq/toc_ceq.htm). Consequently, as part of an applicant's package, and under their description of their program activities, applicants are required to provide detailed information on the activities to be conducted, locations, sites, species and habitat to be affected, possible construction activities, and any environmental concerns that may exist (e.g., the use and disposal of hazardous or toxic chemicals, introduction of non-indigenous species, impacts to endangered and threatened species, aquaculture projects, and impacts to coral reef systems).

In addition to providing specific information that will serve as the basis for any required impact analyses, applicants may also be requested to assist NOAA in drafting of an environmental assessment, if NOAA determines an assessment is required. Applicants will 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.

Applicants proposing barrier removal 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 will be informed after the peer 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. The CRP PEA and FONSI can be found at: [http://www.nmfs.noaa.gov/habitat/restoration/projects\\_programs/CRP/assessment/ea\\_main.html](http://www.nmfs.noaa.gov/habitat/restoration/projects_programs/CRP/assessment/ea_main.html).

### **C. Reporting Requirements**

Progress reports are due semi-annually and cover 6-month periods that begin with the start date listed in award documentation provided by GMD. Progress reports are due directly to the NOAA ORI office and are due no later than 30 days after each 6-month project period. A final report is due no later than 90 days after the expiration date of an award.

Progress reports may be required to be submitted using a specific format for narrative information and a fill-form for project specific details that can be found on the NOAA Restoration Center website at: <http://www.nmfs.noaa.gov/habitat/restoration>. Use of this progress report form and format involves collection-of-information requirements subject to the Paperwork Reduction Act, and has been approved by OMB under control number 0648-0472 and expires on April 30, 2006; NOAA intends to seek approval from OMB to continue using this form. Complete details on reporting requirements will be provided to successful applicants in the award documentation provided by the NOAA Grants office.

Financial reports cover the periods from October 1 - March 31 (due by April 30) and April 1 - September 30 (due by October 30), and should be submitted directly to the NOAA Grants Management Division as per instructions contained in official NOAA award documentation.

Recipients of NOAA funding are strongly encouraged to submit project information on-line through the National Estuary Restoration Inventory (NERI) at <https://neri.noaa.gov/>. Submission of project information through NERI is not a substitute for submitting progress reports to NOAA. Only projects receiving funding through the Estuary Restoration Act are required to submit project information on-line through NERI. NERI is a web-based inventory of restoration projects that restoration practitioners can use to track the success and progress of their own projects. Projects submitted to NERI may be counted toward the one million acre goal of the Estuary Restoration Act and information will be available for on-line queries and reports once the project is approved. This collection-of-information is subject to the Paperwork Reduction Act, and has been approved by OMB under control number 0648-0479 and expires on July 31, 2006. For more information on submitting projects to NERI, see <https://neri.noaa.gov/about.html>.

## **VII. Agency Contacts**

For further information contact Robin Bruckner ([Robin.Bruckner@noaa.gov](mailto:Robin.Bruckner@noaa.gov)) or Melanie Gange ([Melanie.Gange@noaa.gov](mailto:Melanie.Gange@noaa.gov)) at (301) 713-0174, or by fax at (301) 713-0184; or contact Kerry Griffin ([Kerry.Griffin@noaa.gov](mailto:Kerry.Griffin@noaa.gov)) at (503) 872-2738 or by fax at (503) 231-6265.

## **VIII. Other Information**

The Department of Commerce Pre-Award Notification Requirements for Grants and Cooperative Agreements contained in the Federal Register notice of December 30, 2004 (69 FR 78389) are applicable to this solicitation.

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

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. Accordingly, a regulatory flexibility analysis is not required by the Regulatory Flexibility Act (5 U.S. C. 601 et seq.).

This action has been determined to be not significant for purposes of Executive Order 12866.

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.

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