

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: 2010 Saltonstall-Kennedy Grant Program

Announcement Type: Initial

Funding Opportunity Number: NOAA-NMFS-FHQ-2010-2002039

Catalog of Federal Domestic Assistance (CFDA) Number: 11.427, Fisheries Dev and Utilization Research and Dev Grants and Coop Agreements Program

Dates: Applications must be received and validated by Grants.gov on or before 5 p.m. EDT on September 1, 2009. Please note: Validation or rejection of your application by Grants.gov may take up to 2 business days after submission. Please consider this process in developing your submission timeline. Applications received after the deadline will be rejected/returned to the sender without further consideration. No facsimile or electronic mail applications will be accepted.

If an applicant does not have internet access, hard copy proposals will be accepted and the date recorded when they are received in the program office. Hard copy applications must be received by the Saltonstall-Kennedy Grant Program Office by 5 p.m. EDT on September 1, 2009.

Funding Opportunity Description: The Saltonstall-Kennedy Act established a fund (known as the S-K fund) that the Secretary of Commerce uses to provide grants or cooperative agreements for fisheries research and development projects addressed to any aspect of U.S. fisheries, including, but not limited to, harvesting, processing, marketing, and associated infrastructures. U.S. fisheries include any fishery, commercial or recreational, that is, or may be, engaged in by citizens or nationals of the United States, or citizens of the Northern Mariana Islands (NMI), the Republic of the Marshall Islands, Republic of Palau, and the Federated States of Micronesia.

FULL ANNOUNCEMENT TEXT

I. Funding Opportunity Description

A. Program Objective

The objectives of the S-K Grant Program, and, therefore, the funding priorities, have changed over the years since the program began in 1980. The program has evolved as Federal fishery management laws and policies, and research needs, have evolved in response to changing circumstances.

The original focus of the program was to develop underutilized fisheries within the U.S. Exclusive Economic Zone (EEZ, i.e., 3-200 miles (5.6-370.4 kilometers) off the coast). This focus was driven in part by the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act). The Magnuson-Stevens Act, originally passed in 1976, directed us to give the domestic fishing industry priority access to the fishery resources in the EEZ. In 1980, the American Fisheries Promotion Act amended the S-K Act to stimulate commercial and recreational fishing efforts in underutilized fisheries. The competitive S-K Program, which initiated as a result, included fisheries development and marketing as funding priorities.

In the following years, the efforts to Americanize the fisheries were successful to the point that most nontraditional species were fully developed and some traditional fisheries became overfished. Therefore, we changed the emphasis of the S-K Program to address conservation and management issues and aquaculture.

In 1996, the Sustainable Fisheries Act (SFA) (Public Law 104-297), was enacted. The SFA amended the Magnuson-Stevens Act and supported further adjustment to the S-K Program to address the current condition of fisheries.

The Magnuson-Stevens Act, as amended by the SFA, requires us to undertake efforts to prevent overfishing, rebuild overfished fisheries, insure conservation, protect essential fish habitats, and realize the full potential of U.S. fishery resources. It further requires that we take into account the importance of fishery resources to fishing communities; provide for the sustained participation of such communities; and, to the extent possible, minimize the adverse economic impacts of conservation and management measures on such communities. The Magnuson-Stevens Act defines a "fishing community" as "a community which is substantially dependent on or substantially engaged in the harvest or processing of fishery resources to meet social and economic needs, and includes fishing vessel owners, operators, and crew and United States fish processors that are based in such community." (16 U.S.C.

1802 (16)).

The NOAA Strategic Plan, updated in 2005, has also shaped the S-K Program. NOAA's goal is to conserve, protect, manage, and restore living marine resources and coastal and ocean resources which are critical to public health and the vitality of the U.S. economy. For the FY 2010 S-K Grant Program announced in this document, we have attempted to address the most important needs of fishing communities in terms of these Ecosystem Mission strategies.

The S-K Program is open to applicants from a variety of sectors, including industry, academia, and state and local governments. We encourage applications that involve collaboration between industry and the other sectors listed.

B. Program Priorities

Aquaculture Projects which demonstrate the feasibility of culturing marine fish species identified as potential or suitable candidates for aquaculture (e.g. redfish, pompano, cod, halibut, sablefish, mussels, scallops, milkfish, and other baitfish species, and tuna). Projects should include, where feasible, participation of the traditional fishing communities. Projects which explore alternate feed sources that reduce the demand for marine protein in aquaculture feeds such as use of fish processing trimmings in aquaculture feeds. Projects which investigate alternative ways to minimize interactions with marine mammals and other living marine resources.

Optimum Utilization of Harvested Resources under Federal or State Management - Reduce or eliminate factors such as diseases, human health hazards, and quality problems that limit the utilization of fish and their products in the United States and abroad through cooperative research with fishing industry participation. Increase public knowledge of the safe handling and use of fish and their products. Develop seafood fraud detection and reduction techniques. Develop usable products from economic discards (defined in the Magnuson-Stevens Act as fish which are the target of a fishery, but are not retained because they are of an undesirable size, sex, or quality, or for other economic reasons") and byproducts of processing. Facilitate industry (including restaurants and seafood marketing facilities, etc.) cooperation and outreach to promote and enhance marketability of regional U.S. fishery products. Collect data on population dynamics, life histories, etc., of fish not currently under Federal FMPs, for the Councils to determine the feasibility of a new federally managed fishery that could provide additional fishing opportunity.

Fisheries Socioeconomics - Improve the understanding of the socioeconomic aspects of fisheries to increase the knowledge base for making decisions that affect commercial, recreational, and subsistence fishing. Examples could include, but are not limited to

ethnographic baseline data on specific fishing communities; cost-income data; analyses of the socioeconomic impacts of specific management measures in certain fisheries; analyses of factors influencing demand for recreational fishing trips by anglers; and market analyses to determine factors that influence demand and supply of specific seafood products, including imports.

Conservation Engineering - Reduce or eliminate adverse interactions between fishing operations and non-targeted, protected, or prohibited species, including the inadvertent take, capture, or destruction of such species. These include juvenile or sublegal-sized fish and shellfish, females of certain crabs, fish listed under the Endangered Species Act (ESA), marine turtles, seabirds, or marine mammals. Improve the survivability of fish discarded or intentionally released and of protected species released in fishing operations. Reduce or eliminate impacts of fishing activity on essential fish habitat (EFH) that adversely affect the sustainability of the fishery. Activities could focus on the development of gear technologies and/or changes to fishing practices to reduce the bycatch of sea turtles in bottom otter trawl or gillnet gear; development or improvement of existing gear modifications designed to reduce incidental interactions between fishing gear (e.g., traps/pots, gillnets, and trawls) and marine mammals, including studies to investigate new gear which could effectively reduce serious injury and mortality of right whales and other large whales in the U.S. Atlantic commercial fixed gear fisheries and through the development of entanglement mitigation gear. Projects that aid in the understanding and integration of all the interactions that a target fish stock has with predators, competitors, and prey species; other ocean uses e.g. energy projects that can prohibit/inhibit fishing biology and ecology; the complex interactions between fisheries and their habitat; the effects of fishing on fish stocks and their habitat, or improve the seafood industry's use of the ecosystem

C. Program Authority

Authority for the Saltonstall-Kennedy Grant Program is provided under the Saltonstall-Kennedy Act (S-K Act), as amended (15 U.S.C. 713c-3).

II. Award Information

A. Funding Availability

Funding is contingent upon availability of Federal allocations. The S-K program has sought funding for \$5 million in grant awards. We anticipate awarding 20-25 grants of approximately \$100,000 to \$250,000 each. Applicants are hereby given notice that funds have not yet been allocated for this program. In no event will NOAA or the Department of Commerce be responsible for proposal preparation costs if this program fails to receive funding or is cancelled because of other agency priorities. Publication of this notice does not

obligate NOAA to award any specific project or to obligate any available funds. You should not initiate your project in expectation of Federal funding until you receive a grant award document signed by an authorized NOAA official. If one incurs any costs prior to receiving an award agreement signed by an authorized NOAA official, one would do so solely at one's own risk of these costs not being included under the award. Recipients and subrecipients are subject to all Federal laws and agency policies, regulations and procedures applicable to Federal financial assistance awards.

B. Project/Award Period

We will award grants or cooperative agreements for a maximum period of 24 months. If we select your application for funding and you wish to continue work on the project beyond the funding period, you must submit another proposal to the competitive process for consideration, and you will not receive preferential treatment. Even though we are publishing this announcement, we are not required to award any specific grant or cooperative agreement, nor are we required to obligate any part or the entire amount of funds available.

C. Type of Funding Instrument

The exact amount of funds, the scope of work, and terms and conditions of a successful award will be determined in pre-award negotiations between you and NOAA/NMFS representatives. The funding instrument (grant or cooperative agreement) will be determined by NOAA Grants.

III. Eligibility Information

A. Eligible Applicants

You are eligible to apply for a grant or a cooperative agreement under the Saltonstall-Kennedy Grant Program if:

1. You are a citizen or national of the United States;
2. You are a citizen of the Northern Mariana Islands (NMI), being an individual who qualifies as such under section 8 of the Schedule on Transitional Matters attached to the constitution of the NMI;
3. You are a citizen of the Republic of the Marshall Islands, Republic of Palau, or the Federated States of Micronesia; or
4. You represent an entity that is a corporation, partnership, association, or other non-Federal entity, non-profit or otherwise (including Indian tribes), if such entity is a citizen of the United States or NMI, within the meaning of section 2 of the Shipping Act, 1916, as amended (46 U.S.C. app. 802).

We support cultural and gender diversity in our programs and encourage women and minority individuals and groups to submit applications. Furthermore, we recognize the interest of the Secretaries of Commerce and Interior in defining appropriate fisheries policies and programs that meet the needs of the U.S. insular areas, so we also encourage applications from individuals, government entities, and businesses in U.S. insular areas.

We are strongly committed to broadening the participation of Minority Serving Institutions (MSIs), which include Historically Black Colleges and Universities, Hispanic Serving Institutions, and Tribal Colleges and Universities, in our programs, including S-K. Therefore, we encourage all applicants to include meaningful participation of MSIs.

We encourage applications from members of the fishing community, and applications that involve fishing community cooperation and participation. We will consider the extent of fishing community involvement when evaluating the potential benefit of funding a proposal.

You are not eligible to submit an application under this program if you are an employee of any Federal agency; a Council; or an employee of a Council. However, Council members who are not Federal employees can submit an application to the S-K Program.

B. Cost Sharing or Matching Requirement

We are requiring cost sharing in order to leverage the limited funds available for this program and to encourage partnerships among government, industry, and academia to address the needs of fishing communities. You must provide a minimum cost share of 10 percent of total project costs, but your cost share must not exceed 50 percent of total costs.

You may find this formula useful:

1. Total Project Cost (Federal and non-Federal cost share combined) x .9 = Maximum Federal Share.
2. Total Cost - Federal share = Applicant Share.

For example, if the proposed total budget for your project is \$100,000, the maximum Federal funding you can apply for is \$90,000 ($\$100,000 \times .9$). Your cost share in this case would be \$10,000 ($\$100,000 - \$90,000$). For a total project cost of \$100,000, you must contribute at least \$10,000, but no more than \$50,000 (10-50 percent of total project cost). Accordingly, the Federal share you apply for would range from \$50,000 to \$90,000. If your application does not comply with these cost share requirements, we will return it to you and will not consider it for funding. The funds you provide as cost sharing may include funds from private sources or from state or local governments, or the value of in-kind contributions. You may not use Federal funds to meet the cost sharing requirement except as provided by Federal statute. In-kind contributions are non-cash contributions provided to you by non-Federal third parties. In-kind contributions may include, but are not limited to, personal

services volunteered to perform tasks in the project, and permission to use, at no cost, real or personal property owned by others.

We will determine the appropriateness of all cost sharing proposals, including the valuation of in-kind contributions, on the basis of guidance provided in 15 CFR parts 14 and 24. In general, the value of in-kind services or property you use to fulfill your cost share will be the fair market value of the services or property. Thus, the value is equivalent to the cost for you to obtain such services or property if they had not been donated. You must document the in-kind services or property you will use to fulfill your cost share.

If we decide to fund your application, we will require you to account for the total amount of cost share included in the award document.

C. Other Criteria that Affect Eligibility

Not applicable.

IV. Application and Submission Information

A. Address to Request Application Package

The standard application package is available at <http://www.grants.gov>. For applicants without internet access, an application package may be received by contacting Daniel A Namur, S-K Program Manager, NOAA/NMFS (F/MB); 1315 East-West Highway, Room 13358, Silver Spring, MD 20910-3282, Phone: (301)713-1365, ext. 118, e-Mail: Dan.Namur@noaa.gov.

B. Content and Form of Application

You must follow the instructions in this document in order to apply for a grant or cooperative agreement under the Saltonstall-Kennedy Grant Program. Your application must be complete and must follow the format described here.

A. Cover Sheet

You must use Office of Management and Budget (OMB) Standard Form 424 and 424B as the cover sheet for each project.

B. Project Summary

You must complete a Project Summary for each project. You must list the specific priority to which the application responds.

C. Project Budget

You must submit a budget for each project and provide detailed cost estimates showing total

project costs. Indicate the breakdown of costs between Federal and non-Federal shares, divided into cash and in-kind contributions. To support the budget, describe briefly the basis for estimating the value of the cost sharing derived from in-kind contributions. Specify estimates of the direct costs in the categories listed on the Project Budget form.

You may also include in the budget an amount for indirect costs if you have an established indirect cost rate with the Federal government. For this solicitation, the total dollar amount of the indirect costs you propose in your application must not exceed the indirect cost rate negotiated and approved by a cognizant Federal agency prior to the proposed effective date of the award, or 100 percent of the total proposed direct costs dollar amount in the application, whichever is less.

Furthermore, the Federal share of the indirect costs you propose may not exceed 25 percent of the modified total direct costs identified in the Indirect Cost Rate Agreement. If your application requests more than 25 percent as Federal funds to cover indirect costs, the application will be returned to you and will not be considered for funding.

If you have an approved indirect cost rate above 25 percent you may use the amount above the 25-percent level up to the 100-percent level as part of the non-Federal share. You must include a copy of the current, approved, negotiated indirect cost agreement with the Federal government with your application.

We will not consider fees or profits as allowable costs in your application. The total costs of a project consist of all allowable costs you incur, including the value of in-kind contributions, in accomplishing project objectives during the life of the project. A project begins on the effective date of an award agreement between you and an authorized representative of the U.S. Government and ends on the date specified in the award. Accordingly, we cannot reimburse you for time that you expend or costs that you incur in developing a project or preparing the application, or in any discussions or negotiations you may have with us prior to the award. We will not accept such expenditures as part of your cost share.

D. Narrative Project Description

You must provide a narrative description of your project that may be up to 25 pages long. All pages must be single-spaced and should be composed in at least a 12-point font with one-inch margins on 8 1/2 x 11 paper. The project description may not exceed 25 pages, exclusive of the title page, project synopsis, literature cited, budget information, and resumes of investigator. Any PDF or other attachments that are included in an electronic application must meet the above format requirement when printed out. Failure to follow the requirements will result in the rejection of the application and subsequent return.

The narrative should demonstrate your knowledge of the need for the project, and show how your proposal builds upon any past and current work in the subject area, as well as relevant

work in related fields. You should not assume that we already know the relative merits of the project you describe. You must describe your project as follows:

1. Project goals and objectives.

Identify the specific priority listed earlier in the solicitation to which the proposed project responds. Identify the problem/opportunity you intend to address and describe its significance to the fishing community. State what you expect the project to accomplish. If you are applying to continue a project we previously funded under the S-K Program, describe in detail your progress to date and explain why you need additional funding. We will consider this information in evaluating your current application.

2. Project impacts.

Describe the anticipated impacts of the project on the fishing community in terms of reduced bycatch, increased product yield, or other measurable benefits. Describe how you will make the results of the project available to the public.

3. Evaluation of project.

Specify the criteria and procedures that you will use to evaluate the relative success or failure of a project in achieving its objectives.

4. Need for government financial assistance.

Explain why you need government financial assistance for the proposed work. List all other sources of funding you have or are seeking for the project.

5. Federal, state, and local government activities and permits.

List any existing Federal, state, or local government programs or activities that this project would affect, including activities requiring: certification under state Coastal Zone Management Plans; section 404 or section 10 permits issued by the Corps of Engineers; experimental fishing or other permits under FMPs; environmental impact statements to meet the requirements of the National Environmental Policy Act; scientific permits under the ESA and/or the Marine Mammal Protection Act; or Magnuson-Stevens Act EFH consultation if the project may adversely affect areas identified as EFH. Describe the relationship between the project and these FMPs or activities, and list names and addresses of persons providing this information. You can get information on these activities from the NMFS Regions. If we select your project for funding, you are responsible for complying with all applicable requirements.

6. Project statement of work.

The statement of work is an action plan of activities you will conduct during the period of the project. You must prepare a detailed narrative, fully describing the work you will perform to achieve the project goals and objectives. The narrative should respond to the following questions:

(a) What is the project design? What specific work, activities, procedures, statistical design, or analytical methods

will you undertake?

(b) Who will be responsible for carrying out the various activities? (Highlight work that will

be subcontracted and provisions for competitive subcontracting.)

(c) What are the major products and how will project results be disseminated? Describe products of the project, such as a manual, video, technique, or piece of equipment. Indicate how project results will be disseminated to potential users.

(d) What are the project milestones? List milestones, describing the specific activities and associated time lines to conduct the scope of work. Describe the time lines in increments (e.g., month 1, month 2), rather than by specific dates. Identify the individual(s) responsible for the various specific activities. This information is critical for us to conduct a thorough review of your application, so we encourage you to provide sufficient detail.

7. Participation by persons or groups other than the applicant.

Describe how government and non-government entities, particularly members of fishing communities, will participate in the project, and the nature of their participation. We will consider the degree of participation by members of the fishing community in determining which applications to fund.

8. Project management.

Describe how the project will be organized and managed. Identify the principal investigator and other participants in the project. If you do not identify the principal investigator, we will return your application without further consideration. Include copies of any agreements between you and the participants describing the specific tasks to be performed. Provide a statement no more than two pages long of the qualifications and experience (e.g., resume or curriculum vitae) of the principal investigator(s) and any consultants and/or subcontractors, and indicate their level of involvement in the project. If any portion of the project will be conducted through consultants and/or subcontracts, you must follow procurement guidance in 15 CFR part 24, "Grants and Cooperative Agreements to State and Local Governments," and 15 CFR part 14, "Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, Other Non-Profit, and Commercial Organizations." If you select a consultant and/or a subcontractor prior to submitting an application, indicate the process that you used for selection.

E. Supporting Documentation

You should include any relevant documents and additional information (i.e., maps, background documents) that will help us to understand the project and the problem/opportunity you seek to address.

C. Submission Dates and Times

Applications must be received and validated by Grants.gov on or before 5 p.m. EDT on September 1, 2009. Please note: Validation or rejection of your application by Grants.gov may take up to 2 business days after submission. Please consider this process in developing your submission timeline. Applications received after the deadline will be rejected/returned to the sender without further consideration. No facsimile or electronic mail applications will

be accepted.

If an applicant does not have internet access, hard copy proposals will be accepted and the date recorded when they are received in the program office. Hard copy applications must be received by the Saltonstall-Kennedy Grant Program Office by 5 p.m. EDT on September 1, 2009.

D. Intergovernmental Review

Applications submitted by state and local governments are subject to the provisions of Executive Order 12372, "Intergovernmental Review of Federal Programs." Any applicant submitting an application for funding is required to complete item 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

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. Funding beyond the first year will be dependent upon satisfactory performance and the continued availability of funds.

F. Other Submission Requirements

Applications submitted in response to this announcement must be submitted electronically through the Federal grants portal - <http://www.grants.gov>. Electronic access to the full funding announcement for this program is also available through this Web Site. If an applicant does not have internet access, hard copy proposals (with original signatures) will be accepted and should be sent to the attention of: Mr. Daniel A Namur, S-K Program Manager, NOAA/NMFS (F/MB); 1315 East-West Highway, Room 13358; Silver Spring, MD 20910-3282. NOAA employees (whether full-time, part-time, or intermittent) are not allowed to assist in the preparation of an application or proposal, except that S-K Program staff may provide you with information on program goals, funding priorities, application procedures, and completion of application forms. Because this is a competitive program, NMFS and NOAA employees will not provide assistance in conceptualizing, developing, or structuring proposals, or write letters of support for an application or proposal. In the event that an application contains information or data that the applicant does not want disclosed prior to award for purposes other than the evaluation of the application, the applicant should mark each page containing such information or data with the words

"Privileged, Confidential, Commercial, or Financial Information - Limited Use" at the top of the page to assist NOAA in making disclosure determinations. DOC regulations implementing the Freedom of Information Act (FOIA) are found at 15 CFR part 4, "Public Information," which sets forth rules for DOC to make requested materials, information, and records publicly available under FOIA. The contents of applications may be subject to requests for release under the FOIA. Based on the information provided by the applicant, the confidentiality of the content of applications will be maintained to the maximum extent permitted by law.

Applications submitted in response to this announcement must be submitted electronically through the Federal grants portal - <http://www.grants.gov>.

Electronic access to the full funding announcement for this program is also available through this Web Site. If an applicant does not have internet access, hard copy proposals (with original signatures) will be accepted and should be sent to the attention of: Mr. Daniel A Namur, S-K Program Manager, NOAA/NMFS (F/MB); 1315 East-West Highway, Room 13358; Silver Spring, MD 20910-3282.

V. Application Review Information

A. Evaluation Criteria

1. Technical Evaluation

After the initial screening, NMFS will solicit written technical evaluations from three or more appropriate private and public sector experts (e.g. industry, academia, or governmental experts) to determine the technical merit of the proposal and to provide a rank score of the project based on the criteria described below. These reviewers will be required to certify that they do not have a conflict of interest concerning the application(s) they are reviewing and no consensus advice will be given. They will assign scores up to the maximum point value indicated for each of the following criteria:

a. Importance/relevance and applicability of proposed projects to the program goals. This criterion ascertains whether there is intrinsic value in the proposed work and/or relevance to NOAA, Federal, regional, state, or local activities. (20 points)

b. Technical/scientific merit. This criterion assesses whether the approach is technically sound and/or innovative, if the methods are appropriate, and whether there are clear project goals and objectives. Proposals should provide a clear definition of the approach to be used, including descriptions of field work, theoretical studies, and laboratory analysis to support the proposed research. (45 points)

c. Overall qualifications of the project. This criterion assesses whether the applicant, and team members, possess the necessary education, experience, training, facilities, and administrative resources to accomplish the project. Applications that include consultants and contractors will be reviewed to determine if their involvement, as the primary applicant, is necessary to the conduct of the project and the accomplishment of its objectives. (20 points)

d. Project costs. This criterion evaluates the budget to determine if it is realistic and commensurate with the project needs and time frame. Cost effectiveness of the project is considered. (15 points)

e. Outreach and education. This criterion assesses whether the project provides a focused and effective education and outreach strategy regarding NOAA's mission to protect the Nation's natural resources. This criterion is not used by the S-K program. (No points)

Following the technical review, we will determine the weighted score for each individual review and average the individual technical review scores to determine the final technical score for each application. Then, we will rank applications in descending order by their final technical scores and determine a "cutoff" score that is based on the amount of funds available for grants. We will eliminate from further consideration those applications that scored below the cutoff.

2. Constituent Panel(s)

For those applications at or above the cutoff technical evaluation score, we will solicit individual comments and evaluations from a panel or panels of three or more representatives selected by the Assistant Administrator for Fisheries (AA), NOAA. Panel members will be chosen from the fishing industry, state government, non-government organizations, and others, as appropriate. We will provide panelists with a summary of the technical evaluations, and, for applications to continue a previously funded project, information on progress on the funded work to date.

Each panelist will evaluate the applications in terms of the significance of the problem or opportunity being addressed, the degree to which the project involves collaboration with fishing community members and other appropriate collaborators, proposed means to disseminate project results, and the merits of funding each project. Each panelist will provide a rating from 0-4 (poor to excellent) for each project, and provide comments if they wish. Panelists will not reach consensus on recommendations or scores. Panel members will be required to certify that they do not have a conflict of interest and that they will maintain confidentiality of the panel deliberations.

Following the Constituent Panel meeting, we will average the individual ratings for each project. We will then develop a ranking of projects based on the individual ranks within each of the priority areas.

B. Review and Selection Process

After projects have been evaluated and ranked, we will use this information, along with input from the NMFS Regional Administrators (RAs) and Office Directors (ODs), to develop recommendations for project funding. RAs/ODs will prepare a written justification for any recommendations for funding that fall outside the ranking order, or for any cost adjustments.

The AA will review the funding recommendations and comments of the RAs/ODs and determine the projects to be funded. In making the final selections, the AA may consider costs, geographical distribution, and duplication with other federally funded projects. Awards are not necessarily made to the highest ranked applications.

We will notify you in writing whether your application is selected or not. Successful applications will be incorporated into the award document.

The exact amount of funds, the scope of work, and terms and conditions of a successful award will be determined in pre-award negotiations between you and NOAA/NMFS representatives. The funding instrument (grant or cooperative agreement) will be determined by NOAA Grants. You should not initiate your project in expectation of Federal funding until you receive a grant award document signed by an authorized NOAA Grants Officer.

C. Selection Factors

The merit review ratings shall provide a rank order to the Selecting Official for final funding recommendations. The Selecting Official shall award in the rank order unless the proposal is justified to be selected out of rank order based on one or more of the following factors:

1. Availability of funding
2. Balance and distribution of funds:
 - a. By research area
 - b. By project type
 - c. By type of institutions
 - d. By type of partners
 - e. Geographically

3. Duplication of other projects funded or considered for funding by NOAA/federal agencies.
4. Program priorities (found within Section I. (B) of this Full Announcement Text) and policy factors (found at http://oam.ocs.doc.gov/GMD_grantsPolicy.html).
5. Applicant's prior award performance.
6. Partnerships with/Participation of targeted groups.
7. Adequacy of information necessary for NOAA staff to make a National Environmental Policy Act (NEPA) determination and draft necessary documentation before recommendations for funding are made to the NOAA Grants Officer.

D. Anticipated Announcement and Award Dates

Subject to the availability of funds, review of proposals will occur during the fall of 2009, and funding is expected to begin during March of 2010 for most approved projects. March 1, 2009, is to be used as the earliest proposed start date on proposals, unless otherwise directed by the NOAA Program Officer.

VI. Award Administration Information

A. Award Notices

Successful applicants will receive notification that the application has been recommended for funding to the NOAA Grants Management Division. This notification is not an authorization to begin performance of the project. Official notification of funding, signed by the NOAA Grants Officer, is the authorizing document that allows the project to begin. Notification will be issued to the Authorizing Official of the project either electronically or in hard copy. Unsuccessful applicants will be notified that their proposals were not selected for recommendation.

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 NOAA program staff. Projects should not be initiated in expectation of federal funding until an official notice of award document is received from the NOAA Grants Officer.

B. Administrative and National Policy Requirements

National Environmental Policy Act (NEPA) - NOAA must analyze the potential environmental impacts, as required by the National Environmental Policy Act (NEPA), for applicant projects or proposals which are seeking NOAA federal funding opportunities. Detailed information on NOAA compliance with NEPA can be found at the following NOAA NEPA website: <http://www.nepa.noaa.gov/>, including our NOAA Administrative Order 216-6 for NEPA, http://www.nepa.noaa.gov/NAO216_6_TOC.pdf and the Council on Environmental Quality implementation regulations, 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 feasible measures to reduce or avoid any identified adverse environmental impacts of their proposal. The failure to do so shall be grounds for not selecting an application. In some cases if additional information is required after an application is selected, funds can be withheld by the Grants Officer under a special award condition requiring the recipient to submit additional environmental compliance information sufficient to enable NOAA to make an assessment on any impacts that a project may have on the environment.

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

Limitation of Liability - Funding for programs listed in this notice is contingent upon the availability of Fiscal Year 2009 appropriations. Applicants are hereby given notice that funds have not yet been appropriated for the programs listed in this notice. In no event will NOAA or the Department of Commerce be responsible for proposal preparation costs if these programs fail to receive funding or are cancelled because of other agency priorities. Publication of this announcement does not oblige NOAA to award any specific project or to obligate any available funds.

Paperwork Reduction Act - This notification involves collection-of-information

requirements subject to the Paperwork Reduction Act. The use of Standard Forms 424, 424A, 424B, and SFLLL and CD-346 has been approved by the Office of Management and Budget (OMB) under 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 requirements of the PRA unless that collection of information displays a currently valid OMB control number.

Executive Order 12866 - It has been determined that this notice is not significant for purposes of Executive Order 12866.

Executive Order 13132 (Federalism) - It has been determined that this notice does not contain policies with Federalism implications as that term is defined in Executive Order 13132.

Administrative Procedure Act/Regulatory Flexibility Act - Prior notice and an opportunity for public comment are not required by the Administrative procedure Act or any other law for rules concerning public property, loans, grants, benefits, and contracts (5 U.S.C. 553(a)(2)). Because notice and opportunity for comments 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 inapplicable. Therefore, a regulatory flexibility analysis has not been prepared, and none has been prepared. It has been determined that this notice does not contain policies with Federalism implications as that term is defined in Executive Order 13132.

C. Reporting

Recipients will be required to submit the following financial and performance (technical) reports. These reports shall be submitted electronically through the Grants Online system, unless the recipient does not have Internet access, in which case hard copy submissions will be accepted.

Financial Status Reports (SF-425) are required to be submitted to the Grants Officer semi-annually.

Performance or progress reports are required to be submitted to the NOAA Program Officer semi-annually. These reports will be due no later than 30 days following the end of each 6-month period from the start date of an award. The final report is due 90 days after the award expiration.

The format of the final report may vary, but must contain:

1. A brief summary of the completion report (200-word or less abstract);

2. A description of the issue/problem that was addressed;
3. A detailed description of methods of data collection and analyses;
4. A discussion of results and any relevant conclusions presented in a format that is understandable to a non-technical audience. This should include benefits and/or contributions to management decision-making;
5. A list of entities, firms, or organizations that actually performed the work, and a description of how the work was accomplished;
6. Data from research projects must be submitted in electronic format with appropriate documentation to NMFS as requested.

VII. Agency Contacts

The point of contact is: Daniel A Namur, S-K Program Manager, NOAA/NMFS (F/MB); 1315 East-West Highway, Room 13358; Silver Spring, MD 20910-3282; or by Phone at (301) 713-1365 ext. 118, or fax at (301) 713-1464, or via e-mail at Dan.Namur@noaa.gov

VIII. Other Information

To use <http://www.grants.gov>, applicants must have a Dun and Bradstreet Data Universal Numbering System (DUNS) number and be registered in the Central Contractor Registry (CCR). Allow a minimum of five days to complete the CCR registration. [Note: Your organization's Employer Identification Number (EIN) will be needed on the application form.] Applicants are strongly encouraged not to wait until the application deadline date to begin the application process through <http://www.grants.gov>.