

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: FY 2015 Habitat Blueprint - Coastal and Marine Habitat Focus Area Grants for Biscayne Bay, FL, Puerto Rico's Northeast Reserves and Culebra Island, and Kachemak Bay, AK.

Announcement Type: Initial

Funding Opportunity Number: NOAA-NMFS-HCPO-2015-2004363

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

Dates: Applications must be postmarked, provided to a delivery service, or received by www.Grants.gov by 11:59 PM Eastern time on March 30, 2015. Use of a delivery service must be documented with a receipt. No fax or e-mail applications will be accepted.

Funding Opportunity Description: The principal objective of the National Oceanic and Atmospheric Administration's (NOAA) Habitat Blueprint - Coastal and Marine Habitat Focus Area Grants solicitation is to identify and support comprehensive and cooperative habitat conservation project(s) in NOAA Habitat Focus Areas (HFAs) that sustain resilient and thriving marine and coastal resources, communities, and economies. Proposals submitted under this solicitation will be selected based on their ability to demonstrate success in achieving the NOAA Habitat Blueprint's primary objectives within three newly-selected HFAs - Biscayne Bay, FL; Puerto Rico's Northeast Reserves and Culebra Island, and Kachemak Bay, AK. These objectives vary from region to region, but they all effectively protect and/or restore high-priority habitat for managed fisheries, protected species, and other coastal and marine life; foster resilient coastal communities; advance habitat science; and lead to increased socio-economic benefits. HFA - specific objectives are identified in this federal funding opportunity, and successful proposals will achieve one or several objectives by: 1) addressing a habitat-based issue/concern contributing to the loss or deterioration of coastal resiliency or marine habitats for target managed or protected species (e.g. fish, marine mammals, sea turtles, corals); 2) identifying the project's outcomes and goal(s) and describing in detail the actions and project(s) to be undertaken to achieve those goals; and 3) describing the measurable impact on the issue/concern, target species, or resource, including proposed evaluation techniques.

Proposals selected for funding through this solicitation will primarily be funded through cooperative agreements. Two-year cooperative agreement awards will be considered, and

additional releases of funds may be used to fund selected proposals through FY16 without further competition. Awards are dependent upon FY15-FY16 congressional appropriations.

NOAA anticipates approximately \$1.2 million may be available over the next two years to maintain selected awards, dependent upon the level of funding made available by Congress. NOAA will not accept proposals with a Federal request of less than \$50,000 or more than \$500,000 for a two year period. NOAA anticipates typical awards will range from \$100,000 to \$400,000 over two years. One or two year proposals will be accepted. Funds will be administered by the NOAA Office of Habitat Conservation.

FULL ANNOUNCEMENT TEXT

I. Funding Opportunity Description

A. Program Objective

The principal objective of the National Oceanic and Atmospheric Administration's (NOAA) Habitat Blueprint - Coastal and Marine Habitat Focus Area Grants (HFA) solicitation is to support comprehensive and cooperative landscape-scale habitat conservation projects that sustain resilient and thriving marine and coastal resources, communities, and economies. Proposals submitted under this solicitation will be selected based on their ability to demonstrate success in achieving the NOAA Habitat Blueprint's primary objectives within a defined HFA. NOAA Habitat Blueprint objectives vary by Focus Area, but generally they address actions that lead to:

- Sustainable and abundant fish populations for which increased habitat abundance and/or improved conditions will increase harvest levels and remove limiting factors for rebuilding stocks.

- Protected threatened and endangered species for which increased habitat abundance and/or improved condition is a limiting factor for recovery or is needed to prevent listing of a species.

- Protected coastal and marine areas and habitats at risk identified for their significant ecological, conservation, recreational, historic, cultural, or aesthetic values. Focused long-term habitat conservation and science will aid in the recovery and/or protection of these critical areas, ensuring sustained ecosystem services and function.

- Resilient coastal communities in which habitat conservation will increase protection of life and property from the impacts of hazards such as storm surge, coastal flooding, and changes in sea level. Habitat conservation in these areas will also reduce land-based sources of pollution to support ecosystem productivity and human health.

- Increased coastal/marine tourism, access, and recreation such as recreational fishing, diving, and beach access, which create jobs and strengthen the local economy.

As described in the NOAA Habitat Blueprint (<http://www.habitat.noaa.gov/habitatblueprint/>), healthy habitat is critical to recover and sustain populations of NOAA trust species, and to ensure the resiliency and vibrancy of coastal communities. In order to increase the sustainability and productivity of fisheries and the coastal resources on which our communities depend, NOAA encourages more concerted efforts to protect and restore the habitats that support those resources. The NOAA Habitat Blueprint focuses the efforts of existing NOAA and non-federal conservation programs and

prioritizes and guides future conservation and research actions to achieve greater results with existing financial and technical resources. Under this solicitation, NOAA seeks proposals benefitting the species, habitats and communities within the HFAs defined below in Section I.B. Proposals that do not take place in one of the HFAs defined below will not be considered for funding.

Applicants are encouraged to develop a landscape-scale or watershed approach for the overall proposal, which links proposed project sites by the habitat-based issue or concern or proposed target species and the overall objectives for the HFA. This may involve identifying multiple projects or project sites within the proposal. Successful proposals will achieve one or several HFA objectives by: 1) addressing a habitat-based issue/concern contributing to the loss or deterioration of coastal resiliency, or of marine habitats for target managed or protected species (e.g. fish, marine mammals, sea turtles, corals); 2) identifying the project's outcomes and goal(s) and describing in detail the actions and project(s) to be undertaken to achieve those goals; and 3) describing the measurable impact on the target species or resource, including any proposed evaluation techniques.

B. Program Priorities

The program priorities for this funding opportunity support NOAA's Mission Goals of "Healthy Oceans" and "Resilient Coastal Communities and Economies". Under this solicitation, only projects taking place in the following three HFAs - 1) Biscayne Bay, 2) Puerto Rico Northeast Reserves and Culebra Island, and 3) Kachemak Bay - are eligible for funding. Each HFA has unique, site-specific objectives and issues/concerns that proposals should effectively address to be competitive. These are described below. All HFA projects should support activities that either restore degraded or altered marine, estuarine, coastal, and freshwater habitats; protect marine, estuarine, coastal habits; return target species to their historical habitats; foster resilient coastal communities; or advance and/or fill gaps in habitat science. In addition, integrating social science perspectives into the design of HFA projects, where practicable, will help ensure that the project addresses the root causes of habitat degradation and decline and makes an impact that can be effectively measured and communicated.

Below are the objectives for the three HFAs. Proposals should demonstrate how each project's activities contribute to achieving the objectives of the HFA in which they are occurring. NOAA seeks to support partnerships that will implement on-the-ground restoration and protection of marine and coastal habitat. NOAA will emphasize the selection of Partnership applications that, collectively, provide a range of restoration benefits from grass-roots, stewardship-building projects to those that can implement mid-scale restoration projects that yield significant ecological benefits with emphasis on regionally or nationally significant species or ecosystems.

1) Southeast Region - Biscayne Bay Habitat Focus Area

Water quality issues are a paramount concern for Biscayne Bay, a naturally oligotrophic bay characterized by shallow waters, extensive seagrass cover, and a mangrove fringe along most of its shoreline. A 20-year database developed by scientists at several agencies and institutions indicates that concentrations of chlorophyll a, an index of phytoplankton activity, have risen substantially; from 1994 through 2013, levels of chlorophyll a have tripled in the northern bay, doubled in the central bay, and almost doubled in the southern bay. Especially troubling is the recent appearance and extensive coverage of algal blooms in the southern, most pristine area of the Bay. Scientists and resource managers are worried Biscayne Bay may reach a “tipping point” or “regime shift” toward eutrophic conditions and possible attendant widespread loss of seagrass cover (some seagrass loss has already occurred) that would be hard, if not impossible, to halt or reverse.

Investigations into the algal blooms and the water quality conditions that promote these blooms are needed, accompanied by efforts to reduce nutrient inputs wherever possible, to avoid large economic consequences for south Florida. Tourism and recreational activities are both major industries and sources of revenues, jobs, and income for the Biscayne Bay area and the entire South Florida Coastal Marine Ecosystem (SFCME), and are both directly and indirectly influenced by the ecological health of the Bay. A eutrophic Biscayne Bay would have negative effects on the entire SFCME area.

Objectives

The primary objective of the Biscayne Bay HFA is to reduce the frequency, duration, and spatial coverage of algal blooms in Biscayne Bay. To achieve this, NOAA, working with its partners, will help to improve water quality through a variety of activities that build off of past coordination and scientific efforts in the Bay. Priority consideration will be given to projects that: 1) analyze existing data on chlorophyll a concentrations in Biscayne Bay in relation to canal load data; 2) develop nitrogen and phosphorus nutrient budgets; or 3) conduct short-term experiments on the responses of algal species (especially those contributing to recent algal blooms in the Bay) to input concentrations of primary nutrients (particularly nitrogen and phosphorus, but also silica and potentially relevant micronutrients). These efforts to identify and eliminate principal nutrient sources and other factors contributing to bloom conditions should be accompanied by a broader education and outreach effort aimed at reducing nutrient inputs to the Bay.

NOAA will also consider projects that protect and restore seagrass (including Johnson’s seagrass, which has been determined to be a threatened species pursuant to the Endangered Species Act of 1973) and hardbottom habitat (soft and hard coral) that sustains the recreational uses of the Bay and economic resiliency of the communities that border the Bay,

or that estimate the benefits to the local economy of reducing algal blooms in Biscayne Bay. However, these types of activities are a lower priority.

Approaches should build on existing communication and collaboration structures and accomplishments, including those from the Biscayne Bay Regional Restoration and Coordination Team, a team supported by the South Florida Ecosystem Restoration Task Force and consisting of many federal and state agency and nongovernmental entity representatives.

2) Caribbean Region - Puerto Rico's Northeast Reserves and Culebra Island Habitat Focus Area

The Northeast Reserves and Culebra Island HFA supports important recreational, subsistence, and commercial fishing, marine transportation, tourism, and threatened and endangered species. However, over the past several decades, the region has experienced a significant decline in coastal and marine habitats (e.g., mangrove, coral, seagrass) and resources due to coastal development, land-based sources of pollution, unsustainable recreational and commercial use, and climate change impacts such as increasing sea surface temperatures and coral bleaching, and increased intensity and frequency of hurricanes. Natural resource managers are developing management plans for the region that identify threats in the region and prioritize management strategies for abating those threats.

By leveraging the numerous partnerships involved in the conservation of the Northeast Reserves and Culebra Island, this HFA aims to abate habitat threats (e.g., land-based sources of pollution, recreational use impacts) and expand coral population enhancement efforts.

Objectives

The primary objective of the Northeast Reserves and Culebra Island Focus Area is to protect and enhance coastal habitats (e.g., seagrass beds, mangroves, coral reefs) and resources (e.g. fish, sea turtles, marine mammals) associated with coral reef ecosystems. Priority consideration will be given to projects that: 1) reduce boating and other recreational activity impacts to nearshore habitats through the use of habitat protection measures, effective enforcement, and education and outreach activities; 2) implement priority Land-Based Sources of Pollution (LBSP) management actions identified in Watershed Management plans for the Northeast Reserves and Culebra Island portions of the HFA; and 3) promote coral ecosystem habitat and resource restoration by expanding coral population enhancement efforts (such as nurseries and out-plantings) identifying priority locations for coral nurseries, and enhancing herbivorous vertebrate and/or invertebrate stocks to increase herbivory and protect coral habitats. Coral propagation projects should follow best practices and be sited to maximize coral survivorship (i.e. avoiding locations impacted by LBSP).

For Culebra Island, restoration actions have been prioritized in a watershed management plan (see <http://www.coris.noaa.gov/activities/projects/watershed/>). For the Northeast Reserves, restoration actions will be described in a watershed management plan being developed for the Fajardo Watershed that is scheduled to be released in early 2015. For more information on the status of the Fajardo Watershed Plan, please contact the Agency Contact Liz Fairey at (301) 427-8632, or by e-mail at liz.fairey@noaa.gov. Projects may take place on land (i.e., within the coastal watershed) or in coastal waters (i.e., up to the edge of the insular shelf).

3) Alaska Region - Kachemak Bay Habitat Focus Area

The Kachemak Bay HFA supports important recreational, subsistence, and commercial fishing, marine transportation, tourism, and threatened and endangered species. However, the ecological richness of the Bay is vulnerable to impacts from development and human activities in Cook Inlet and to changes in ocean acidity and hydrodynamics due to retreating glaciers. For instance, due to low population levels, the State has put in place regulations to close the fishery for king crab, Dungeness crab and shrimp.

Objectives

The primary objective of the Kachemak Bay HFA is to optimize the use of NOAA and partner mapping and monitoring data to develop new tools for habitat assessment and then integrate those tools into state and federal shellfish and groundfish management to restore depleted shellfish and fish species. Existing geospatial and time series information in Kachemak Bay includes NOAA seafloor and shoreline mapping, Kachemak Bay National Estuarine Research Reserve coastal habitat characterization, ShoreZone imagery, oceanographic time series data from shore stations and shipboard surveys, NOAA Cook Inlet ocean circulation model outputs, and Alaska Department of Fish and Game shellfish and fish surveys.

Priority consideration will be given to projects that: 1) reduce the risk of harmful algal blooms to commercial, recreational, and subsistence shellfish harvests; 2) improve regional capacity to identify non-native marine invasive species and implement and reduce potential vectors for invasive species; 3) identify sensitive coastal habitats for protection priority during potential oil and chemical spills; or 4) improve fishery restoration and management by being more responsive to short- and long-term changes in ecosystem processes, including ocean acidification.

C. Program Authority

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

Magnuson-Stevens Fishery Conservation and Management Reauthorization Act of 2006 (16 U.S.C. 1891a); and Endangered Species Act (16 U.S.C. 1535).

II. Award Information

A. Funding Availability

NOAA anticipates approximately \$1.2 million may be available over the next two years to maintain selected awards, dependent upon the level of funding made available by Congress. NOAA will not accept proposals with a Federal request less than \$50,000 or more than \$500,000 for a two year period. NOAA anticipates typical awards will range from \$100,000 to \$400,000 over two years. Proposals that extend for a one or two-year period of performance will be accepted. Funds will be administered by the NOAA Office of Habitat Conservation.

The exact amount of funds that may be awarded will be determined in pre-award negotiations between the applicant and NOAA representatives. Multi-year funding requests are expected to be funded based on progress towards milestones and availability of funding. Any funds provided to successful applicants will be at the discretion of the NOAA Office of Habitat Conservation and the NOAA Grants Management Division (GMD).

In no event will NOAA or the Department of Commerce be responsible for proposal preparation costs, including if programs fail to receive funding or are cancelled because of other agency priorities. Publication of this announcement does not oblige NOAA to award any specific award or to obligate any available funds. There is no guarantee that sufficient funds will be available to make awards for all recommended applications. The number of awards to be made as a result of this solicitation will depend on the number of eligible applications received, the amount of funds requested for HFA activities, the merit and ranking of the applications, and the amount of funds made available by Congress in FY15 and the subsequent fiscal year.

B. Project/Award Period

Applications must cover a period of performance between one to two years. Applicants with multiple-year award requests should divide their funding request into logical segments up to two consecutive years, based on their implementation plan. The earliest start date for awards is anticipated to be August 1, 2015, but awards may not be available until October 1, 2015.

Once funds are awarded in FY15, grantees selected for multi-year awards will not need to compete for funding in the subsequent year. NOAA expects, but is not obligated, to provide additional funding to multi-year awards in the subsequent year. Continuing an award in subsequent years, either to extend the period of performance or to add funds to an award is

at the discretion of NOAA, per Section II.A, above. Permission to extend the period of performance beyond that stated in award documentation should be requested in writing at least 60 days in advance of an award's expiration date, as per NOAA Award Conditions.

C. Type of Funding Instrument

Selected applications will primarily be funded through cooperative agreements since NOAA staff will be substantially involved in many aspects of the awards. Substantial involvement may include, but is not limited to, hands-on technical assistance; participation in feasibility studies, design plans, and restoration oversight to ensure benefits are realized; support in development of appropriate monitoring protocols to ensure project performance can be evaluated; tracking the progression of the restoration through site visits and progress report evaluation; and involvement in public meetings and events to discuss or highlight HFA activities.

III. Eligibility Information

A. Eligible Applicants

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

B. Cost Sharing or Matching Requirement

There is no statutory matching requirement for this funding. NOAA typically leverages its federal funding with matching contributions from a broad range of sources in the public and private sectors to implement coastal and marine habitat restoration. To this end, applicants are encouraged to demonstrate partnerships and some portion of non-federal match (suggested at 1:1) for NOAA funds requested to conduct the proposed award. Applicants should note that cost sharing is an element considered in Evaluation Criterion #4 "Project Costs" (Section V.A.4.). Federal sources cannot be considered for matching funds, but can be described in the budget narrative to demonstrate additional leverage. Applicants are also permitted to apply federally negotiated indirect costs as described in Section IV. E. "Funding Restrictions." Applications selected for funding will be bound by the percentage of cost sharing (if applicable) reflected in the award document signed by the NOAA Grants Officer.

C. Other Criteria that Affect Eligibility

Section III.A describes eligible and ineligible organization types. Applications must propose work on target species or coastal community resiliency with a nexus to NOAA management, namely marine and estuarine species and diadromous fish species within the HFAs specified above in Section I.B. Proposals must benefit species or Listed Species under NOAA jurisdiction.

All applications **MUST** contain **ALL** required forms. If the application forms are not submitted and signed electronically through the www.Grants.gov application process, they **MUST** be signed and dated in ink. Paper applications should also be accompanied by a CD or DVD with the entire application saved electronically as a single Adobe PDF file. Paper applications without inked signatures on their forms will be ineligible and will not be reviewed. Application forms are available on www.Grants.gov. As stated in Section II.A, under this solicitation, NOAA will not accept proposals with a Federal request less than \$50,000 or more than \$500,000 for the two year period.

Applicants should also note that the following activities will not be considered: (1) activities that constitute legally required mitigation for the adverse effects of an activity regulated or otherwise governed by local, state or federal law; (2) activities that constitute restoration for natural resource damages under federal, state or local law; and (3) activities that are required by a separate consent decree, court order, statute or regulation.

IV. Application and Submission Information

A. Address to Request Application Package

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

B. Content and Form of Application

Applicants should apply through the www.Grants.gov website. A complete standard NOAA financial assistance application package should be submitted in accordance with the guidelines in this document. Each application must include the application forms from the SF-424 form family:

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

--Budget Information for Non-construction Programs: Form SF-424A (prior to award, an SF-424A for each year of funding will be required)

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

--Certification Regarding Lobbying: Form CD-511

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

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

--Project summary (described below, 2 page limit);

--Project narrative (described below, 12 page limit);

--A detailed budget justification (described below, 6 page limit);

--A data sharing plan (described below, 2 page limit)

--Project design plans

--Other relevant supporting materials (12 page limit) such as:

--A site location map such as a USGS topographic quadrangle map or aerial photo with site location(s) highlighted

--Brief curriculum vitae or resume for up to three key personnel (maximum of one page per person) and any examples of projects similar in scope and nature that have been successfully completed by the project team;

--Any other relevant supporting materials such as letters of support (including those from adjoining landowners and those documenting financial and in-kind support), indirect cost rate agreements, monitoring plans, site photos, etc.

Applications submitted through the www.Grants.gov website should include a maximum of three files (PDF files only) in addition to the Federal application forms: 1) Summary, narrative, budget justification, and data sharing plan (not to exceed 22 pages total, as outlined above); 2) Project designs; and 3) Supplemental Information - all other attachments combined into one indexed file, such as maps, curriculum vitae, and support letters, not to exceed 12 pages. Page limits assume a 12 point font and one inch margins. Information about converting documents to PDF files is available on the Grants.gov website under "Download Software" under "Applicant Resources."

1. Project Summary (2 page limit):

--Applicant Organization

--Project Title

--Site Location - nearest town or watershed, and geographic coordinates

--Brief Project Description/Executive Summary: Briefly describe the activities to be accomplished with the requested funds including: 1) identifying a habitat-based issue/concern contributing to the loss or deterioration of coastal resiliency or coastal or marine habitat or target species (e.g. fish, marine mammals, sea turtles); 2) identifying the project's outcomes and goal(s) and describing in detail the actions and project(s) to be undertaken to achieve those goals and; 3) describing the measurable impact on the target species or resource, including proposed evaluation techniques.

--Project Performance Measures and Outcomes - for example, number of acres to be restored or stream miles to be made accessible to diadromous fish through the proposed activities, a metric related to coastal resiliency or other anticipated long-term ecological and socioeconomic outcomes, or a metric indicating the value of a publicly available decision-support tool.

--Project Time Line, including an Implementation Start Date (not proposed award start date)

--Permits and Approvals - identify and list all consultations, permits, and regulatory approvals necessary for the proposed project(s) and their status (e.g. not applied for, pending, secured)

-- Project partners, including land owners - name and address (if privately owned) or public agency contact

--Amount of Funding Requested per Year (if requesting a multi-year award)

--Total Federal Funds Requested & Non-Federal Match Anticipated

--Overall Project Cost

2. Project Narrative (12 page limit):

The project narrative should closely follow the organization of the evaluation criteria (see Section V. A. Evaluation Criteria) for the application to receive a consistent review against competing applications. In general, proposals should 1) identify a habitat-based issue/concern contributing to the loss or deterioration of coastal or marine habitat or target species or impacts on coastal resiliency; 2) identify the proposal's outcomes and goal(s) and describe in detail the actions and project(s) to be undertaken to achieve those goals and; 3)

describe the measurable impact on the target species, resource, or resiliency issue including proposed evaluation techniques.

Two year proposals should identify annual/interim milestones that correspond to funding increments. As described in Section II.A, NOAA will consider progress towards identified milestones when making funding decisions for multi-year awards in subsequent years. Proposals that include multiple sites should also fully describe the proposed activities at each site within the project narrative section. Furthermore, if multiple projects are included within one proposal, the connection of each project's outcomes and goal(s) in supporting the Focus Area's objective(s) should be clearly described. If page limits are restrictive, focus the application on the technical aspects of the proposed actions and on those actions with highest priority funding needs. If you cannot describe all aspects of a multi-year or multi-project award within the recommended page limits, applicants should consider submitting more than one application.

The narrative should succinctly describe the historic condition of the project site(s) and the habitat-based issue/concern that is the primary focus of the proposal. Additionally, if the project involves restoration activities, the narrative should describe any processes that have resulted in degradation of the habitat and how these processes have been abated to allow for the project to be successful. The narrative should also highlight any synergies with other habitat conservation efforts in the watershed. Any additional societal benefits, such as increased business opportunities, recreation opportunities, decreased safety hazards, or minimization of maintenance costs that may result from the proposed habitat conservation should also be succinctly described within the project narrative.

The short-term objectives and long-term outcome goals of the proposed project activities should be clearly identified. The project narrative should also describe the anticipated impact of the proposed project on the habitat-based issue/concern and the target species. Detailed, technical information about the proposed project activities and site(s) should be included in the project narrative. For each project site, applicants should clearly describe the project's implementation plan and proposed activities. For applicants proposing feasibility and design activities, a detailed scope of services or tasks to be completed under this award should be included in the proposal. For applicants proposing construction, design plans, specifications, scope of work for services, and cost estimates should be included in the proposal.

The project narrative should include a timeline with key milestones identified and detail how the project(s) will be completed within the specified time period. This includes identifying all consultation and permitting requirements and their status (e.g. not applied for, pending, secured), as well as a commitment to quickly provide information needed by NOAA to analyze project impacts under the National Environmental Policy Act (NEPA, see section VI.B.2). For projects with NEPA documents completed or under development,

please indicate the status and level of NEPA review (CE, EA, EIS), lead Federal agency, contact information for the lead agency person, and where public copies of the document are available.

To protect the federal investment, the narrative involving restoration or protection activities should describe future management, beyond the period of performance, including mechanisms to protect, maintain, or sustain the project site(s) so the effects of the funded project(s) can benefit the target species and their habitat decades into the future. Applicants proposing to place plants or animals into the environment should include the origin/source and regional stock of the plant or animal, and describe the proximity to any existing or remnant sources of similar type in the area. Applicants should also describe how the proposed project's design/methodology/techniques account for or provide for adaptation to known or potential climate change impacts.

Proposals involving protection or restoration activities should include a discrete monitoring proposal and applicants should be willing to work with NOAA during award negotiation to ensure that the proposed parameters are adequate and meaningful. All monitoring proposals should, at minimum, include implementation monitoring. Implementation monitoring assesses whether a directed protection or restoration action was carried out as designed and, as appropriate, determines if the restoration action is providing a basic level of effectiveness. Implementation monitoring plans should include: 1) basic measures of effectiveness (e.g. presence/absence of target species); 2) propose pre-implementation data collection, when applicable; 3) include parameters with quantitative or clearly defined targets; and 4) include parameters with targets that can be met within approximately one year post-implementation. Guidance on implementation monitoring for selected restoration types are available at www.restoration.noaa.gov/partnerresources.

NOAA will also consider proposals that include more in-depth, longer-term monitoring that addresses ecologic effectiveness or restoration technique effectiveness. We are particularly interested in effectiveness monitoring designed to document changes in the abundance, fecundity, and other metrics of target species' improvement or in measures to assess an improvement in coastal resiliency. NOAA may choose to provide additional funds to an award or increase the award period for successful applicants whose awards are identified as suitable for conducting more in-depth, longer-term effectiveness monitoring.

3. Budget Justification (6 pages):

The narrative budget justification 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 award, with a detailed narrative justification for both the federal and non-federal (if applicable) shares. The object classes should match those found in the From SF-424A. If requesting funds for a multi-year proposal, award costs should be broken into annual/interim

funding requests up to two years in duration, based on logical breaks in the implementation plan. For instance, a proposal might include a project's design and pre-project monitoring costs in year one and implementation costs in year two. Another example would be a project that requested construction costs for distinct sites in each of two years. One or two year proposals will be accepted.

If funding will be used to complete part of a larger project, a budget overview for the entire project to demonstrate how the NOAA request relates to the overall project budget and outcomes should be provided. If the project has been submitted for funding consideration elsewhere, the amount(s) requested or secured from other sources, and whether the funds requested/secured are federal or non-federal should be included.

Additional budget development guidance is available at <http://www.habitat.noaa.gov/funding/applicantresources.html>. The NOAA Office of Habitat Conservation and GMD staff will review budget information in recommended applications to determine if costs are allowable, allocable, reasonable, and realistic. The narrative budget justification should be sufficiently detailed to enable a clear understanding of the cost breakdown and calculations used to derive the line item subtotals in each object class of the SF-424A budget form. A Form SF-424A for each year of requested funding will be required prior to award, but not as part of the initial application.

4. Data Sharing Plan (2 pages)

The data sharing plan should include descriptions of the types of environmental data and information created during the course of the project; the tentative date by which data will be shared; the standards to be used for data/metadata format and content; policies addressing data stewardship and preservation; procedures for providing access, sharing, and security; and prior experience in publishing such data. The plan is required as part of NOAA's data sharing policy described in Section VI.B.3 below, and will be reviewed as part of the Evaluation Criteria under V.A.1. Examples are provided at www.restoration.noaa.gov/partnerresources.

C. Submission Dates and Times

Applications must be postmarked, provided to a delivery service, or received by www.Grants.gov by 11:59 PM Eastern Time on March 16, 2015. Use of a delivery service must be documented with a receipt. No fax or e-mail applications will be accepted. See section F. for more information.

D. Intergovernmental Review

Applications submitted under the FFO 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 Form SF-424 regarding clearance by the State Single Point of Contact (SPOC). To find out about and comply with a State's process under Executive Order 12372, the names, addresses and phone numbers of participating SPOC's are listed on the Office of Management and Budget's home page at: http://www.whitehouse.gov/omb/grants_spoc.

E. Funding Restrictions

Pre-award costs are generally unallowable. Incurring pre-award costs before the NOAA GMD provides an award document is at the applicant's own risk. The earliest date for receipt of awards for this funding opportunity is anticipated to be August 1, 2015.

The budget may include 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 award.

A copy of the current, approved negotiated indirect cost agreement with the federal government should be included with the application. In accordance with 2 C.F.R. § 200.414(f), if the applicant has never received a negotiated indirect cost rate may elect to charge a de minimis rate of 10 percent of modified total direct costs (MTDC). Likewise, for an applicant that once had, but does not wish to negotiate an indirect cost rate agreement with a federal agency, they may direct-cost all charges.

F. Other Submission Requirements

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

We highly recommend that applicants do not wait until the application deadline to begin the application process through [Grants.gov](http://www.Grants.gov).

To use [Grants.gov](http://www.Grants.gov), applicants must have a Dun and Bradstreet Universal Numbering System (DUNS) number and current registration in the Central Contractor Registration or System for Award Management (CCR/SAM) system. Applicants should allow a minimum of five days to complete the CCR/SAM registration; registration is required only once, but must be renewed periodically. In all, there are approximately five steps needed to set up your organization's [Grants.gov](http://www.Grants.gov) account (see http://www.grants.gov/applicants/get_registered.jsp). After electronic submission of the application, applicants will receive an automatic

acknowledgment from Grants.gov. Applications submitted through Grants.gov will be accompanied by THREE automated responses (the first confirms receipt; the second confirms that there are no errors with an application submission; and the third validates that the application has been forwarded to NOAA for further processing). If all notifications are not received, applicants should follow up with both the Grants.gov help desk and the NOAA Office of Habitat Conservation to confirm NOAA receipt of the complete submission.

PLEASE NOTE: It may take Grants.gov up to two business days to validate or reject the application. Please keep this in mind in developing your submission timeline. Applicants should allow themselves sufficient time to submit their application to Grants.gov in advance of the deadline to ensure applications have been submitted successfully, as the deadline for submission CANNOT be extended. If applicants are unsure about the success of their submission to Grants.gov, applicants may also mail a hard copy application; see below for details. If an applicant does not wish to use the preferred submission method (Grants.gov), a hard copy application must be postmarked, or provided to a delivery service and documented with a receipt, by the deadline under "Submission Dates and Times," Section IV.C and sent to: NOAA Office of Habitat Conservation, NOAA Fisheries, 1315 East West Highway, Rm. 14224, Silver Spring, MD 20910. ATTN: NOAA Habitat Blueprint - Coastal and Marine Habitat Focus Area Grants Applications.

Paper (hardcopy) applications postmarked or provided to a delivery service after 11:59 PM Eastern Time on March 3, 2015 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. Applications provided to a private delivery service (e.g. FedEx) must be documented with a receipt. In any event, applications received later than seven business days following the application closing date will not be accepted. No fax or e-mail applications will be accepted. If submitting a hard copy application, the three federal forms with signature lines (Forms SF-424, SF-424B, CD-511) MUST be signed and dated with an original inked signature; failure to complete this task shall result in disqualification from this competition. Paper applications should also be accompanied by a CD or DVD with the entire application as saved electronically as a single Adobe PDF file. See sections III.C and IV.C for relevant information regarding submitting a hard copy. Per section III.C, applications that do not follow these requirements will not be reviewed.

V. Application Review Information

A. Evaluation Criteria

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

1. Importance and Applicability (30 points): This criterion ascertains whether there is intrinsic value in the proposed work and/or relevance to NOAA, federal, regional, state or local activities. For this competition, applications will be evaluated based on how clearly the habitat issue to be addressed relates to the relevant HFA objectives and goals, and how great the potential is for the project(s) to achieve those goals. Reviewers will consider to what extent the proposal describes the habitat issues being addressed and the extent to which the project will benefit the targeted species, habitats, or communities within the HFA. Further considerations are: whether a project is a high priority (as evidenced by reference to a specified ESA recovery plan, restoration plan, watershed assessment, management plan, or other publicly-vetted planning document or process); whether results will be measurable and relevant; whether there is a Data Sharing Plan included; and the degree to which socio-economic benefits (such as increased business opportunities, community revitalization, recreational opportunities, decreased safety hazards) are realized as a result of the project.

2. Technical/Scientific Merit (30 points): This criterion assesses whether the project activities or approach is technically sound, if the methods are appropriate, and whether there are clear goals and objectives. For this competition, applications will be evaluated based on the extent to which the applicant has described a realistic and thorough implementation plan that demonstrates logical achievement of HFA objectives. Reviewers will consider whether the project is feasible from a biological and engineering perspective, and whether the proposed approach is technically sound, safe for the public, and uses appropriate methods and personnel. This includes whether the proposed methodology integrates social science elements necessary to design projects that account for societal interactions, impacts, and needs; provides for adaptation to known or potential climate change impacts; describes all phases of the overall effort, and any milestones throughout the course of the project(s); and describes a realistic time frame (within the one or two year award period) to achieve project goals. Reviewers will also consider the likelihood that the project will have a measurable, long-lasting and sustainable impact on the habitat-based issues/concerns that are targeted. Stakeholder support through direct participation, letters and funding are all considered under this criterion.

3. Overall Qualifications of Applicant (10 points): This criterion ascertains whether the applicant possesses the necessary education, experience, training, facilities, and administrative resources to support the proposed award. Reviewers will consider an applicant's capacity/knowledge to conduct the scope and scale of the proposed work, as demonstrated by attached resumes, past project experience, and accomplishments of key technical and financial staff. Reviewers will also consider the facilities, equipment and

administrative resources available to support and successfully manage the project work and responsibilities of the award.

4. Project Costs (20 points): This criterion evaluates the budget to determine if it is realistic and commensurate with the project(s) needs and time-frame and whether a significant benefit will be generated at a reasonable cost, based on the applicant's stated objectives and time frame. Reviewers will consider the completeness of the full project budget (including non-federal sources) and the context of the amount requested from NOAA (especially important if funds are requested for partial support of a larger project or for a project with multiple sites or phases). Multi-year or multi-phase award requests should also include annual/interim milestones that correspond to logical funding increments. Reviewers will also consider how much of the proposed budget is directed to implementation activities compared to the percentage used for general program support including administration, salaries, overhead, and travel. The budget will also be evaluated to determine whether the proposed non-federal match is cash versus in-kind, meets or surpasses the suggested 1:1 level, and is confirmed or pending (no match or leverage proposed will be worth 0 points; a match that meets suggested 1:1 non-federal match ratio will be worth 2.5 points; and a match well over 1:1 confirmed/documented non-federal match will be worth 5 points).

5. Outreach and Education (10 points): NOAA assesses whether the award can deliver a focused and effective education and outreach strategy to protect the nation's coastal and marine resources, in line with NOAA's Mission Goals (see I.B). Reviewers will consider the level of community involvement that demonstrates the overall effort has been put forward by common agreement, and the extent to which the project has community support. This includes the diversity of partners and/or sponsorship (letters of support, confirmed contributions) from local entities, state and local governments, and/or members of Congress. Reviewers will also consider any plans to disseminate information on goals and results; sources of funding and other support provided, such as the involvement of partners; and the potential for the proposed project to encourage future habitat conservation.

B. Review and Selection Process

Applications will undergo an initial administrative review to determine if they are eligible and complete, per Section III.A. Eligible applications will undergo a technical review, ranking, and selection process to determine how well they meet the program priorities and evaluation criteria of this solicitation and the mission and goals of NOAA.

Eligible applications will be evaluated by three or more merit reviewers, which may be appropriate non-federal reviewers or federal employees and contractors, as part of a technical review following the Evaluation Criteria listed above. After the technical review, a panel will meet to make final recommendations to the Selecting Official (SO) regarding which proposals best meet the program objectives and priorities (Sections I.A. and I.B.). The

panel will be comprised of federal employees and may convene in person or by teleconference, video conference, or other electronic means to discuss applications.

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

3- Excellent-- Application exceptionally addresses program priorities outlined in Section I.A. and I.B., and was highly responsive to Evaluation Criteria;

2-Good-- Application partially addresses program priorities outlined in Section I.A. and I.B. and was strongly responsive to Evaluation Criteria; or

1-Fair-- Application marginally addresses program priorities outlined in Section I.A. and I.B. and was moderately responsive to Evaluation Criteria.

This rating will be presented to the SO for funding consideration and will be the primary consideration of the SO in deciding which applications will be recommended to the NOAA GMD, pending the application of selection factors below.

C. Selection Factors

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

(1) Availability of funding;

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

(3) Whether this project duplicates other projects funded or considered for funding by NOAA or other federal agencies;

(4) Program priorities and policy factors set out in section I.A. and I.B.;

(5) An applicant's prior award performance;

(6) Partnerships and/or participation of targeted groups; and

(7) Adequacy of information necessary for NOAA staff to make a NEPA determination and draft necessary documentation before recommendations for funding are made to the NOAA GMD.

Hence, awards may not necessarily be made to the highest-scored applications. Unsuccessful applicants will be notified that their application was not among those

recommended for funding. Unsuccessful applications submitted in hard copy will be kept on file until the selection process has been validated and approved by the Department of Commerce Financial Assistance Law Division and then destroyed.

D. Anticipated Announcement and Award Dates

NOAA will attempt to notify highly-ranked applicants by June 30, 2015. The earliest anticipated start date for awards will be August 1, 2015, but awards could go out as late as October 1, 2015. Applicants that initiate award activities in anticipation of federal funding do so at their own risk, and are advised not to begin award-related work until a notice of award is received electronically from the NOAA GMD in Grants Online, NOAA's online financial assistance management system.

VI. Award Administration Information

A. Award Notices

Successful applicants may be asked to modify work plans or budgets, and provide supplemental information required by the agency prior to final approval of an award. The exact amount of funds to be awarded, the final scope of activities including monitoring, the award duration, and specific NOAA cooperative involvement with the activities of each Habitat Blueprint - Coastal and Marine Habitat Focus Area Grant will be determined in pre-award negotiations among the applicant, the NOAA GMD, and NOAA staff that will administer these HFA awards.

To enable the use of a universal identifier and to enhance the quality of information available to the public as required by the Federal Funding Accountability and Transparency Act of 2006, to the extent applicable, any proposal awarded in response to this announcement will be required to use the CCR/SAM and Dun and Bradstreet Universal Numbering System and be subject to reporting requirements, as identified in OMB guidance published at 2 CFR Parts 25, 170 (2010), http://www.ecfr.gov/cgi-bin/text-idx?c=ecfr&tpl=/ecfrbrowse/Title02/2cfr25_main_02.tpl.

B. Administrative and National Policy Requirements

Successful applicants that accept a NOAA award under this solicitation will be bound by Department of Commerce and NOAA standard terms and conditions. This document will be provided in the award package in Grants Online, NOAA's online financial assistance management system. In addition, award documents provided by the NOAA GMD through the Grants Online award package may contain program-specific special award conditions. These award conditions are subject to change prior to award but are provided at <http://www.habitat.noaa.gov/funding/applicantresources.html>.

Please note that on December 26, 2013, OMB published final guidance titled Uniform Administrative Requirements, Cost Principles, and Audit Requirements (OMB Uniform Guidance), which streamlines the language from eight existing OMB circulars, including Cost Principles (OMB Circulars A-21, A-87, A-122) and administrative requirements (OMB Circulars A-102 and A-110), into one consolidated set of guidance applicable to federal assistance awards. The OMB Uniform Guidance supersedes DOC's uniform administrative requirements set out at 15 C.F.R. parts 14 and 24. In accordance with the Federal Register notice published on December 19, 2014 (79 FR 75871) and the regulation at 2 C.F.R. 1327.101, the DOC adopted the OMB Uniform Guidance, codified at 2 C.F.R. Part 200, effective December 26, 2014, which means that the guidance applies to all new awards and may apply to additional funding to existing awards made on or after December 26, 2014. In addition, the audit requirements of the OMB Uniform Guidance apply to audits of non-Federal entities beginning on or after December 26, 2014. Therefore, applicants should familiarize themselves with 2 C.F.R. Part 200, which may be found at <http://www.gpo.gov/fdsys/pkg/CFR-2014-title2-vol1/pdf/CFR-2014-title2-vol1-subtitleA-chapII-subchap-id302.pdf>. Additional information on the substance of and transition to the OMB Uniform Guidance may be found at <https://cfo.gov/cofar/>.

Administrative and National Policy Requirements:

The Department of Commerce Pre-Award Notification Requirements for Grants and Cooperative Agreements contained in the Federal Register notice of December 30, 2014 (79 FR 78390) are applicable to this solicitation and may be accessed online at <http://www.gpo.gov/fdsys/pkg/FR-2014-12-30/pdf/2014-30297.pdf>.

Restrictions Governing Making Grants to Corporations Convicted of Felony Criminal Violations and/or Unpaid Federal Tax Liabilities

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

NEPA Requirements

NOAA must analyze the potential environmental impacts for individual habitat restoration projects as required by the National Environmental Policy Act (NEPA). Detailed information on NOAA compliance with NEPA can be found at the following NOAA NEPA

website, <http://www.nepa.noaa.gov/>, including NOAA Administrative Order 216-6 for NEPA, and the Council on Environmental Quality's (CEQ) implementation regulations. Consequently, as part of an applicant's package, and under their description of their program activities, applicants are required to provide detailed information on the activities to be conducted, safety concerns, locations, sites, species and habitat to be affected, possible construction activities, and any environmental concerns that may exist (e.g., the use and disposal of hazardous or toxic chemicals, introduction of non-indigenous species, impacts to endangered and threatened species, aquaculture projects, and impacts to coral reef systems).

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

Applicants proposing restoration activities that cannot be categorically excluded from further NEPA analysis that are not covered by a NOAA programmatic NEPA analysis, or whose activities are not covered under another agency's NEPA compliance procedures which can be analyzed and adopted by NOAA, will be informed after the technical review stage. Such applicants may be requested to assist in the preparation of an EA prior to an award being made, or provide for NOAA review a copy of an EA/EIS that covers proposed activities if one exists. Awardees will be required to cooperate with NOAA in identifying feasible measures to reduce or avoid any identified adverse environmental impacts of their proposed sub-award or sub-contract projects, especially for projects requiring NOAA to consult under the ESA. Failure to agree to do so shall be grounds for not awarding or for terminating an award.

It is the applicant's responsibility to obtain all necessary federal, state, and local government permits and approvals for the proposed work to be conducted. Applicants are expected to design their proposed activities to minimize the potential for adverse impacts to the environment. If applicable, documentation of requests for 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 the Office of Habitat Conservation staff to conduct a NEPA analysis so that appropriate NEPA documentation, required as part of the application package, can be submitted to the NOAA GMD along with the recommendation for funding for selected applications.

NOAA's Data Sharing Policy

Environmental data and information collected and/or created under NOAA grants/cooperative agreements must be made visible, accessible, and independently understandable to general users, free of charge or at minimal cost, in a timely manner (typically no later than two years after the data are collected or created), except where limited by law, regulation, policy or security requirements. The Data/Information Sharing Plan (and any subsequent revisions or updates) must be made publicly available at the time of award and, thereafter, will be posted with the published data. Failing to share environmental data and information in accordance with the submitted Data/Information Sharing Plan may lead to disallowed costs and be considered by NOAA when making future award decisions.

More information about the Data Sharing Policy is available on NOAA's Environmental Data Management Committee website at: www.nosc.noaa.gov/EDMC/PD.DSP.php

C. Reporting

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

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

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

VII. Agency Contacts

Supplemental Application Instructions can be found at <http://www.habitat.noaa.gov/funding/applicantresources.html>. For further information contact Liz Fairey at (301) 427-8632, or by e-mail at liz.fairey@noaa.gov. Prospective applicants are strongly encouraged to contact NOAA before submitting an application to discuss their NOAA Habitat Blueprint - Coastal and Marine Habitat Focus Area Grant ideas with respect to technical merit and NOAA's Habitat Blueprint objectives.

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, 2014 (79 FR 7890) are applicable to this solicitation. Funds awarded cannot necessarily pay for all the costs that the recipient might incur in the course of carrying out an award. Generally, costs that are allowable include salaries, equipment and supplies, as long as these are "necessary and reasonable" specifically for the purpose of the award. Allowable costs are determined by reference to the OMB Uniform Guidance codified at 2 C.F.R. Part 200. All cost reimbursement sub-awards (e.g., subgrants, subcontracts) are subject to those federal cost principles applicable to the particular type of organization concerned.

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

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

The use of the standard NOAA grant application package referred to in this notice involves collection-of-information requirements subject to the Paperwork Reduction Act. The use of Forms 424, 424A, 424B, SF-LLL, and CD-346 have been approved by OMB under the respective control numbers 4040-0004, 4040-0006, 4040-0007, 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.

Applications submitted in response to this FFO may be subject to requests for release under the Freedom of Information Act (FOIA) (5 U.S.C. § 552). In the event that an application contains information or data that the applicant deems to be confidential commercial information which is exempt from disclosure under FOIA, that information should be identified, bracketed, and marked as Privileged, Confidential, Commercial or Financial Information. Based on these markings, the confidentiality of the contents of those pages will be protected to the extent permitted by law. Department of Commerce regulations implementing FOIA are found at 15 C.F.R. Part 4, Public Information. These regulations set forth rules for the Department regarding making requested materials, information, and records publicly available under the FOIA.