

## Announcement of Federal Funding Opportunity

- **Federal Agency Name(s):** Office of Ocean and Coastal Resource Management (OCRM), National Ocean Service (NOS), National Oceanic and Atmospheric Administration (NOAA), U.S. Department of Commerce
- **Funding Opportunity Title:** Coastal and Estuarine Land Conservation Program (CELCP) – FY2010 Competitive List
- **Announcement Type:** Initial Announcement
- **Funding Opportunity Number:** NOS-OCRM-2010-2001655
- **Catalog of Federal Domestic Assistance Number:** 11.419, Coastal Zone Management Administration Awards/Coastal and Estuarine Land Conservation Program
- **Dates:** The deadline for receipt of proposals through Grants.gov or delivery to the OCRM office is 6:00 p.m. EST March 31, 2009. Applications may be submitted electronically at <http://www.grants.gov> or by mail to the address listed in this announcement.
- **Funding Opportunity Description:** The purpose of this document is to advise eligible coastal states and territories (requirements described below) that OCRM is soliciting coastal and estuarine land conservation project proposals for competitive funding under the CELCP. States and territories must have submitted to NOAA a CELCP plan on or before February 24, 2009, in order to be eligible to participate in the FY2010 funding opportunity (see *Final Guidelines for Coastal and Estuarine Land Conservation Program* for more information on CELCP plan requirements, available at <http://coastalmanagement.noaa.gov/land/media/CELCPfinal02Guidelines.pdf>). Funding is contingent upon the availability of FY 2010 Federal appropriations. It is anticipated that projects funded under this announcement will have a grant start date between March 1, 2010 and October 1, 2010. The program authority is 16 U.S.C. 1456d.

## FULL TEXT OF ANNOUNCEMENT

### I. Funding Opportunity Description

#### A. Program Objectives

The Coastal and Estuarine Land Conservation Program (CELCP) was established “for the purpose of protecting important coastal and estuarine areas that have significant conservation, recreation, ecological, historical, or aesthetic values, or that are threatened by conversion from their natural or recreational state to other uses.” This announcement solicits proposals for land

acquisition projects (fee simple interest or conservation easements) that can be completed within 18 months from the start date of the award and that have the purpose of protecting important coastal and estuarine areas. NOAA may extend the performance period for project grants up to an additional 18 months (for a maximum total performance period of 3 years) if circumstances warrant.

The state or territory's designated lead agency for implementing the CELCP may solicit project proposals from additional state/territorial agencies identified in the state/territory CELCP plan, local governments as defined at 15 CFR 24.3, or entities eligible for assistance under section 306A(e) of the Coastal Zone Management Act (CZMA) (16 U.S.C. 1455a(e)), defined below provided that each agency or entity has the authority to acquire and manage land for conservation purposes. Eligible coastal states and territories may select and submit up to three projects for this competition. The maximum amount that may be requested for the Federal share of each project is \$3,000,000. NOAA will evaluate proposals that include multiple parcels for project readiness and feasibility of completion within the 18 month timeframe.

Project proposals should describe how the project supports the purpose of the CELCP (described above), and specifically, how the project fits into the state or territory's CELCP plan. Applicants should both identify the primary purpose of the project (i.e., protection of ecological, conservation, recreational, historic or aesthetic values) and describe how the project will further this primary purpose. Proposals should also discuss: how the project protects other relevant conservation, recreation, ecological, historical, and aesthetic values; how the property is threatened by conversion from its natural or recreational state to other uses; how existing and future uses will be managed consistent with long-term conservation; and the likelihood that the project will be completed in a timely manner. The proposals should include the applicant's qualifications (and those of project partners, if applicable) to acquire and manage property for long-term conservation (either directly or through partnership agreements). Proposals should also include a detailed budget estimate that describes the basis for the requested Federal funding amount, the proposed land acquisition costs, and other costs that directly support the project. The project's budget estimate should account for both Federal CELCP funds requested and funds to be used as the non-Federal matching share.

The CELCP Guidelines, published in the *Federal Register* on June 17, 2003 (68 Fed.Reg. 35860-35869), establish the eligibility, procedural, and programmatic requirements for participation in the CELCP, including the criteria for financial assistance awards under the program. The Guidelines outline the criteria and process for eligible states and territories to develop a CELCP plan, nominate land conservation projects to a national competitive process, as well as the criteria and process for NOAA to select projects at the national level for funding. All applications submitted pursuant to this notice must be consistent with the CELCP Guidelines, except that, for this solicitation, the eligibility requirement that states and territories have an approved CELCP plan will be expanded to include states and territories that have submitted a draft CELCP plan to NOAA for review. The CELCP Guidelines can be found at <http://www.coastalmanagement.noaa.gov/land/media/celcpfinal02guidelines.pdf>.

## B. Program Priorities

CELCP's authority (16 U.S.C. 1456d) specifies that priority be given to lands which can be effectively managed and protected and that have significant ecological value. Project proposals should reflect, and will be given higher priority if they reflect, the land conservation priority area(s) identified in a draft or approved CELCP plan (a list of the status of each state and territory's CELCP plan is available at [http://www.coastalmanagement.noaa.gov/land/celcp\\_fundingop.html](http://www.coastalmanagement.noaa.gov/land/celcp_fundingop.html)).

A project may be considered not ready or eligible if the project is not viable due to elements determined inconsistent with the CELCP Guidelines or if it receives a very low score in any of the four evaluation criteria areas (described in section V.A. of this announcement). NOAA may also take the results of its technical review into account as a selection factor, particularly with regard to project costs, proposed uses, and past performance of the project proponents (if applicable). This is to ensure that each project selected for funding provides for the protection of significant coastal and estuarine values, is consistent with the program, can be effectively executed within the performance period, and can be managed and protected for long-term conservation. In some cases, NOAA may recommend the project for funding at a reduced level if certain elements of the project's proposed budget are determined ineligible.

This competition will result in a prioritized list of projects that are considered ready and eligible for funding in FY 2010. Each proposal will be reviewed to determine whether proposed costs and uses are consistent with the CELCP Guidelines and will be scored by merit reviewers according to the evaluation criteria described in Section V ("Application Review Information") of this notice.

### C. Program Authority

Authority for the CELCP is 16 U.S.C. 1456d.

### D. Cost Principles

Allowable grant costs are limited to costs necessary and reasonable to achieve the approved objectives of a grant and must be consistent with general cost principals for grants awarded by Federal agencies, as contained in the Office of Management and Budget (OMB) Circular A-87 "Cost Principals for State, Local, and Indian Tribal Governments." OMB Circular A-87 can be found at [http://www.whitehouse.gov/omb/grants/grants\\_circulars.html](http://www.whitehouse.gov/omb/grants/grants_circulars.html).

Please note that the project budget may not include more than 5 percent of the requested federal share in expenses that are not directly related to acquisition. (This does not include appraisals, surveys, title opinions, and other direct transaction costs.)

## **II. Award Information**

### A. Funding Availability

NOAA anticipates that approximately 20-60 projects may be included on a competitively-ranked list of projects that are ready and eligible for funding in FY 2010. Funding for projects selected for the prioritized list is contingent upon availability of Federal appropriations for FY 2010. Applicants are hereby given notice that funds have not yet been appropriated for this program. The FY 2009 President's Request for the program is \$15 million. Annual appropriated funding levels for the CELCP ranged from \$8-\$50 million from FY 2002-2008.

Eligible coastal states and territories may select and submit up to three projects for this competition, including subsequent phases of projects previously funded by CELCP. Applicants may include multiple parcels in a project proposal; however, please note that NOAA will evaluate project readiness and feasibility for completion within the required 18 month timeframe. For such projects, NOAA recommends that applicants limit the scope to acquiring no more than 5 separate parcels (including parcels that would be acquired directly with CELCP funds as well as those that would be counted an in-kind match). See section III.C. for additional details. The maximum amount that may be requested for the Federal share of each project is \$3,000,000. The amount of funding per award in previous years has ranged from \$380,000 to \$3,000,000 for competitively selected projects, depending on the amount requested, size, and type of project.

There is no guarantee that sufficient funds will be available to make awards for all qualified projects. Publication of this notice and the list of projects deemed ready and eligible does not oblige NOAA to award any specific project or to obligate any available funds. If a state or territory incurs any costs prior to receiving an award agreement signed by an authorized NOAA official, they do so solely at their own risk of these costs not being included under the award. In no event will NOAA or the Department of Commerce be responsible for proposal preparation or other project costs if this program fails to receive funding or is cancelled because of other agency priorities. Recipients and sub-recipients are subject to all Federal laws and agency policies, regulations, and procedures applicable to Federal financial assistance awards.

NOAA is committed to continual improvement of the grants process and accelerating the award of financial assistance to qualified recipients in accordance with the recommendations of the NOAA Program Review Team. If funding is appropriated in FY 2010 for projects recommended through this competition, NOAA will request final grant applications from successful applicants as soon as feasible in order to expedite the grant process (see VI. Award Administration Information). Applicants must be in good standing with all existing NOAA grants in order to receive funds.

#### B. Project/Award Period

The standard financial assistance award period is 18 months. Project proposals should include a timeline with discrete benchmarks for completing the project within this award period. NOAA will evaluate project readiness and feasibility for completion within this timeframe. NOAA has the authority to extend an award by an additional 18 months, for a maximum performance period of three years (Sec. 5.2 of the CELCP guidelines), if circumstances warrant, such as unforeseen circumstances that prevent the project from being completed within the original award period. In order to qualify for an extension, grant recipients must be in good

standing (i.e., up-to-date on all progress and financial reports), demonstrate progress during the initial award period, and be able to demonstrate that additional time is likely to result in successful completion of the project

### C. Type of Funding Instrument

Projects are funded as grants. CELCP grants are subject to the terms and conditions described in Section 5 of the CELCP guidelines.

## **III. Eligibility Information**

### A. Eligible Applicants

Only coastal states and territories with Coastal Zone Management Programs or National Estuarine Research Reserves approved under the CZMA that have submitted a draft CELCP plan to NOAA on or before February 24, 2009, are eligible to participate in the FY 2010 CELCP competition. A list of the status of each state and territory's CELCP plan including the states and territories eligible for this competition, is available at [http://coastalmanagement.noaa.gov/land/media/CELCPplans\\_web.pdf](http://coastalmanagement.noaa.gov/land/media/CELCPplans_web.pdf), and will be updated as of as of February 24, 2009. The designated lead agency for implementing CELCP in each state or territory ("lead agency") is eligible to submit projects for funding under this competition. The lead agency is presumed to be the agency designated as lead for implementing the state or territory's coastal management program, as approved under the CZMA, unless otherwise designated by the Governor. A list of lead contacts for each state and territory is available on the CELCP website at <http://coastalmanagement.noaa.gov/land/media/celcpstateleadcontacts.pdf>.

The designated lead agency may solicit, and include in their application, project proposals from additional eligible state or territorial agencies, local governments as defined at 15 CFR 24.3, or entities eligible for assistance under section 306A(e) of the CZMA (16 U.S.C. 1455a(e)), provided that each has the authority to acquire and manage land for conservation purposes. As defined at 15 CFR 24.3, local government means a county, municipality, city, town, township, local public authority (including any public and Indian housing agency under the United States Housing Act of 1937), school district, special district, intrastate district, council of governments (whether or not incorporated as a nonprofit corporation under State law), any other regional or interstate government entity, or any agency or instrumentality of a local government. Under section 306A(e) of the CZMA, an eligible entity may be a local government, an areawide agency designated under Chapter 41, Subchapter II, Section 3334 of Title 42, a regional agency, or an interstate agency. The public agencies/entities, or types of entities, considered to be eligible within each state or territory may be identified with in the state or territory's CELCP plan. A link to a list of websites for state or territory CELCP plans is available on the CELCP website at [http://coastalmanagement.noaa.gov/land/media/CELCPplans\\_web.pdf](http://coastalmanagement.noaa.gov/land/media/CELCPplans_web.pdf).

The lead agency will be responsible for: ensuring that projects are consistent with land conservation priorities outlined in the state or territory's draft or approved CELCP plan; reviewing proposals for completeness; prioritizing proposals according to CELCP plan criteria; and nominating up to three proposals to the national selection process at a requested funding

level not to exceed \$3 million per proposal. For selected projects, NOAA may make financial assistance awards to the lead agency, which will be responsible for ensuring that allocated funds are used for the purposes of and in a manner consistent with this program, including any funds awarded to an eligible sub-applicant. NOAA may, with concurrence of the state or territory's CELCP lead agency, make a grant directly to the identified sub-applicant in order to expedite completion of an approved project. In such cases, the sub-applicant (as the grant recipient) will be responsible for ensuring that allocated funds are used for the approved purposes and in a manner consistent with this program.

Interested parties should contact the appropriate CELCP lead in each state or territory for additional information on their project solicitation process.

#### B. Cost Sharing or Matching Requirement

Federal funds awarded under this program must be matched with non-Federal funds at a ratio of 1:1, with the following exception. In accordance with 48 U.S.C. 1469a(d), the 1:1 matching requirement is waived for any project under \$200,000 for Insular Areas, defined as the jurisdictions of the U.S. Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands. For any project equal to or greater than \$200,000, the matching requirement would be waived for the portion under \$200,000. The 1:1 match requirement would apply to the portion equal to or above \$200,000. Please note: Eligible applicants choosing to apply 48 U.S.C. 1469a(d) should note the use of the waiver and the total amount of funds requested to be waived in the matching funds section of the project proposal.

Non-Federal matching funds may be derived from state, local, non-governmental or private sources in the form of cash or in-kind contributions. Cost-sharing requirements for the CELCP are specified in Section 2.7 of the CELCP Guidelines. Sources of matching funds must meet the eligibility criteria and ownership and stewardship conditions of the Federal share, unless specified otherwise. (Eligibility criteria, ownership and stewardship conditions are further described below in section "III.C. Other Criteria that Affect Eligibility.")

The following costs may not be counted toward the non-Federal matching share:

- Costs expended prior to the grant award, unless specifically allowed as "banked match" (see C.2, below), or qualified "pre-award" costs that were incurred within 90 days before the start of a grant award.
- Lands or services previously used as non-Federal match. Any funds or in-kind contributions, including the value of donated lands or services, that have been previously used to satisfy the matching requirements of this program or that that have been or will be used to satisfy another Federal grant, may not be counted toward the non-Federal matching share.
- Lands or services acquired with Federal funds. Unless otherwise provided by Federal law, the value of property, interests in property or services acquired with Federal funding may not be used as non-Federal match.
- Cash contribution of Federal funds. Unless otherwise provided by Federal law, funding that originated from Federal sources may not be used as non-Federal match.

## C. Other Criteria that Affect Eligibility

### *1. Eligible Projects and Uses of CELCP Funds*

CELCP provides support for acquisition of fee simple interests in lands or conservation easements from willing sellers within eligible coastal states and territories (as defined in “Eligible Applicants,” above).

In order to be eligible to compete, a project must:

- Be located in a coastal and estuarine area included within the CELCP boundary, as identified in the state or territory’s CELCP plan;
- Match Federal CELCP funds with non-Federal funds at a ratio of 1:1;
- Be held in public ownership and provide conservation in perpetuity;
- Provide for public access or other public benefit, as appropriate and consistent with resource protection; and
- Be consistent with a state or territory’s coastal management program approved under the CZMA.

To meet the CELCP’s national criteria, projects should:

- Protect important coastal and estuarine areas that have significant conservation, recreation, ecological, historical, or aesthetic values, or that are threatened by conversion from their natural or recreational state to other uses;
- Give priority to lands that can be effectively managed and protected and that have significant ecological value; and
- Directly advance the goals, objectives, and implementation of the state or territory’s CELCP plan, which necessarily includes goals and objectives that relate to the coastal management plan or program, NERR management plans approved under the CZMA, national objectives of the CZMA, or a regional or state watershed protection plan for states and territories with approved coastal management plans.

CELCP funds may be used for:

- Acquisition of properties or interests in properties (conservation easements) from willing sellers, including direct expenses relating to the acquisition of lands under the CELCP. Applicants may include multiple parcels in a project proposal; however, please note that NOAA will evaluate project readiness and feasibility for completion within the required 18 month timeframe. For projects that propose to acquire more than one property, NOAA recommends that applicants limit the scope to acquiring no more than 5 separate parcels (including parcels that would be acquired directly with CELCP funds as well as those that would be counted an in-kind match). Properties containing multiple parcels covered under a single appraisal, title report and survey plat could count as one parcel (e.g. a subdivided property with the same landowner). To warrant consideration as a single project, parcels must be located in the same vicinity, be substantially related in terms of conservation values, or have other direct physical or strategic connection (for example, acquiring multiple properties that will be assembled into a single greenway).
- Direct and indirect costs for administering the grant award (up to the equivalent of 5% of the Federal share). Direct and indirect costs may include time spent by staff for project

planning, implementation, and review, as well as certain initial costs for land stewardship incurred during the award period to allow for signage, public safety, or other stewardship purposes. If an application includes indirect costs, the total dollar amount of the proposed indirect costs must not exceed the indirect cost rate negotiated and approved by a cognizant Federal agency. NOAA may require documentation that supports this rate.

- Allowable costs, as discussed in section I.D. Cost Principles (above).

The negotiated price of the property or conservation easement should be based on the fair market value determined by an independent appraisal conducted by a state-approved appraiser. Independent appraisals must reflect nationally recognized appraisal standards including the Uniform Appraisal Standards for Federal Land Acquisition (the “Yellow Book”). If an appraisal has not been completed at the time a project proposal is submitted, the applicant may propose a good-faith estimate of the cost for the project based on market value or agreement with the willing seller. However, if the project is selected for funding, an appraisal will be required at the time of final grant application or before funds can be released. The amount of the grant cannot exceed the estimated cost in the project application. If the appraised value of the property is higher than the estimated cost in the project proposal, the applicant must make up the difference. If the appraised value is lower than the estimated cost, NOAA may reduce the federal share of the project as appropriate. More information can be found in section 4.2.d in the CELCP Guidelines.

CELCP funds may not be used for:

- Funding long-term operations, maintenance, and management of the land (above those costs allowed for initial land stewardship);
- Construction of buildings, boat launching facilities, docks or piers, shoreline armoring, or other facilities;
- Research;
- Outreach and education;
- Acquisition of lands, or interests in lands, that completely restrict access to specific persons (e.g. non-residents of a community);
- Acquisition of lands, or interests in lands, to comply with mandatory or compensatory mitigation for recent, pending or future habitat losses resulting from the actions of agencies, organizations, companies, or individuals;
- Enforcing fish, wildlife, or other regulations, either solely or primarily, except when necessary for the accomplishment of approved project purposes;
- Acquisition of land for active recreation, such as sports facilities, water parks, playgrounds, or similar uses; or
- Reimbursement of expenses that have been incurred prior to the start of a grant award, with the following exceptions.

If an applicant incurs costs before the effective date of the grant, they do so at their own risk. Such “pre-award costs” cannot be reimbursed except as approved by NOAA, although they may be counted as match. Applicants may receive reimbursement for costs incurred within 90 days prior to the grant’s start date if they are requested in the application and the applicant can demonstrate it was necessary and reasonable to incur those costs in advance. When approved, pre-award costs may include such costs as those necessary for conducting: environmental

assessments, including risk assessments; feasibility surveys; appraisals, title searches or opinions; or preparation of documents needed to satisfy legal requirements, such as the National Environmental Policy Act. In some cases, with prior approval from NOAA, the cost of land acquisition may be reimbursed as a pre-award cost if the acquisition occurred between the date the project was recommended for funding through the competitive selection process and the date that the grant award was approved by NOAA.

Please note that the project budget may not include more than 5 percent in expenses that are not directly related to acquisition. (This does not include appraisals, surveys, title opinions, and other direct transaction costs.)

## *2. In-Kind Contributions of Matching Funds*

Non-Federal matching funds may be derived from in-kind contributions. In-kind contributions may include the value of other lands or easements acquired by the grant recipient or donated to the recipient; donated land value (i.e., a “bargain sale” of a property to the recipient at a price less than full appraised value); or services such as on-site remediation, restoration, enhancement, or donated labor and supplies, provided that the in-kind contributions are necessary and reasonable to accomplish the objectives of the project. Such in-kind contributions must be identified in the project application, completed during the financial assistance award performance period, and documented as part of the completed project (in the final performance report). In-kind contributions may also include the value of lands or easements acquired or donated within three years prior to submission of the grant application (“banked match”), as described in section 2.7.c. of the CELCP Guidelines. For projects selected for funding, final grant applications would be due to NOAA sometime between January and June of 2010. Therefore, for the purposes of this competition, “banked match” must be incurred, depending on the anticipated date of application, no earlier than January through June of 2007.

Lands or easements that are used as match must:

- Be held by the grant recipient. Lands owned by another agency or organization (“3rd party”) may be used if a conservation easement is provided to the grant recipient, but in such cases, the value of the match would be based on the value of the conservation easement. Lands held by third parties are not eligible as match if the grant recipient does not have a legal interest in the property that can be used to bind the property to the terms of the grant.
- Be in the vicinity of the property being acquired with CELCP funds, be substantially related in terms of conservation values, or have other direct physical or strategic objective connections to the CELCP property.
- Meet the eligibility criteria and ownership and stewardship conditions described in sections 2.3-2.6 of the CELCP Guidelines.
- Not be required as compensatory mitigation.

The application should document the value of in-kind contributions, including land and services proposed for use as match. For property(ies) to be used as match, applicants should describe the characteristics of the property, the timeframe in which the property was or will be acquired, and how it meets the eligibility criteria described above. The value should reflect the

price paid at purchase or assessed at the time of donation, and should be supportable based upon an appraisal reflecting nationally-recognized appraisal standards (i.e., the Uniform Appraisal Standards for Federal Land Acquisition).

The value of in-kind services may be used if they are necessary and reasonable to accomplish the objectives of the project, are identified in the project application, and are completed within the grant performance period, specifically allowed as “banked match,” or are qualified “pre-award” costs that were incurred within 90 days before the start of a grant award, such as appraisal, title opinion or other documentation related to acquisition of the parcel(s) to be acquired. In-kind services must be documented as part of the completed project.

See also 15 CFR 24.24 Matching or Cost-Sharing (Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments) for determining the value of in-kind contributions.

### *3. Other Cost Provisions*

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

Leasing or renting of the property or interest in property is prohibited unless specifically authorized by NOAA. If approved, all income or other revenues derived from an approved lease or rent arrangement shall be used to maintain or manage property.

CELCP grants are subject to the terms and conditions described in Section 2 (Eligibility Requirements) and Section 5 (Acceptance and Use of Funds) of the CELCP guidelines. If any of the documentation required in the Guidelines is not available at the time of a final grant application, NOAA may include special award conditions in the grant that must be met before funds can be released.

### *4. Allowable Uses of Lands Acquired with CELCP Funds or Used as Match*

The following activities are considered consistent with conservation purposes under the CELCP:

- Resource protection;
- Restoration and enhancement, such as vegetative erosion control or restoration of natural water flow to the area;
- Low-impact recreational activities, such as hiking, hunting and fishing;
- Access for swimming, canoeing, kayaking or other non-motorized vessels; and
- Research and educational activities

Construction of facilities on a minor scale, such as restrooms or boardwalks, to facilitate uses listed above and/or for the purpose of minimizing harm to coastal resources due to public

access and recreation, may be allowed depending on the proposed use of the property and the site environment.

The following activities are considered to be inconsistent:

- Active agricultural, including timber, or aquaculture production (note: timbering on a limited scale may be allowed for conservation-oriented purposes such as habitat restoration, for example, to restore a forest that has been managed for timber production to a more native forest type or to create suitable habitat for rare, threatened or endangered species);
- Shoreline armoring or other hard erosion control structures; and
- Construction or expansion of roads, buildings or facilities, including active recreation facilities such as sports facilities, water parks, or playgrounds, except as noted under “eligible uses.”

Pre-existing uses, including term leases or life estates, must be identified as part of the project application. If a project proposes to continue any pre-existing activities as a long-term use of the site, NOAA will review such uses for potential impacts and to determine whether they are consistent with the purposes of the CELCP and with allowable uses under the program guidelines. For properties that contain existing structures or incompatible uses, applicants may wish to consider a conservation easement instead of fee acquisition, or other means to exclude non-conforming uses from the CELCP-funded portion of the site. If a project is approved with pre-existing uses, such uses may not be expanded or converted to other uses without prior approval of NOAA.

Terms and conditions specified in deeds and conservation easements must be consistent with the purposes of the CELCP. NOAA will review deeds and conservation easements to ensure that provisions are consistent with allowable uses under the program.

### *5. Title and Ownership*

The recipient, or other appropriate public agency designated by the recipient, will hold title to the land, or interests in land (conservation easement), in perpetuity. Title and ownership of land, or interests in land (conservation easement) used as match must also be held by the same recipient, or other appropriate public agency designated by the recipient, in perpetuity. If the land interest will be held by another public agency, the grant recipient remains financially accountable for the funds received and ensuring that the lands remain protected consistent with the terms of the grant. Eligible recipients and sub-recipients are described in section III.A. (above).

As a condition of the grant award, NOAA will require that the recipient, or designated public agency, include language in the deed or easement advising that the property has been acquired with Federal funds from NOAA or used as match for same, and assurances that the property will be held for conservation in perpetuity. If the property has already been acquired prior to the start of the award (such as in the case of “banked match”) the recipient or other public agency must record and furnish to NOAA a lien, covenant or other appropriate notice of

record advising of the same. See section 5.3 of the CELCP Guidelines for additional information on special award conditions.

If the property or interest in property acquired with CELCP funds is sold, exchanged, divested, or converted to others uses that are inconsistent with the purposes for which it was acquired, the recipient must return funds to NOAA. See section 2.6.c. of the CELCP Guidelines for additional information.

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

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

The full funding opportunity announcement and application materials are available online at: <http://www.grants.gov> or NOAA's CELCP web site under "Funding Opportunities" ([http://coastalmanagement.noaa.gov/land/celcp\\_fundingop.html](http://coastalmanagement.noaa.gov/land/celcp_fundingop.html)). They may also be requested by contacting the program official identified below.

TO REQUEST AN APPLICATION PACKAGE OR FOR FURTHER INFORMATION CONTACT:

Elaine Vaudreuil  
Phone: (301) 713-3155 ext 103  
E-mail: [Elaine.Vaudreuil@noaa.gov](mailto:Elaine.Vaudreuil@noaa.gov)

or

Elisabeth Morgan  
Phone: (301) 713-3155 ext. 166  
E-mail: [Elisabeth.Morgan@noaa.gov](mailto:Elisabeth.Morgan@noaa.gov)

##### **B. Content and Form of Application**

Applications may be submitted electronically through Grants.gov or by mail to the address provided below. Applicants should submit each proposal as a stand-alone application. For applications that include color or high-resolution graphics or unusually-sized materials (other than 8.5 x 11"), hard copy submission is recommended (and may be done in addition to electronic submission). For hard copy submissions, please send a signed original and four copies. Each proposal should include all Required Elements. Supplemental Elements are not required at this time, but should be submitted at the time of final grant application for projects selected for funding. See below for more information on Required and Supplemental Elements. Applications must be received by the deadline (refer to section IV.C. Submission Dates and Times, below).

###### *1. Proposals*

An application for each stand-alone proposal may be submitted electronically at <http://www.grants.gov>, or a signed original and four copies may be submitted by mail to the

address listed below. (For applications that include color or high-resolution graphics, unusually sized materials, or otherwise unusual materials, hard copy submission is recommended.) The stated requirements for the number of proposal copies provides for a timely review process. Applicants that do not currently have a Grants.gov account are encouraged to begin the process of registering as soon as possible. No e-mailed or faxed applications will be accepted.

## *2. Required and Supplemental Elements*

Each proposal must include the following four Required Elements. In addition, the following five Supplemental Elements may be submitted if they are available, but are not required with the proposal. For projects that are selected for funding, Supplemental Elements and other standard forms will be required either at the time a grant application is submitted to NOAA or before grant funds can be released (see section 4.4 of the CELCP Guidelines). For more detailed descriptions, examples, and templates of Required and Supplemental Elements, see Appendices B-D of this funding notice. If submitting electronically through Grants.gov, applicants will also need to submit a form SF 424.

### REQUIRED ELEMENTS *(for each project proposal)*

(1) Project Description/Scope of Work. The following information should be provided for the project site and any parcel that is to be used as match. The Project Description/Scope of Work should include information on the project site's size, location and relationship to coastal or estuarine features, environmental significance, the legal rights to be acquired, and any conversion threats to the property. The Project Description should specify: the primary purpose of the project (i.e., ecological, conservation, recreation, aesthetic, or historic); how the proposed project meets the state and national criteria and its expected benefits in terms of coastal and estuarine land conservation, and specifically, how the project supports the priority areas identified for projection the state or territory's CELCP plan; pre-existing uses of the property and the nature of those uses (including existing structures, leases, etc.); and activities or uses planned for the project site and how those activities are consistent with the long-term protection of the site's ecological or other values. The project description should also describe a strategy for long-term stewardship, including information on continuing support for maintenance and enforcement against illegal uses and, if restoration is proposed, when and how that will be accomplished. Project descriptions should also specify a proposed award period for the grant (not to exceed 18 months) and include a project timeline with discrete benchmarks for completing the project within the requested award period. Finally, the Project Description/Scope of Work should also include photographs of the project site (approximately 2-10) that document the values described in the text of this Element. It is strongly recommended that applicants use the Project Description/Scope of Work template, located in Appendix A.

(2) Project Budget and Justification of Proposed Costs. The project budget should include a breakdown of project costs and justification, including the source of proposed matching funds. Land acquisition costs should be based on appraised value or other estimate of fair market value. Section 2.5 of the CELCP Guidelines outlines eligible and ineligible uses of CELCP funds. These are also described under "Eligibility Information" in Section III of this

announcement. The project budget should also specify whether this project has been submitted in application for other sources of Federal funding, and if, so which Federal program(s) and year(s). It is strongly recommended that applicants use the Project Budget template, located in Appendix B.

(3) Project Checklist. The Project Checklist enables NOAA to determine if a project may have any adverse impacts and whether additional information maybe required to satisfy the requirements of applicable Federal laws, regulations or policies. The project checklist must be signed by a representative of the eligible public entity that will receive funds to execute the project. Submitting an unsigned project checklist that does not identify the certifying official may result in the project not being found to be ready and eligible. The Project Application Checklist can be found in the Funding Opportunities section of the CELCP website at [http://coastalmanagement.noaa.gov/land/celcp\\_fundingop.html](http://coastalmanagement.noaa.gov/land/celcp_fundingop.html) and in Appendix C of this announcement.

(4) Project Location and Site Maps. Two maps should be submitted: (1) a regional map showing the general location of the project, and (2) a map or aerial photo of the project site that shows the location and extent of the proposed acquisition, its relationship to significant natural features, and adjacent land uses.

#### SUPPLEMENTAL ELEMENTS

The supplemental elements are not required with this proposal, but if the project is selected and funded, these elements and other forms would be required at the time a final grant application is submitted to NOAA or before grant funds can be released (see section 4.4 of the CELCP Guidelines). Submitting one or more of these items with the project proposal may help substantiate the project's "readiness."

(1) Documentation of Willingness or Intent to Sell. If available, the applicant should submit documentation of any option agreement, signed contract, or letter documenting that a seller is willing to consider or has accepted an offer to purchase, as described in Section 4.2.f. of the CELCP Guidelines.

(2) Appraisal. If available, the applicant should submit a complete and self-contained appraisal documenting the cost of the property. The appraisal must be developed in accordance with the Uniform Standards of Professional Appraisal Practice ([http://www.appraisalfoundation.org/s\\_appraisal/sec.asp?CID=3&DID=3](http://www.appraisalfoundation.org/s_appraisal/sec.asp?CID=3&DID=3)) and the Uniform Appraisal Standards for Federal Land Acquisition ("Yellow Book") (<http://www.usdoj.gov/enrd/land-ack/>).

(3) Environmental Assessment or Environmental Impact Statement (Optional). If available, the applicant should submit any environmental assessment or environmental impact statement that has been done for the project site.

(4) Site Survey/Plat Map. If available, the applicant should submit a survey plat of the project site.

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

#### C. Submission Dates and Times

The deadline for receipt of proposals through Grants.gov or delivery to the OCRM office is 6:00 p.m. EST March 31, 2009. Applications received after this deadline will not be reviewed or considered. It is strongly recommended that applicants allow sufficient time for delivery of materials, whether electronically or by mail, to OCRM by the deadline.

The proposal may be submitted electronically through Grants.gov online at: <http://www.grants.gov> or by mailing an original and four copies of each proposal to Attn: Elaine Vaudreuil, NOAA, Ocean and Coastal Resource Management, National Policy and Evaluation Division (N/ORM7), 1305 East-West Highway, SSMC4, Station 10657, Silver Spring MD 20910. (For applications that include color or high-resolution graphics, unusually sized materials, or otherwise unusual materials, hard copy submission is recommended and may be done in addition to electronic submission via Grants.gov.)

If submitting electronically, applicants are advised to leave time to ensure that the application is correctly submitted; initial processing by Grants.gov can take up to 24 hours. If submitting by mail, use of a guaranteed delivery service is preferred due to the potential for security-related delays in delivery of mail sent via standard postal service.

#### D. Intergovernmental Review

Applications under this program are subject to Executive Order 12372, “Intergovernmental Review of Federal Programs.” If the state participates in this process, a list of participating states and the clearinghouse point of contacts can be found at <http://www.whitehouse.gov/omb/grants/spoc.html>.

#### E. Funding Restrictions

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

<http://coastalmanagement.noaa.gov/land/media/CELCPAttachment3.pdf>.

#### F. Other Submission Requirements

Eligible states and territories may submit up to three projects for review under this competition. The maximum amount that may be requested for the Federal share of each project is \$3,000,000. Applicants may include multiple parcels in a project proposal; however, please note that NOAA will evaluate project readiness and feasibility for completion within the required 18 month timeframe. NOAA recommends that projects proposing to acquire multiple properties comprise no more than 5 separate parcels, including parcels that would be acquired with CELCP funds as well as those that would be counted an in-kind match. Properties containing multiple parcels covered under a single appraisal, title report and survey plat (such as a subdivided property held by the same landowner) could count as one parcel. Parcels must be in the same vicinity, be substantially related in terms of conservation values, or have other direct physical or strategic connection (for example, as identified in a conservation plan).

Interested parties should contact the appropriate state or territorial CELCP lead for additional information on the state's project solicitation process or any additional state requirements that may apply. A list of lead contacts for each state and territory is available on the CELCP website at <http://coastalmanagement.noaa.gov/land/media/celcpstateleadcontacts.pdf>.

#### G. Address for Submitting Proposals

The proposal may be submitted electronically through Grants.gov online at: <http://www.grants.gov> or by mailing an original and four copies of each proposal to Attn: Elaine Vaudreuil, NOAA, Ocean and Coastal Resource Management, National Policy and Evaluation Division (N/ORM7), 1305 East-West Highway, SSMC4, Station 10657, Silver Spring MD 20910.

### **V. Application Review Information**

#### A. Evaluation Criteria

##### *1. Importance and/or relevance of proposed project to the program goals (55 points out of 110)*

This evaluation factor seeks to determine whether there is intrinsic value in the proposed work and relevance to NOAA, Federal, regional, state/territorial, or local priorities. For this competition, this means determining the ecological, conservation, recreational, aesthetic, and/or historical/cultural value of the proposed project, as well as the public benefits gained from the long-term protection and management of the property. Applicants should describe specifically how the project meets the goals and criteria described in the state or territorial CELCP plan.

Projects will be reviewed and ranked according to the degree to which they:

- Protect coastal and estuarine areas that have significant conservation, recreation, ecological, historical/cultural, and/or aesthetic values;
- Support their primary purpose (whether conservation, recreation, ecological, etc.), as well as the degree to which they contribute to the other values; and,
- Advance the priorities within a state or territory's Coastal and Estuarine Land Conservation Plan, as well as the degree to which they support the goals, objectives, or implementation of the state or territory's coastal management plan approved under the

CZMA, a NERR management plan approved under the CZMA, and/or regional, state/territorial or local watershed protection plans.

Priority will be given to projects that protect lands with significant ecological value and that advance the priorities within the Coastal and Estuarine Land Conservation Plan or the state/territory's coastal management program approved under the CZMA.

Each applicant should identify project's primary purpose (protection of ecological, conservation, recreational, aesthetic, or historic value). The other four values will be evaluated as secondary purposes of the project. A description of how each value will be evaluated follows, as well as how relevance to CELCP or other conservation plans will be determined. Applicants should also describe values and relevance for any lands proposed for use as in-kind match. For large parcels or projects for which CELCP funds provide only a portion of the total cost, please describe the characteristics of the portion of the property or project area that would be acquired with CELCP funding.

(i) **Ecological value** will be evaluated by the degree to which a project exhibits such features as: exceptional natural habitat quality and species diversity; linkages within an ecological corridor or protection of a large area of unfragmented habitat; habitat for rare, threatened or endangered species; ecological functions (e.g., filtering pollutants or flood control); presence of invasive species; etc. Because the CELCP authority (16 U.S.C. 1456d) specifies that priority be given to projects that protect lands with significant ecological value, this value will receive a greater weighting (up to 10 points more) than the other four values. *(up to 25 points if primary purpose; up to 10 points if secondary purpose)*

For evaluation of ecological value, applicants should describe:

- The different habitat types that are found on the project site (e.g., upland forest, scrub/shrub, fields, etc.). Provide information on the habitat quality, including any impairments such as invasive species, and provide estimated acreages for the different habitat types.
- The ecological importance of the acquisition for the region, particularly in relation to coastal and estuarine resources and ecosystems. For example, discuss species diversity on the project site, whether the site contains habitat of specific importance to the region, and/or whether protecting the site is an important part of protecting ecological connections in the region. If the project site is part of a network of existing or proposed protected areas, describe how the project will enhance linkages among ecologically important areas in the region.
- How the habitat supports, or may support, Federal or state listed rare, threatened or endangered species. For example, does the site provide enough acreage to support a viable population of an endangered species, or will it enhance existing protected areas that already provide habitat for a viable population of an endangered species?

(ii) **Conservation value** will be evaluated by the degree to which a project: helps attain the goals of a larger conservation plan or comprehensive plan, even though it may not currently exhibit high intrinsic ecological, recreational value or other values (for example, migratory corridors, setbacks or stream buffers, etc.); has potential to contribute significantly to ecological,

recreational or other values if restored; and/or exhibits a strong mix of ecological, recreation, historic and aesthetic values that collectively contribute important benefits to the coastal and estuarine environment that are not provided by those values individually. *(up to 15 points if primary purpose; up to 5 points if secondary purpose)*

For evaluation of conservation value, applicants should describe:

- How the property fits within a larger conservation plan, such as a state or territorial CELCP plan, coastal management plan, or other comprehensive coastal or watershed protection plan.
- How acquisition of the site will help establish corridors and/or linkages among areas of significant conservation, ecological, recreational or aesthetic values that are already protected.
- Whether restoration is planned for the site and the potential for successfully restoring the site's ecological values if the site's ecological values are impaired due to circumstances that have affected the site's integrity (e.g., invasive species, alterations such as dikes or clearing for agricultural and silvicultural uses, etc.). If restoration is planned, applicants should describe the plan and/or timeline for restoration, including availability of financial support for the proposed restoration.
- Whether the project exhibits a mix of ecological, recreation, historic and aesthetic values that together contribute important benefits to the coastal and estuarine environment that are not provided by those values individually.

(iii) **Recreational value** will be evaluated by the degree to which a project provides opportunities for public access to and/or recreational enjoyment of the coast and how it supports plans for addressing public access and coastal recreation needs. *(up to 15 points if primary purpose; up to 5 points if secondary purpose)*

For evaluation of recreational value, applicants should describe:

- The property's significance or contribution with regard to coast-dependent or nature-based recreation and whether the project supports priorities for recreational access identified in a state or territorial CELCP plan or other assessment of needs for coastal recreation;
- Whether the coastal access is located in an area of determined need at the local, regional, or national level; and
- Whether the project site will be easily accessible to many people and/or whether there will be any limits on accessibility for recreation, e.g., only allowing guided tours or having the site open only at certain times of the year.

(iv) **Historic value** will be evaluated by the degree to which a project contains significant historical, cultural, or archaeological features, particularly related to historical or traditional use of the coastal and estuarine environment, e.g., sites listed in (or eligible for listing in) the National Register of Historic Places, sites designated (or eligible for designation) as a National Historic Landmark, or sites otherwise designated or recognized by a state or local government. *(up to 15 points if primary purpose; up to 5 points if secondary purpose)*

For evaluation of conservation value, applicants should describe:

- Historical, cultural, or archaeological features of significant value, e.g., features that are designated or could be designated as a National Historical Landmark or are listed on the National Register of Historic Places or a state or local register of historic places (please include information about any formal designation the site has received); and/or
- Whether the site contains evidence of historical, cultural, or archaeological features that have not been formally evaluated.

(v) **Aesthetic value** will be evaluated in terms of the degree to which a project protects scenic vistas looking toward or from the site or protects sites designated as scenic byways, scenic rivers, and/or other state- or locally-designated cultural landscapes. *(up to 15 points if primary purpose; up to 5 points if secondary purpose)*

For evaluation of aesthetic value, applicants should describe:

- The views to be preserved by this acquisition and the contribution this property makes to the surrounding area;
- Whether the project protects a site designated nationally as a scenic byway or wild and scenic river or provides a buffer for these designated areas;
- Whether the project supports a local- or state-designated scenic route, river trail, or other cultural landscape; and
- Any other significant contribution(s) this property makes to the aesthetic character of the surrounding area.

(vi) **Relevance to state CELCP or other conservation plans** will be determined on the basis of how a project advances the priorities within a state or territorial Coastal and Estuarine Land Conservation Plan, coastal management program approved under the CZMA, or other coastal or watershed planning efforts. *(up to 10 points)*

For evaluation of relevance to state CELCP or other conservation plan, applicants should describe (and refer to maps or page numbers wherever possible):

- How the project contributes to priorities and/or identified project areas in the state or territorial CELCP plan, including the specific project area and priority land type(s) or value(s) in the state CELCP plan that the proposed acquisition supports;
- How the project contributes to a state or territorial coastal management plan and/or NERR management plan (if applicable) approved under the CZMA; and
- How the project supports a regional, state, territorial, and/or local watershed planning effort.

## *2. Technical/Scientific Merit (25 points out of 110)*

This evaluation factor seeks to determine whether the proposed approach is technically sound and/or innovative, whether the methods are appropriate, and whether there are clear project goals and objectives. For this competition, this means projects will be reviewed and ranked according to the degree to which they:

- Can be effectively managed and protected over the long-term to conserve or restore ecological, conservation, recreation, aesthetic, or historical/cultural values;
- Are threatened by conversion from their natural or recreational state to other uses; and

- Can be executed within the performance period.

Priority will be given to projects that can be effectively managed and protected in terms of land stewardship and/or need for restoration or enhancement, based on such factors as: whether the land is currently in the desired state for its intended purpose (e.g., land with ecological value does not require restoration, control of invasive species, or remediation); compatibility of surrounding land uses with long-term conservation of the site's values; whether proposed uses of the site are compatible with the primary purpose for which the land is to be protected; and whether proposed uses maintain or improve the values present on the site. Because CELCP authority (16 U.S.C. 1456d) specifies that priority be given to projects that can be effectively managed and protected, “manageability” and “long-term use” will receive a greater weighting.

(i) **Manageability** will be evaluated in terms of the degree to which a project can be effectively managed over the long-term to conserve or restore ecological, conservation, recreation, aesthetic, and/or historical/cultural values. *(up to 8 points)*

For evaluation of manageability, applicants should describe:

- The current use(s) and condition of the site;
- The current and proposed uses of the area surrounding the site (e.g., development plans or uses allowed by zoning);
- The degree of infestation by non-native species for each habitat on the project site;
- Whether any restoration is needed and planned, as well as whether funding has been secured for that purpose; and
- Any environmental remediation that has taken place and/or is needed on the project site.

(ii) **Long-term use** will be evaluated in terms of the degree to which a project is compatible with proposed land uses and surrounding land uses. *(up to 7 points)*

For evaluation of long-term uses, applicants should describe:

- The uses that are proposed for the project site (including any existing uses that will be continued);
- How the uses proposed for the project site are compatible with the primary purpose of the project; and
- How the ecological, conservation, recreation, historic, and aesthetic values present on the project site will be maintained or improved.

(iii) **Threat of conversion** will be evaluated by: the degree to which regional development trends or plans indicate a likelihood that the property will be converted from its natural or recreational state to other uses; whether the site has development potential or development plans have been approved by local governing or regulatory bodies; whether the property is on the market (listed for sale); and/or whether the current owner has expressed an interest in selling or developing the parcel. *(up to 5 points)*

For evaluation of threat of conversion, applicants should describe:

- Current development pressures in the project area;

- The development potential of the site, including current zoning and developable area; and
- The current status of the property, such as whether it is listed for sale and/or whether any subdivision or development plans are pending for the site.

(iv) **Project readiness** will be evaluated by the likelihood that a project can be completed during the performance period, including factors such as: whether sites have been identified, the property is on the market, and/or negotiations with landowner have resulted in a purchase/sale agreement; whether appraisal, title opinion, and other documentation have been completed or can be produced within the performance period; and whether the site has any uncertainties (such as liens or judgments) that are not likely to be resolved within the proposed award performance period. Proposed projects with multiple parcels will be evaluated for project readiness and feasibility for completion within the required 18 month timeframe. Please note: NOAA recommends that each project propose to acquire no more than 5 separate parcels, including parcels that would be acquired with CELCP funds as well as those that would be counted an in-kind match. Properties containing multiple parcels covered under a single appraisal, title report and survey plat could count as one parcel. *(up to 5 points)*

For evaluation of project readiness, applicants should describe:

- Whether parcels or project sites (both target and/or in-kind match properties) have been identified;
- The stage of discussion with landowners, such as whether preliminary contacts have been made or whether negotiations have resulted (or are likely to result) in a purchase and sale agreement;
- Whether supporting documentation has been completed;
- Whether the property is subject to litigation, liens, judgments or other situations that may affect the likelihood that a project could be completed within the award period; and
- Whether the site has had or currently has contamination or other environmental hazards that must be resolved before it would be suitable for public use.

### *3. Overall Qualifications of Applicants (10 points out of 110)*

This evaluation factor seeks to determine whether the applicant possesses the necessary education, experience, training, facilities, and administrative resources to accomplish the project. For this competition, this means projects will be evaluated by the degree to which an applicant has the proven capacity (such as staffing, resources, authority and expertise) and experience to execute the land transaction consistently with CELCP Guidelines and, directly or through partnerships, to manage property for long-term conservation of its ecological, conservation, recreation, aesthetic, or historical/cultural values consistently with CELCP Guidelines.

#### **(i) Ability to acquire land** *(up to 5 points)*

For evaluation of ability to acquire land, applicants should describe:

- The organization's legal authority, personnel, and expertise for acquiring lands for long-term conservation, either directly or through partnerships with another organization; and
- The organization's previous success in acquiring lands, or interests in lands, for long-term conservation purposes.

(ii) **Ability to manage land** (*up to 5 points*)

For evaluation of ability to manage land, applicants should describe:

- The organization's capacity, in terms of funding, personnel, and expertise to manage the property or whether the property will be managed through a partnership or stewardship agreement with another organization; and
- The organization's success in managing other properties for conservation purposes.

*4. Project Costs (20 points out of 110)*

The budget is evaluated to determine if it is realistic and commensurate with the project needs and timeframe. For this competition, projects will be reviewed and ranked according to: whether land acquisition costs are reasonable and based on an independent appraisal or other assessment of fair market value; whether the source of non-Federal matching funds is consistent with CELCP Guidelines and is likely to be available within the performance period; and whether direct and indirect costs for implementation of the project, if requested, are reasonable and consistent with CELCP Guidelines. Because they comprise the majority of project costs, land acquisition costs and matching funds will be given greater weight than other project costs for this evaluation.

For evaluation of project costs, applicants should describe:

- How land acquisition costs were estimated, e.g., independent appraisal or another assessment of fair market value;
- Any other direct acquisition-related costs, such as appraisal or title opinion, including whether such costs have already been expended;
- The source of matching funds and whether they are in the form of cash, in-kind, or donated land or land value from properties that enhance the proposed CELCP project;
- Whether matching funds are currently available or expected to be available within the performance period; and
- Any other administrative costs to be charged to the grant or in-kind services to be used as match in order to document that they are reasonable and commensurate with the project needs.

For any property(s) that will be used for match, please also describe: the values that the property contributes; how the property(s) relates, in purpose and physical features, to the property that is proposed for acquisition with the Federal share; when the match property was acquired; what legal rights were acquired (whether fee or easement); who holds title to legal rights; and the basis for the purchase price (e.g., independent appraisal or another assessment of fair market value).

For large parcels or projects for which the requested CELCP funding is only a portion, please explain: what portion of the property the CELCP funding would acquire; and whether the project would be viable if funding from other sources did not become available within the grant performance period.

Eligible applicants choosing to apply the waiver for Insular Areas under 48 U.S.C. 1469a(d) should note the use of the waiver and the total amount of funds requested to be waived in the matching funds section of the proposal.

#### *5. Outreach and Education (0 points out of 110)*

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

#### B. Review and Selection Process

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

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

The merit reviewers' ratings will be used to produce a rank order of the proposals. Their recommendations and evaluations will be considered by the Federal program officers for NOAA who will recommend to the Assistant Administrator, National Ocean Service, National Oceanic and Atmospheric Administration (the selecting official) that a final list be ranked in order unless the proposal is justified to be selected out of rank order based upon the appropriate selection factors, listed below.

The final ranked list may be made available prior to final appropriations or final selections. Subsequent grant administration procedures will be in accordance with current DOC and NOAA grant administration procedures.

#### C. Selection Factors

The selecting official may choose to recommend a proposal out of rank order based upon:

- Availability of funding;
- Geographic distribution of projects and/or funds;
- Program objective and priorities (see sections I.A. and I.B. of this announcement);

- Whether this project duplicates other projects funded or considered for funding by NOAA or other Federal agencies;
- The applicant's prior award performance; and/or
- Adequacy of information necessary for NOAA staff to make a NEPA determination and draft necessary documentation before recommendations are made to the Grants Officer.

Applicants may be asked to modify objectives, work plans, or budgets, and to provide supplemental information prior to approving a final grant application. NOAA will review appraisals to determine if they are in accordance with the Uniform Standards of Professional Appraisal Practice and the Uniform Appraisal Standards for Federal Land Acquisition. If the appraisals are not in accordance with these Standards, the Applicant may be required to obtain further information from the appraiser or get the appraisal revised. Alternately, the project award funding could be adjusted to reflect a lower value.

When a decision has been made (whether an award or declination), summaries of merit reviews and panel deliberations, if any, will be made available to the proposer upon request. Declined applications will be held in the NOS/OCRM for three years, in accordance with the current retention requirements, and then destroyed.

#### D. Anticipated Announcement and Award Dates

The review of the proposals will begin in April 2009. The prioritized list should be completed by September 2009. Upon receipt of final appropriations and funding allocations, NOAA will select projects from within amounts available. NOAA will then request final grant applications for projects selected for funding shortly thereafter. The proposed project timeline should assume a start date between March 1, 2010 and October 1, 2010.

## **VI. Award Administration Information**

### A. Award Notices

Applicants will receive notification in Fall 2009 of whether their project(s) have been included on the ranked FY 2010 list of projects considered ready and eligible for funding. Final selection of projects is contingent on availability of funding through FY 2010 appropriations. Applicants will be notified in Winter or early Spring 2010 if their project(s) have been selected for funding pending review and approval of a final grant application. Applicants will need to submit a final grant application to NOAA for selected projects that is consistent with Section 4.4 of the CELCP Guidelines sometime between January and May of 2010.

After submission of a grant application, the notice of award is signed by the NOAA Grants Officer and serves as the authorizing document. It is provided by postal mail to the authorized representative of the recipient organization (i.e., the individual who signed the application, if the recipient organization has not previously been a NOAA grant recipient). For entities that are already enrolled in NOAA's on-line award management system, award notification and management will be handled electronically. New recipients will receive information about enrolling in this system.

## B. Administrative and National Policy Requirements

### *1. Coastal and Estuarine Land Conservation Program Policy Requirements*

The project proposal must meet the CELCP guidelines published in June 2003. The Guidelines are located at <http://coastalmanagement.noaa.gov/land/media/celcpfinal02guidelines.pdf>.

### *2. Administrative Requirements*

Successful applicants that accept a NOAA award under this solicitation will be bound by Department of Commerce standard terms and conditions. This document will be provided with a copy of the award by the NOAA Grants Office, and can be found at: <http://www.osec.doc.gov/oebam/pdf/ST&C-rev-1002.pdf>.

In addition, award documents provided by the NOAA Grants Office may contain special award conditions limiting the use of funds for activities that have outstanding environmental compliance requirements to fulfill and/or stating other compliance requirements for the award as applicable, such as the required provision of an appraisal, title opinion, and deed language as described in the CELCP Guidelines, or requirements approved by OMB under control number 0648-0459 for submitting semi-annual progress reports.

**Limitation of Liability:** 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.

### *3. NEPA Requirements*

NOAA must analyze the potential environmental impacts, as required by the National Environmental Policy Act (NEPA), for applicant projects or proposals that are seeking Federal funding. Detailed information on NOAA compliance with NEPA can be found at: <http://www.nepa.noaa.gov/>, including NOAA Administrative Order 216-6 for NEPA, [http://www.nepa.noaa.gov/NAO216\\_6\\_TOC.pdf](http://www.nepa.noaa.gov/NAO216_6_TOC.pdf), and the Council on Environmental Quality implementation regulations, [http://ceq.eh.doe.gov/nepa/regs/ceq/toc\\_ceq.htm](http://ceq.eh.doe.gov/nepa/regs/ceq/toc_ceq.htm). As part of an applicant's package, under the description of 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 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 denial of an application.

#### 4. *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.

### C. Reporting

Grant recipients are required to provide semi-annual financial and performance reports. Performance reports are required every six months from the time an award starts until it is closed. Performance reports are to be submitted to the NOAA program officer. The standard performance period is 18 months, but may be extended an additional 18 months if circumstances warrant. Within 30 days of the conclusion of each six-month period, recipients must submit a report summarizing activities conducted in support of the project during the prior six months. Financial reports are to be submitted to the NOAA Grants Officer. NOAA's Grants Management Division will also provide guidance for its semi-annual financial reporting requirements.

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

Financial and performance reporting, as well as all other grant management activities after a grant is awarded, are conducted electronically through NOAA's grants management system, NOAA Grants On-line, at: <https://grantsonline.rdc.noaa.gov/>. If not already registered, a Grants On-line account will be established for each recipient after a grant has been awarded. Also, each recipient will need to have a U.S. Treasury ASAP account in order to draw funds electronically.

### **VII. Agency Contacts**

CELCP Program Manager: Elaine Vaudreuil  
Phone: (301) 713-3155 ext 103  
E-mail: [Elaine.Vaudreuil@noaa.gov](mailto:Elaine.Vaudreuil@noaa.gov)

or

Elisabeth Morgan  
Phone: (301) 713-3155 ext 166

E-mail: [Elisabeth.Morgan@noaa.gov](mailto:Elisabeth.Morgan@noaa.gov)

### **VIII. Other Information**

Information about the CELCP, including Program Guidelines, can be found on NOAA's CELCP website at <http://coastalmanagement.noaa.gov/land/welcome.html>. The full funding opportunity announcement and application materials are available via the grants.gov web site: <http://www.grants.gov>, at NOAA's CELCP website: [http://coastalmanagement.noaa.gov/land/celcp\\_fundingop.html](http://coastalmanagement.noaa.gov/land/celcp_fundingop.html), or by contacting the program officials identified above.

***Appendix A: Suggested Template for Project Description/Scope of Work***

Below is a suggested format for describing a proposed project. The project description should provide information for the parcel(s) to be acquired or for which an easement is being obtained with CELCP, as well as for matching funds. If the non-Federal match will be provided through in-kind contribution of another parcel, the project description should also provide information about the match parcel(s).

**TITLE OF PROJECT****Project Description/Scope of Work**

- *Project Size and Relationship to the Coast and/or Estuary* – Include the total acreage and length of frontage on coastal waters and/or describe the site's proximity and relationship to a coastal or estuarine area.
- *Legal Rights to Be Acquired* – Describe if the property will be held in fee simple ownership or if a conservation easement and/or public access easement will be acquired.
- *CELCP Goals* – What values are contained within the proposed project or property to be acquired? (Please identify which ONE of the following values best describes the project's primary purpose for protection under the CELCP: ecological, conservation, recreation, historic, or aesthetic. Please provide any applicable information on how the project contributes to each of these values. Each project will be judged first on how the project furthers its primary purpose and also how well it furthers the other four purposes.)

PRIMARY PURPOSE is \_\_\_\_\_.

**o Ecological**

- Describe the different habitat types that are found on the project site (e.g. upland forest, scrub/shrub, fields), provide information on the habitat quality, including any impairments such as invasive/exotic species, and provide estimated acreages for the different habitat types.
- Describe the ecological importance of the acquisition for the region, particularly in relation to coastal and estuarine resources and ecosystems. For example, discuss the species diversity on the project site, and/or if the site contains habitat of specific importance to the region, and/or if protecting the site is an important part of protecting ecological connections in the region. If the project site is part of a network of existing or proposed protected areas, describe how the project will enhance linkages among ecologically important areas in the region.
- Describe how the habitat supports, or may support, Federal or state listed, threatened or endangered species. For example, does the site provide enough acreage to support a viable population of an endangered species or will it enhance existing protected areas that already provide habitat for a viable population of an endangered species?

- **Conservation**
  - Describe how acquisition of the site will help establish corridors and/or linkages among areas of significant conservation, ecological, recreational or aesthetic values that are already protected.
  - Indicate whether restoration is planned for the site, and if so, describe the potential for successfully restoring ecological values that have been impaired due to circumstances that have affected the site's integrity (such as invasive/exotic species and/or other alterations such as dikes or clearing for agricultural and silvicultural uses). Please also describe the plan, timeline and source of financial support for the proposed restoration.
  - Describe whether the project exhibits a mix of ecological, recreation, historic and aesthetic values that together contribute important benefits to the coastal and estuarine environment that are not provided by those values individually.
  
- **Recreational**
  - Describe the property's significance or contribution with regard to coast-dependent or nature-based recreation and whether the project supports priorities for recreational access identified in a state's CELCP plan or other assessment of needs for coastal recreation.
  - Describe whether the site's coastal access is located in an area of determined need at the local, regional, or national level.
  - Describe whether the project site will be easily accessible to many people and/or whether there will be any limits on accessibility for recreation, for example, only allowing guided tours or having the site open only at certain times of the year.
  
- **Historical**
  - Please describe the historical, cultural, or archaeological features of significant value, for example, features that are designated or could be designated as a National Historical Landmark or are listed on the National Register of Historic Places or a State or Local Register of Historic places. Please include information about any formal designation the site has received.
  - If applicable, explain whether the site contains evidence of historical, cultural, or archaeological features that have not been formally evaluated.
  
- **Aesthetic**
  - Describe the views to be preserved by this acquisition and the contribution this property makes to the surrounding area.
  - Describe whether the project protects a site designated nationally as a scenic byway or wild and scenic river, or a buffer adjacent to designated areas.
  - Describe whether the project supports a local or state designated scenic route, river trail, or other cultural landscape.
  - Describe any other significant contribution(s) this property makes to the aesthetic character of the surrounding area.
  
- *Relevance to CELCP Plan*

- Describe the specific project area and priority land type(s) or value(s) in the state CELCP plan that the proposed acquisition supports, and include references to maps or page numbers wherever possible;
- *Relevance to Other State/Local Plans*
  - Describe how the project contributes to a state's coastal management plan and/or NERR management plan (if applicable) approved under the CZMA.
  - Describe how the project supports a regional and/or state watershed planning effort.
  - Describe how the project supports a local watershed or coastal planning effort.
  - Describe how the project fits into any other relevant conservation plans.
- *Manageability of the Project Site*
  - Describe the current use and/or condition of the site.
  - Describe the current or proposed uses of the area surrounding the site (e.g. development plans or uses allowed by zoning).
  - Describe the degree of non-native species found in the different habitats on the project site.
  - Describe whether any restoration is needed and planned, as well as whether funding has been secured for that purpose.
  - Describe any environmental remediation that has taken place and/or is needed on the project site.
- *Long-term Use of the Site*
  - Describe the uses that are proposed for the project site.
  - Describe how proposed uses are compatible with the primary purpose of the project.
  - Describe the long-term stewardship strategy for the site, i.e., how the ecological, conservation, recreation, historic, and aesthetic values present on the project site will be maintained or improved, as well as how enforcement against illegal uses will be supported.
- *Threat of Conversion*
  - Describe the current development pressures in the project area.
  - Describe the development potential of the site, including current zoning and developable area.
  - List the current status of the property, such as whether listed for sale and/or whether any subdivision or development plans are pending for the site.
- *Project Readiness* – Briefly describe:
  - Whether parcels or project sites have been identified;
  - The stage of discussion with landowners, such as whether preliminary contacts have been made or whether negotiations have resulted (or are likely to result) in a purchase and sale agreement;
  - Whether supporting documentation has been completed; whether the property is subject to litigation, liens, judgments or other situations that may affect the likelihood that a project could be completed within the award period; and

- Whether the site has had or currently has contamination or other environmental hazards that must be resolved before it would be suitable for public use.
- *Ability to Acquire Land* – Briefly describe:
  - The organization’s legal authority, personnel and expertise for acquiring lands for long-term conservation, either directly or through partnerships with another organization; and
  - The organization’s previous success in acquiring lands, or interests in lands, for long-term conservation purposes.
- *Ability to Manage Land* – Briefly describe:
  - The organization’s capacity, in terms of funding, personnel and expertise to manage the property or whether the property will be managed through a partnership or stewardship agreement with another organization; and
  - The organization’s success in managing other properties for conservation purposes.
- *Other Pertinent Information* – If available, please include photographs of the project site that document the values described above.

### **Project Timeline**

Please specify a proposed award period for the grant, and include a project timeline with discrete benchmarks for completing the project within the requested award period. The proposed project timeline should assume a start date between March 1, 2009 and October 1, 2009. The financial assistance award period is 18 months. NOAA may extend project grants up to an additional 18 months (for a total project period of 3 years maximum) if circumstances warrant.

Example: June 1, 2010 – December 31, 2011

- *Benchmarks* – Describe the steps required to bring your project to closure during the timeframe of the award. Include target dates by which you expect to complete each of these steps and close on the property. Examples of benchmarks include:
  - Identify site(s) for purchase
  - Acquire appraisal, title opinion
  - Complete negotiations with landowner(s)
  - Restoration plan/timeline, if any
  - Submit documentation to NOAA for approval
  - Close on property

***Appendix B: Suggested Template for Project Budget and Justification of Proposed Costs***

Below is a suggested format for providing information about the project's budget (*see* Section IV(B)(2), "Required Elements," Item (2)). Please keep in mind:

- The total budget needs to reflect the 1:1 match requirement.
- Grants from other Federal funding sources may not be used to meet state/local match except as allowed by law.
- Match may not have been used previously for any other project.
- If any in-kind match is to be used (including donated land value, staff support or other services), the budget narrative should specify the amount and explain the relevance to the project.
- If the budget includes costs other than purchase price, (such as costs for title opinion, appraisal, environmental assessment, etc.), please explain them in the budget narrative.
- The proposed budget should be consistent with the eligibility information described in section III of the Full Funding Opportunity notice.

**TITLE OF PROJECT****Budget Narrative**

- *Federal Share* – For the parcel(s) to be acquired with CELCP funds, please describe how the project costs were estimated, including:
  - What legal rights will be acquired (fee title or conservation easement);
  - The basis for establishing the land acquisition costs (if based on appraised value, please explain when the appraisal was conducted and what appraisal standards were used; if based on market price or other estimate of fair market value, please explain the basis for this estimate); and
  - Any other costs included within the requested Federal share of CELCP funding to document that they are reasonable costs and necessary for the successful completion of the project.

If the requested funding from CELCP is only a portion of the total purchase price of the property, please explain whether or how the project would be viable if remaining funds cannot be secured. For example, could the property be acquired in phases? Would the CELCP funds be used to acquire an easement on a portion of the property?

- *Non-Federal Matching Funds*
  - Describe the source of matching funds and whether they are in the form of cash, in-kind contributions, donated land value (from a bargain sale), or value of lands that were acquired or received as a donation up to 3 years prior to the date of final grant application that are substantially related to the property to be acquired with CELCP funding.
  - If cash contribution, please discuss whether the funds are currently available or expected to be available within the performance period. What is the source of

- funding? Have actions been taken to secure the necessary funds within the proposed award period?
- If in-kind contribution of land or donated land value, please explain:
    - Whether the property has already been acquired (through purchase or donation) and, if so, when;
    - What legal rights were acquired or will be acquired;
    - Who holds title to or will hold title to the property or conservation easement;
    - The distance and physical or strategic connection between the match property and the property(ies) to be acquired with CELCP funds; and
    - The basis for establishing the land acquisition costs or donated land value. If based on appraised value, please explain when the appraisal was conducted and what appraisal standards were used. If based on market price or other estimate of fair market value, please explain the basis for this estimate.
  - If other in-kind services such as direct staff support, acquisition-related expenses (such as title, appraisal, etc.) or restoration or remediation of the property to be acquired with CELCP funds, please provide details to document that they are reasonable costs and necessary for the successful completion of the project.
  - *Other* – Please also provide the following information:
    - Whether the property will be leased or rented (for example, if already subject to a term lease). If so, please explain how revenues will be used in support of the project.
    - Whether the public will be charged a user fee for access to or activities on the proposed property. If so, please explain how revenues will be used in support of the project.
    - Whether the proposed project been submitted to or is it currently under consideration by other programs for funding. If yes, please also list which program(s) and fiscal year(s), and whether the funding requested from other programs duplicates or complements the funding requested under CELCP. *[Note: This information will enable NOAA to coordinate with the relevant program to avoid duplication if a proposed project is selected and approved for funding by another program in an earlier funding cycle.]*

**Budget Overview Table – Suggested Format**

Please fill out a Budget Overview Table only if the total cost of the project is greater than the requested CELCP funding (plus required matching funds). Otherwise, please fill out only the CELCP Budget Table.

Using the template below, please identify the costs associated the full project, including funding from other sources.

<b>Category</b>	<b>Amount</b> <i>(Note if cash or in-kind value of land/ services)</i>	<b>Funding Source(s)</b> <i>(Include information from all contributors to the project)</i>	<b>Funds Already Expended?</b> <i>(yes/no) If so, when?</i>
	\$		
<b>TOTAL Cost:</b>			

*(Suggested Categories: Land, Appraisals, Title Opinion, etc...)*

**CELCP Budget Table – Suggested Format**

Using the template below, please identify the costs associated only with requested CELCP funding and required matching funds.

<b>Category</b>	<b>Federal Share from CELCP</b>	<b>State/Local Matching Share</b>	<b>Total</b>	<b>Funding Source (for Non-Federal share)</b> <i>(Note whether funding is from cash or in-kind value of land or services)</i>	<b>Funds Already Expended?</b> <i>(yes/no) When?</i>
Land Acquisition	\$	\$	\$		
<b>TOTAL:</b>					

*(Suggested Categories: Land, Appraisals, Title Opinion, etc...)*



**Eligibility of Project**

**6. Project Eligibility:** (Check all that apply)

The proposed project:

- is located in a coastal or estuarine area (that has been designated as part of a state’s approved coastal and estuarine land conservation (CELC) plan or within a state’s coastal watershed boundary);
- matches federal funds with non-federal funds at a ratio of at least 1:1;
- will be held in public ownership and provide conservation in perpetuity;
- will provide for access to the general public, or other public benefit, as appropriate and consistent with resource protection.
- protects important coastal and estuarine areas that have significant conservation, ecological, historical, aesthetic, or recreation values, or that are threatened by conversion from their natural or recreational state to other uses;
- can be effectively managed and protected;
- directly advances the goals, objectives or implementation of state coastal management plan or program or NERR management plan approved under the Coastal Zone Management Act (CZMA), national objectives of the CZMA, or a local, regional or state watershed protection plan involving coastal states with approved coastal management programs
- is consistent with the state’s approved coastal management program.

**Land Acquisition**

**7. Location and Site Maps:** Site location maps are attached.  Yes  No

The applicant should attach a map of the state or coastal county showing the general location of the project, and a map of the project site, which shows the location and extent of the proposed acquisition, as well as relationship to significant natural features (slope, wetlands, dunes, floodplains, access, etc.).

**8. Title Opinion and Appraisal:**

- a.** Documentation of the current owner’s intent or willingness to sell at a mutually agreeable price is attached. (This documentation may be in the form of a letter of intent, option letter, contract, or similar form.)  Yes  No
- b.** The applicant has obtained and attached an independent appraisal performed by a state certified appraiser.  Yes  No
- c.** A title opinion or title insurance report is attached.  Yes  No

**9. Public Benefit:**

**a.** The acquisition will be publicly held or under publicly-controlled easement and is for public benefit. The project does not improve private property for private or commercial gain.

Yes  No

**b.** The property will be accessible to the general public.  Yes  No

**c.** If the answer to the question above (10.b) is No, check any of the following reasons that apply and explain why access to the property will be limited.

Public Safety  Resource Protection  Geographically Isolated/Inaccessible

School Outings Only  Scientific Research  Other (please explain): \_\_\_\_\_

**d.** The property will be leased or rented.  Yes  No If yes, please explain.

**e.** The public will be charged a user fee for access to or activities on the proposed property.

Yes  No

If Yes, provide a description of the user fee which includes: how much, differential fees (if any), the need for the fees, and proposed use of the revenue.

**Compliance with Other Federal Authorities**

**10. State Historic Preservation Officer’s (SHPO’s) Clearance and National Historic Preservation Act:**

**a.** The project will affect properties listed on the National Register of Historic Places ([www.cr.nps.gov/nr/](http://www.cr.nps.gov/nr/)), eligible to be listed, or otherwise protected by section 106 of the National Historic Preservation Act ([www2.cr.nps.gov/laws/NHPA1966.htm](http://www2.cr.nps.gov/laws/NHPA1966.htm)) or a similar State Preservation Act.  Yes  No

**b.** The Recipient has on file the SHPO’s clearance.  Yes  No (If No, the Recipient certifies, by signing this checklist, that the SHPO clearance is being sought and that work will not begin and land will not be purchased until SHPO clearance is received by the Recipient.)

**11. National Flood Insurance Program:**

a. Is the project located in a designated special flood hazard area, floodway or “V” zone on a National Flood Insurance Program Floodway Map ([www.fema.gov/maps](http://www.fema.gov/maps))?  Yes  No  
(If No, go to 11)

b. Is the community in which the project is located in special flood hazard areas shown on an FIA map is participating in the Flood Insurance Program ([www.fema.gov/nfip](http://www.fema.gov/nfip)).  Yes  No

**12. Coastal Barriers Resource Act:** The project is located on an undeveloped coastal barrier designated by the Coastal Barriers Resources Act ([www.fws.gov/cep/cbrunits.html](http://www.fws.gov/cep/cbrunits.html)).  
 Yes  No

If the answer is Yes, provide a brief statement below or attach to this checklist a brief analysis as to how the proposed project is consistent with the three CBRA purposes: to minimize (1) the loss of human life, (2) wasteful federal expenditures, and (3) damage to fish, wildlife and other natural resources.

**13. Endangered Species Act:** May the proposed project adversely affect threatened or endangered species or critical habitat under the jurisdiction of the National Marine Fisheries Service (NMFS) or U.S. Fish and Wildlife Service (USFWS) as defined by the Endangered Species Act? ([www.fws.gov/Endangered](http://www.fws.gov/Endangered)) or ([www.nmfs.noaa.gov/pr/species](http://www.nmfs.noaa.gov/pr/species)).  Yes  No

If the answer is No, provide a brief statement below explaining the basis for the conclusion. If the answer to 12 is Yes, provide a description of the adverse effects (minor and significant effects), the species or habitat affected, and any coordination between the state and the USFWS or NMFS. OCRM will not approve a project that USFWS or NMFS has determined will significantly adversely affect threatened or endangered species or critical habitat.

**14. Magnuson-Stevens Fishery Conservation and Management Act.**

Does the proposed project include essential fish habitat for federally managed fish?  
 Yes  No  Not yet determined (please explain).

Could the proposed project have significant adverse impacts on essential fish habitat for federally managed fish?  Yes  No

**15. National Environmental Policy Act:**

a. The proposed project may significantly affect the human environment.  Yes  No

b. The proposed project involves unresolved conflicts concerning alternative uses of available resources.  Yes  No

c. This action would have significant adverse effects on public health and safety.  Yes  No

- d. This action will have highly controversial environmental effects.  Yes  No
- e. This action will have highly uncertain environmental effects or involve unique or unknown environmental impacts.  Yes  No
- f. The project will have significant adverse impacts on other natural resources not covered elsewhere in this checklist, e.g., beaches and dunes, wetlands, estuarine areas, wildlife habitat, wild or scenic rivers, reefs, or other coastal resources.  Yes  No
- g. The project will have insignificant effects when performed separately, but will have significant cumulative effects.  Yes  No

If the answer to any one subpart of 13. is Yes, then an Environmental Assessment (EA) or Environmental Impact Statement (EIS) may be required. For items answered Yes, please attach a description of the resource(s) affected and the nature and scope of the effects.

**16. Uniform Relocation Assistance and Real Property Acquisitions Policies Act of 1970.** If the proposed project involves the acquisition and/or modernization of real property, will the proposed project cause the displacement of:

- Persons,  Yes  No
- Businesses, or  Yes  No
- Farm Operations?  Yes  No

If yes to any of the above, please explain: the number of displaced persons, including businesses and farm operations; what fair and reasonable relocation payments and advisory services will be provided to any displaced persons; and what provisions will be made to ensure that safe, decent, and sanitary replacement dwellings will be available to such persons within a reasonable period of time prior to displacement.

**17. Handicapped accessibility:** Will the proposed project be handicapped accessible?  
 Yes  No  N/A

If No or N/A, provide a brief explanation below (or attach separately) as to why the project does is not required to meet ADA handicapped accessibility requirements.

**18. Environmental Justice.** Will the project have disproportionately high and adverse human health or environmental effects on minority or low-income populations?  Yes  No

**19. State, Local and Tribal Laws.** The project is consistent with state, local and tribal laws to protect the environment.  Yes  No

**20. Contamination/Environmental Hazards (CERCLA/RCRA)**

a. Are there any known or suspected contaminants on the project site?  Yes  No

If yes, please discuss what type of contamination is on the site, or suspected to be on the site, and the status of clean-up activities.

b. Has the site been investigated, identified and/or designated as having hazardous waste contamination issues by a federal, state, or local agency (for example superfund site)?  
 Yes  No

If yes, please explain the basis for the designation, the status of clean-up activities, and whether there are any legal liens or judgments affecting the property.

## 21. Public Coordination

Has the project for which you propose to use CELCP funds been subject to public scrutiny and coordination through a public notice or other public review process?  Yes  No

If yes, please describe the results of that process and note when the coordination occurred.  
If no, please explain.

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NOAA is requesting this information in order to adequately assess the eligibility of proposed projects. Public reporting burden for this collection of information is estimated to average 10 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Elaine Vaudreuil, OCRM, 1305 East-West Hwy (N/ORM7), Silver Spring, Maryland 20910. This reporting is authorized under P.L. 107-77 and has been approved under OMB #0648-0459. Information submitted will be treated as public record. Notwithstanding any other provision of the 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 Paperwork Reduction Act unless that collection displays a currently valid OMB Control Number.