

NOTICE OF FUNDING OPPORTUNITY

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Executive Summary

Federal Agency Name

Fisheries Headquarters Program Office (FHQ)

Funding Opportunity Title

National Bycatch Reduction Engineering Program (BREP) - FY2025

Announcement Type

Competitive

Funding Opportunity Number

NOAA-NMFS-FHQ-2025-28846

Assistance Listing Number(s)

11.427

Dates

Required Pre-proposals must be received by electronic mail to the BREP National Program Coordinator (NMFS.HQ.BREP@noaa.gov) by 5:00 p.m. Eastern Time on December 13, 2024. Full proposals must be received by 11:59 pm Eastern Time on March 21, 2025.

Funding Opportunity Description

The mission of the National Bycatch Reduction Engineering Program (BREP) is to support the development of technological solutions and changes in fishing practices designed to minimize bycatch of fish and protected species (including Endangered Species Act-listed fish, marine mammals, seabirds, and sea turtles) and to reduce impacts to invertebrates (including sponges, deep-sea corals, and shallow (tropical) corals.) In addition, BREP may support projects that pursue ways to minimize mortality and injury of bycaught species (including post-release injury and mortality). Projects should produce outcomes that can directly influence management needs of federally managed living marine resources.

For Fiscal Year 2025, NMFS anticipates that approximately \$2,300,000 could be made available for approximately 10-15 projects that address bycatch research as identified in the Program Priority Section (I.B.1 - I.B.5).

NOTE: We strongly encourage all prospective applicants to being required registrations as early as possible. Completing the required registrations can take six weeks or longer. Submission due dates will not be extended because of registration delays. Submissions received after the due date will be considered late and will not be accepted.

Applicant organizations and individuals must register for three different Federal systems prior to submitting an application through Grants.gov (SAM.gov, eRA Commons, and Grants.gov).

Applicant organizations and individuals must first register with SAM.gov and obtain a Unique Entity Identifier (UEI). After you obtain your UEI, you can complete your Grants.gov and eRA Commons registrations concurrently.

See Section IV(G) for detailed instructions on registration requirements. If you do not have access to the internet, please contact the Agency Contacts listed in this NOFO for submission instructions.

Full Text of Announcement

I. Funding Opportunity Description

A. Program Objective

This grant program provides competitive grants to non-Federal researchers working to benefit U.S. fishermen and fisheries, including aquaculture, through the development of improved fishing practices and innovative gear technologies. The Magnuson-Stevens Fishery Conservation and Management Act, as amended (MSA), 16 U.S.C. 1865, requires that NOAA's conservation and management measures minimize bycatch to the extent practicable and established the Bycatch Reduction Engineering Program (BREP) to support the development of technological devices and other conservation engineering changes to minimize bycatch and reduce post-release mortality of non-target species in our nation's fisheries.

Bycatch reduction is a priority for the National Marine Fisheries Service (NMFS), as outlined in the NMFS National Bycatch Reduction Strategy (<https://www.fisheries.noaa.gov/national/bycatch/national-bycatch-reduction-strategy>).

Fisheries bycatch can contribute to overfishing, population declines for threatened and endangered species, and can result in commercial fishery closures. This Program seeks to support the development and testing of fishing gears and approaches that can be applied in commercial and recreational fisheries to reduce bycatch and post-release mortality and address the MSA requirements to minimize bycatch and habitat impacts.

B. Program Priorities

The NMFS Office of Sustainable Fisheries (OSF) proposes to fund applied research projects in the five high-priority areas identified below. Proposals must address at least one of the priorities listed below, and the priority that most closely matches your project must be identified in your proposal. Competitive proposals under the BREP should also address bycatch research and management priorities of Fishery Management Councils (Councils), NMFS Regions and Science Centers, Interstate Marine Fisheries Commissions (Commissions), Marine Mammal Take Reduction Teams, Atlantic Highly Migratory Species Advisory Panel, etc. Finally, preference will be given to proposals that include involvement and/or collaboration with U.S. industry, fishermen, and/or underserved communities.

1. Developing innovative and effective technologies, gear modifications, avoidance programs and techniques, and/or improved fishing practices in commercial and recreational fisheries or aquaculture to reduce bycatch impacts. Proposals that specifically reduce impacts to the following are encouraged:

- a. Protected species under the Marine Mammal Protection Act (MMPA) or the Endangered Species Act (ESA) and vulnerable biogenic habitats that are essential fish habitat under MSA – in particular large whales (humpback, gray, fin, and blue), bottlenose dolphins, and leatherback and loggerhead sea turtles that interact with trap and pot fisheries; humpback whales, harbor porpoise and bottlenose dolphins, sea turtles, Atlantic sturgeon, and smalltooth sawfish that interact with gillnet fisheries; and leatherback, loggerhead, olive ridley sea turtles, false killer whales, pilot whales, Giant manta rays, scalloped hammerhead sharks ; killer whales that interact with trawl and longline gear, and oceanic whitetip sharks that interact with pelagic longline fisheries; Atlantic sturgeon and sea turtles that interact with bottom trawl fisheries, and
 - b. Fish stocks that are overfished, where overfishing is occurring, or that are limiting the ability to harvest due to bycatch constraints -- i.e., under prohibited species catch limits (in particular but not limited to bigeye tuna, Pacific halibut, Gulf of Maine Atlantic cod, silky shark, and striped marlin, Pacific herring, Pacific salmon, king crab, snow crab, and Tanner crab);
 - c. Seabirds (in particular, but not limited to, short-tailed, black-footed, or Laysan albatrosses, Spectacled eider, Steller's eider)
 - d. Cultural, ceremonial, and subsistence fisheries whose target stocks may be negatively impacted by bycatch from commercial or recreational fisheries.
2. Further testing and/or development of technologies or gear modifications that have already been piloted, have been shown to successfully reduce bycatch, and that would encourage adoption at the fleet or fishery scale either voluntarily or by regulation.
 3. Improving understanding and reduction of post-release and other indirect mortality, including barotrauma, decompression sickness, predation, depredation, and unaccounted mortality associated with both target and non-target species (including protected species) of commercial and recreational fisheries, especially for fisheries that are overfished, where overfishing is occurring, and/or that are limiting the ability to harvest due to bycatch constraints.
 4. Conducting comprehensive international bycatch analyses or research that will inform conservation engineering in U.S. commercial, recreational, and aquaculture fisheries.

C. Program Authority

The Magnuson-Stevens Fishery Conservation and Management Act, as amended (MSA) (16 U.S.C. 1865), requires the Secretary of Commerce, in cooperation with the Councils and other affected interests, and based upon the best scientific information available, to establish a Bycatch Reduction Engineering Program (BREP), including grants, to develop technological devices and other conservation engineering changes designed to minimize bycatch, seabird interactions, bycatch mortality and post-release mortality in federally managed fisheries.

The Fish and Wildlife Coordination Act of 1956 (16 U.S.C 661) authorizes the Secretary to provide assistance to, and cooperate with, Federal, State, and public or private agencies and organizations in the development, protection, rearing, and stocking of all species of wildlife, resources thereof, and their habitat, in controlling losses of the same from disease or other causes, and in minimizing damages from overabundant species.

The National Fisheries Research and Development Program (15 U.S.C. 713c-3(c) et seq.) requires the Secretary to carry out a national program of research and development addressed to such aspects of United States fisheries (including, but not limited to, harvesting, processing, marketing, and associated infrastructures).

II. Award Information

A. Funding Availability

This solicitation announces approximately \$2,300,000 in federal funds that may be available in FY 2025 to provide support for 10 to 15 projects at approximately \$50,000 to \$250,000 per project. NOAA does not anticipate funding project proposals requesting greater than \$350,000 in federal funding. Most projects will be up to one year, as described in Section II.B. of this announcement. It is expected that the majority of funding will be towards projects that address the highest Program Priorities, I.B.1 and I.B.2.

There is no guarantee that sufficient funds will be available to make awards for all qualified projects. The exact amount of funds that may be awarded will be determined in pre-award negotiations between the applicant and NOAA representatives. Publication of this notice does not oblige NOAA to award any specific project or to obligate any available funds. If applicants incur any costs prior to an award being made, they do so at their own risk of not being reimbursed by the government. Notwithstanding verbal or written assurance that may have been received, there is no obligation on the part of NOAA to cover pre-award costs unless approved by the Grants Officer as part of the terms when the award is made or the award is for research, per 2 C.F.R. 200.308.

B. Project/Award Period

Applicants should propose a 12-18 month period of performance. Proposals should clearly identify objectives and products to be completed during that period of activity. The requested start date must begin on the first day of the month and end on the last day of the month. The earliest start date for projects will be September 1, 2025.

C. Type of Funding Instrument

Under this solicitation, NMFS/OSF will fund BREP Projects as cooperative agreements. The cooperative agreement has been determined to be the appropriate funding instrument because of the substantial involvement by NOAA. Substantial involvement means that, after award, NOAA scientific or program staff will assist, guide, coordinate, collaborate, or participate in project activities in a partnership role; it is not to assume direction, prime responsibility, or a dominant role in the activities. The dominant role and prime responsibility resides with the awardee for the project as a whole, although specific tasks and activities may be shared among the awardees and NOAA. The exact amount of funds, the scope of work, and terms and conditions of a successful award will be determined in pre-award negotiations between the applicant and NOAA/NMFS representatives.

III. Eligibility Information

A. Eligible Applicants

Eligible applicants are individuals, institutions of higher education, other nonprofits, for-profit organizations, foreign public entities or foreign organizations, and state, local, U.S. territorial, Alaska Native, and Indian tribal governments. Federal agencies or instrumentalities are not eligible to receive Federal assistance under this notice.

The Department of Commerce/ National Oceanic and Atmospheric Administration (DOC/NOAA) is strongly committed to the goals of advancing equity and support for underserved communities. NOAA encourages applicants to include and demonstrate principles of diversity, equity, inclusion, and accessibility through proactive, meaningful, and equitable community engagement in the identification, design, and/or implementation of proposed projects. NOAA also encourages applicants to propose projects with benefits to tribal or underserved communities, as defined below. Applicants should identify if the project is located within a tribal or underserved community and/or whether the project will benefit tribal or underserved communities. Applicants should also identify if they work at or plan to partner with historically black colleges, Hispanic serving institutions, tribal colleges and universities, or other institutions that work in underserved communities.

The following definitions apply to this funding opportunity:

Underserved communities: This term refers to populations sharing a particular characteristic, as well as geographic communities that have been systematically denied a full opportunity to participate in aspects of economic, social, and civic life. Underserved communities are defined in Executive Order 13895.

Tribes: For this funding opportunity, this term refers to any Indian or Alaska Native tribe, band, nation, pueblo, village, or community that the Secretary of the Interior acknowledges to exist as an Indian tribe.

Tribal entity: For this funding opportunity, this term refers to Tribes and any organization that self-identifies as an indigenous or native organization.

If a Tribe, Tribal entity, underserved community, or other eligible applicant has questions regarding this funding opportunity, they should contact:

Justin Pearce
Office of Sustainable Fisheries
1315 East-West Highway
Silver Spring, MD 20910
301-427-8521
NMFS.HQ.BREP@noaa.gov

B. Cost Share or Matching Requirement

Applicants may include cost sharing, but it is not required and is not part of the evaluation criteria for this program.

C. Other Criteria that Affect Eligibility

To facilitate the interest of BREP in addressing the bycatch research and management priorities of Councils, NMFS Regions and Science Centers, Commissions, etc., applicants are encouraged to engage with partners by subaward, contract, unfunded partnerships, or other collaborations. Applicants should consider the research and management priorities of Councils, NMFS Regions and Science Centers, Commissions, Marine Mammal Take Reduction Teams, etc., when developing proposals. Federal agencies and their personnel are not permitted to receive funding under this competition; however federal scientists can serve as uncompensated partners on proposals. Should you wish to partner with a particular NMFS employee, who will act as a partner in the proposed project, a written agreement of this participation must be provided detailing their involvement, signed by the employee's supervisor. NMFS involvement could include planning, scheduling, conducting, and analyzing proposed project activities and frequent contact with the Applicant to help solve technical problems/situations as they arise during performance of the award. NOAA will implement appropriate mechanisms regarding any potential conflict of interest in the review process. While proposing partnerships is encouraged, proposing a specific NOAA or Federal partner is not required. If a specific NOAA collaboration is not proposed, NOAA still expects to become substantially involved as described in Section II.C. of this Announcement.

IV. Application and Submission Information

A. Address to Request Application Package

No application package is required to submit a pre-proposal.

Electronic application packages for full applications are strongly encouraged and are available at: <http://www.grants.gov>.

If the applicant has difficulty accessing Grants.gov. or downloading the required forms, they should contact:

Justin Pearce
Office of Sustainable Fisheries
1315 East-West Highway
Silver Spring, MD 20910
301-427-8521
NMFS.HQ.BREP@noaa.gov

B. Content and Form of Application

Format requirements for both pre-proposals and full proposals

All application materials should be submitted in Adobe PDF or a common word processing format, and when printed out should meet all format requirements. All pages must be single- (pre-proposal) or double- (full proposal) spaced, printed or typed in at least 12-point font, and printable on 8.5-inch x 11-inch paper, with 1-inch margins.

Pre-proposal Format:

Pre-proposals are required. The pre-proposal process is intended to provide an indication to potential applicants of the technical merit and the relevancy of the proposed project to BREP before preparing a full proposal. The intent is to reduce the burden of preparing full proposals that do not have a high probability for being funded. When drafting a pre-proposal, applicants should clearly convey the management impact and applicability of their proposed research for the priority area to which they are applying. Late or incomplete pre-proposals, as well as those that deviate from content or format requirements will not be reviewed by NOAA.

Each pre-proposal may not exceed **two** pages, single-spaced (though may be formatted using double spacing), using the format described above and should provide:

1. *Title of project.*
2. *Background section that sets the stage for the work and identifies which priority (or priorities) in Section I.B that the pre-proposal addresses directly.*
3. *Rationale of why the work should be conducted and how it is relevant to the BREP priorities.*
4. *Explanation of proposed project's applicability to bycatch research and management priorities, describe the level of industry involvement, and, if applicable, how any underserved communities are involved and/or may benefit from the project.*
5. *Clear statement of research objectives and general methodology to be used;*
6. *Identification of required permits (i.e., ESA, MMPA) and permit numbers, if applicable.*
7. *Estimated budget amount.*

In addition, and not counted towards the **two**-page limit, the applicant must provide:

1. *Cover page that includes the title of the project, the name, affiliation, and address of the primary investigators with e-mail and phone contact information, the estimated total budget requested, and duration of the project (start and end dates).*

Full Application Format:

The full application includes required Federal forms, a Project Summary (one-page limit), Project Narrative (15-page limit), Appendices or Attachments (15-page limit, including a Data Management Plan of up to two pages), and Budget Narrative (no page limit).

Applicants must submit the following forms during initial submission of the application:

- Application for Federal Assistance (SF-424).
- Budget Information, Non-construction Programs (SF-424A).
- Assurances, Non-construction Programs (SF424B).
- Certification Regarding Lobbying (CD511).

Applicants may submit the information typically included on these documents through the <http://www.grants.gov/> website.

Proposal format should be in at least a 12-point font and double-spaced. Brevity will assist reviewers and program staff in dealing effectively with proposals. Therefore, the Project Narrative may not exceed 15 pages double-spaced. Tables and visual materials, including charts, graphs, maps, photographs, and other pictorial presentations are included in the 15-page limit. Budget justification, project summary, indirect cost rate documentation, and previous, current and pending support sections do not count towards the 15-page limit. Appendices may be included but must not exceed a total of 15 pages in length. Appendices or attachments may be combined into a single file and include information such as resumes, and/or letters of support. Additional informational material beyond the page limits will be disregarded.

In addition to the Federal Forms listed above, proposals must include the following information in the format outlined below.

- a. Project summary (one-page limit):
- (1) Organization title.
 - (2) Principal Investigator(s) (PI).
 - (3) Address, telephone number, and email address of Principal Investigator(s).
 - (4) Area of interest for which you are applying (see section I. B.).
 - (5) Project title.
 - (6) Project objectives for the project period.
 - (7) Summary of work to be performed within the project period.
 - (8) Budget Information - Total Federal funds requested for federal fiscal year 2025 and federal fiscal year 2026 (if applicable).

b. Project Narrative (15-page limit): Each project must be completely and accurately described. The main body of the proposal should be a clear statement of the work to be undertaken and should include: specific objectives and performance measures for the period of the proposed work and the expected significance; relation to longer-term goals of the PI's work; and relation to other work planned, anticipated, or underway through Federal assistance.

Each project must be described as follows:

(1) Identification of problem(s): Describe the specific problem(s) or area(s) of interest to be addressed. Applicants must identify the specific research priority or priorities in section I.B. to which they are responding. If the proposal addresses more than one priority, it should list first on the application the priority that most closely reflects the objective of the proposals.

(2) Project objectives: Objectives should be simple and understandable; as specific and quantitative as possible; clear as to the "what and when," but should avoid the "how and why" (which is fully addressed in the project description), and; attainable within the time, money and human resources available. Projects should be accomplishment oriented and identify specific performance measures.

(3) Project description: The project description is the scientific or technical action plan of activities that are to be accomplished during each budget period of the project. This description must include the specific methodologies, by project job activity, proposed for accomplishing the proposal's objective(s).

Investigators submitting proposals in response to this announcement are strongly encouraged to develop inter-institutional, inter-disciplinary research teams in the form of single, integrated proposals or as individual proposals that are clearly linked together. The project description must include a milestone table that summarizes the procedures/objectives that are to be attained in each project month covered. Table format should follow sequential month rather than calendar month (i.e. Project period Month 1, Month 2... versus October, November...).

(4) Permitting: The proposal must describe any Endangered Species Act, Marine Mammal Protection Act, or other permit requirements related to the proposed research. The proposal also must describe whether the investigators have the necessary permits in hand, or what steps the investigators have taken to obtain the necessary permits. All proposals must respond to this required element whether or not permits are required. If no permits are required, this section must indicate "no permits are required." Permit information may be submitted as appendices or attachments.

(5) Impacts, benefits or results expected: Identify and document the results or benefits to be derived from the proposed activities. Specifically identify management applicability of the work being proposed.

(6) Need for Government financial assistance: Demonstrate the need for assistance. Explain why other funding sources cannot fund all the proposed work. List all other sources of funding that are or have been sought for the project.

(7) Federal, state and local government activities: List any programs (Federal, state, Tribal, or local government or activities, including Sea Grant, state Coastal Zone Management Programs, etc.) this project would affect and describe the relationship between the project and those plans or activities. Describe any coordination with other agency programs or on-going research efforts. Describe any other proposals or outside activities that are essential to the success of this proposal.

(8) Project management: Describe how the project will be organized and managed. Include resumes of principal investigators, which may be appendices or attachments. List all persons directly employed by the applicant who will be involved with the project. If a consultant and/or subcontractor is selected prior to application submission, include the name and qualifications of the consultant and/or subcontractor and the process used for selection. Describe who will monitor project performance. Also include participation by persons or groups other than the applicant. Describe how Federal, state, and non-governmental entities, particularly members of fishing communities, will participate in the project, and the nature of their participation.

(9) Project impacts: Describe how these products or services will be made available to the fisheries and management communities (including Tribes and underserved communities). Describe how the development and facilitation of innovative fishing practices and gear technologies is an identified NMFS management priority (please refer to Council research priorities, etc.) and will be transitioned from research to fisheries management.

(10) Education and outreach: How will this project provide a focused and effective education and outreach strategy regarding NOAA's mission to protect the Nation's natural resources? This includes the degree to which the potential users of the results, i.e., industry or state resource managers, have been involved in the planning of the activity, will be involved in the execution of the activity and/or are providing funds, and whether there is a plan to disseminate the results to user groups (such as Councils marine mammal take reduction teams, etc.) and the public.

(11) Evaluation of project: The applicant is required to provide a description of project accomplishments and progress towards the project objectives and performance measures at the end of each funding period and in the final report. The application must describe the methodology or procedures to be followed to quantify the results of the project.

(12) Data Management Plan (not included in the 15-page limitation; can be submitted as an appendix.)

- Environmental data and information collected or created under NOAA grants or cooperative agreements must be made discoverable by and accessible to the general public, in a timely fashion (typically within two years), free of charge or at no more than the cost of reproduction, unless an exemption is granted by the NOAA Program. Data should be available in at least one machine-readable format, preferably a widely-used or open-standard format, and should also be accompanied by machine-readable documentation (metadata), preferably based on widely-used or international standards.
- Proposals submitted in response to this Announcement must include a Data Management Plan of up to two pages describing how these requirements will be satisfied. The Data Management Plan should be aligned with the Data Management Guidance provided by NOAA in the Announcement.

The contents of the Data Management Plan (or absence thereof), and past performance regarding such plans, will be considered as part of proposal review.

A typical plan should include descriptions of the types of environmental data and information expected to be created during the course of the project; the tentative date by which data will be shared; the standards to be used for data/metadata format and content; methods for providing data access; approximate total volume of data to be collected; and prior experience in making such data accessible.

Data Accessibility. The NOAA Program recommends that public access to grant/contract-produced data be enabled through one or more of the following means:

- Submission of data to NOAA National Centers for Environmental Information (NCEI, <https://www.ncei.noaa.gov/>), which will provide public access and permanent archiving.
- Submission of any telemetry or electronic tagging data to the U.S. Animal Telemetry Network (<https://ioos.noaa.gov/project/atn/>).
- Submission of data to an existing publicly accessible online data server described in Data Management Plan.
- Establishment of applicant's own data hosting capability as described in Data Management Plan.
- Request permission not to make data publicly accessible. (Proposal must explain rationale for lack of public access, and if funded, approval from Responsible NOAA Official (listed below) must be received).

Technical recommendations. Use of open-standard data formats and methods is encouraged. The Bycatch Reduction Engineering Program is not requiring any specific data format. Data Management Plans are to describe their proposed approach.

Resources. Proposals are permitted to include the costs of data sharing or archiving in their budgets.

For questions regarding this guidance and for verifying accessibility of data produced by funding recipients, please contact: Justin Pearce, 301-427-8521, NMFS.HQ.BREP@noaa.gov

The costs of data preparation, accessibility, or archiving may be included in the proposal budget unless otherwise stated in the Guidance.

Accepted submission of data to the NOAA National Centers for Environmental Information (NCEI) is one way to satisfy data sharing requirements; however, NCEI is not obligated to accept all submissions and may charge a fee, particularly for large or unusual datasets.

- NOAA may, at its own discretion, make publicly visible the Data Management Plan from funded proposals, or use information from the Data Management Plan to produce a formal metadata record and include that metadata in a Catalog to indicate the pending availability of new data.
- Proposal submitters are hereby advised that the final pre-publication manuscripts of scholarly articles produced entirely or primarily with NOAA funding will be required to be submitted to NOAA Institutional Repository after acceptance, and no later than upon publication. Such manuscripts shall be made publicly available by NOAA one year after publication by the journal.

(13) Results from prior NOAA/NMFS support (not included in the 15-page limitation; can be submitted as an appendix.): If any PI or co-PI identified on the project has received support from the NOAA/NMFS in the past 5 years, information on the prior award(s) is required. The following information should be provided and may be placed in the Project Narrative or in an Appendix:

- (a) The NOAA award number, amount and period of support;
- (b) The title of the project;

- (c) Summary of the results of the completed work, including, for a research project, any contribution to the development of human resources in science/biology;
- (d) Publications resulting from the award (Reprints may be submitted, and are requested, for documentation if applicable);
- (e) Brief description of available data, samples, physical collections and other related research products not described elsewhere; and
- (f) If the proposal is for renewed support, a description of how the completed work relates to the proposed work.

c. Total project costs and Budget Narrative: Total project costs are the amount of funds required to accomplish what is proposed in the Project Description.

Provide a detailed table with Budget Narrative (as an attachment not included in the page limits for the Project Narrative or Appendices) to support the requested items or activities (personnel/salaries, fringe benefits, travel, equipment, supplies, contract costs (such as vessel charters), and indirect costs.) Supplies and equipment should be broken out in as much detail as possible. The budget table and narrative submitted with the application should match the dollar amounts on the SF-424 and SF-424A forms. If indirect costs are proposed, include a copy of the current Federally approved rate if applicable; see also Section IV.F.1. below. Additional cost detail may be required prior to a final analysis of overall cost allowability, allocability, and reasonableness.

Please note the following restrictions for salaries and fringe benefits:

Funds for salaries and fringe benefits may be requested only for those personnel who are directly involved in implementing the proposed project and whose salaries and fringe benefits are directly related to specific products or outcomes of the proposed project. Hourly rates and projected hours worked on the project and/or percentage of time and yearly salary should be included for all salary requests. Applicants are strongly encouraged to request reasonable amounts of funding for salaries and fringe benefits to ensure the proposal is competitive.

Proposals submitted in response to this Announcement must include a Data Management Plan (up to 2 pages). See Section VI.B., Administrative and National Policy Requirements, below for additional information on what the plan should contain.

Applicants are expected to design their proposals so that they minimize potential adverse impacts on the environment. Applications will be reviewed to ensure that they have sufficient environmental documentation to allow program staff to determine whether the proposal is categorically excluded from further analysis, covered under an existing programmatic analysis, or whether additional analysis is necessary in conformance with requirements of the National Environmental Policy Act (NEPA). See Section VI.B. of this Announcement for more information about NEPA. For those applications needing further analysis, affected applicants will be informed after the merit review stage and asked to assist by providing any information necessary to complete a draft Environmental Assessment or Environmental Impact Statement.

C. Unique entity identifier and System for Award Management (SAM)

Each applicant (unless the applicant is an individual or Federal awarding agency that is excepted from those requirements under 2 CFR 25.110(b) or (c), or has an exception approved by the Federal awarding agency under 2 CFR 25.110(d)) is required to: (i) Be registered in SAM before submitting its application; (ii) Provide a valid unique entity identifier (UEI) in its application; and (iii) Continue to maintain an active SAM registration with current information at all times during which it has an active Federal award or an application or plan under consideration by a Federal awarding agency. NOAA may not make a Federal award to an applicant until the applicant has complied with all applicable unique entity identifier and SAM requirements and, if an applicant has not fully complied with the requirements by the time NOAA is ready to make a Federal award, NOAA may determine that the applicant is not qualified to receive a Federal award and use that determination as a basis for making a Federal award to another applicant.

D. Submission Dates and Times

Pre-proposals must be received via e-mail (to NMFS.HQ.BREP@noaa.gov) by 5:00 p.m. Eastern Time on December 13, 2024. By January 31, 2025, NOAA will inform applicants, based upon their pre proposal, if the BREP encourages or discourages submission of a full proposal. All those who submit complete and timely pre-proposals and meet all requirements are eligible to submit a full proposal.

Full proposals must adhere to the following provisions and requirements and must be received by 11:59 p.m. Eastern Time on March 21, 2025. Failure to follow these requirements will result in proposals being returned without review. Applications must follow the format described in this document and must be complete. For applications containing more than one project, each project must be identified individually using the format specified in this section. Applicants should not assume prior knowledge on the part of NMFS as to the relative merits of the project described in the application.

E. Intergovernmental Review

Applications submitted by state and local governments are subject to the provisions of Executive Order 12372, "Intergovernmental Review of Federal Programs." Any applicant submitting an application for funding is required to complete item 16 on SF-424 regarding clearance by the State Single Point of Contact (SPOC) established as a result of EO 12372. To find out about and comply with a State's process under EO 12372, the names, addresses and phone numbers of participating SPOC's are listed in the Office of Management and Budget's home page at: http://www.whitehouse.gov/omb/grants_spoc.

F. Funding Restrictions

1. *Indirect Cost Rates:* If the applicant does not have a current negotiated rate and plans to seek reimbursement for indirect costs, documentation necessary to establish a rate must be submitted within 90 days of receiving an award to Raishan Adams, Grants Officer, NOAA Grants Management Division, raishan.adams@noaa.gov. In accordance with 2 C.F.R. § 200.414(f), a recipient that does not have a current negotiated indirect cost rate may elect to charge a de minimis rate of 15% of modified total direct costs (MTDC).
2. *Allowable Costs:* Funds awarded cannot necessarily pay for all the costs that the recipient might incur in the course of carrying out the project. Allowable costs are determined by reference to the Uniform Administrative Requirements, Cost Principles, and Audit Requirements, codified at 2 C.F.R. Part 200. Generally, costs that are allowable include salaries, equipment, supplies, and training, as long as these are "necessary and reasonable."

G. Other Submission Requirements

Applicant organizations must complete and maintain three registrations to be eligible to apply for or receive an award. These registrations include SAM.gov, Grants.gov, and eRA Commons. All registrations must be completed prior to the application being submitted. The complete registration process for all three systems can take 4 to 6 weeks, so applicants should begin this activity as soon as possible. If an eligible applicant does not have access to the internet, please contact the Agency Contacts listed in Section VII for submission instructions.

Prior to registering with eRA Commons, applicant organizations must first obtain a Unique Entity Identifier (UEI) from SAM.gov, if needed (refer to Section IV. Applications and Submission Information, Section C). Organizations can register with eRA Commons in tandem with completing their full SAM and Grants.gov registrations; however, all registrations must be in place by time of application submission. eRA Commons requires organizations to identify at least one Signing Official (SO) and at least one Program Director/Principal Investigator (PD/PI) account in order to submit an application.

The first PD/PI listed on the application must include their eRA Commons ID in the "Credential, e.g. agency login" Applicant Identifier field on the SF424 form. Failure to register in the Commons and to include a valid PD/PI Commons ID in the Applicant Identifier field will prevent the successful submission of an electronic application.

Registration requirements

NOTE: We strongly encourage all prospective applicants to begin required registrations as early as possible. Completing the required registrations can take six weeks or longer. Submission due dates will not be extended because of registration delays. Submissions received after the due date will be considered late and will not be accepted.

Applicant organizations and individuals must register for three different Federal systems prior to submitting an application through Grants.gov (SAM.gov, eRA Commons, and Grants.gov). See below for more detailed information on each required registration process.

1. System for Award Management (SAM.gov)

SAM.gov registration is required to do business with the U.S. government. After registering with SAM.gov, you will receive a 12-character Unique Entity Identifier (UEI) that you will use throughout the application process.

We recommend allowing at least three weeks for initial SAM.gov registrations and at least two weeks for SAM.gov registration renewals. Additional information on SAM.gov registration is available here: <https://sam.gov/content/entity-registration>

You must update your SAM.gov registration any time your entity's information changes. You must also renew and revalidate your entity's SAM.gov registration at least every 12 months from the date you last certified to and submitted the registration. The renewal process may take up to two weeks. Your SAM.gov account's primary point of contact will receive an email message alerting them to the renewal requirement at 60 days, 30 days, and 15 days prior to expiration. If you do not renew your registration by the deadline, it will expire.

2. eRA Commons

After completing your SAM.gov registration and receiving your Unique Entity Identifier (UEI), you must register with eRA Commons and create several required user accounts. NOAA uses eRA Commons to process grant applications and manage grant awards.

NOTE: eRA Commons requires applicants to create one ORGANIZATIONAL PROFILE and two USER ACCOUNTS before submitting an application. These requirements are described in detail below.

We recommend allowing at least three weeks for eRA Commons registration. This process can be completed concurrently with your Grants.gov registration. Additional information on the eRA Commons registration process is available here:

<https://www.commerce.gov/ocio/programs/gems/applicant-and-grantee-training>

After creating an overall account for your "institution", which may be for your organization or yourself as an individual, eRA Commons requires you to set up at least two user accounts: one Signing Official (SO) account and one Program Director/Principal Investigator (PD/PI) account.

- The Signing Official (SO) user account must be assigned to an individual with signature authority to legally bind the organization in grants administration matters. The SO will receive 4-5 emails throughout the registration process.
- The Program Director/Principal Investigator (PD/PI) account must be assigned to an individual with primary responsibility for the project(s) described in the grant application. The eRA Commons User ID (Username) for the PD/PI must also be listed on the SF-424 form for item 4 (Applicant Identifier).

Your SO and PD/PI user accounts must be active before you submit an application. Both accounts can be assigned to the same individual if appropriate.

3. Grants.Gov

After completing your SAM.gov registration and receiving your Unique Entity Identifier (UEI), you must complete a one-time registration process with Grants.gov. Grants.gov is a government-wide portal used to solicit and accept grant applications.

We recommend allowing at least two weeks for Grants.gov registration. This process can be completed concurrently with your eRA Commons registration. Additional information on the Grants.gov registration process is available here:

<https://www.grants.gov/applicants/applicant-registration>

Submission Validation

The Grants.gov and eRA Commons validation processes for a submitted application can take up to two business days after submission. Only validated applications are sent to NOAA to review. To ensure successful submission of an application, we strongly recommend that you submit a final and complete application at least two business days prior to the submission deadline.

Grants.gov and eRA Commons will not accept submissions if the applicant has not been authorized or if credentials are incorrect. Submissions may also be rejected if:

- The Project Director/Principal Investigator (PD/PI)'s account username within eRA Commons is not provided on the SF-424 form for item 4 (Applicant Identifier).
- The Universal Entity Identifier (UEI) from SAM.gov is not provided on the SF-424 form for item 8.c (UEI).
- The Congressional District is not entered in the correct format on the SF-424 form for item 16 (Congressional Districts). The correct format is: [State Abbreviation]-[three digit district number]. For example, Virginia's 1st Congressional District would be listed as VA-001.
- PDF files are not flattened. To flatten a fillable PDF, you can use the "Print to PDF" function from any web browser or PDF reader application.
- File sizes exceed 100 MB.
- Page sizes are greater than 8.5x11.
- File names exceed 50 characters (including spaces).
- File names include special characters.

After you submit your application, you will receive an automatic acknowledgment of receipt that contains a Grants.gov tracking number. This notification indicates receipt by Grants.gov only, not receipt by NOAA. Applications submitted through Grants.gov will be accompanied by FOUR automated responses (1-Grants.gov Submission Receipt; 2-Grants.gov Submission Validation Receipt for Application; 3-Grants.gov Grantor Agency Retrieval Receipt for Application; 4-Grants.gov Agency Tracking Number Assignment for Application).

In addition to the Grants.gov automated notification messages, you may receive automated email notifications of any errors or warnings identified by eRA Commons. You must resolve all eRA Commons errors prior to the application due date in order for the application to be processed.

Once an electronic application is accepted in eRA Commons, you will receive an additional automated notification that the completed application was received and that an application number will be assigned.

You should save and print the proof of submission messages from both Grants.gov and eRA Commons. If you do not receive an acceptance message from both Grants.gov and eRA Commons, you should follow up with the agency contact listed in VII to confirm NOAA's receipt of the complete submission.

Permits and Approvals: It is the applicant's responsibility to obtain all necessary Federal, State, and local government permits and approvals where necessary for the proposed work to be conducted. If applicable, documentation of requests or approvals of permits must be included in the proposal package as attachments or appendices.

Most projects involving directed or incidental impacts (i.e., introducing sound into an animal's environment or employing gear that may entangle or injure) affecting marine mammals and species listed as threatened or endangered under the ESA may require permits or authorizations under section 101 or 104 of the MMPA and/or section 10 of the ESA (50 CFR 222.307 and 222.308). If an ESA permit covering the proposed activities has already been issued, the permit number must be provided in the application. Issuance of the necessary ESA and/or MMPA permit(s) or authorization(s) or evidence that the applicant has submitted a permit application is required in order for a proposal to be considered for funding. If the grant applicant is not the Principal Investigator (PI) or the permit holder, a copy of the authorization to work under the permit and/or a letter of support from the permit holder is required.

Timelines for processing ESA and MMPA permit applications can take upwards of one year. Please consider this timing when putting together your application for funding. For further information on ESA and MMPA permit requirements and application procedures, contact the NMFS Office of Protected Resources Permits Division (301-427-8401) or see <https://www.fisheries.noaa.gov/permits-and-forms#protected-resources>.

H. Address for Submitting Proposals

Preproposal Submission

All pre-proposals must be submitted via electronic mail to the BREP Program Coordinator (NMFS.HQ.BREP@noaa.gov). You will receive acknowledgment of your pre-proposal submission via email within 48 hours. If you do not receive such an acknowledgment, please contact the BREP Program Coordinator to assure successful receipt.

Application Submission

Only applicants that submit complete and timely pre-proposals AND complete and timely full proposals will have their proposals reviewed and evaluated.

Applicants are strongly encouraged to submit applications electronically (through <http://www.grants.gov/>). If an applicant has problems with Grants.gov, contact the Grants.gov Customer Support at 1- 800-518-4726 or support@Grants.gov. If you do not have internet access, an application package may be received by contacting:

Justin Pearce

Office of Sustainable Fisheries

1315 East-West Highway

Silver Spring, MD 20910

301-427-8521

or via email:

NMFS.HQ.BREP@noaa.gov

Important: All applicants, both electronic and paper, should be aware that adequate time must be factored into applicant schedules for delivery of the application. Electronic applicants are advised that volume on Grants.gov may be extremely heavy, and if Grants.gov is unable to accept applications electronically in a timely fashion, applicants are encouraged to exercise their option to submit applications in paper format. Paper applicants should allow adequate time to ensure a paper application will be received on time, taking into account that guaranteed overnight carriers are not always able to fulfill their guarantees. If, for any reason, applicants are unable to submit their full application through Grants.gov or are concerned about possible problems associated with the Grants.gov system, they may provide a paper copy of their full application by mail. Signed hard copies of applications may be submitted to the contact information above. Applications submitted by mail must include all relevant application elements described in this funding announcement must include a SF-424 form with original ink or valid electronic signature and date from an authorized recipient organization representative, and must be stamped with an official U.S. Postal Service postmark or provided to a commercial carrier with tracking number and receipt on or before 11:59 p.m. Eastern Time, on the deadline day; private metered postmarks are not acceptable. Regardless of the method of transmission of a paper application (i.e., mailed in or delivery services), applications received more than five business days after the deadline will not be reviewed or considered for funding. Applicants who submit applications by paper are responsible for tracking their application and should notify the NOAA Contact Official listed in Section VII of this announcement by email that the application is forthcoming.

V. Application Review Information

1. Importance/relevance and applicability of proposed projects to the program goals	Maximum Points: 35
<p>This criterion ascertains whether there is intrinsic value in the proposed work and/or relevance to NOAA, federal, regional, state, or local activities.</p> <p>For the BREP, this includes the following questions: Is the project relevant to NOAA, NMFS Regional Offices and Science Centers, Councils, Commissions, Take Reduction Teams, Endangered Species Act (ESA) Recovery Plans, or requirements of a Biological Opinion on a U.S. Federal fishery (i.e. it relates directly to a Program Priority in Section I.B.) (10 points)? Does the proposal address one of the species or fisheries specifically identified in the Program Priorities (5 points)? Does the proposal/application describe the management applicability (including a sound path to implementation/operationalization and/or direct relevance to management) of the work being proposed (10 points)? Has the participation of U.S. fishermen and/or underserved communities been meaningfully incorporated into the project design (10 points)?</p>	
2. Technical/scientific merit	Maximum Points: 35
<p>This criterion assesses whether the approach is technically sound and/or innovative, if the methods are appropriate, and whether there are clear project goals and objectives.</p> <p>For the BREP, this includes the following questions: Does the applicant demonstrate that the objectives are realistic and can be reached within the proposed project period (20 points)? Is the project design appropriate for addressing the research question and does the project design include a project evaluation that ensures that the goals and objectives of the project will be met (15 points)?</p>	
3. Overall qualifications of applicants	Maximum Points: 10
<p>This criterion ascertains whether the applicant possesses the necessary education, experience, training, facilities, and administrative resources to accomplish the project.</p>	

For BREP, this includes the following questions: Does the applicant have experience with this or a similar gear technology, and does the applicant show the capability and experience in successfully completing similar projects (5 points)? Does the applicant demonstrate a knowledge and comprehension of the problem, and is the applicant familiar with related work that is completed or on-going (5 points)?

4. Project costs	Maximum Points: 10
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This criterion evaluates the budget to determine if it is realistic and commensurate with the project needs and time frame.

For BREP, this includes the following questions: Is the budget request reasonable, and does the applicant justify the proposed budget request (7 points)? Are requested funds for salaries and fringe benefits only for those personnel who are directly involved in implementing the proposed project and/or are directly related to specific products or outcomes of the proposed project (3 points)?

5. Outreach and Education	Maximum Points: 10
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This criterion assesses whether the project provides a focused and effective education and outreach strategy regarding NOAA's mission to protect the Nation's natural resources.

For the BREP, this includes the following question: Does the project involve external communication with management, stakeholders/partners, and/or underserved communities and what is the the applicant's plan to disseminate the results to user groups, including a description of the level of outreach that will be conducted (e.g., email blasts, publications, holding workshops with stakeholders) (including Councils and, if applicable, marine mammal take reduction teams) and the public (10 points).

Evaluation Criteria

Review and Selection Process

This will be a two-stage competition with pre-proposals and full proposals. At both stages, an administrative review is conducted by NOAA to determine compliance with requirements, completeness of the application, and responsiveness to this Announcement and programmatic priorities. NOAA, in its sole discretion, may continue the review process for applications with non-substantive issues that may be easily rectified or cured.

Pre-proposals are required. Encouragement of pre-proposals is based on four criteria: 1) How well the pre-proposal addresses the needs of the fishing community and management applicability (i.e. relationship to Fishery Management Council or other regional or national management priorities); 2) Approach and methodology (i.e. realistic and timely objectives and appropriate design); 3) Involvement, collaboration with industry, U.S. fishermen, or underserved communities and; 4) How well the pre-proposal addresses an important and clearly described problem need, or issue, related to BREP priorities. Scoring will be determined by subject matter experts providing a score on a scale from 0-5 during this initial pre-proposal review. Criteria 2-4 will be worth one point. Criterion 1 will be worth two points. National Bycatch Reduction Engineering Program Committee members will review the complete set of preproposals and consider the merit ranking and relevance to determine whether to 'encourage' or 'not encourage' full proposals.

NMFS will provide a summary statement to each applicant of a pre-proposal, stating whether their pre-proposal was complete and timely and whether a full proposal is 'encouraged' or 'not encouraged' for the full proposal stage. Regardless of encouragement or discouragement based on the pre-proposal, all those who submit complete and timely pre-proposals and meet all requirements are eligible to submit full proposals. All timely, responsive, and complete proposals that meet the eligibility requirements will be subjected to evaluation, to be organized by NOAA, based on the criteria listed in section V.

Full Proposal Review and Selection

1. Initial Evaluation of Applications: NOAA will only consider a full proposal if a pre-proposal was submitted. Once a full application has been received by NMFS/OSF, an initial administrative review is conducted to determine compliance with requirements and completeness of the application. NOAA, in its sole discretion, may continue the review process for proposals with non-substantive issues that can be easily rectified or cured. Ineligible, incomplete, duplicate, or non-responsive proposals may be eliminated from further review.

2. Technical Review: Applications meeting the requirements of this solicitation will undergo a technical merit review. Technical review is conducted by a minimum of three independent reviewers. Each reviewer will individually evaluate and score proposals (1-100 points) using the evaluation criteria provided in Section V.A. This review may involve subject matter experts from both NOAA and non-NOAA organizations.

Following completion of the technical review, the individual technical review scores will be averaged to determine the final technical score for each application. Applications will be ranked in descending order by their final technical scores.

A "cutoff" score will be established by BREP staff. Applications that scored below the cutoff will be eliminated from further consideration.

Applications above the cutoff score move to panel unless a proposal is justified to be forwarded to panel out of rank order (see Section C: Selection Factors).

For those applications at or above the cutoff technical evaluation score, NMFS may convene a review panel, which may include federal and non-federal members, to review the scored proposals and to enhance NOAA's understanding of the proposals. Each BREP panelist will evaluate, in a group setting, the applications in terms of the significance of the problem or opportunity being addressed, the degree to which the project involves collaboration with fishing community members and other appropriate collaborators, proposed means to disseminate project results, and benefits (industry, resource, economic) derived from investment in the project.

During the panel discussion, each region / member of the panel will independently assign a numerical rating between 1.0 and 10.0 (acceptable to excellent) for each application according to the following scale, and provide comments to support their score.

1—Acceptable; application was adequately responsive to the evaluation criteria (Section V. A), and partially addressed program priorities outlined in the NOFO.

5—Good; application was frequently responsive to the evaluation criteria and satisfactorily addressed program priorities outlined in the NOFO.

10—Exceptional; application was highly responsive to the evaluation criteria and exceptionally addressed program priorities outlined in the NOFO.

Panel members will be required to certify they do not have a conflict of interest and that they will maintain confidentiality of the panel deliberations. NOAA will protect panelist identity to the maximum extent permitted by law.

No consensus advice will be given by the BREP Panelists on recommendations or scores. After the panel scores are submitted, a compilation of all proposals in rank order will be developed based on the average score from the review panel.

Selection Factors

The Selecting Official shall award in the rank order unless the proposal is justified to be selected out of rank order based on one or more of the following factors:

1. Availability of funding.
2. Balance/distribution of funds:
 - a. geographically
 - b. by type of institution
 - c. by type of partners
 - d. by research priority
 - e. by project types
3. Duplication of other projects funded or considered for funding by NOAA/Federal agencies.

4. Program priorities and policy factors.
5. Applicant's prior award performance.
6. Partnerships with/Participation of targeted groups.
7. Adequacy of information necessary for NOAA staff to make a NEPA determination and draft necessary documentation before recommendations for funding are made to the Grants Officer.

Anticipated Announcement and Award Dates

Subject to the availability of funds, review of proposals will occur during the 120 days following the date given in this announcement that the proposals are due to the NMFS/OSF. Funding should begin during fall 2025 for most approved projects. Projects should not be expected to begin prior to September 1, 2025, unless otherwise directed by the Federal Program Officer.

VI. Award Administration Information

A. Award Notices

PRE-AWARD COSTS. Per 2 CFR 200.458, NOAA authorizes award recipients to expend pre-award costs up to 90 days before the period of performance start date at the applicant's own risk without approval from NOAA and in accordance with the applicant's internal policies and procedures. Such costs are allowable only to the extent that they would have been allowable if incurred after the date of the Federal award. This does not include direct proposal costs (as defined at 2 CFR 200.460). In no event will NOAA or the Department of Commerce be responsible for direct proposal preparation costs. Pre-award costs will be a portion of, not in addition to, the approved total budget of the award. Pre-award costs expended more than 90 days prior to the period of performance start date require approval from the Grants Officer. This does not change the period of performance start date.

GRANTS OFFICER SIGNATURE. Proposals submitted in response to this solicitation are not considered awards until the Grants Officer has signed the grant agreement. Only Grants Officers can bind the Government to the expenditure of funds. The Grants Officer's digital signature constitutes an obligation of funds by the federal government and formal approval of the award.

LIMITATION OF LIABILITY. Funding for programs listed in this notice is contingent upon the availability of funds. Applicants are hereby given notice that funds may not have been appropriated yet for the programs listed in this notice. Publication of this announcement does not oblige NOAA to award any specific project or to obligate any available funds.

B. Administrative and National Policy Requirements

UNIFORM ADMINISTRATIVE REQUIREMENTS, COST PRINCIPLES, AND AUDIT REQUIREMENTS. Through 2 C.F.R. § 1327.101, the Department of Commerce adopted Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards at 2 C.F.R. Part 200, which applies to awards in this program. Refer to <http://go.usa.gov/SBYh> and <http://go.usa.gov/SBg4>.

RESEARCH TERMS AND CONDITIONS. For awards designated on the CD-450 as Research, the Commerce Terms, and the Federal-wide Research Terms and Conditions (Research Terms) as implemented by the Department of Commerce, currently, at <https://www.nsf.gov/awards/managing/rtc.jsp>, both apply to the award. The Commerce Terms and the Research Terms are generally intended to harmonize with each other; however, where the Commerce Terms and the Research Terms differ in a Research award, the Research Terms prevail, unless otherwise indicated in a specific award condition.

DEPARTMENT OF COMMERCE 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 December 30, 2014 (79 FR 78390) are applicable to this solicitation and may be accessed online at <http://www.gpo.gov/fdsys/pkg/FR-2014-12-30/pdf/2014-30297.pdf>.

DEPARTMENT OF COMMERCE (DOC) TERMS AND CONDITIONS. Successful applicants who accept a NOAA award under this solicitation will be bound by the DOC Financial Assistance Standard Terms and Conditions. This document will be provided in the award package in eRA at <http://www.ago.noaa.gov> and at <https://www.commerce.gov/oam/policy/financial-assistance-policy>.

BUREAU TERMS AND CONDITIONS. Successful applicants who accept an award under this solicitation will be bound by bureau-specific standard terms and conditions. These terms and conditions will be provided in the award package in NOAA's Grants Online system. For NOAA awards only, the Administrative Standard Award Conditions for National Oceanic and Atmospheric Administration (NOAA) Financial Assistance Awards U.S. Department of Commerce are applicable to this solicitation and may be accessed online at <https://www.noaa.gov/organization/acquisition-grants/financial-assistance>

HUMAN SUBJECTS RESEARCH. For research projects involving Human Subjects an Institutional Review Board (IRB) approval or an exemption determination will be required in accordance with DOC Financial Assistance Standard Terms and Conditions Section G.05.i "Research Involving Human Subjects" found at <https://www.commerce.gov/oam/policy/financial-assistance-policy>.

NATIONAL ENVIRONMENTAL POLICY ACT (NEPA). NOAA must analyze the potential environmental impacts, as required by the National Environmental Policy Act (NEPA), for applicant projects or proposals which are seeking NOAA federal funding opportunities. Detailed information on NOAA compliance with NEPA can be found at the following NOAA NEPA website: <http://www.nepa.noaa.gov/>, including our NOAA Administrative Order 216-6 for NEPA, http://www.nepa.noaa.gov/NAO216_6.pdf, and the Council on Environmental Quality implementation regulations, http://energy.gov/sites/prod/files/NEPA-40CFR1500_1508.pdf. Consequently, as part of an applicant's package, and under their description of their program activities, applicants are required to provide detailed information on the activities to be conducted, locations, sites, species and habitat to be affected, possible construction activities, and any environmental concerns that may exist (e.g., the use and disposal of hazardous or toxic chemicals, introduction of non-indigenous species, impacts to endangered and threatened species, aquaculture projects, and impacts to coral reef systems). In addition to providing specific information that will serve as the basis for any required impact analyses, applicants may also be requested to assist NOAA in drafting 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. Failure to do so shall be grounds for not selecting an application. In some cases if additional information is required after an application is selected, funds can be withheld by the Grants Officer under a special award condition requiring the recipient to submit additional environmental compliance information sufficient to enable NOAA to make an assessment on any impacts that a project may have on the environment.

FREEDOM OF INFORMATION ACT. Department of Commerce regulations implementing the Freedom of Information Act (FOIA), 5 U.S.C. Sec. 552, are found at 15 C.F.R. Part 4, Public Information. These regulations set forth rules for the Department regarding making requested materials, information, and records publicly available under the FOIA. Applications submitted in response to this Notice of Funding Opportunity may be subject to requests for release under the Act. In the event that an application contains information or data that the applicant deems to be confidential commercial information that should be exempt from disclosure under FOIA, that information should be identified, bracketed, and marked as Privileged, Confidential, Commercial or Financial Information. In accordance with 15 CFR § 4.9, the Department of Commerce will protect from disclosure confidential business information contained in financial assistance applications and other documentation provided by applicants to the extent permitted by law.

MINORITY SERVING INSTITUTIONS. The Department of Commerce/National Oceanic and Atmospheric Administration (DOC/NOAA) is strongly committed to increasing the participation of Minority Serving Institutions (MSIs), i.e., Historically Black Colleges and Universities, Hispanic-serving institutions, Tribal colleges and universities, Alaskan Native and Native Hawaiian institutions, and institutions that work in underserved communities.

DATA SHARING PLAN. 1. Environmental data and information collected or created under NOAA grants or cooperative agreements must be made discoverable by and accessible to the general public, in a timely fashion (typically within two years), free of charge or at no more than the cost of reproduction, unless an exemption is granted by the NOAA Program. Data should be available in at least one machine-readable format, preferably a widely-used or open-standard format, and should also be accompanied by machine-readable documentation (metadata), preferably based on widely used or international standards. 2. Proposals submitted in response to this Announcement must include a Data Management Plan of up to two pages describing how these requirements will be satisfied. The Data Management Plan should be aligned with the Data Management Guidance provided by NOAA in the Announcement. The contents of the Data Management Plan (or absence thereof), and past performance regarding such plans, will be considered as part of proposal review. A typical plan should include descriptions of the types of environmental data and information expected to be created during the course of the project; the tentative date by which data will be shared; the standards to be used for data/metadata format and content; methods for providing data access; approximate total volume of data to be collected; and prior experience in making such data accessible. The costs of data preparation, accessibility, or archiving may be included in the proposal budget unless otherwise stated in the Guidance. Accepted submission of data to the NOAA National Centers for Environmental Information (NCEI) is one way to satisfy data sharing requirements; however, NCEI is not obligated to accept all submissions and may charge a fee, particularly for large or unusual datasets. 3. NOAA may, at its own discretion, make publicly visible the Data Management Plan from funded proposals, or use information from the Data Management Plan to produce a formal metadata record and include that metadata in a Catalog to indicate the pending availability of new data. 4. Proposal submitters are hereby advised that the final pre-publication manuscripts of scholarly articles produced entirely or primarily with NOAA funding will be required to be submitted to NOAA Institutional Repository after acceptance, and no later than upon publication. Such manuscripts shall be made publicly available by NOAA one year after publication by the journal.

More information can be found on NOAA's Data Management Procedures at:

https://nosc.noaa.gov/EDMC/documents/Data_Sharing_Directive_v3.0_remediated.pdf and at NAO 212-15 Management of Environmental Data and Information:

<https://www.noaa.gov/organization/administration/nao-212-15-management-of-environmental-data-and-information>

NOAA SEXUAL ASSAULT AND SEXUAL HARASSMENT PREVENTION AND RESPONSE POLICY.

NOAA requires organizations receiving federal assistance to report findings of sexual harassment, or any other kind of harassment, regarding a Principal Investigator (PI), co-PI, or any other key personnel in the award.

NOAA expects all financial assistance recipients to establish and maintain clear and unambiguous standards of behavior to ensure harassment free workplaces wherever NOAA grant or cooperative agreement work is conducted, including notification pathways for all personnel, including students, on the awards. This expectation includes activities at all on- and offsite facilities and during conferences and workshops. All such settings should have accessible and evident means for reporting violations and recipients should exercise due diligence with timely investigations of allegations and corrective actions.

For more information, please visit: <https://www.noaa.gov/organization/acquisition-grants/noaa-workplace-harassment-training-for-contractors-and-financial>.

SCIENCE INTEGRITY. 1. Maintaining Integrity. The non-Federal entity shall maintain the scientific integrity of research performed pursuant to this grant or financial assistance award including the prevention, detection, and remediation of any allegations regarding the violation of scientific integrity or scientific and research misconduct, and the conduct of inquiries, investigations, and adjudications of allegations of violations of scientific integrity or scientific and research misconduct. All the requirements of this provision flow down to subrecipients. 2. Peer Review. The peer review of the results of scientific activities under a NOAA grant, financial assistance award or cooperative agreement shall be accomplished to ensure consistency with NOAA standards on quality, relevance, scientific integrity, reproducibility, transparency, and performance. NOAA will ensure that peer review of "influential scientific information" or "highly influential scientific assessments" is conducted in accordance with the Office of Management and Budget (OMB) Final Information Quality Bulletin for Peer Review and NOAA policies on peer review, such as the Information Quality Guidelines. 3. In performing or presenting the results of scientific activities under the NOAA grant, financial assistance award, or cooperative agreement and in responding to allegations regarding the violation of scientific integrity or scientific and research misconduct, the non-Federal entity and all subrecipients shall comply with the provisions herein and NOAA Administrative Order (NAO) 202-735D, Scientific Integrity, and its Procedural Handbook, including any amendments thereto. That Order can be found at <http://nrc.noaa.gov/ScientificIntegrityCommons.aspx>. 4. Primary Responsibility. The non-Federal entity shall have the primary responsibility to prevent, detect, and investigate allegations of a violation of scientific integrity or scientific and research misconduct. Unless otherwise instructed by the grants officer, the non-Federal entity shall promptly conduct an initial inquiry into any allegation of such misconduct and may rely on its internal policies and procedures, as appropriate, to do so. 5. By executing this grant, financial assistance award, or cooperative agreement the non-Federal entity provides its assurance that it has established an administrative process for performing an inquiry, investigating, and reporting allegations of a violation of scientific integrity or scientific and research misconduct; and that it will comply with its own administrative process for performing an inquiry, investigation, and reporting of such misconduct. 6. The non-Federal entity shall insert this provision in all subawards at all tiers under this grant, financial assistance award, or cooperative agreement.

REVIEW OF RISK. After applications are proposed for funding by the Selecting Official, the Grants Office will perform administrative reviews, including an assessment of risk posed by the applicant under 2 C.F.R. 200.206. These may include assessments of the financial stability of an applicant and the quality of the applicant's management systems, history of performance, and the applicant's ability to effectively implement statutory, regulatory, or other requirements imposed on non-Federal entities. Special conditions that address any risks determined to exist may be applied. Applicants may submit comments about any information concerning organizational performance listed in the Responsibility/Qualification section of SAM.gov for consideration by the awarding agency.

REVIEWS AND EVALUATION. The applicant acknowledges and understands that information and data contained in applications for financial assistance, as well as information and data contained in financial, performance and other reports submitted by applicants, may be used by the Department of Commerce in conducting reviews and evaluations of its financial assistance programs. For this purpose, applicant information and data may be accessed, reviewed and evaluated by Department of Commerce employees, other Federal employees, and also by Federal agents and contractors, and/or by non-Federal personnel, all of whom enter into appropriate conflict of interest and confidentiality agreements covering the use of such information. As may be provided in the terms and conditions of a specific financial assistance award, applicants are expected to support program reviews and evaluations by submitting required financial and performance information and data in an accurate and timely manner, and by cooperating with the Department of Commerce and external program evaluators. In accordance with §200.303(e), applicants are reminded that they must take reasonable measures to safeguard protected personally identifiable information and other confidential or sensitive personal or business information created or obtained in connection with a Department of Commerce financial assistance award.

REQUIRED USE OF AMERICAN IRON, STEEL, MANUFACTURED PRODUCTS, AND

CONSTRUCTION MATERIALS. If applicable, and pursuant to the Infrastructure Investment and Jobs Act (“IIJA”), Pub.L. No. 117-58, which includes the Build American, Buy American (BABA) Act, Pub. L. No. 117-58, §§ 70901-52 and OMB M-22-11, recipients of an award of Federal financial assistance from the Department of Commerce (DOC) are hereby notified that none of the funds provided under this award may be used for a project for infrastructure unless: 1) all iron and steel used in the project are produced in the United States—this means all manufacturing processes, from the initial melting stage through the application of coatings, occurred in the United States; 2) all manufactured products used in the project are produced in the United States—this means the manufactured product was manufactured in the United States; and the cost of the components of the manufactured product that are mined, produced, or manufactured in the United States is greater than 55 percent of the total cost of all components of the manufactured product, unless another standard for determining the minimum amount of domestic content of the manufactured product has been established under applicable law or regulation; and 3) all construction materials¹ are manufactured in the United States—this means that all manufacturing processes for the construction material occurred in the United States. The Buy America preference only applies to articles, materials, and supplies that are consumed in, incorporated into, or affixed to an infrastructure project. As such, it does not apply to tools, equipment, and supplies, such as temporary scaffolding, brought to the construction site and removed at or before the completion of the infrastructure project. Nor does a Buy America preference apply to equipment and furnishings, such as movable chairs, desks, and portable computer equipment, that are used at or within the finished infrastructure project but are not an integral part of the structure or permanently affixed to the infrastructure project.

WAIVERS. When necessary, recipients may apply for, and DOC may grant, a waiver from these requirements. DOC will notify the recipient for information on the process for requesting a waiver from these requirements. 1) When DOC has made a determination that one of the following exceptions applies, the awarding official may waive the application of the domestic content procurement preference in any case in which DOC determines that: a. applying the domestic content procurement preference would be inconsistent with the public interest; b. the types of iron, steel, manufactured products, or construction materials are not produced in the United States in sufficient and reasonably available quantities or of a satisfactory quality; or c. the inclusion of iron, steel, manufactured products, or construction materials produced in the United States will increase the cost of the overall project by more than 25 percent. A request to waive the application of the domestic content procurement preference must be in writing. DOC will provide instructions on the format, contents, and supporting materials required for any waiver request. Waiver requests are subject to public comment periods of no less than 15 days and must be reviewed by the Made in America Office. There may be instances where an award qualifies, in whole or in part, for an existing waiver described at whitehouse.gov/omb/management/made-in-america.

DEFINITIONS. "Construction materials" includes an article, material, or supply—other than an item of primarily iron or steel; a manufactured product; cement and cementitious materials; aggregates such as stone, sand, or gravel; or aggregate binding agents or additives²—that is or consists primarily of: non-ferrous metals; plastic and polymer-based products (including polyvinylchloride, composite building materials, and polymers used in fiber optic cables); glass (including optic glass); lumber; or drywall. "Domestic content procurement preference" means all iron and steel used in the project are produced in the United States; the manufactured products used in the project are produced in the United States. "Infrastructure" includes, at a minimum, the structures, facilities, and equipment for, in the United States, roads, highways, and bridges; public transportation; dams, ports, harbors, and other maritime facilities; intercity passenger and freight railroads; freight and intermodal facilities; airports; water systems, including drinking water and wastewater systems; electrical transmission facilities and systems; utilities; broadband infrastructure; and buildings and real property. Infrastructure includes facilities that generate, transport, and distribute energy. "Project" means the construction, alteration, maintenance, or repair of infrastructure in the United States. -- 1 Excludes cement and cementitious materials, aggregates such as stone, sand, or gravel, or aggregate binding agents or additives. 2 IIJA, § 70917(c)(1).

Award documents provided by the Grants Officer may contain special award conditions limiting the use of funds for activities that have outstanding environmental compliance requirements. These special award conditions may also include other compliance requirements for the award as applicable and will be applied on a case-by-case basis. Applicants are strongly encouraged to review award documents carefully before accepting a Federal award so they are fully aware of the relevant terms and conditions that have been placed on the award.

Failure to obtain other Federal, State, and local permits, approvals, letters of agreement, or failure to provide information necessary to complete environmental analyses where necessary (i.e., NEPA environmental assessments or documentation) may delay the award of funds if a project is otherwise selected for funding.

Award recipients must comply with Executive Order 12906 regarding any and all geospatial data collected or produced under grants or cooperative agreements. This includes documenting all geospatial data in accordance with the Federal Geographic Data Committee Content Standard for digital geospatial data.

Pursuant to Title 46 U.S.C. Chapter 45, all commercial fishing vessels chartered for NMFS-sponsored research are subject to inspection in accordance with 46 C.F.R. Parts 24, 25, 26, and 28 (as applicable). NMFS financial assistance recipients are responsible for observing all laws and regulations applicable to their funded projects. Award recipients are encouraged to verify inclusion under valid agreements with the United States Coast Guard and seek any required permits or Letters of Designation to safely conduct research aboard a commercial fishing vessel. Obtaining the proper authorizations may prevent work interruptions resulting from enforcement inquiries.

Funding for programs listed in this notice is contingent upon the availability of Federal appropriations. Applicants are hereby given notice that funds may not yet have been appropriated for the programs listed in this notice. NOAA or the Department of Commerce are not responsible for direct costs of proposal preparation except as allowed by the indirect cost agreement. Publication of this announcement does not oblige NOAA to award any specific project or to obligate any available funds. Recipients and sub-recipients are subject to all Federal laws and agency policies, regulations and procedures applicable to Federal financial assistance awards.

INDIRECT COST RATE. If an applicant has not previously established an indirect cost rate with a Federal agency they may choose to negotiate a rate with the Department of Commerce or use the de minimis indirect cost rate of 10% of MTDC (as allowable under 2 C.F.R. §200.414). The negotiation and approval of a rate is subject to the procedures required by NOAA and the Department of Commerce Standard Terms and Conditions. The NOAA contact for indirect or facilities and administrative costs is: Jennifer Jackson, NOAA Grants Management Division, 1325 East West Highway, 9th Floor, Silver Spring, MD 20910, or jennifer.jackson@noaa.gov.

C. Reporting

In accordance with 2 CFR 200.328-9 and the terms and conditions of the award, financial reports are to be submitted on a semi-annual schedule and performance (technical) reports are to be submitted no later than 30 days following the end of each 6-month period from the start date of the award. Reports are submitted electronically through eRA.

The Federal Funding Accountability and Transparency Act, 31 U.S.C. 6101 note, includes a requirement for awardees of applicable Federal grants to report information about first-tier subawards and executive compensation under Federal assistance awards. All awardees of applicable grants and cooperative agreements are required to report to the FFATA Subaward Reporting System (FSRS) available at <https://www.fsr.gov/> on all subawards over \$30,000. Refer to 2 CFR Part 170.

Award recipients will be required to submit financial and performance (technical) reports in accordance with 2 C.F.R. 200.328-330 and the Department of Commerce Financial Assistance Standard Terms and Conditions.

1. All financial reports should be submitted through the NOAA grants management system. Reports will be submitted on a semi-annual schedule and must be submitted no later than 30 days following the end of each 6-month period from the start date of the award. A final report will be submitted 120 days following the end of the award period.

2. Performance Progress Reports must also be submitted to the Federal Program Officer through the NOAA grants management system on a semi-annual schedule and must be submitted no later than 30 days following the end of each 6-month period from the start date of the award. A final report must be submitted 120 days following the end of the award period. Basic information that should be in all report submissions includes the project title, award number, dates of the award period, dates of the reporting period, and the name(s) of the grantee and the principal investigator. Inclusion of media such as photography and statistics (tables, graphs, etc.) to help document programmatic activities in report submissions is also encouraged. Pertinent, captioned photographs of project activities are requested, and may be included within the progress report document.
Semi-annual progress reports should describe the tasks scheduled for the reporting period (from the proposal and amendments) and the tasks that were actually accomplished in the period. The report should also explain any special problems or differences between the scheduled and accomplished work. The performance reports must also include documentation of all fish caught by vessels participating in the project, including catch that may or may not be directly applicable to the research subject matter.
The final, comprehensive report should include an "Executive Summary" of the project accomplishments which briefly and succinctly summarizes the final report for website or publication use. Limit this summary to no more than one page. The suggested format for the final report is:
 3. Report title, author, organization, grant number, date
 4. Executive Summary: a brief and succinct summary of the final report
 5. Purpose:
 1. Detailed description of problem or impediment of fishing industry that was addressed by the project.
 2. Objectives of the project.
 6. Approach:
 1. Detailed description of the work that was performed.
 2. Project management: list individuals and/or organizations actually performing the work and how it was done.
 7. Findings:
 1. Actual accomplishments and findings.
 2. If significant problems developed which resulted in less than satisfactory or negative results, these should be discussed.
 3. Description of need for additional work, if any.
 8. Evaluation:
 1. Describe the extent to which the project goals and objectives were attained. This description should address the following: Were the goals and objectives attained? How? If not, why? Were modifications made to the goals and objectives? If so, explain.
 2. Dissemination of project results: Explain, in detail, how the project's results have been and will be disseminated.
Additional performance reports may be required to comply with Congressional reporting requirements on an annual basis if the above noted reports are not timely for the congressional report.

9. Publications, Videos, and Acknowledgement of Sponsorship: Publication of the results or findings of the funded award activities in appropriate professional journals, outreach materials, or press releases, and production of video or other media is encouraged as an important method of recording and reporting scientific information. These are also constructive means to expand access to federally funded research. The recipient is required to submit a copy of any publication to the funding agency, and when releasing information related to a funded project, include a statement that the project or effort undertaken was or is sponsored by NOAA Fisheries Service. The recipient is also responsible for assuring that every publication of material (including Internet sites and videos) based on or developed under an award, except scientific articles or papers appearing in scientific, technical or professional journals, contains the following acknowledgement and disclaimer: "This project received funding under award [number] from NOAA Fisheries Service, in cooperation with the Bycatch Reduction Engineering Program. The statements, findings, conclusions, and recommendations are those of the author(s) and do not necessarily reflect the views of NOAA Fisheries."
10. The Federal Funding Accountability and Transparency Act, 31 U.S.C. 6101 note. The Federal Funding Accountability and Transparency Act includes a requirement for awardees of applicable Federal grants to report information about first-tier sub-awards and executive compensation under Federal assistance awards. All awardees of applicable grants and cooperative agreements are required to report to the Federal Sub-award Reporting System (FSRS) available at www.FSRS.gov on all sub-awards over \$25,000. Refer to OMB guidance published at 2 C.F.R. Part 170 (2015), accessible at <http://go.usa.gov/cCr8j>.

VII. Agency Contacts

For further information please visit the Bycatch Reduction Engineering Program website at: <https://www.fisheries.noaa.gov/national/bycatch/bycatch-reduction-engineering-program>. Or contact:

Justin Pearce
Office of Sustainable Fisheries
1315 East-West Highway
Silver Spring, MD 20910
301-427-8521

VIII. Other Information