

# NOTICE OF FUNDING OPPORTUNITY

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## Executive Summary

### Federal Agency Name

Fisheries Habitat Conservation Program Office (HCPO)

### Funding Opportunity Title

Restoring Tribal Priority Fish Passage through Barrier Removal Notice of Funding Opportunity under the Bipartisan Infrastructure Law Round 3

### Announcement Type

Competitive

### Funding Opportunity Number

NOAA-NMFS-HCPO-2025-29044

### Assistance Listing Number(s)

11.463

### Dates

The application deadline is February 27, 2025 at 11:59 PM Eastern time. Applications must be received at [www.Grants.gov](http://www.Grants.gov).

NOTE: We strongly encourage all prospective applicants to begin required registrations as early as possible. Completing the required registrations can take four to six weeks, and possibly longer. Submission due dates will not be extended because of registration delays. Applicant organizations must register for three different federal systems prior to submitting an application. Applicants must register through (1) [SAM.gov](http://SAM.gov), (2) [Grants.gov](http://Grants.gov), and (3) eRA Commons (<https://www.era.nih.gov/>).

Applicant organizations 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 in Section VII for submission instructions.

## Funding Opportunity Description

The principal objective of the Restoring Tribal Priority Fish Passage through Barrier Removal Funding Opportunity is to provide federal financial and technical assistance to Indian tribes and organizations that represent Indian tribes through formal legal agreements to remove barriers to fish passage for native migratory or sea-run fish. Funding will be used for fish passage that rebuilds productive and sustainable fisheries, contributes to the recovery and conservation of threatened and endangered species, enhances watershed health, promotes resilient ecosystems and communities, and increases tribal capacity to participate in fish passage barrier removal efforts while improving tribal commercial, recreational, subsistence and cultural practice opportunities. This funding opportunity announcement is authorized under the Infrastructure Investment and Jobs Act (Bipartisan Infrastructure Law (BIL) Public Law 117-58).

Applicants should address the following program priorities:

1. Achieving measurable and lasting benefits for migratory fish populations;
2. Enhancing community resilience to extreme weather and climate hazards and providing other co-benefits;
3. Fostering tribally important barrier removal efforts that benefit migratory fish; or
4. Increasing tribal organization fish passage capacity to support tribes in their role as managers and stewards of tribal trust resources for cultural, spiritual, economic, subsistence, and recreational purposes.

Proposals submitted under this funding opportunity should describe how the proposed work will:

1. Contribute to the recovery of threatened and endangered species listed under the Endangered Species Act;
2. Sustain or help rebuild fish stocks and their prey managed under the Magnuson-Stevens Fishery Conservation and Management Act;
3. Improve passage to support native fish species of the Great Lakes;
4. Enhance the sustainability of saltwater recreational fisheries;
5. Enhance community resilience to climate hazards by removing or improving aging infrastructure and support other co-benefits; or
6. Support hydroelectric license surrender to remove dams that are no longer economically viable or provide significant public benefits.

Proposed activities may include future project development and feasibility studies, engineering and design, permitting, on-the-ground fish passage restoration, pre- and post-removal implementation monitoring, community engagement, and outreach and education. This funding opportunity will also support building tribal capacity to participate in developing current and future fish passage projects. Applicants may apply for funding to support one or more of these activities. Priority will be given to activities with the highest certainty to occur within a 2-3 year award period. Proposals may include multiple locations and should demonstrate how multiple locations collectively contribute to priorities within a watershed or geographic area. Proposals that focus on the removal of barriers will score higher than proposals that install structures that require operations and maintenance.

Proposals selected for funding through this funding opportunity will be funded through cooperative agreements. NOAA anticipates that the period of performance for most awards will be for three years. NOAA anticipates typical federal funding for awards will range from \$500,000 to \$4 million over three years. NOAA will not accept proposals with a federal funding request of less than \$300,000 or more than \$6 million total for the entire award. Funds will be administered by the Community-based Restoration Program within the NOAA Office of Habitat Conservation, as directed in the Bipartisan Infrastructure Law.

# Full Text of Announcement

## I. Funding Opportunity Description

### A. Program Objective

The principal objective of the NOAA's Restoring Tribal Priority Fish Passage through Barrier Removal Funding Opportunity is to provide federal financial and technical assistance to Indian tribes and organizations that represent Indian tribes through formal legal agreements (e.g., tribal commissions, tribal consortia, tribal conservation districts, and tribal cooperatives) (see section III.A for specific Eligibility requirements) to remove barriers to fish passage. NOAA recognizes that healthy fish populations are integral to the living culture of tribes. Funding will be used for fish passage that rebuilds productive and sustainable fisheries, contributes to the recovery and conservation of threatened and endangered species, enhances watershed health, promotes resilient ecosystems and communities, and increases tribal capacity to participate in fish passage barrier removal efforts while improving tribal commercial, recreational, subsistence and cultural practice opportunities. Proposed work may be located on tribal lands, throughout traditional use areas, or in coastal watersheds that support fish populations that are or have been integral to the living culture of tribes. This funding announcement is authorized under the Bipartisan Infrastructure Law (Public Law 117-58), 135 STAT. 1356 (Nov. 15, 2021).

Proposals submitted under this funding opportunity should describe how the proposed fish passage will meet one or more of the following objectives:

1. Contribute to the recovery of threatened and endangered species listed under the Endangered Species Act (ESA) (hereafter, Listed Species), including species identified by NMFS as "Species in the Spotlight" (<https://www.fisheries.noaa.gov/topic/endangered-species-conservation#species-in-the-spotlight>);
2. Sustain or help rebuild fish stocks managed under the Magnuson-Stevens Fishery Conservation and Management Act, 16 U.S.C. 1801 et seq. (hereafter, Managed Species), which includes benefits to Essential Fish Habitat (EFH) for recreationally and commercially important species and their prey (<https://www.fisheries.noaa.gov/national/funding-and-financial-services/program-priorities-habitat-restoration-grants>);
3. Improve passage to support native fish species of the Great Lakes;
4. Enhance the sustainability of saltwater recreational fisheries by restoring habitat that supports the National Saltwater Recreational Fisheries Policy and Implementation Plans (<https://www.fisheries.noaa.gov/national/recreational-fishing/saltwater-recreational-fisheries-engagement-plans>);
5. Enhance community resilience, including to extreme weather and climate hazards, by removing or improving aging infrastructure, and meaningfully engage with or provide benefits to tribal communities. Projects that use natural channel design and low impact development often result in co-benefits such as protection from flooding and extreme weather events, reduced erosion, and creation of public spaces; or
6. Support hydroelectric license surrender to remove dams that are no longer economically viable or provide significant public benefits yet remain in service or are abandoned due to cost and uncertainties regarding their decommissioning and removal.

This is the final round of funding available under the Restoring Tribal Priority Fish Passage Through Barrier Removal Grants under the BIL competition. Consequently, NOAA will prioritize proposed activities that have a high certainty of completion within a 2-3 year award period. NOAA is seeking both projects that are ready for implementation ('shovel ready') and projects that are still in development or focused on capacity building.

Proposed project development activities may include feasibility studies, engineering and design, landowner buy-in and permitting. Proposed project implementation activities may include final design, permitting, on-the-ground fish passage restoration, and pre- and post-removal implementation monitoring. Both types of projects may include community engagement, building the capacity of new and existing restoration partners to manage multi-faceted project design and construction, and education and outreach. This funding opportunity will also support building tribal capacity to participate in developing current and future fish passage projects, either alone or in combination with project development or project implementation activities. Applicants may apply for funding to support any of these activities. Complex barrier removal projects (e.g. dam removal projects, bypasses, culvert replacements on heavily trafficked roads) that include both project development and implementation activities within the same award period will not be competitive. Proposals may include multiple locations throughout a watershed or other geographic area and should demonstrate how multiple locations collectively contribute to priorities within the watershed or geographic area. Proposals that focus on removal of barriers will score higher than proposals that install structures that require operations and maintenance.

Entire segments of our society have been marginalized, underserved, or underrepresented in efforts to prepare for, respond to, recover from, and adapt to weather and climate impacts, despite being at greater risk due to lack of resources, accessibility constraints, and systemic institutional barriers. This includes Tribes and Indigenous People who are disproportionately affected by climate change and face additional institutional barriers in order to adapt to the most severe impacts (Fourth National Climate Assessment). Executive Order 14096 on Revitalizing Our Nation's Commitment to Environmental Justice for All (<https://www.federalregister.gov/documents/2023/04/26/2023-08955/revitalizing-ournations-commitment-to-environmental-justice-for-all>) and Executive Order 13985 on Advancing Racial Equity and Support for Underserved Communities Through the Federal Government (<https://www.federalregister.gov/documents/2021/01/25/2021-01753/advancing-racialequity-and-support-for-underserved-communities-through-the-federal-government>), emphasize the need for federal agencies to take actions to redress unfair disparities and remove barriers to government programs and services. Executive Order 14096 places even greater urgency on the federal government to “. . . build upon and strengthen its commitment to deliver environmental justice to all communities across America.” This program will advance the Biden-Harris Administration's Justice40 Initiative. Established by Executive Order 14008 on Tackling the Climate Crisis at Home and Abroad, the Justice40 Initiative sets the goal that 40 percent of the overall benefits of certain federal investments, such as climate, clean energy, and other areas, flow to disadvantaged communities that are marginalized and overburdened by pollution and underinvestment.

## DEFINITIONS

**Fish Passage:** Fish passage is the ability of fish to move freely between habitats they rely on for food, growth, reproduction, and other needs. Fish passage projects improve the movement of fish within and between their spawning, rearing, and adult habitats by modifying or removing dams, culverts, and other barriers that restrict their migration. For this opportunity, fish passage means native migratory or sea-run fish can move through the barrier site under their own power, at multiple life stages, without delay (also known as “volitional passage”). Fish passage projects include, but are not limited to, dam removal and/or modification; culvert removal and/or replacement; nature-like fishways or bypass channels; and technical fish ladders.

**In-stream Barrier:** An in-stream barrier is any blockage that prevents or reduces the ability of migratory fish to move where needed to survive and complete their life cycle. This funding opportunity focuses on physical barriers, such as dams and culverts. Environmental barriers, such as excess sediment, poor water quality, and temperature or flow variations may be addressed in concert with physical barriers. Barriers may be permanent or temporary, for one or more life stages of migratory fish.

**Native Migratory or Sea-run Fish:** Target fish species under this funding opportunity are those native species that spend a portion of their lives in rivers, floodplains and/or ponds and a portion in the ocean, estuaries, or Great Lakes. Species of native migratory fish include salmon, steelhead trout, shad, river herring, American eel, and sturgeon, among others. These species migrate to their spawning and rearing habitats to reproduce and may be referred to as anadromous, sea-run, diadromous, catadromous, or potadromous, depending on where they begin and end their migration. Native migratory or sea-run fish will be abbreviated as “migratory fish” in this document.

**Co-Benefits of Restoration:** This term refers to the multiple benefits of restoration that extend beyond biologically relevant benefits to target species. This includes contributions to ecosystem and community resilience, increased business opportunities, public community revitalization, recreational opportunities, support for cultural practices, reduced safety hazards, or reduced maintenance costs. Co-benefits are often measured through socioeconomic methods.

**Community Resilience:** This term refers to the capacity of a human community to withstand, respond to, and/or recover rapidly from disturbances linked to extreme weather events and climate hazards. Community resilience can also include the ability to plan and prepare for adverse effects of extreme weather events or climate hazards, and the capacity to adapt to changing environmental conditions.

**Ecosystem Resilience:** This term refers to the capacity of an ecosystem to absorb, withstand, respond to, and/or recover rapidly from disturbances linked to extreme weather events and climate hazards. Resilient ecosystems can resist damage from extreme weather events or climate hazards, while retaining or having the ability to recover their inherent structure and ecological function.

**Underserved Communities:** This term refers to populations sharing a particular characteristic, as well as geographic communities, which have been systematically denied a full opportunity to participate in aspects of economic, social, and civic life. Underserved communities are defined in Executive Order 13985: <https://www.federalregister.gov/documents/2021/01/25/2021-01753/advancing-racial-equity-and-support-for-underserved-communities-through-the-federal-government>.

**Indigenous Knowledge (including Tribal Knowledge and Traditional Ecological Knowledge (TEK)):** This term refers to the cumulative body of knowledge, practice, and belief evolving by adaptive processes and handed down through generations by cultural transmission, about the relationship of living beings (including humans) with one another and with their environment. NOAA recognizes the importance of indigenous peoples’ traditional knowledge for understanding the environment, adapting to environmental change, and mitigating negative environmental impacts. Our definition is drawn from NOAA guidance and is consistent with the November 15, 2021 Executive Memo on Indigenous Traditional Ecological Knowledge and Federal Decisions Making, found at <https://www.whitehouse.gov/wp-content/uploads/2021/11/111521-OSTP-CEQ-ITEK-Memo.pdf>.

**Meaningful Engagement:** This term refers to communities having an opportunity to be an integral part of the visioning, decision-making, or leadership for activities that may affect their environment and/or health and wellbeing. Meaningful engagement relies on the involvement of those potentially affected in a manner that builds trust and addresses barriers to community participation to ensure that the scope of the activities is inclusive of the priorities and needs of communities and that the benefits of the activities flow back to the community.

## **B. Program Priorities**

Successful proposals will be those that meet the evaluation criteria (Section V.A) most strongly. Applicants should address at least one of the following program priorities, which are the basis for the Importance and Applicability evaluation criteria:

**1. Achieving measurable and lasting benefits for migratory fish populations.** NOAA prioritizes proposed work that will achieve measurable, sustainable, and lasting benefits for migratory fish populations. Proposals that focus on removal of barriers will receive higher priority (e.g., dam removals will receive higher priority than installation of structures that require operations and maintenance, such as fish ladders).

**2. Enhancing community resilience to extreme weather and climate hazards and providing other co-benefits.** Applicants should describe how the proposed fish passage will benefit human populations within or near the project site(s), and how these actions will reduce vulnerability to the extreme weather and climate hazards that are most threatening to the local communities. Applicants may also describe how the proposed work will enhance the ability to plan and prepare for adverse effects of extreme weather events or climate hazards or provide additional co-benefits to the community (e.g., economic vitality, increased access to natural resources). Co-benefits are defined in Section I.A.

**3. Fostering tribally important barrier removal efforts that benefit migratory fish.** This solicitation will fund restoration of habitats that improve migratory fish populations important to tribes, including usual and accustomed areas, habitat important for enhancing tribal treaty reserved fishing rights or native subsistence fishing, and tribal trust fishing opportunities. Applicants should refer to tribal knowledge, watershed plans, resilience plans, or other fishery-related strategic planning, conservation, or management documents to show the tribal importance of the proposed work.

**4. Increasing tribal organization fish passage capacity to support tribes in their role as managers and stewards of tribal trust resources for cultural, spiritual, economic, subsistence, and recreational purposes.** Proposals may include activities that build tribal capacity (such as supporting tribal staff positions) to work on the fish passage project development process, including reviewing project locations, reviewing design plans, conducting field assessments, leading fish passage projects guided by tribal knowledge, and/or managing multi-faceted fish passage project design and construction.

Additional resources for Program Priorities are available at:

<https://www.fisheries.noaa.gov/national/funding-and-financial-services/program-priorities-habitat-restoration-grants>.

## **C. Program Authority**

The Secretary of Commerce is authorized under the following statutes to provide grants and cooperative agreements for habitat restoration and conservation: Fish and Wildlife Coordination Act 16 U.S.C. 661, as amended by the Reorganization Plan No. 4 of 1970; Magnuson-Stevens Fishery Conservation and Management Reauthorization Act of 2006, 16 U.S.C. 1891a; and Endangered Species Act, 16 U.S.C. 1535. The NOAA Administrator is authorized under the following statute to support formal and informal educational activities at all levels: the America COMPETES Act, as amended, 33 U.S.C. 893a. This funding opportunity announcement is authorized under the (Bipartisan Infrastructure Law (BIL) Public Law 117-58).

## **II. Award Information**

### **A. Funding Availability**

NOAA anticipates up to \$20 million will be available under this opportunity. NOAA will not accept proposals with a federal funding request of less than \$300,000 or more than \$6 million for the entire award.

NOAA anticipates typical federal funding awards will range from \$500,000 to \$4 million. NOAA expects that any single fish passage project that is awarded the maximum allowed requested (up to \$6 million) will have significant ecological impact, detailed and credible cost estimates and clear justifications, and construction readiness.

Funds will be administered by the Community-based Restoration Program within the NOAA Office of Habitat Conservation. The exact amount of funds that may be awarded will be determined in pre-award negotiations between the applicant and NOAA. NOAA or the Department of Commerce are not responsible for direct costs of application preparation. Publication of this announcement does not oblige NOAA to award any specific project or to obligate any available funds. The number of awards to be made as a result of this funding opportunity announcement will depend on the number of eligible applications received, the amount of funds requested, and the merit and ranking of the applications.

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

NOAA requests a period of performance for most awards of two to three years.. The earliest anticipated start date for awards will be January 1, 2026. Both federal and non-federal match pre-award costs will be considered during pre-award negotiations between the applicant and NOAA. Incurring pre-award costs before NOAA GMD offers a grant is at the applicant's own risk. Award periods may be extended, at the discretion of NOAA and based on project needs, up to the extent legally allowable. This is typically a maximum award length of five years.

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

Selected applications will be funded through cooperative agreements, as described in 2 C.F.R. Sec. 200.1, meaning that NOAA expects to be substantially involved in many aspects of the awards.

Substantial involvement may include, but is not limited to, collaboration on the scope of work, providing assistance with technical aspects of the habitat restoration project, review and comment on design plans, and review of procurement materials to the extent authorized by 2 C.F.R. Sec. 200.325.

# **III. Eligibility Information**

## **A. Eligible Applicants**

Eligible applicants are Indian tribes (as defined in 25 U.S.C. Section 5304 (e)) and organizations that represent Indian tribes through formal legal agreements (e.g., tribal commissions, tribal consortia, tribal conservation districts, and tribal cooperatives). 23.U.S.C. Section 5304 (e) states that '(e)"Indian tribe" or "Indian Tribe" means any Indian tribe, band, nation, or other organized group or community, including any Alaska Native village or regional or village corporation as defined in or established pursuant to the Alaska Native Claims Settlement Act (85 Stat. 688) [43 U.S.C. 1601 et seq.], which is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians.'

Organizations that represent Indian tribes through formal legal agreements are encouraged to provide a clear description and supporting documentation (e.g., letters of support, Memoranda of Understandings) in the application, demonstrating a relationship between the tribe(s) and organization. The documentation is further described in this Announcement in Section IV.B., Content and Form of Application. Documentation should be submitted as part of the grant application.

An institution of higher education, non-profit organization, commercial (for profit) organization, U.S. territory, or state or local government, and organizations that identify as Indian tribes but do not meet the definition of "Indian tribe" above, which may include state recognized tribes, can partner with Indian tribes and organizations that represent Indian tribes through formal legal agreements, but are not eligible to submit an application directly. A partnership may involve proposed subawards, contracts, informal collaboration, or other engagement. These partners may apply directly for separate NOAA funding opportunities for restoring fish passage published at [www.grants.gov](http://www.grants.gov).



Applications from federal agencies or employees of federal agencies will not be considered. Federal agencies interested in this program are strongly encouraged to work with applicants who are eligible to apply.

Applicants must propose work in areas that benefit United States migratory fish as defined in the Program Objective (Section I.A). Eligible applicants for Great Lakes projects must propose work within the Great Lakes basin within one of the eight U.S. Great Lakes states (New York, Pennsylvania, Ohio, Michigan, Indiana, Illinois, Wisconsin, and Minnesota).

## **B. Cost Share or Matching Requirement**

There is no non-federal matching requirement for this funding and it is not included in the evaluation criteria. NOAA desires cost sharing to encourage partnerships among government, community, industry, and academia. NOAA encourages applicants whose proposed initiatives exceed the budgetary limits for this competition to apply to this competition and other, complementary federal funding for separate components of their larger initiatives. In these situations, NOAA will coordinate as necessary with other agencies to assure that funding is not duplicated and that the complementary components will support completion of the larger initiative.

Non-federal match funds may be optionally included within the application to demonstrate community support for the proposed work. Applicants should refer to 2 C.F.R. 200.306 for cost sharing or matching policies.

Applicants whose proposals are selected for funding will be bound by the percentage of match reflected in the award document signed by NOAA's Grants Management Division, unless amended based on extenuating circumstances. NOAA is under no obligation to amend the matching contributions once the award document is signed by the recipient. Successful applicants should be prepared to carefully document matching contributions.

## **C. Other Criteria that Affect Eligibility**

All applications must be submitted by the due date and time provided in Section IV.D. Application submission date and time should be documented by the applicant by electronic submission to Grants.gov, a U.S. Postal Service postmark, or a delivery service receipt. Applicants should consider the possibility of unforeseen impacts from natural hazards that could affect internet access and use of Grants.gov on or before application due dates. Applicants should be aware that localized hazardous weather, monthly scheduled Grants.gov weekend maintenance, or other situations that impact the ability to submit application packages may not result in changes to the application deadline. Information regarding electronic submission through Grants.gov and regarding submitting paper applications is contained in Section IV.G. All applications MUST contain ALL required forms and proposals will be reviewed for eligibility, completeness, and responsiveness to this funding announcement. Failure to submit forms may result in disqualification from this competition. See Section IV.G for more details.

NOAA will not accept proposals with a federal funding request of less than \$300,000 or more than \$6 million for the entire award.

The following information describes ineligible project proposal types and activities:

1. Activities that are required by a separate local, state, or federal consent decree, court order, Federal Energy Regulatory Commission (FERC) exemption or license condition, statute, or regulation are not eligible. Applicants planning to combine grant or matching funds with mitigation should review the Compensatory Mitigation for Losses of Aquatic Resources Final Rule at 73 Fed. Reg. 19594 (April 10, 2008). NOAA plans to follow the approach adopted by some other federal agencies on Page 19636 that describes scenarios where mitigation credits may or may not be obtained in association with federal financial incentives.

2. Projects solely focused on effectiveness monitoring and research are not eligible project types for this competition. Effectiveness monitoring that contributes to tribal capacity building may be considered eligible for funding in this competition. The NOAA Office of Habitat Conservation values effectiveness monitoring and research, but funds are not included within this funding opportunity to support monitoring and research focused projects. Effectiveness monitoring is longer-term than implementation monitoring, and often requires detailed field investigations of multiple physical, biological, and geochemical processes. Implementation monitoring, as discussed in Section IV.B and V.A.2(c), is an eligible activity, as is the tracking of performance measures and metrics. To find out more about effectiveness monitoring and regional contacts with which to discuss ideas, visit <https://www.fisheries.noaa.gov/national/habitat-conservation/monitoring-and-evaluation-restoration-projects>. Proposals for effectiveness monitoring that do not qualify for other NOAA competitive funding may be eligible for NOAA's Broad Agency Announcement, posted on [Grants.gov](#).

## IV. Application and Submission Information

### A. Address to Request Application Package

Complete application packages, including required federal forms and instructions, can be found on [www.Grants.gov](http://www.Grants.gov). If a prospective applicant is having difficulty downloading the application forms from [www.Grants.gov](http://www.Grants.gov), contact [www.Grants.gov](http://www.Grants.gov) Customer Support at 1-800-518-4726 or [support@Grants.gov](mailto:support@Grants.gov). If an applicant does not have internet access, application materials may be requested from Janine Harris by phone at 301-427-8635 or email at [infrastructure.tribal@noaa.gov](mailto:infrastructure.tribal@noaa.gov). Information about the recommended format for applications is contained in Section IV.B.

### B. Content and Form of Application

A complete, standard NOAA financial assistance application package should be submitted, as described below. Each proposal must include the following federal application forms. The Standard Form (SF)-424 family is available in the [Grants.gov](http://www.Grants.gov) application package but may be downloaded from <https://www.grants.gov/forms/forms-repository/sf-424-family>.

- 1) SF-424: Application for Federal Assistance
- 2) SF-424A: Budget Information for Non-construction Programs
- 3) SF-424B: Assurances for Non-construction Programs
- 4) CD-511: Certification Regarding Lobbying
- 5) SF-LLL (if applicable): Disclosure of Lobbying Activities

In addition to the federal application forms, NOAA recommends the following components as part of a complete application package. Page limits assume an 11- or 12-point font and 1-inch margins. Components should be organized into a maximum of three flattened (3) PDF files outlined below, with a maximum of 75 combined pages. It is recommended that file sizes not exceed 100MB in order to preserve the applicant's formatting. Additional information on formatting attachments can be found here: <https://grants.nih.gov/grants/how-to-apply-application-guide/format-and-write/format-attachments.htm>

- PDF 1. Project Summary and Project Narrative (20 page limit)
- PDF 2. Budget Narrative (10 page limit)
- PDF 3. Supplemental Materials and Project Designs (up to 45 pages)

Reviewers will only review 75 pages of material (in addition to required forms). The application should follow the organization of the evaluation criteria (see Section V.A) to receive a consistent review against competing applications. The information provided below may help you address the evaluation criteria.

## PDF 1. PROJECT SUMMARY and PROJECT NARRATIVE (20 page limit)

### PROJECT SUMMARY (2 page limit)

(1) Applicant Organization

(2) Project Title

(3) Site Location. Include the geographic coordinates and describe the tribal lands the project is on (if applicable), and/or traditional use areas, or coastal water that support fish populations that are or have been integral to the living culture of tribes. If multiple sites are proposed, please include a map or description of all sites.

(4) Brief Project Description:

- Project Goals. Describe the expected measurable benefit to the project's target species. Include stream miles to be made accessible to migratory fish, number of in-stream barriers removed, and any other anticipated long-term benefits, so that reviewers can understand the scale and meaning of your proposed project in the context of the watershed. Describe the target fish populations and life stages that will benefit from the proposed fish passage projects, and their relative abundance in the proposal's area of benefit, including whether they are Listed or Managed species, or species native to the Great Lakes.

- Regional and Watershed Context. Describe the watershed where the in-stream barriers are located. Describe how the proposed work is important to tribes, including if the work will improve habitat quality upstream of target barriers, status of fish runs in the watershed, and habitat important for enhancing tribal treaty fishing rights or native subsistence fishing. Describe any actions that will build tribal capacity to participate in the fish passage project development process. Identify any federally owned or hydroelectric dams in the watershed.

- Timeline. Provide a timeline of all project activities to be supported through this proposal, including an indication of when activities will begin and end. Include the status of any project designs in progress.

(5) Landowner and Community Outreach. Describe progress in conducting outreach to in-stream barrier owners, land managers, and a diverse set of community members, including permitting agencies. Include the status of access agreements necessary to complete the project.

(6) Funding Request. Include the total request for NOAA funds for each year of the project period. If other leveraged funds are necessary to complete the project, include the status of the funds (e.g., not applied for, pending, secured) and outline the sources and amounts. If you anticipate addressing multiple in-stream barriers, provide the estimated NOAA request for each barrier. If space is limited, provide a summary here and include a full description in the Project Narrative, Budget Narrative, or Supplemental Materials.

### PROJECT NARRATIVE (18 page limit)

Proposals are evaluated based on the criteria described in Section V.A, Evaluation Criteria. Please review that section for a full description of topics to include in your project narrative. The following information provides guidance for how to respond to the evaluation criteria. For more information on program priorities and other goals outlined below, applicants should visit: <https://www.fisheries.noaa.gov/national/funding-and-financial-services/priorities-habitat-restoration-grants>.

(1) **Importance and Applicability.** As you address the evaluation criteria in Section V.A., describe the project's importance and context within the natural and human environment.

(a) **Priority for Migratory Fish.** Applicants should describe how the proposed actions will benefit the target species. This may include the number of stream miles and quality of spawning and rearing habitat to be made accessible for migratory fish, the distance to the next upstream blockage, and any downstream blockages or seasonal impediments to fish passage. For projects including or solely focused on organizational capacity building, applicants should describe how the proposed work will support tribes in their roles as managers and stewards of tribal trust resources, including how the proposed work will increase organizational capacity to provide direct habitat benefits. For example, applications can propose funding for tribes for staff for fish passage capacity building or training for existing and new tribal staff.

Applicants should refer to watershed plans or other fishery-related strategic planning, conservation, or management documents, as appropriate to the proposed work. Applicants should describe how the proposed actions support the recovery or sustainability of Listed Species, and Managed Species and their prey resources, saltwater recreational fisheries, and/or native fish species of the Great Lakes. For proposals addressing Listed Species, proposed actions should align with ESA Recovery Plans for target species. For proposals targeting Managed Species, proposed actions should be consistent with Fishery Management Plans and should address benefits to Essential Fish Habitat (EFH) for recreationally and commercially important species and their prey. For proposals addressing saltwater recreational fisheries, applicants should identify how proposed actions align with one of the six guiding principles of the National Saltwater Recreational Angler Policy. The policy's goal of supporting sustainable saltwater recreational fisheries resources, including healthy marine and estuarine habitats, is guided by the principle of supporting ecosystem conservation and enhancement through restoration and science-based enhancements and conservation of forage fish. For proposals targeting the Great Lakes, applicants should describe how the habitat restoration actions will benefit native fish species.

(b) **Enhancing community resilience to extreme weather and climate hazards and providing other co-benefits:** Applicants should describe how the proposed restoration will benefit populations within or near the project site(s), and how these actions will promote resilience to the weather and climate hazards that are most threatening to the local communities. Applicants may also describe how the proposed work will enhance the ability to plan and prepare for adverse effects of extreme weather events or climate hazards. Projects that use natural channel design and low impact development often result in socioeconomic co-benefits including, but not limited to, protection from flooding and extreme weather events, reduced erosion, and creation of public spaces. Proposals should include descriptions of anticipated benefits and co-benefits within the spatial and temporal context of the proposed restoration. Co-benefits are defined in Section. I.A.

Proposals may include specific metrics within the Project Narrative to capture the impact or scale of the proposed work on community resilience and other expected co-benefits such as public safety or community enhancement. Public safety benefits may include infrastructure improvements, removal of physical hazards, or flood risk reduction and potential metrics could include number of structures improved; number of structures protected from flooding or storm surge; or changes in flood heights. Community enhancement benefits may include recreational or economic improvements with potential metrics such as number of new recreational access points or avoided or reduced maintenance costs. For more information on developing socioeconomic performance metrics for restoration projects, applicants should visit: <https://www.fisheries.noaa.gov/national/funding-financial-services/program-priorities-habitat-restoration-grants#how-do-i-demonstrate-that-a-project-enhances-community-and-tribal-resilience>.

(c) **Tribal Priority:** Applicants should refer to watershed plans or other fishery-related strategic planning, conservation, or management documents, as appropriate, to show the barrier removal work is a tribal priority and should describe how they considered tribal knowledge (including Traditional Ecological Knowledge) in planning the proposed work. Applications from organizations that represent Indian tribes through formal legal agreements should clearly show the prominent role of tribes in the proposed work.

(2) **Technical and Scientific Merit.** To address the evaluation criteria in Section V.A., proposals should describe in detail the actions to be undertaken to remove in-stream barriers. We anticipate some proposals may include multiple in-stream barriers to fish passage. If page limits are restrictive, focus the application on the technical aspects of those actions with highest priority funding needs.

(a) **Project Site Characteristics and Methods.** For each in-stream barrier, applicants should identify the project phase(s) proposed (e.g., feasibility study and diverse community engagement, design, construction) and proposed fish passage techniques. For instance, if feasibility and design activities are proposed, the narrative should include the scope of services or tasks. If project implementation is proposed, the latest designs should be attached as described in PDF 3 Supplemental Materials and Project Designs, below.

The following are suggested technical details applicants can include about the proposed fish passage projects and their locations:

- The past and present conditions of the fish passage barrier, including the barrier dimensions (e.g., height, width), impoundment size, and its age and purpose;
- Information on the historic and anticipated fish passage at the site;
- If there are any other barriers in the watershed upstream and downstream of the project site and their passage status (total barrier, partial barrier, temporal barrier, etc.);
- How the preferred alternative for barrier removal was determined by the community and a description of how the process included tribal considerations and tribal knowledge;
- The in-stream barrier owners, land managers, and a diverse community base, including permitting agencies, that have been identified for the proposed work;
- Potential changes to hydrology and flooding regimes as a result of the restoration activities, both upstream and downstream;
- The amount and characterization of sediments behind the barrier and potential sources of sediment contamination within the watershed;
- The likelihood of historic and cultural resources in the area;
- Safety considerations (e.g., structural integrity of the barrier, likelihood of failure, attractive nuisance conditions); and/or
- Issues and potential control strategies regarding aquatic invasive species (e.g., in the Great Lakes (see additional requirements below in Supplemental Materials section)).

(b) **Project Description and Milestones.** A strong project narrative will include a timeline with key milestones identified and will detail how the project(s) will be completed within the 2-3 year award period. If tribal capacity is a component of the proposals, timelines and milestones should also show efforts to build tribal capacity to participate in developing current and future fish passage projects. A complete project description should include all relevant phases of the planned work including community input from a diverse range of sources, initial feasibility studies, design, permitting, construction, project implementation monitoring, and operation and/or maintenance, if applicable. Proposals that include multiple sites should describe the proposed activities for each site within the project narrative. All proposed activities should be accompanied by detailed timelines. This includes identifying consultation and permitting requirements and their status (e.g., not applied for, pending, secured), and incorporating the likely award start date (e.g., January 1, 2026) and species-specific work windows. As stated in the Program Objective, complex barrier removal projects (e.g. dam removal projects, bypasses, complex culvert replacements) that include both project development and implementation activities within the same 2-3 year award period will not be competitive.

Project timelines should include necessary time to address common delays such as acquiring diverse partner and community support, permitting, cost increases, and weather events. For projects with permits or National Environmental Policy Act (NEPA) documents completed or under development, please indicate the status and level of NEPA review (i.e., Categorical Exclusion, Environmental Assessment, or Environmental Impact Statement), lead federal agency, and contact information for the lead agency person. See also Section VI.B. of this announcement.

(c) **Fish Passage Implementation Monitoring and Evaluation.** Proposals should include a discrete Implementation Monitoring Plan or describe the process for developing and implementing a Monitoring Plan. This may be included either within the body of the narrative or as part of the Supplemental Materials. Monitoring plans should address all proposed fish passage barriers in a comprehensive and coordinated manner, focused on implementation monitoring. All projects, regardless of their place in the project development lifecycle, should be included. Applicants should be willing to work with NOAA to adjust the plan, if necessary, to ensure that the proposed parameters are meaningful and meet the requirements below.

Implementation monitoring for fish passage projects is described in the NOAA Restoration Center Implementation Monitoring (Tier 1) Guidance available at <https://www.fisheries.noaa.gov/national/habitat-conservation/monitoring-and-evaluation-restoration-projects#more-information>. This document provides an overview of the Restoration Center's preferred monitoring plan structure and describes fish passage implementation metrics for dam removals and culvert removal/replacement. For project types not described, such as fish ladders, monitoring metrics should propose sufficient, cost-effective monitoring metrics that will assess whether the restoration actions were carried out as designed. Proposals should: 1) include parameters that evaluate short-term structural changes at the project site(s) (e.g., as-built surveys), and may also include a basic measure of success (e.g., presence/absence of target species); 2) propose pre-implementation data collection, when applicable; 3) include parameters with quantitative or clearly defined targets; and 4) include parameters with targets that can be evaluated within approximately one year after project implementation.

While the NOAA Office of Habitat Conservation values effectiveness monitoring and research, funds are not included within this solicitation to support these efforts. Effectiveness monitoring is longer-term than implementation monitoring, and often requires detailed field investigations of multiple physical, biological, and geochemical processes. Effectiveness monitoring that contributes to tribal capacity building may be considered eligible for funding in this competition. Proposals for effectiveness monitoring that do not qualify for other NOAA competitive funding may be eligible for NOAA's Broad Agency Announcement, posted on Grants.gov.

(d) **Sustainability.** Applicants should describe how the proposed restoration design, methodology, and techniques provide for ecosystem resilience to extreme weather events or adaptation to potential climate change impacts at the project site. An operations and maintenance plan should be considered when applicants are proposing to install structures that require ongoing operation and maintenance to be effective and resilient to weather and climate hazards, such as fish passage devices, fishways, or tide gates. For capacity only awards, applicants should describe how the proposed tribal capacity building will contribute to self-sustaining fish passage projects to accomplish the tribe's goals.

(3) **Overall Qualifications of Applicants.** To address the evaluation criteria in Section V.A., proposals should fully describe the applicant and partners' ability to develop and/or manage habitat restoration and fish passage projects. Applicants should include descriptions of past relevant experience and capacity to successfully complete the proposed work. Training and experience should be described in both fish passage qualifications and management capacity. Examples of prior efforts that demonstrate qualifications include: meaningful community engagement, incorporating tribal knowledge in fish passage project planning, design, construction, and monitoring; environmental compliance; and effective fiscal management of grant awards, especially those similar in size to the current request. Include brief resumes or curriculum vitae (CV) for up to five (5) key staff from the applicant organization, partnering

organizations, and/or subrecipients and subcontractors, as described under the Supplemental Information section below.

(4) **Project Costs.** To address the evaluation criteria in Section V.A., proposals should follow the guidance under PDF 2. Budget Narrative, as fully described below.

(5) **Outreach and Education.** To address the evaluation criteria in Section V.A., proposals should describe how the proposed activities will include tribes and meet the holistic needs of the tribal community.

(a) **Community Support.** Proposals should describe any completed, in-progress, or planned outreach to in-stream barrier owners. Letters of support should be provided to show broad support for the project, including documentation of approval from fish passage barrier owners for implementation projects. Applicants may demonstrate community support through optional non-federal match or cost sharing, as described in support letters. Letters of support should be included in Supplemental Materials and Project Designs (PDF 3) for evaluation under this criterion.

(b) **Inclusive Planning and Engagement.** Proposals should demonstrate meaningful engagement of the local community, including the tribal communities. Proposals should describe how any barriers to engaging in project planning or accessing the project benefits will be addressed including addressing any potential unintended consequences of restoration such as green gentrification. Meaningful engagement concepts and examples of activities are described in the NOAA Restoration Center Meaningful Engagement of Tribes and Underserved Communities overview document available at: <https://www.fisheries.noaa.gov/national/funding-financial-services/program-priorities-habitat-restoration-grants#how-do-i-demonstrate-the-meaningful-engagement-of-local-tribal-andor-underserved-communities-in-my-project>.

(c) **Community Outreach and Education.** Proposals should include an outreach and education strategy that describes how information about fish passage barrier removal goals and results will be shared with the local community, including tribal members. Proposals may include how outreach and education will include sharing tribal knowledge with the wider community.

## **PDF 2. BUDGET NARRATIVE (10 page limit)**

Reviewers will evaluate project costs by reviewing your budget narrative. Your budget narrative should describe project costs in the following categories, also referred to as SF-424A Object Classes: Personnel, Fringe Benefits, Travel, Equipment, Supplies, Contractual, and Other. The sum of funds requested under these Object Classes should be described as Total Direct Costs. The costs required for organizational operation that cannot be easily associated with an individual project or program should be described as Indirect Costs. Organizations with a federally Negotiated Indirect Cost Rate Agreement (NICRA) should include a copy of the approved NICRA in Supplemental Materials and Project Designs (PDF 3). Organizations without a NICRA may claim the 15% de minimis rate for calculating indirect charges on the Modified Total Direct Costs (see 2 C.F.R. 200.1 for definitions). Refer to Section IV.F of this announcement for more information about indirect costs. All Object Class costs in the budget narrative should equal those entered on the SF-424A. NOAA staff will review budget information in recommended applications to determine if costs are allowable, allocable, reasonable, and necessary.

For projects with contractual components, applicants must follow procurement standards set forth in 2 C.F.R. § 200.317-200.327. If the proposal is considered for funding, NOAA Grants Management Division reviewers will be looking for information on the procurement methods used for each contract, as defined in 2 C.F.R. § 200.320. Applicants are encouraged to provide separate budgets for each contract and they must provide budgets for each contract in excess of \$250,000, to determine whether proposed costs are reasonable, necessary, allowable, and allocable. For contracts that are not yet in place at the time of submitting the proposal, the budget narrative must include an explanation of how contractual costs were estimated and what procurement methods they will use to select contractors.



In addition to dividing the Budget Narrative into object classes, separating costs by milestone or purpose may be valuable to reviewers. Award costs should be divided into annual funding requests to show anticipated expenditure rates. If NOAA funding will be used to complete part of a larger project, a budget overview for the entire project should be provided to demonstrate how the NOAA request relates to the overall project budget and is needed for successful project implementation.

If a project has been submitted for funding consideration elsewhere, the amount(s) requested or secured from other funding sources, and whether the funds requested/secured are federal or non-federal, should be included. Please indicate if you are using federal funds, non-federal funds or a combination of both as leverage. Leverage includes all other funding, including other federal funds, that contributes to completion of the project, but is not being proposed as a legally required, non-federal match.

The NOAA Restoration Center has provided guidance regarding the level of detail required to determine if costs are allowable, allocable, and reasonable in the "Supplemental Instructions" at:

<https://www.fisheries.noaa.gov/national/habitat-conservation/resources-noaa-restoration-center-applicants#restoration-budget-guidance>.

### **PDF 3. SUPPLEMENTAL MATERIALS AND PROJECT DESIGNS (up to 45 pages)**

All supplemental attachments should be combined into one file which includes a cover page that lists the documents and associated page numbers. This should be uploaded under the "Other Attachments Form" in Grants.gov.

- (1) Include a map or aerial photo with nearby towns and/or roads labeled and with the site location(s) highlighted.
- (2) Include resumes or descriptions of past project management experience for up to five (5) key personnel (approximately 5 pages total) including examples of similar scale projects.
- (3) Include letters of support from a diverse range of partners, as described under Outreach and Education (Sec. V.A.5(a)). If applicable, include a letter documenting support or permission from any private owners or public land managers to conduct work at the proposed site(s). Letters of support should demonstrate consultation with invasive species management programs, as relevant to the project site. Specifically, if a project is proposing fish passage in the Great Lakes, proposals must include appropriate documentation demonstrating consultation with and support from the U.S. Fish and Wildlife Service Sea Lamprey Barrier Program. Please contact Kevin Mann ([kevin\\_mann@fws.gov](mailto:kevin_mann@fws.gov)) for consultation.
- (4) If applicable, and not included in the Project Narrative, include an Implementation Monitoring Plan (2 page limit), as described above in Section IV.B.
- (5) Include any other relevant supporting materials, such as federally Negotiated Indirect Cost Rate Agreements, site photos, etc.
- (6) If available, project designs and basis of design reports should be included in the application for reviewers to comprehensively assess the technical merit of the proposed fish passage actions(s). Relevant sections of construction specifications, scopes of work for services, and cost estimates may also be provided. Please do not attach feasibility studies or watershed plans- the critical components of those documents should be summarized in the Project Narrative. Please remember that reviewers will only review a maximum of 75 pages for your application package.

A Data Management Plan is not required as part of the Proposal, but may be required prior to the award. See IV.B., Administrative and National Policy Requirements.

## **C. Unique Entity Identifier and System for Award Management (SAM)**



To enable the use of a universal identifier and to enhance the quality of information available to the public as required by the Federal Funding Accountability and Transparency Act, 31 U.S.C. 6101 note, to the extent applicable, any proposal awarded in response to this announcement will be required to use the System for Award Management (SAM), which may be accessed online at [www.sam.gov](http://www.sam.gov).

Each applicant (unless the applicant is an individual or Federal awarding agency that is excepted from those requirements under 2 CFR 25.110(a)), 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**

The application deadline is February 27, 2025 at 11:59 PM Eastern time. See Section III.C. and IV.G. for more information.

#### **E. Intergovernmental Review**

Applications under this Program are not subject to Executive Order 12372.

#### **F. Funding Restrictions**

The budget may include indirect (facilities & administrative [F&A]) costs if the applicant has an established indirect cost rate with the federal government. As defined at 2 C.F.R. § 200.1, indirect (F&A) costs are incurred for a common or joint purpose benefitting more than one cost objective, and not readily assignable to the cost objectives specifically benefited, without effort disproportionate to the results achieved (e.g., lights, rent, water, and insurance). A copy of the current, approved negotiated indirect (F&A) cost agreement with the federal government should be included with the application. In accordance with 2 C.F.R. § 200.414(f), an applicant that does not have a current negotiated (including provisional) indirect cost rate, may elect to charge a de minimis rate of 15% of modified total direct costs (MTDC), describe all costs as direct costs in the budget narrative, or establish a new rate through their cognizant agency for indirect costs as defined under 2 C.F.R. § 200.1. The NOAA contact for establishing an indirect rate through the Department of Commerce or facilities and administrative costs is Jennifer Jackson in the NOAA Grants Management Division ([jennifer.jackson@noaa.gov](mailto:jennifer.jackson@noaa.gov)).

#### **G. Other Submission Requirements**

Applicants are encouraged to submit applications electronically through [www.Grants.gov](http://www.Grants.gov). Users of Grants.gov will be able to create an online application workspace to submit the application. If an applicant has problems accessing the online workspace at Grants.gov, contact Grants.gov Customer Support at 1-800-518-4726 or [support@Grants.gov](mailto:support@Grants.gov).

Applications must be submitted by the due date and time provided in Section IV.D. Late applications may not be considered for funding. Applicant organizations must complete and maintain three registrations to be eligible to apply for or receive an award, as described at <https://www.fisheries.noaa.gov/national/funding-financial-services/grant-application-process>. 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, or longer*, so applicants should begin registration activity as soon as possible. Registration for all three systems is free. If an eligible applicant does not have access to the internet or other technical issues prevent electronic submission, please contact the agency contacts listed in Section VII.

After electronic submission of the application, applicants will receive an automatic acknowledgment from Grants.gov that contains a Grants.gov tracking number. Applications submitted through Grants.gov will be accompanied by *FOUR* automated responses (the first confirms receipt; the second validates that the submission is acceptable and timely; the third confirms that the application has been forwarded to eRA for further processing, and the fourth verifies that eRA has accepted the application). Please follow the submission guidelines available here <https://www.fisheries.noaa.gov/national/funding-financial-services/grant-application-process>. After submitting the application package, applicants should download a copy of the submitted application for offline record-keeping and to verify the contents of the submission zip file. Grants.gov recommends downloading the submitted application via the Details tab of the workspace and verifying the contents of each file in the zip (<https://www.grants.gov/applicants/applicant-faqs.html>).

Submission time will be documented by electronic submission to Grants.gov, a U.S. Postal Service postmark, or a delivery service receipt for paper applications. Applications submitted via the U.S. Postal Service must have an official postmark; private metered postmarks are not acceptable. Paper applications received later than seven business days following the closing date may not be accepted if the application is too late to be integrated into the merit review process.

## H. Address for Submitting Proposals

Electronic applications are strongly encouraged; however paper applications will also be considered. Paper applications should be sent to: NOAA Restoration Center, NOAA Fisheries (F/HC3), 1315 East West Highway, Rm. 14853, Silver Spring, MD 20910. ATTN: Round 3 Restoring Tribal Priority Fish Passage through Barrier Removal. All applications **MUST** contain ALL required forms. Failure to submit forms may result in disqualification from this competition. Applicants are responsible for tracking their own applications. Proposal application packages, including all letters of collaboration or support, shall be submitted together in one package. Please notify the contact official in Section VII of this announcement by email (Janine Harris at [infrastructure.tribal@noaa.gov](mailto:infrastructure.tribal@noaa.gov)) if you are experiencing difficulties with Grants.gov, your organization is not able to use Grants.gov, or if you are submitting by mail.

## V. Application Review Information

### Evaluation Criteria

Reviewers will assign scores to applications ranging from 0-100 points based on the following five evaluation criteria. The maximum score for each criterion is indicated in parentheses. Each criterion also includes the factors the reviewers will consider to determine how well an application meets the criterion. We encourage applicants to make explicit connections to the evaluation criteria in their applications. Applications that best address these criteria will be most competitive. Top range scores indicate the application fully addressed the criterion, and a score of 0 indicates the criterion was not addressed at all.

1. Importance and Applicability	Maximum Points: 35
This criterion ascertains whether there is intrinsic value in the proposed work and/or relevance to NOAA, tribal, federal, regional, state or local activities. For this competition, applications will be evaluated based on the following:	

(a) **Priority for Migratory Fish.** Will the proposed actions achieve measurable and lasting benefits for migratory fish populations? How significant is the expected measurable impact on the project's target species, including the quantity of stream miles and quality of spawning and rearing habitat to be made accessible to migratory fish and the number of instream barriers removed? Does the proposed work contribute to the support, recovery, or sustainability of target species described in the Program Objective (Section I.A)? These are: 1) Listed Species (e.g., through actions in ESA Recovery Plans); 2) Managed Species (e.g., as described in Fishery Management Plans); 3) native fish species in the Great Lakes and/or 4) saltwater recreational fisheries (e.g., as described in the National Saltwater Recreational Fisheries Policy and Implementation Plans). For proposals that solely focus on pre-implementation activities (such as future project development planning and feasibility studies, engineering and design, permitting, and community engagement) and/or tribal capacity building, what is the likelihood that the proposed work will provide direct habitat benefits for these target species once implemented? **(15 points)**

(b) **Enhancing community resilience to extreme weather and climate hazards and providing other co-benefits.** To what extent will the proposed fish passage or tribal capacity building enhance community resilience to extreme weather and climate hazards? To what extent will the proposed fish passage actions or tribal capacity building result in additional co-benefits to the community, which could include socioeconomic metrics that are targeted to the proposed work? For pre-implementation activities (such as future project development planning and feasibility studies, engineering and design, permitting, and community engagement) and/or tribal capacity building, what is the likelihood that the proposed work will provide enhanced community resilience to extreme weather and climate hazards once implemented? **(8 points)**

(c) **Tribal Priority:** Does the proposal foster tribally-important fish passage efforts for migratory fish, considering tribal knowledge and the cultural importance of the work? **(12 points)**

## 2. Technical and Scientific Merit

**Maximum Points: 25**

This criterion assesses whether the restoration activity or approach is technically sound, if the methods are appropriate, and whether there are clear goals and objectives. For this competition, applications will be evaluated based on the extent to which the applicant has described a realistic and thorough implementation plan that includes:

(a) **Project Site Characteristics and Methods.** Do site characteristics support the proposed approach to providing fish passage? To what extent are the proposed actions feasible from a biological, engineering, and community perspective, including whether the proposed approach is technically sound, safe for the public, and uses appropriate methods and personnel? For projects including or solely focused on tribal capacity building, does the proposal describe a measurable approach to increase tribal participation in design, permitting, and review of fish passage projects? **(8 points)**

(b) **Project Description and Milestones.** To what extent does the proposal completely describe the proposed fish passage efforts, including a realistic timeline and key milestones to be achieved within the 2-3 year award period. For implementation projects, this includes the status of permitting and environmental compliance. As stated in the Program Objective, complex barrier removal projects (e.g. dam removal projects, bypasses, complex culvert replacements) that include both project development and implementation activities within the same 2-3 year award period will not be competitive. Project timelines should include necessary time to address common delays such as partner and community support, permitting, cost increases, and weather events. **(10 points)**

(c) **Fish Passage Implementation Monitoring and Evaluation.** Does the proposed work measure near-term implementation success following the restoration monitoring and assessment guidance (see Section IV.B: Implementation Monitoring and Evaluation)? For proposals that solely include pre-implementation activities (e.g., feasibility, engineering and design) and/or tribal capacity building, is developing a monitoring plan for future implementation included in the proposal? See the NOAA Restoration Center Implementation Monitoring (Tier 1) Guidance for more information: <https://www.fisheries.noaa.gov/national/habitat-conservation/resources-noaa-restoration-center-applicants#restoration-monitoring-and-data-management> post-restoration implementation monitoring will be developed or performed, the applicant should explain the rationale for the lack of monitoring. **(5 points)**

(d) **Sustainability:** To what extent does the proposal describe the sustainability of the methodology, including actions to address the susceptibility of the project site(s) to climate change impacts? Does the proposed methodology enhance ecosystem resilience to extreme weather events and adaptation to potential climate change impacts anticipated at the project site and throughout the watershed? Is there evidence that the applicant has chosen, or has a plan to select, the most self-sustaining fish passage technique that accomplishes the tribe's goals? **(2 points)**

### 3) Overall Qualifications of Applicants

**Maximum Points: 10**

This criterion ascertains whether the applicant and their project management team possess the necessary experience, education, training, facilities, and administrative resources to support the proposed work. For this competition, applications will be evaluated based on the following (as demonstrated by attached resumes, past project experience, and accomplishments of the key technical and financial staff):

(a) **Fish Passage and Conservation Background.** Does the applicant/project team possess, or propose hiring, the necessary experience and training to successfully carry out the scale and scope of the work? For tribal capacity building efforts, proposals will receive equal weight if resources are in place, or if the proposal provides adequate information to ensure the resources will be put in place at the start of the award period. **(5 points)**

(b) **Management Capacity.** Does the applicant describe the necessary administrative resources available to successfully fulfill the responsibilities associated with managing a federal grant award? Does the applicant demonstrate an ability to manage the requested amount of funds, maintain financial and administrative records, and fulfill reporting requirements? For capacity building efforts, proposals will receive equal weight if administrative resources are in place or if the proposal provides adequate information to ensure the resources will be put in place at the start of the award period. **(5 points)**

### 4) Project Costs

**Maximum Points: 15**

This criterion evaluates the budget to determine if it is reasonable and commensurate with the project(s) needs and timeframe. For this competition, applications will be evaluated on the following:

(a) **Budget Detail.** Has the applicant provided a budget (broken down by SF-424A object classes) that provides sufficient detail and corresponds to milestones? Does the budget clearly state the NOAA funding request per year? If funds are requested for partial support of a larger project the project should include the full project budget, including other funding sources. If funds are requested for a project with multiple sites, the proposal should include a budget for each site. **(6 points)**

(b) **Funding Allocation and Cost Certainty.** Has the applicant demonstrated that requested funds will be allocated to the proposal's stated objectives and spent within the award period? Has the applicant based their request on credible cost estimates and accounted for typical contingencies or cost uncertainties? If funds are requested for tribal capacity building, does the applicant demonstrate a direct link to fish passage activities? **(9 points)**

#### 5) Outreach and Education

**Maximum Points: 15**

This criterion evaluates whether the project is based on broad community support, demonstrates meaningful engagement, and includes a comprehensive outreach and education strategy. Applications will be evaluated equally based on the following:

(a) **Community Support:** Do the proposed actions demonstrate broad community support? Has the applicant provided support letters from actively contributing groups, such as funders and landowners? **(5 points)**

(b) **Inclusive Planning and Engagement:** Does the proposal demonstrate early and meaningful engagement of the local community, including tribal members, with opportunities to affect decision-making related to vision and execution of the project? Engagement can occur directly, or in collaboration with a local partner, including through contracts and subawards. **(5 points)**

(c) **Community Outreach and Education.** Does the proposal include an outreach and education strategy to share information about fish passage barrier removal goals and results to the local community, including tribal members? The strategy may include traditional forms of outreach but may also include informal education and mentoring or hands-on activities that encourage support for fish passage and migratory fish restoration. **(5 points)**

## Review and Selection Process

Applications will undergo an initial administrative screening to determine if they are eligible and complete. NOAA, in its sole discretion, may continue the review process for applications with non-substantive issues that may be easily rectified or cured. Applications are screened to ensure that they were received by the deadline date (see Section IV.D); the applicant is eligible to apply; and includes a project summary, project description, budget, and supporting documentation as outlined in Section IV.B Content and Form of Application. NOAA does not have to screen applications before the submission deadline in order to identify deficiencies that would cause the application to be rejected or receive a poor evaluation. However, if deficiencies are identified by NOAA or the applicant, the applicant may correct any deficiencies in their application before the deadline. After the deadline, the application must remain as submitted; no changes can be made to it.

Eligible applications will undergo a technical review, ranking, and selection process to determine how well they meet the program priorities and evaluation criteria of this solicitation and the mission and goals of NOAA. Eligible applications will be evaluated by three or more merit reviewers as part of a technical review based on the Evaluation Criteria listed in Section V.A.

After the technical review, a panel may meet to make final recommendations to the Selecting Official regarding which proposals best meet the program objectives and priorities (Sections I.A and I.B). The panel will be composed of qualified persons with appropriate subject-matter expertise who may be from federal, state, or tribal agencies, academic institutions, for profit or non-profit organizations. To the extent non-federal panelists are involved, the panel will not provide consensus advice. The panel may convene in person or by teleconference, video conference, or other electronic means to discuss applications.

If convened, the panel will be presented with the top-ranked applications, per the results of the technical review. Panelists will also receive the technical review scores and comments for each application. The panel, or the individual panelists, will rate all top-ranked proposals on the following scale:

**1 – Fair:** application marginally addresses program priorities outlined in Section I.A and I.B and was moderately responsive to Evaluation Criteria;

**2 – Good:** application adequately addresses program priorities outlined in Section I.A and I.B and was strongly responsive to Evaluation Criteria.

**3 – Excellent:** application exceptionally addresses program priorities outlined in Sections I.A and I.B, and was highly responsive to Evaluation Criteria;

If a panel is held, the panel's ranked list will be the ranking considered by the Selecting Official for recommending applications for funding. If a panel is not held, the technical review ranking will be the ranking considered by the Selecting Official for recommending applications for funding.

If your application is recommended for funding, staff from the NOAA will contact you to negotiate a final application package. NOAA may select all, some, or none of the applications, or part of any application, ask applicants to work together or combine projects, defer applications to the future, or reallocate funds to different funding categories, to the extent authorized. If additional funding subsequently becomes available, additional applications may be selected without further competition. Applicants may be asked to modify objectives, work plans or budgets, and provide supplemental information required by the agency prior to the award.

NOAA may choose to award partial funding as part of a multi-year award, in limited circumstances. Once funds are awarded, recipients of multi-year awards will not need to compete for funding in subsequent years for the same award. NOAA expects, but is not obligated, to provide additional funding to multi-year awards in subsequent years. In this case, a budget narrative and SF-424A that identifies each separate year of requested funding will be required prior to an award offer. Adding funds to multi-year awards is contingent on the availability of funds and satisfactory performance and is at the sole discretion of NOAA.

The exact amount of funds to be awarded, the final scope of activities, the project duration, and specific NOAA cooperative involvement with the activities of each project will be determined in pre-award negotiations among the applicant, the NOAA Grants Management Division, and NOAA program staff. The NOAA Grants Officer makes the final approval decision and issues an award, as described in Section VI.A. and B.

Unsuccessful applicants will be notified that their application was not among those recommended for funding. Unsuccessful applications submitted will be kept on file in accordance with NOAA records requirements and then destroyed.

## **Selection Factors**

The Selecting Official will recommend applications for funding in rank order unless an application is justified to be selected out of rank order based upon one or more of the following selection factors:

1. Availability of funding;
2. Balance/distribution of funds:
  - a) by geographic area,
  - b) by type of institutions,
  - c) by type of partners,
  - d) by research areas; or
  - e) by project types;
3. Whether this project duplicates other projects funded or considered for funding by NOAA or other federal agencies;
4. Program priorities and policy factors set out in Sections I.A and I.B;

5. An applicant's prior award performance;
6. Partnerships with, participation of and/or benefits to targeted groups, including tribes and underserved communities; and
7. Adequacy of information necessary for NOAA staff to make a NEPA determination and draft necessary documentation before recommendations for funding are made to the NOAA GMD.

Hence, awards may not necessarily be made to the highest-scored applications.

## **Anticipated Announcement and Award Dates**

Applicants should anticipate the earliest start date for awards will be January 1, 2026. An announcement of awards that are recommended for funding will likely occur prior to the award start dates.

## **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>.

#### **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 General 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](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](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](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 <https://sciencecouncil.noaa.gov/scientific-integrity-commons/>. 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 materials 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](https://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 additives—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; or the construction materials 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).

**SIGNAGE.** The DOC encourages the use of public signage on projects funded in whole or in part by the Bipartisan Infrastructure Law (BIL) (also known as the Infrastructure Investment and Jobs Act IIJA)). Construction signs should be displayed throughout the construction phase of the project in an easily visible location that can be directly linked to the work taking place and be maintained in good condition throughout the construction period. Award-specific conditions for construction signage may

require the use of the official Investing in America emblem, and refer to the general guidelines and design specifications for applying the emblem and corresponding logomark available in the Official Investing in America Emblem Style Guide: <https://www.whitehouse.gov/wp-content/uploads/2023/02/Investing-in-America-Brand-Guide.pdf>.

## C. Reporting

In accordance with 2 CFR 200.328-9 and the terms and conditions of the award, financial reports are to be submitted semiannually on Oct. 30 and April 30 and performance (technical) reports are to be submitted on the same schedule as financial reports. Reports submitted Oct. 30 will cover April 1-September 30. Reports submitted April 30 will cover October 1 - March 31. 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.

Performance (technical) reports shall use the NOAA Restoration Center's progress report narrative format and form approved by OMB under control number 0648 0718, or a successor form. This form will be provided to awardees by the NOAA Federal Program Officer. In addition, award recipients proposing multiple site locations may be required to complete individual reports for each site, or provide a project/site list including status and expenditures. A comprehensive final report covering all activities during the award period is required and must be received by NOAA within 120 days after the end date of this award. Reports are submitted electronically through NOAA's electronic grants management system.

If selected for funding, award recipients will be expected to use North American Industry Classification System (NAICS) codes to characterize project expenses. Applicants will also report the number of jobs created or retained, and for what duration, in labor hours. NOAA will use this information to analyze the effects of habitat restoration spending on employment and economic output. Applicants selected for funding will receive further guidance on reporting labor hours and using NAICS codes to record project expenses.

Recipients will be obligated to assist NOAA in complying with all relevant requirements and implementing guidance issued to federal agencies by the Office of Management and Budget (OMB), particularly with respect to any requirements related to the BIL that may be determined at a later time.

## VII. Agency Contacts

Supplemental Guidance regarding application writing, and FAQs about this Announcement can be found at <https://www.fisheries.noaa.gov/grant/restoring-tribal-priority-fish-passage-through-barrier-removal-grants>. For further information contact Janine Harris at 301-427-8635, or by e-mail at [infrastructure.tribal@noaa.gov](mailto:infrastructure.tribal@noaa.gov). Prospective applicants are strongly encouraged to contact NOAA Restoration Center staff before submitting an application to discuss their NOAA project ideas with respect to technical merit and NOAA's objectives. NOAA will make every effort to respond to prospective applicants on a first come, first served basis. These discussions will not include review of draft proposals or site visits during the application period.

## VIII. Other Information

NOAA's Office of Habitat Conservation anticipates releasing four total funding opportunities for the final round of BIL funds. In addition to this opportunity, the other opportunities are: Restoring Fish Passage through Barrier Removal, Transformational Habitat Restoration and Coastal Resilience Grants, and Coastal Habitat Restoration and Resilience Grants for Tribes and Underserved Communities. This will include the remaining BIL funding for Fish Passage and Habitat Restoration. All Inflation Reduction Act resources have been allocated through Rounds 1 & 2.