

# ANNOUNCEMENT OF FEDERAL FUNDING OPPORTUNITY

## EXECUTIVE SUMMARY

**Federal Agency Name(s):** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration, Department of Commerce

**Funding Opportunity Title:** 2008 MAFMC Research Set-Aside Program

**Funding Opportunity Number:** NMFS-NEFSC-2007-2000887

**Announcement Type:** Initial

**Catalog of Federal Domestic Assistance Number:** 11.454, Unallied Management Projects

**Dates:** Applications must be received on or before 5 p.m. EST on February 12, 2007.

**Additional Overview Content:** NMFS announces that, for fishing year 2008 (January 1-December 31, 2008), the Mid-Atlantic Fishery Management Council (Council) may set aside up to 3 percent of the total allowable landings (TAL) in certain Mid-Atlantic fisheries to be used for research endeavors under a research set-aside (RSA) program. The RSA program provides a mechanism to fund research and compensate vessel owners through the sale of fish harvested under the research quota. Vessels participating in an approved research project may be authorized by the Northeast Regional Administrator, NMFS, to harvest and land fish in excess of any imposed trip limit or during fishery closures. Landings from such trips are sold to generate funds that help defray the costs associated with the approved research projects. No Federal funds are provided for research under this notification. NMFS is soliciting proposals for research activities concerning the summer flounder, scup, black sea bass, *Loligo* squid, *Illex* squid, Atlantic mackerel, butterfish, Atlantic bluefish, and tilefish fisheries. NMFS and the Council will give priority to funding research proposals in the following general subject areas: (1) Bycatch and discard reduction; (2) mesh and gear selectivity; (3) fishing impact on habitat; (4) cooperative stock assessment surveys; (5) improved recreational fishery data; (6) tagging studies; and (7) other research relevant to the Mid-Atlantic fisheries as further discussed in the full funding opportunity announcement.

## FULL ANNOUNCEMENT TEXT

### I. Funding Opportunity Description

#### A. Program Objective

The Program provides a mechanism to fund research and compensate vessels through the sale of fish harvested under a research quota. For fishing year 2008 (January 1-December 31, 2008), NMFS announces that up to 3 percent of TAL in certain Mid-Atlantic fisheries may be dedicated to research endeavors under the RSA program. The setting of the actual RSA quotas will be the subject of future rulemaking. NMFS, in cooperation with the Council, is soliciting proposals for research activities concerning the summer flounder, scup, black sea bass, *Loligo* squid, *Illex* squid, Atlantic mackerel, butterfish, Atlantic bluefish, and tilefish fisheries. The award of a set-aside from the TAL of selected species resulted from the approval of Framework Adjustment 1 to the Atlantic Mackerel, Squid, and Butterfish; Summer Flounder, Scup, and Black Sea Bass; and Atlantic Bluefish Fishery Management Plans (FMPs); and the RSA provisions of the Tilefish FMP (Framework 1).

Framework 1 established a procedure through which RSA amounts are set annually as part of the Council's quota-setting process. The set-asides may range between 0 and 3 percent of each species' TAL. The set-aside allocated for a given species is designated primarily for research involving that species. However, to promote research for species where it would otherwise be infeasible, individual research projects may request up to 25 percent of the set-aside allocations for other species listed in this notice that are not directly involved in a particular research project.

## B. Program Priorities

Projects funded under an RSA allocation (or award) must enhance understanding of the fishery resource or contribute to the body of information on which management decisions are made. Research and additional fishing voyages to obtain fish for compensation may be conducted as specified in an Exempted Fishing Permit (EFP) or Letter of Acknowledgement (LOA), as applicable, in or outside of a closed area, within the time frame of a commercial quota closure, and onboard a fishing or other type of vessel including recreational and/or commercial vessels.

The Council and NMFS will give priority to funding research proposals in the following areas identified as research priorities by the Council and Atlantic States Marine Fisheries Commission (Commission) for the 2008 fishing year. Of these research areas, special consideration, in the form of a 5-point bonus, (see Section V A. 1) will be given to specific target areas (in **bold with \***) considered highest priority by the Council.

The numbering or sequence of priorities in the sections below is not otherwise intended to indicate preference of one priority over another.

## 2008 Mid-Atlantic RSA Program Research Priorities

**Bold** with \* indicates items that are considered a high priority.

### Species Issues

#### Tilefish: Otter trawl fishery and Longline fishery

1. \* **Survey of tilefish stocks in statistical areas of the historic range of the tilefish fishery (areas of concern are statistical areas 622, 525, and 626 that are not now showing landings to identify fishable concentrations of tilefish).**
2. \* **Effect of hook size on tilefish size selectivity in the longline fishery.**
3. \* **Develop indices for tilefish recruitment.**
4. Determine age composition of the tilefish stock.

#### Scup:

1. \* **Estimate the components of scup total annual mortality (natural, commercial landings, recreational landings, commercial discards, and recreational discards).**
2. \* **Develop indices for scup recruitment**
3. \* **Re-evaluate scup biological reference points.**
4. Estimate scup discards by gear type, trimester, and on an annual basis.
5. Develop an indexing procedure for large scup and relate its relationship to indices of abundance for scup.

### Black Sea Bass:

1. \* **Develop a framework for using historical black sea bass landings to impute stock size.**
2. \* **Develop indices for black sea bass recruitment.**
3. Examine statistical properties of black sea bass survey data.
4. Develop an indexing procedure for black sea bass.
5. Verify age structure of black sea bass stock.
6. Re-evaluate black sea bass biological reference points.
7. Estimate black sea bass mortality when left in pots.
8. Evaluate redirection of fishing effort with area closures for black sea bass.
9. Evaluate artificial reefs for productivity versus concentration of black sea bass.
10. Research the likelihood of spatial differences in fishing mortality rate.

### Summer Flounder:

1. Estimate and verify the following components of summer flounder total annual mortality:
  - a. Natural mortality by sex and age
  - b. Commercial Fisheries
    - i. Landings by geographic region
    - ii. Discard mortality
      1. Lengths
      2. Ages
      3. Predation
  - c. Recreational (for-hire fishery, private boats, and shore fishing)
    - i. Landings by geographic region
    - ii. Discard mortality
      1. Lengths
      2. Ages
      3. Predation
2. Define distinctions between regulatory discards and bycatch attributed to gear, including mesh selectivity and/or overall gear design in the summer flounder fishery.
3. Determine summer flounder sex ratios, fecundity, and age- and sex-specific maturity percentages.
4. Compare otoliths versus scales to determine summer flounder population age structure by the following:
  - a. Enhance data exchanges between the NMFS Northeast Fisheries Science Center (NEFSC), state agencies, and academic institutions;
  - b. Complete NEFSC age comparison between otoliths and scales for summer flounder;
  - c. Develop a long-term protocol to sample otoliths from summer flounder in recreational and commercial fisheries; and
  - d. Develop a protocol to correct scale aging with otolith aging in summer flounder.

### Loligo Squid:

1. Test gear modifications in the *Loligo* squid fishery to reduce bycatch of scup and other species.
2. Discard studies in the *Loligo* and scup fisheries.

### Bluefish:

1. Develop bluefish index surveys.
2. Conduct bluefish tagging studies to evaluate movements.
3. DNA analysis for stock descriptions of bluefish.

### Multi-species issues:

1. Spiny Dogfish:
  - a. Studies on incidental catch and discard mortality of spiny dogfish in the directed fisheries of other Mid-Atlantic RSA species, with emphasis on the following gears: Gillnets; trawls; and hook-and-line.
  - b. Gear development project for a male-only dogfish fishery.
  - c. Identify the seasonal composition of spiny dogfish diets utilizing techniques that assure identification of Mid-Atlantic managed species.
  - d. Identify and evaluate factors that reduced recruitment over the last 7 years; for example, smaller female size or skewed sex ratio.
2. Recreational Fishing
  - a. Develop statistical models that evaluate the effectiveness of recreational management measures or data collection processes.
  - b. Estimate recreational discards and hooking mortality by fish size in the summer flounder, scup, black sea bass, and bluefish fisheries.
    - i. Reducing bycatch mortality in the recreational fishery for these species through the use of non-offset circle hooks; methods to reduce mortality in fish that are being discarded by recreational anglers because they are below the minimum size limit. Comparative studies on catchability and mortality reduction with non-offset circle hooks and j hooks [or similar] for the following Mid-Atlantic species: Black sea bass; bluefish; scup; summer flounder; and tilefish.
    - ii. Estimate compliance with minimum size limit and creel limit regulations.
  - c. Human dimension survey of marine recreational anglers to characterize values, preferences, and satisfaction with their fishing experiences.
3. Cooperative stock assessment surveys
  - a. Supplemental finfish trawl survey.
  - b. Evaluate the mixing of *Illex* and *Loligo* squid in September and October.
  - c. Estimate commercial discard mortality by gear type and species.
  - d. Develop fishery-independent surveys and expansions of existing surveys to capture all sizes and age classes of summer flounder, scup, and black sea bass in order to develop independent catch-at-age and catch-per-unit-effort data.
  - e. Expand age sampling of summer flounder, scup, and black sea bass from commercial and recreational catches, with special emphasis on collection of large specimens.
  - f. Calibration studies with new survey vessels.
4. New Fishery Techniques
  - a. Develop a proof-of-concept technique for a commercial jig fishery.

#### Habitat issues:

1. Evaluate current and water temperature trend effects on fish distribution and recruitment.
2. Map spawning areas and egg mop areas for *Loligo* squid.
3. Delineate nursery areas or areas of concentration, particularly nursery areas for juvenile summer flounder, scup, and black sea bass.
4. Fishing impacts on habitat
  - a. Assess mobile gear impacts on tilefish burrows.
  - b. Identify gear impacts on the benthic habitat of juvenile and adult black sea bass, and scup offshore wintering areas.
  - c. Define gear impacts on essential fish habitat.

#### C. Program Authority

Issuing grants is consistent with sections 303(b)(11), 402(e), and 404(c) of the Magnuson-Stevens Fishery Conservation and Management Act, 16 U.S.C.1853(b)(11), 16 U.S.C. 1881a(e), and 16 U.S.C. 1881(c), respectively.

The award of a set-aside from the TAL of selected species resulted from the approval of Framework 1 to the Atlantic Mackerel, Squid, and Butterfish; Summer Flounder, Scup, and Black Sea Bass; and Atlantic Bluefish Fishery Management Plans FMPs; and the RSA provisions of the Tilefish FMP. Framework 1 established a procedure through which RSA amounts are set annually as part of the Council quota-setting process (66 FR 42156, August 10, 2001), and codified in regulations at CFR 648.21(g).

## II. Award Information

### A. Funding Availability

No Federal funds are provided for research under this notification, but rather the opportunity to fish with the catch sold to generate income. The Federal Government may issue an EFP or LOA, as applicable, which may provide special fishing privileges in response to research proposals selected under this program. Funds generated from the RSA landings shall be used to cover the cost of the research activities, including vessel costs, and to compensate boats for expenses incurred during the collection of the set-aside species. For example, the funds may be used to pay for gear modifications, monitoring equipment, additional provisions (e.g., fuel, ice, food for scientists), or the salaries of research personnel. The Federal Government is not liable for any costs incurred by the researcher or vessel owner should the sale of the excess catch not fully reimburse the researcher or vessel owner for his/her expenses. In the past, two to five awards have been issued per year. During the 2006 fishing year, four awards were approved distributing a total of 2,006,730 lbs of TAL.

The Council, in consultation with the Commission, will incorporate the level of RSA (amounts or percentages) for each of the set-aside species for the 2008 fishing year into the Council's recommendations for annual quota specifications. NMFS will consider the recommended level of RSA as part of the associated rulemaking process.

The actual level of RSA quota available to applicants for the 2008 fishing year will depend on the TAL level specified by the Council at its quota-setting meetings in June and August 2007, and the percentage (0 to 3 percent) of the TAL recommended by the Council and approved by NMFS as the level of RSA available for 2008. To help researchers develop proposals for the 2008 fishing year, the table below provides some guidance on the general magnitude of RSA and estimated values that a researcher might expect to be available for fishing year 2008. The table is based on proposed RSA levels available and the actual allocated RSA amounts for these fisheries for the 2007 fishing year. The table is intended only as a guide to be used when developing research proposals for the 2008 fishing year; it does not necessarily reflect the actual RSA quota that will be allocated for fishing year 2008. Based on Council recommendations, NMFS may choose to adopt less than 3 percent of TAL as a set-aside, or decide not to adopt any set-aside for a given fishery. The estimated values of the set-aside allocations will vary depending on market considerations prevailing at the time the research trips are conducted.

**Table 1. Examples of RSA Amounts Based on 2007 Proposed FMP Specifications**

Allocation Species	Amount Available* (lbs)	2006 RSA Amount (lbs)	2006 RSA Estimated Value
Summer Flounder	389,490	389,490	\$603,974
Scup	360,000	360,000	\$241,200

Black Sea Bass	150,000	150,000	\$291,000
<i>Loligo</i> Squid	1,124,356	1,124,356	\$843,267
<i>Illex</i> Squid	1,797,328	none requested	NA
Atlantic Mackerel	7,605,948	none requested	NA
Butterfish	111,179	none requested	NA
Bluefish	744,677	363,677	\$101,830
Tilefish	59,850	0	0
*Amount available based on 3% TAC in proposed 2007 FMP specifications.			

#### B. Project/Award Period

The research project may encompass all or part of the 2008 fishing year, beginning January 1 through December 31, 2008. All RSA awarded to compensate for research costs and participation must be caught by December 31, 2008. Proposals requesting RSA harvest prior to or after that time frame will not be considered. There may be times when compensation (in terms of the timing of RSA harvest) is not concurrent with the timing of the research. In general, to help ensure minimum interruption with the proposed research, no more than 50 percent of the requested RSA should be harvested prior to the onset of the study.

#### C. Type of Funding Instrument

Grants will be issued.

### III. Eligibility Information

#### A. Eligible Applicants

1. Eligible applicants include institutions of higher education, hospitals, other nonprofits, commercial organizations, individuals, and state, local, and Native American tribal governments. Federal agencies and institutions are not eligible to receive Federal assistance under this notice. Additionally, employees of any Federal agency or Regional Fishery Management Council are ineligible to submit an application under this program. However, Council members who are not Federal employees may submit an application.
2. DOC/NOAA supports cultural and gender diversity and encourages women and minority individuals and groups to submit applications to the RSA program. In addition, DOC/NOAA is strongly committed to broadening the participation of historically black colleges and universities, Hispanic serving institutions, tribal colleges and universities, and institutions that work in underserved areas. DOC/NOAA encourages proposals involving any of the above institutions.
3. DOC/NOAA encourages applications from members of the fishing community and applications that involve fishing community cooperation and participation.

#### B. Cost Sharing or Matching Requirement

None required.

#### C. Other Criteria that Affect Eligibility

1. Research proposals for work using an RSA allocation for the 2008 fishing year must be received within the application submission period to be eligible for consideration.
2. Proposals for different and distinct projects must be submitted separately in accordance with the format requirements in Section IV.B. Multiple stand-alone projects in the same proposal are not acceptable.
3. Many RSA proposals request that research vessels be exempt from certain regulations within the relevant fishery. The impacts of such an exemption must be analyzed. To streamline the process for the review and approval of EFP applications, the Council will prepare appropriate analyses of the impacts associated with the anticipated exemptions during the annual quota specification process. This process is intended to satisfy the analytical and public notice provisions of the EFP regulations at 50 CFR 600.745. However, certain conditions may require the applicant to provide additional analysis associated with such exemptions.
4. If an applicant must submit a request for an EFP to NMFS, it should be received by NMFS at least 60 days before the requested start date of the proposed research to allow for additional review and analysis. No research or RSA harvest is permitted until NMFS notifies the applicant that the applicant's EFP request is approved.
5. Proposals must include written acknowledgements of coordination with all cooperators or partners identified in the proposal. Cooperators include fisheries agencies of those states where RSA quota may be landed, or in whose waters the project is expected to conduct operations. It is the responsibility of applicants to obtain any required state authorizations prior to final project approval. NOAA cannot guarantee that state agencies will accede to any particular request. Contact information for state fishery management agencies is available from NMFS.

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

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

Application information is available at <http://www.grants.gov>. Electronic copies of the Standard Forms for submission of research proposals may be found on the Internet in a PDF (Portable Document Format) version at <http://www.ago.noaa.gov/grants/appkit.shtml>. Delays may be experienced when registering with Grants.gov near the end of a solicitation period. Therefore, NMFS strongly recommends that you do not wait until the application deadline to begin the registration/application process through the Grants.gov website. Applicants without Internet access can contact Kelly A. Taranto, NMFS, Northeast Fisheries Science Center, 166 Water Street, Woods Hole, MA 02543, or by phone at 508-495-2312, or fax at 508-495-2004, or via e-mail at [kelly.taranto@noaa.gov](mailto:kelly.taranto@noaa.gov).

To apply for this NOAA Federal funding opportunity, please go to <http://www.grants.gov> and use the following funding opportunity # NMFS-NEFSC-2007-2000887.

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

Applications must adhere to the provision under "Applications" and the nine requirements under "Required Elements" by the application deadline. Failure to follow these requirements will result in proposals being returned to the applicant without review.

## 1. Applications

a. Applications submitted to the 2008 Mid-Atlantic RSA Program must include a Standard Form 424 (Application for Federal Assistance), including a detailed budget using Standard Form 424A, (Budget Information--Non-Construction Programs), Standard Form 424B (Assurances--Non-Construction Programs), Commerce Department Form CD-511 (Certifications Regarding Debarment, Suspension and Other Responsibility Matters: Drug-Free Workplace Requirements and Lobbying), and if applicable, Standard Form SF-LLL (Disclosure of Lobbying Activities). These forms are available at <http://www.ago.noaa.gov/grants/appkit.shtml>. They should be submitted through the [www.grants.gov](http://www.grants.gov) website. Applicants submitting hard copy must include one signed original and two signed unbound copies of the application (including supporting information).

b. Applicants must identify the specific research priority or priorities to which they are responding. If the proposal addresses more than one priority, it should list the priority that most closely reflects the objectives of the proposal first. Each application must address only one research investigation. If an application does not fulfill a priority category it must be clearly stated in the application. Applicants should not assume prior knowledge on the part of NMFS as to the relative merits of the project described in the application.

## 2. Required Elements

Proposals should be limited to 10 pages, excluding item "f" below. The format may vary, but must include:

- a. A project summary of work to be performed;
- b. A narrative project description to include project goals and objectives. Funding objectives should be simple and understandable, as specific and quantitative as possible, clear as to the "what and when," but should avoid the "how and why," and attainable within the time, funding, and resources available. Proposals should be accomplishment-oriented and identify specific performance measures and how investigators foresee research results being used in the management arena to enhance the understanding of the fishery resource being studied or contributing to the body of information on which management decisions are made (see Section I. B.). The main body of the narrative should be a clear statement of the work to be undertaken and include: (1) Project design and management, including who is responsible, expected products, and participants other than applicant; (2) project duration (starting on the first day of the month and ending on the last day of the month); (3) names and affiliations of the principal investigator(s) (PI); (4) contribution and relevance of the proposed work; and (5) a summary of the existing state of knowledge related to the project;
- c. A description of all funding sources (including revenues derived from the sale of the fish harvested under the research quota set-aside) and funding needs. This element of the proposal must include the amount of RSA, in pounds, requested for each species and the expected funds to be generated by the sale of those fish, as well as the expected funds to be allocated to the researcher and any involved fishing vessel;
- d. A budget that includes a breakdown of research costs including labor, vessel, permit, equipment, supplies, and overhead, as applicable;
- e. A list of any Federal or state regulations that the applicant needs to have waived and a brief justification for such a waiver. NOAA cannot exempt the vessel from any requirements imposed by the



state. Therefore, applicants are urged to discuss with state fisheries agencies any proposed landings in their state(s), and must request separately exemptions from state regulations as required. NOAA cannot guarantee that state agencies will accede to any particular exemption request;

f. Supporting documents, including resumes, letters of intent for vessels to participate in research activities, coordination with state fisheries agencies, and any relevant contracts;

g. Each proposal must identify the RSA harvesting activities for the participating vessel(s) making trips to collect the set-aside. The vessel(s) selected by the applicant must be listed in the proposal, if possible, or specifically identified prior to final approval by NOAA. Proposals may request that the quota set-aside be collected separately from the research trips. The separate compensation trips do not necessarily have to be conducted by the same vessel. In general, compensation (in terms of the value of fish landed) should not exceed 2.5 times the cost of the associated research (see Section V.A.);

h. The researcher's proposal must state the amount of funds required to support the research project including any costs for participation by project scientists or consultants and the amount required to compensate the vessel owner for either the collection of set-aside species, or for participation in the research project, or both; and

i. The proposal should also include the agreement between the applicant and participating vessel operators demonstrating exactly how the research activity will be funded, if possible, or such agreement must be provided prior to final approval by NOAA. Proposals that employ the use of multiple vessels to harvest the RSA allocation should provide a description of the safeguards that will be used to ensure that the RSA allocation will not be exceeded.

j. As part of this application process, questions from The Environmental Compliance Questionnaire for NOAA Federal Financial Assistance Applicants, OMB Approval Number 0648-0538, must be answered and submitted with the application. These questions include: A1, A2, A11, A12, B1, C1, D1-D3, E1, E4, F10-F13, H1-H24, H26, H27-29. This form is located at <http://www.nepa.noaa.gov>. Failure to complete all of the indicated questions will result in the application being considered incomplete.

### C. Submission Dates and Times

Applications must be received on or before 5PM EST of the application due date. Applications submitted through <http://www.grants.gov> will be accompanied by a date and time receipt indication on them. If an applicant does not have Internet access, hard copy proposals will be accepted and date recorded when they are received in the program office. Electronic or hard copies received after the deadline will not be considered and hard copy applications will be returned to the sender. Mark hard copy proposals "Attention 2008 Mid-Atlantic RSA Program."

### D. Intergovernmental Review

Applicants will need to determine if their state participates in the intergovernmental review process. This information can be found at the following website: <http://www.whitehouse.gov/omb/grants/spoc.html>. This information will assist applicants in providing either a Yes or No response to Item 16 of the Application Form, SF-424, entitled. "Application for Federal Assistance."

### E. Funding Restrictions

1. The Department of Commerce Pre-Award Notification Requirements for Grants and Cooperative Agreements contained in the *Federal Register* notice of December 30, 2004 (69 FR 78389) are applicable to this solicitation.
2. The RSA harvest time frame must fall within January 1 through December 31, 2008. There may be times when compensation (in terms of the timing of RSA harvest) is not concurrent with the timing of the research. In these instances, to help ensure minimum interruption with the proposed research, no more than 50 percent of the requested RSA should be harvested prior to the onset of the study. Proposals requesting RSA harvest prior to or after that time frame will not be considered.
3. The Federal Government shall not be liable for any costs incurred in the conduct of the project.

#### F. Other Submission Requirements

1. NOAA employees (whether full-time, part-time, or intermittent) are not permitted to assist in the preparation of an application, except that staff may provide information on program goals, funding priorities, application procedures, and completion of application forms. Since this is a competitive program, NMFS and NOAA employees will not provide assistance in conceptualizing, developing, or structuring proposals, or write letters of support for an application. However, the Council or NMFS contact person may provide assistance to researchers who are seeking vessels to participate in the collection of set-aside species or directly in research projects. NMFS, in consultation with the Council, may decide to hold a meeting with the public to discuss general topics concerning past RSA program accomplishments and ways to enhance communications on funding priorities and associated potential study methods. Such meetings will be publicized by NMFS through a *Federal Register* notice, and through the public mailing list maintained by the Council office.
2. The Council staff will bear the primary responsibility for the evaluation of impacts associated with the proposed research including analysis of any requested regulatory exemptions. However, applications that propose research and/or compensation fishing exceeding the scope of analysis provided by the Council staff in the Council's annual specification packages may require the applicant to submit all information necessary for a Supplemental Environmental Assessment to obtain an EFP from NMFS. Should an applicant be required to submit a request for an EFP to NMFS, the request should be received by NMFS at least 60 days before the requested start date of the proposed research to allow for additional review and analysis. A final decision on the applicant's grant request for research quota will not be made until NMFS has approved the applicant's EFP request, if needed.
3. Proposals must identify the research to be conducted and the total amount of the set-aside requested for the project including its approximate cash value. If an exemption from Federal regulations is proposed, a list of the specific regulations to be exempted and a brief justification for each regulation to be exempted must be included.
4. In the event that an application contains information or data that the applicant does not want disclosed prior to award for purposes other than the evaluation of the application, the applicant should mark each page containing such information or data with the words "Privileged, Confidential, Commercial, or Financial Information - Limited Use" at the top of the page to assist NOAA in making disclosure determinations. DOC regulations implementing the Freedom of Information Act (FOIA) are found at 15 CFR part 4, "Public Information," which sets forth rules for DOC to make requested materials, information, and records publicly available under FOIA. The contents of applications may be subject to requests for release under the Freedom of Information Act. Based on the information provided by the

applicant, the confidentiality of the content of applications will be maintained to the maximum extent permitted by law.

5. Projects that are designed to generate data that will ultimately be merged with other governmental databases will be required to submit the data in electronic form in accordance with protocols of the Atlantic Coastal Cooperative Statistics Program (ACCSP) and/or other database formats as may be required by NMFS.

## 6. Permits and Approvals

a. Vessels conducting certain types of research requiring relief from fishery regulations may be required to obtain an EFP. In order to assist NMFS in determining whether or not the proposed research would require an EFP, researchers should briefly address the following questions:

1. Location and Time of Year - specific time of year and areas where fishing will occur (e.g., coordinates, 10 minutes squares, closed areas, include map if possible);

2. Gear Type Including Mesh Size (trawl, pot, gillnet, dredge, acoustic gear including frequency and amplitude);

3. Fishing Effort (number of vessels, number of tows, length of tows, number of pots, duration of tended gear, sampling frequency, etc.);

4. Catch - estimated species composition and amount (directed catch and bycatch);

5. Regulatory Exemptions - provide any regulatory exemptions that may be necessary in order to conduct the proposed research (exemptions from A or B days-at-sea, closed areas, closed seasons, minimum fish or mesh size, possession limits, etc.).

b. Successful applicants will be required to provide NMFS with a written copy of documentation demonstrating that the applicant has obtained any necessary state authorizations required for conducting research or RSA harvests within that state's waters, or landing RSA harvests at that state's ports. The contact information for state fishery management agencies is available from NMFS.

## V. Application Review Information

### A. Evaluation Criteria

The review panel convened by NMFS to evaluate proposals submitted in response to this Federal Funding Opportunity (see Section V.B.) will evaluate proposals by assigning scores up to the maximum indicated for each of the following criteria:

1. Importance and/or relevance and applicability of the proposed project: This criterion ascertains whether there is intrinsic value in the proposed work and/or relevance to NOAA, Federal, regional, state, or local activities. For the 2008 RSA program, provide a clear definition of the problem, need, issue, or hypothesis to be addressed. The proposal should describe its relevance to RSA program priorities and detail how the data gathered from the research will be used to enhance the understanding of the fishery resource or contribute to the body of information on which management decisions are made. If not directly related to priorities listed in this solicitation, provide justification why the proposed project

should be considered. Applicants who are willing to submit a research proposal addressing one of the high priority research areas (see Section I B 'Species Issues' listed in **bold with \***: Tilefish 1-3, Scup 1-3, and Black Sea Bass 1-2) will receive an additional 5 points more than proposals addressing other priorities. (20 points plus 5 additional points if the above items are addressed)

2. Technical/scientific merit: This criterion assesses whether the approach is technically sound and/or innovative, if the methods are appropriate, and whether there are clear project goals and objectives. Special emphasis will be given to proposals that foster and improve cooperative interactions with NMFS. A clear definition of the approach to be used including description of field work, theoretical studies, and laboratory analysis to support the proposed research, and the ability of the applicant to physically complete RSA harvest during the 2008 calendar year in the area and time proposed is important. The time frame for harvesting the RSA catch and conducting the proposed research should be clearly specified. Activities that take place over a wider versus narrower geographical range, where appropriate, are preferred. (25 points)

3. Overall qualifications of the project: This criterion assesses whether the applicant, and team members, possess the necessary education, experience, training, facilities, and administrative resources to accomplish the project. This includes demonstration of support, cooperation and/or collaboration with the fishing industry, and qualifications/experience of project participants. Where appropriate, unified versus separate stand-alone proposals on related projects involving multiple principal investigators are preferred. For proposals involving multiple vessels harvesting RSA, special attention will be given to specification of safeguards to ensure that the authorized RSA allocation will not be exceeded. (15 points)

4. Project costs: This criterion evaluates the budget to determine if it is realistic and commensurate with the project needs and time frame. Cost-effectiveness of the project is considered. The anticipated revenue from the RSA should be commensurate with estimated project costs, and generally should not exceed 2.5 times the cost of the associated research. Economic and budget projections should be quantified, to the extent possible. Where appropriate, use of existing equipment (fishing gear) is preferred versus acquisition of new equipment. (25 points)

5. Outreach and education: This criterion assesses whether the project involves a focused and effective education and outreach strategy regarding NOAA's mission to protect the Nation's natural resources. This includes identification of anticipated benefits, potential users, likelihood of success, and methods of disseminating results. Where appropriate, data generated from the research must be formatted in a manner consistent with NMFS and ACCSP databases. A copy of this format is available from NMFS. (10 points)

## B. Review and Selection Process

NMFS will solicit written technical evaluations from the Council members who make up the Research Set-Aside Committee (Committee) and from three or more appropriate private and public sector experts (e.g., industry, academia, or governmental experts) to determine the technical merit of the proposal and to provide a rank score of the project based on the criteria described in the *Evaluation Criteria* section of this document. Following completion of the technical evaluation, NMFS will convene a review panel, including the Committee and technical experts, to review and individually critique the scored proposals to enhance NOAA's understanding of the proposals. Initial successful applicants may be required, in consultation with NMFS, to further refine/modify the study methodology as a condition of project approval. No consensus recommendations will be made by the Committee members, technical experts, or by the review panel.

The merit review ratings shall provide a rank order to the Selecting Official for final funding recommendations. The program officer may first make recommendations to the Selecting Official applying the selection factors below. The Selecting Official shall award in the rank order unless the proposal is justified to be selected out of rank order based upon one or more of the following factors:

1. Availability of funding.
2. Balance/distribution of funds:
  - a. Geographically
  - b. By type of institutions
  - c. By type of partners
  - d. By research areas
  - 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.
5. Applicant's prior award performance.
6. Partnerships and/or participation of targeted groups.
7. Adequacy of information necessary to conduct a National Environmental Policy Act analysis and determination.

Key program policy factors (see 4 above) to be considered by the Selecting Official are: (1) The time of year the research activities are to be conducted; (2) the ability of the proposal to meet the experimental fishery requirements discussed under the Permits and Approvals section of this document; (3) redundancy of research projects; and (4) logistical concerns. Therefore, the highest scoring projects may not necessarily be selected for an award. All approved research must be conducted in accordance with provisions approved by NOAA and provided in an LOA or EFP issued by NMFS. Unsuccessful applications will be returned to the submitter. Successful applications will be incorporated into the award document.

For proposals that request exemptions from existing regulations (e.g., possession limits, closed seasons), the impacts of the proposed exemptions must be analyzed. The Council will analyze these impacts as part of the impacts of the proposed specifications it submits to NMFS. However, those individuals with proposals that include vessel activities extending beyond the scope of the Council analysis may be required to provide additional analysis before issuance of an EFP. Any applicants who request regulatory exemptions beyond the scope of the Council may be required to adhere to the regulations governing the issuance of an EFP. As appropriate, NMFS will consult with the Council and successful applicants to secure the information required for granting an exemption if issuance of an EFP is necessary for the research to be conducted. No research or RSA harvest quota will be allowed until NMFS notifies the applicant that the applicant's EFP request is approved

#### C. Anticipated Announcement and Award Dates

Subject to the availability of RSA quota, review of proposals will occur during the 2 months following the date given in this announcement that the proposals are due to NMFS. Initiation of approved RSA project activities should begin during Spring 2008 for most projects. January 1, 2008, should be used as the proposed start date on proposals, unless otherwise directed by the Program Officer.

## **VI. Award Administration Information**

### A. Award Notices/Administration

Successful applicants will receive notification that their applications have been recommended for selection to the NOAA Grants Management Division. This notification is not an authorization to begin project operations. Official notification of selection, signed by the NOAA Grants Officer, is the authorizing document that allows a project to begin. Notifications will be issued to the Authorizing Official and the Principal Investigator of the project. Successful applicants may be notified either electronically or in writing. NMFS will notify unsuccessful applicants, in writing, by postal mail. If an application is not selected, NOAA will return the proposal and related documents to the applicant.

## B. Administrative and National Policy Requirements

Administrative and national policy requirements for all DOC awards are contained in the DOC Pre-Award Notification Requirements for Grants and Cooperative Agreements contained in the *Federal Register* notice of December 30, 2004 (69 FR 78389). You may obtain a copy of these notices by contacting the agency contact(s) under the Council and Agency Contact(s) section of this document, or by going to the website: <http://www.gpoaccess.gov/fr/index.html>. Applicants whose proposed projects may have an environmental impact should furnish sufficient information to assist proposal reviewers in assessing the potential environmental consequences of supporting the project.

### National Environmental Policy Act (NEPA)

NOAA must analyze the potential environmental impacts, as required by NEPA, for applicant projects or proposals which are seeking NOAA Federal assistance opportunities, including special fishing privileges. Detailed information on NOAA compliance with NEPA can be found at the following NOAA NEPA website: <http://www.nepa.noaa.gov>, including our NOAA Administrative Order 216-6 for NEPA, [http://www.nepa.noaa.gov/NAO216\\_6\\_TOC.pdf](http://www.nepa.noaa.gov/NAO216_6_TOC.pdf), and the Council on Environmental Quality implementation regulations, [http://ceq.eh.doe.gov/nepa/regs/ceq/toc\\_ceq.htm](http://ceq.eh.doe.gov/nepa/regs/ceq/toc_ceq.htm).

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) (See Section IV, B2(j) and Section IV, F(6)). NEPA analysis for RSA projects is normally conducted by the Council through the Council's annual fishery management specifications process for RSA species. If the Council's NEPA analysis is not adequate, applicants may be required to provide additional specific information that will serve as the basis for any required impact analyses. Applicants may also be requested to assist NOAA in drafting of an environmental assessment, if NOAA determines an assessment is required. Applicants will also be required to cooperate with NOAA in identifying and implementing feasible measures to reduce or avoid any identified adverse environmental impacts of their proposal. The failure to do so shall be grounds for the denial of an application.

## C. Reporting

Recipients will be required to submit the following financial and performance (technical) reports. These reports are to be submitted electronically. If the recipient does not have Internet access, electronic versions of the reports may be submitted via US Mail on CD or other acceptable media.

Financial Status Reports (SF-269 and SF-272) are required to be submitted to the Grants Officer semi-annually.

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

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

1. A brief summary of the completion report (200-word or less abstract);
2. A description of the issue/problem that was addressed;
3. A detailed description of methods of data collection and analyses;
4. A discussion of results and any relevant conclusions presented in a format that is understandable to a non-technical audience. This should include benefits and/or contributions to management decision-making;
5. A list of entities, firms, or organizations that actually performed the work, and a description of how the work was accomplished;
6. A detailed final accounting of all the fish landed, sold, and the disbursement of program income to include a detailed accounting of all funds used to conduct the research, including those provided through the research set-aside; and
7. Data from research projects must be submitted in electronic format with appropriate documentation to NMFS as requested. All raw data collected under grants issued as a result of this solicitation belongs to and shall remain the property of the Federal Government. Grantees will be required to collect, assimilate, maintain and transmit any and all raw data in a format and timeframe that may be specified by NMFS.

An electronic version of the final report must be submitted in a format suitable for posting on the web, including all tables, figures and maps. Currently the preferred format is PDF, although an alternative format may be specified by NMFS or the MAFMC webmaster.

Principal Investigators must anticipate being requested to provide an oral presentation to the RSA Committee or the Mid-Atlantic Fishery Management Council on the results of their research.

## **VII. Agency Contacts**

Information may be obtained from Daniel Furlong, Executive Director, Mid-Atlantic Fishery Management Council, by phone at 302-674-2331 ext. 19, or fax at 302-674-5399; Clay Heaton, Fishery Management Specialist, Mid-Atlantic Fishery Management Council, by phone 302-674-2331 ext. 13, or via email at [cheaton@mafmc.org](mailto:cheaton@mafmc.org); or Paul Perra, Fishery Policy Analyst, NMFS, Northeast Regional Office, One Blackburn Drive, Gloucester, MA 01930, by phone 978-281-9153, by fax at 978-281-9135, or via e-mail at [paul.perra@noaa.gov](mailto:paul.perra@noaa.gov).

### **Limitation of Liability**

In no event will NOAA or the DOC be responsible for proposal preparation costs if these programs are cancelled because of other agency priorities. Publication of this announcement does not oblige NOAA to award any specific project or to provide special fishing privileges.