

restored by relocating the channels to their natural course, addition of woody debris and rock structures, and revegetation. These activities would occur in approximately 5 miles of stream.

Following the cooperative project development process, the proposed actions were scoped with the public in the summer of 2000 including a direct mailing to over 400 individuals in August and a field trip in September. Approximately 20 letters were received in response to the original scoping, and 27 individual attended the field trip. Based on the comments received, the following issues with the proposed action been identified: (1) Effects to the aquatic environment; (2) Effects to old and mature forest and dependent species; (3) Use of timber harvest, prescribed burning and herbicides as forest management tools and; (4) Effects to motorized recreation opportunities.

To address the issues identified above, alternatives to the proposed action have been developed. These alternatives propose varying levels of activities from those previously described. Some alternatives would require amendment of the Nez Perce Forest Plan to allow vegetation management within delineated old growth (Management Area 20). Some of the harvest proposed would exceed 40 acres in size and would require approval from the Regional Forester (Northern Region). Some of the activities associated with road repair and decommissioning and stream channel restoration would require permits from the Corps of Engineers to authorize work within a stream's high water mark.

The decisions to be made in response to this analysis include (1) Are vegetation management activities needed and if so where, when and how would they be implemented? (2) What transportation system is necessary in the analysis area and how will it be managed? (3) How will the roads identified as excess be returned to forest production? (4) Are the stream channel restoration activities necessary and if so where, when and how would they be implemented? (5) What mitigation is needed to assure forest management activities are consistent with the Nez Perce Forest Plan and environmental law? (6) Is an amendment to the Nez Perce Forest Plan necessary to implement the proposed actions? (7) What implementation and effectiveness monitoring is needed?

The responsible official for this project is the Nez Perce Forest Supervisor. Comments to this notice should be sent to the address and

contacts identified above and should be submitted within 30 days of publication of this notice in the **Federal Register**. A Draft Environmental Impact Statement (EIS) is expected to be available in April 2001 and a Final EIS in July 2001. Should an action alternative be selected, implementation would be initiated in 2002. Implementation of any or all of the actions authorized with this decision may occur utilizing the stewardship contracting authorities granted in Section 347 of the 1999 Interior Appropriations Bill.

The comment period on the draft environmental impact statement will be 45 days from the date the Environmental Protection Agency publishes the notice of availability in the **Federal Register**.

The Forest Service believes it is important to give reviewers notice at this early stage of several court rulings related to public participation in the environmental review process. First, reviewers of draft environmental impact statements must structure their participation in the environmental review of the proposal so that it is meaningful and alerts an agency to the reviewer's position and contentions. *Vermont Yankee Nuclear Power Corp. v. NRDC*, 435 U.S. 519, 553 (1978). Also, environmental objections that could be raised at the draft environmental impact statement stage but that are not raised until after completion of the final environmental impact statement may be waived or dismissed by the courts. *Wisconsin Heritages, Inc. v. Harris*, 490 F. Supp. 1334, 1338 (E.D. Wis. 1980). Because of these court rulings, it is very important that those interested in this proposed action participate by the close of the 45-day comment period so that substantive comments and objections are made available to the Forest Service at a time when it can meaningfully consider them and respond to them in the final environmental impact statement.

To assist the Forest Service in identifying and considering issues and concerns on the proposed action, comments on the draft environmental impact statement should be as specific as possible. It is also helpful if comments refer to specific pages or chapters of the draft statement. Comments may also address the adequacy of the draft environmental impact statement or the merits of the alternatives formulated and discussed in the statement. (Reviewers may wish to refer to the Council on Environmental Quality Regulations for implementing the procedural provisions of the National Environmental Policy Act at 40 CFR 1503.3 in addressing these points.)

Dated: February 27, 2001.

**Michael J. Cook,**

*Acting Forest Supervisor, Nez Perce National Forest.*

[FR Doc. 01-5593 Filed 3-6-01; 8:45 am]

**BILLING CODE 3410-11-M**

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[Docket No. 960223046-1049-06; I.D. 011801D]

**RIN 0648-ZA09**

### Financial Assistance for Research and Development Projects to Strengthen and Develop the U.S. Fishing Industry

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Notice of solicitation for applications.

**SUMMARY:** NMFS (hereinafter "we" or "us") issues this document to describe how to apply for funding under the Saltonstall-Kennedy (S-K) Grant Program and how we will determine whether to fund a proposal.

Under the S-K Program, we provide financial assistance for research and development projects that address various aspects of U.S. fisheries (commercial or recreational), including, but not limited to, harvesting, processing, marketing, and associated infrastructures.

**DATES:** We must receive your application by the close of business May 7, 2001 in one of the offices listed in section I.F. Applications Addresses of this document. You must submit one signed original and nine signed copies of the completed application (including supporting information). We will not accept facsimile applications.

**ADDRESSES:** You can obtain an application package from, and send your completed application(s) to, the NMFS Regional Administrator located at any of the offices listed in section I.F. Application Addresses of this document. You may also obtain the application package from the S-K Home Page (see section I.G. Electronic Access **ADDRESSES**). However, we cannot accept completed applications electronically.

**FOR FURTHER INFORMATION CONTACT:** Alicia L. Jarboe, S-K Program Manager, (301) 713-2358.

**SUPPLEMENTARY INFORMATION:****I. Introduction**

We are soliciting applications for Federal assistance pursuant to the Saltonstall-Kennedy Act (S-K Act), as amended (15 U.S.C. 713c-3). This document describes how you can apply for funding under the S-K Grant Program, and how we will determine which applications we will fund.

**A. Background**

The S-K Act established a fund (known as the S-K fund) that the Secretary of Commerce uses to provide grants or cooperative agreements for fisheries research and development projects addressed to any aspect of U.S. fisheries, including, but not limited to, harvesting, processing, marketing, and associated infrastructures. U.S. fisheries<sup>1</sup> include any fishery, commercial or recreational, that is, or may be engaged in, by citizens or nationals of the United States, or citizens of the Northern Mariana Islands, the Republic of the Marshall Islands, Republic of Palau, and the Federated States of Micronesia.

The objectives of the S-K Grant Program, and, therefore, the funding priorities, have changed over the years since the program began in 1980. The program has evolved as Federal fishery management laws and policies, and research needs, have evolved in response to changing circumstances.

The original focus of the program was to develop underutilized fisheries within the U.S. Exclusive Economic Zone (EEZ, i.e., 3-200 miles (4.8-320 kilometers) off the coast). This focus was driven in part by the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act). The Magnuson-Stevens Act, originally passed in 1976, directed us to give the domestic fishing industry priority access to the fishery resources in the EEZ. In 1980, the American Fisheries Promotion Act amended the S-K Act to stimulate commercial and recreational fishing efforts in underutilized fisheries. The competitive S-K Program initiated as a result included fisheries development and marketing as funding priorities.

In the following years, the efforts to Americanize the fisheries were successful to the point that most nontraditional species were fully

developed and some traditional fisheries became overfished. Therefore, we changed the emphasis of the S-K Program to address conservation and management issues and aquaculture.

In 1996, the Sustainable Fisheries Act (SFA) (Public Law 104-297), was enacted. The SFA amended the Magnuson-Stevens Act and supported further adjustment to the S-K Program to address the current condition of fisheries.

The Magnuson-Stevens Act, as amended by the SFA, requires us to undertake efforts to prevent overfishing, rebuild overfished fisheries, insure conservation, protect essential fish habitats, and realize the full potential of U.S. fishery resources. It further requires that we take into account the importance of fishery resources to fishing communities; provide for the sustained participation of such communities; and, to the extent possible, minimize the adverse economic impacts of conservation and management measures on such communities. The Magnuson-Stevens Act defines a "fishing community" as "a community which is substantially dependent on or substantially engaged in the harvest or processing of fishery resources to meet social and economic needs, and includes fishing vessel owners, operators, and crew and United States fish processors that are based in such community." (16 U.S.C. 1802 (16)). We have refocused the S-K Program to address the needs of fishing communities as defined by the Magnuson-Stevens Act.

The NOAA Strategic Plan, updated in 1998, has also shaped the S-K Program. The Strategic Plan has three goals under its Environmental Stewardship Mission: Build Sustainable Fisheries (BSF), Recover Protected Species, and Sustain Healthy Coasts. The fisheries research and development mission of the S-K Program directly relates to the BSF goal. There are three BSF objectives in the Strategic Plan:

1. Eliminate and prevent overfishing and overcapitalization.
2. Attain economic sustainability in fishing communities.
3. Develop environmentally and economically sound marine aquaculture.

For the FY 2001 S-K Grant Program announced in this document, we have attempted to address the most important needs of fishing communities in terms of the preceding BSF objectives. This goal is reflected in the four funding priorities listed in section II of this document. Successful applications will be those aimed at helping fishing communities to resolve issues that affect their ability to fish; make full use of

species currently under Federal jurisdiction or explore the potential for development of new sustainable managed fisheries; and address the socioeconomic impacts of overfishing and overcapitalization.

The S-K Program is open to applicants from a variety of sectors, including industry, academia, and state and local governments. We encourage applications that involve collaboration between industry and the other sectors listed.

**B. Changes from the Last Solicitation Notice**

We have changed some of the conditions in this document from the last S-K Grant Program solicitation notice published on June 21, 1999 (64 FR 33050). For example, the scope of the FY 2001 program announced in this document is limited to marine species under Federal jurisdiction. Therefore, we encourage you to read the entire document before preparing your application.

**C. Comments and Responses**

We published a notice in the **Federal Register** on February 25, 2000, (65 FR 10051) seeking comments on the proposed scope and priorities for the FY 2001 S-K Program. We proposed limiting the scope of the program to marine species under Federal management. Within the scope, we proposed four priority areas for funding. The proposed scope and priorities covered the issues we deemed to be the most important and the most appropriate for the limited funds and time frame of the S-K Program.

We received comments from one individual, two industry associations, a research institute, and an aquaculture company by the deadline date. We have combined similar comments here.

*Comment 1:* One individual called for proper legal analysis and coordination among Federal agencies on legal, regulatory, and national security issues as part of the proposed funding priority on developing marine aquaculture in the off-shore environment. In addition, he recommended that we add specific criteria to the notice (knowledge and experience) for successful applicants to address this priority area.

*Response:* We agree that applications should address all relevant considerations and should demonstrate the knowledge and ability of the investigator(s) to carry out the project, as well as familiarity with related work. However, these requirements are not unique to the aquaculture priority, but are evaluated for all applications in our technical review process (see IV.B.1 of

<sup>1</sup> For purposes of this document, a fishery is defined as one or more stocks of fish, including tuna, and shellfish that are identified as a unit based on geographic, scientific, technical, recreational and economic characteristics, and any and all phases of fishing for such stocks. Examples of a fishery are Alaskan groundfish, Pacific whiting, New England whiting, and eastern oysters.

this document). Appropriate subject matter experts rate all applications, regardless of their priority area, on "Project management and experience and qualifications of personnel," and the other technical review criteria. Therefore, we do not agree that we need to revise the aquaculture priority to include a criterion dealing with the expertise of those applicants proposing to address off-shore aquaculture.

*Comment 2:* A research laboratory director and a seafood industry association commented that we should solicit proposals dealing with the critical area of improved data for fisheries management, including biological data for stock assessments, either as part of Priority A., Conservation Engineering, or as a separate priority.

*Response:* We agree that better data are essential to successful management for sustainable fisheries. However, we do not believe that the S-K Program is the best means to conduct such work, due to the limited funding and the short term of S-K grants. Both NMFS and the Regional Fishery Management Councils (Councils) receive funds for stock assessments and related activities under their responsibilities for implementing the Magnuson-Stevens Act.

*Comment 3:* An aquaculture company and a shellfish industry group objected to our proposal to limit the program scope to federally managed species, and the aquaculture priority to only the off-shore marine environment, not land-based or near-shore aquaculture.

*Response:* In the past, we have accepted applications that addressed Great Lakes species and species under state management plans as well as federally managed species. While we have funded many worthy projects on non-federally managed species in the past, current funding is inadequate to cover every important and deserving project.

However, we have modified the scope somewhat. We recognize that species that are not currently federally managed, i.e., under Federal fishery management plans (FMPs), may be relevant to our fisheries management mission. For example, such species could present an opportunity to develop a sustainable managed fishery to substitute for an overfished fishery. Therefore, the scope of the program for FY 2001 has been changed to species under Federal jurisdiction, i.e., in the EEZ.

We have also modified the proposed funding priority for aquaculture, in response to the comments received and in accordance with the NMFS research plan for aquaculture. Although NOAA

and NMFS continue to support all aspects of aquaculture development through various efforts, marine aquaculture remains the appropriate focus for NMFS and the S-K Program. While off-shore aquaculture development is still a priority need, we have added language to clarify that for projects that address off-shore aquaculture, the actual work does not need to be conducted in the off-shore environment. We have also added other priority areas, including the need to address environmental issues, develop best management practices, and develop effective enhancement strategies for wild stocks of marine and anadromous species.

As we stated in the notice of proposed priorities, other programs of the U.S. Department of Agriculture and NOAA's Office of Oceanic and Atmospheric Research address land-based and near-shore aquaculture operations. Another possible source of assistance for aquaculture is our Fisheries Finance Program, which we have revised to make loans to aquaculture ventures a priority.

#### *D. Funding*

We expect to have approximately \$3.8 million available for grant awards for Fiscal Year (FY) 2001, which began on October 1, 2000. However, we cannot guarantee that sufficient funds will be available to make awards for all proposals deserving of funding.

In order to be funded under the S-K Grant Program, applications must propose activities that: address the funding priorities listed in section II of this document; are expected to produce a direct benefit (e.g., tool, information, service, or technology) to the fishing community (as defined in section I.A. of this document); and can be accomplished within 18 months. Acceptable research and development activities include applied research, demonstration projects, pilot or field testing, or business plan development. However, we will not fund projects that primarily involve infrastructure construction, port and harbor development, or start-up or operational costs for private business ventures. Furthermore, if your proposed project primarily involves data collection, we will only consider it if it is directed to a specific problem or need and has a fixed duration. Data collection programs of a continuing nature will not be considered.

#### *E. Eligibility*

You are eligible to apply for a grant or a cooperative agreement under the S-K Grant Program if:

1. You are a citizen or national of the United States;

2. You are a citizen of the Northern Mariana Islands (NMI), being an individual who qualifies as such under section 8 of the Schedule on Transitional Matters attached to the constitution of the NMI;

3. You are a citizen of the Republic of the Marshall Islands, Republic of Palau, or the Federated States of Micronesia; or

4. You represent an entity that is a corporation, partnership, association, or other non-Federal entity, non-profit or otherwise (including Indian tribes), if such entity is a citizen of the United States or NMI, within the meaning of section 2 of the Shipping Act, 1916, as amended (46 U.S.C. app. 802).

We support cultural and gender diversity in our programs and encourage women and minority individuals and groups to submit applications. Furthermore, we recognize the interest of the Secretaries of Commerce and Interior in defining appropriate fisheries policies and programs that meet the needs of the U.S. insular areas, so we also encourage applications from individuals, government entities, and businesses in U.S. insular areas.

We are strongly committed to broadening the participation of Minority Serving Institutions (MSIs), which include Historically Black Colleges and Universities, Hispanic Serving Institutions, and Tribal Colleges and Universities, in our programs. The DOC/NOAA/NMFS vision, mission, and goals are to achieve full participation by MSIs, to advance the development of human potential, strengthen the Nation's capacity to provide high-quality education, and increase opportunities for MSIs to participate in and benefit from Federal financial assistance programs. Therefore, we encourage all applicants to include meaningful participation of MSIs.

We encourage applications from members of the fishing community, and applications that involve fishing community cooperation and participation. We will consider the extent of fishing community involvement when evaluating the potential benefit of funding a proposal.

You are not eligible to submit an application under this program if you are an employee of any Federal agency; a Council; or an employee of a Council. However, Council members who are not Federal employees can submit an application to the S-K Program.

Our employees (whether full-time, part-time, or intermittent) are not allowed to help you prepare your application, except that S-K Program staff may provide you with 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 a proposal.

Unsatisfactory performance under prior Federal awards may result in your application not being considered for funding.

#### F. Duration and Terms of Funding

We will award grants or cooperative agreements for a maximum period of 18 months.

We do not fund multi-year projects under the S-K Program. If we select your application for funding and you wish to continue work on the project beyond the funding period, you must submit another proposal to the competitive process for consideration, and you will not receive preferential treatment.

If we select your application for funding, we have no obligation to provide any additional future funding in connection with that award. Renewal of an award to increase funding or extend the period of performance is totally at our discretion.

Even though we are publishing this announcement, we are not required to award any specific grant or cooperative agreement, nor are we required to obligate any part or the entire amount of funds available.

#### G. Cost Sharing

We are requiring cost sharing in order to leverage the limited funds available for this program and to encourage partnerships among government, industry, and academia to address the needs of fishing communities. You must provide a minimum cost share of 10 percent of total project costs, but your cost share must not exceed 50 percent of total costs. (For example, if the proposed total budget for your project is \$100,000, you must contribute at least \$10,000, but no more than \$50,000, toward the total costs. Accordingly, the Federal share you apply for would range from \$50,000 to \$90,000.) If your application does not comply with these cost share requirements, we will return it to you and will not consider it for funding.

The funds you provide as cost sharing may include funds from private sources or from state or local governments, or the value of in-kind contributions. You may not use Federal funds to meet the cost sharing requirement except as provided by Federal statute. In-kind contributions are non-cash contributions provided to you by non-

Federal third parties. In-kind contributions may include, but are not limited to, personal services volunteered to perform tasks in the project, and permission to use, at no cost, real or personal property owned by others.

We will determine the appropriateness of all cost sharing proposals, including the valuation of in-kind contributions, on the basis of guidance provided in 15 CFR parts 14 and 24. In general, the value of in-kind services or property you use to fulfill your cost share will be the fair market value of the services or property. Thus, the value is equivalent to the cost for you to obtain such services or property if they had not been donated. You must document the in-kind services or property you will use to fulfill your cost share.

If we decide to fund your application, we will require you to account for the total amount of cost share included in the award document.

#### H. Catalog of Federal Domestic Assistance

The S-K Grant Program is listed in the "Catalog of Federal Domestic Assistance" under number 11.427, Fisheries Development and Utilization Research and Development Grants and Cooperative Agreements Program.

#### I. Application Addresses

Northeast Region, NMFS, One Blackburn Drive, Gloucester, MA 01930; (978) 281-9267.

Southeast Region, NMFS, 9721 Executive Center Drive, North, St. Petersburg, FL 33702-2432, (727) 570-5324.

Southwest Region, NMFS, 501 West Ocean Boulevard, Suite 4200, Long Beach, CA: 90802-4213, (562) 980-4033.

Northwest Region, NMFS, 7600 Sand Point Way, N.E., BIN C15700, Building 1, Seattle, WA 98115, (206) 526-6115.

Alaska Region, NMFS, P.O. Box 21668, Juneau, AK 99802 or Federal Building, 709 West 9th Street, 4th Floor, Juneau, AK 99801-1668, (907) 586-7224.

#### J. Electronic Access Addresses

This solicitation and the application package are available on the NMFS S-K Home Page at: [www.nmfs.noaa.gov/sfweb/skhome.html](http://www.nmfs.noaa.gov/sfweb/skhome.html).

The 1998 updated Executive Summary of the NOAA Strategic Plan is available at: [www.strategic.noaa.gov/](http://www.strategic.noaa.gov/) and the Magnuson-Stevens Act is available at: [www.nmfs.noaa.gov/sfa/magact/](http://www.nmfs.noaa.gov/sfa/magact/).

The list of species that are currently under Federal FMPs is in the publication, *Status of Fisheries of the United States*, available at: [www.nmfs.noaa.gov/sfa/reports.html](http://www.nmfs.noaa.gov/sfa/reports.html).

## II. Funding Priorities

Your proposal must address one of the priorities listed here as they pertain to species under Federal jurisdiction. If you select more than one priority, you should list first on your application the priority that most closely reflects the objectives of your proposal.

If we do not receive proposals that adequately respond to the priorities listed, we may use S-K funds to carry out a national program of research and development addressed to aspects of U.S. fisheries pursuant to section 713c-3(d) of the S-K Act, as amended.

The priorities are not listed in any particular order and each is of equal importance.

### A. Conservation Engineering

Reduce or eliminate adverse interactions between fishing operations and nontargeted, protected, or prohibited species, including the inadvertent take, capture, or destruction of such species. These include juvenile or sublegal-sized fish and shellfish, females of certain crabs, fish listed under the Endangered Species Act (ESA), marine turtles, seabirds, or marine mammals.

Improve the survivability of fish discarded or intentionally released and of protected species released in fishing operations.

Reduce or eliminate impacts of fishing activity on essential fish habitat (EFH) that adversely affect the sustainability of the fishery.

### B. Optimum Utilization of Harvested Resources under Federal Jurisdiction

Reduce or eliminate factors such as diseases, human health hazards, and quality problems that limit the marketability of fish under Federal jurisdiction and their products in the United States and abroad.

Increase public knowledge of the safe handling and use of fish under Federal jurisdiction and their products.

Develop usable products from economic discards (defined in the Magnuson-Stevens Act as "fish which are the target of a fishery, but which are not retained because they are of an undesirable size, sex, or quality, or for other economic reasons") and from byproducts of processing of federally managed species.

Develop fishing data to be presented to the Council(s) to determine the

feasibility of a new sustainably managed fishery.

### C. Planning for Fishing Community Transition

Help fishing communities to address the socioeconomic effects of overfishing and overcapitalized fisheries through business, community, or state planning activities, including business planning for fishing capacity reduction. Activities may complement, but should not duplicate, programs available from other Federal, state, or local agencies.

### D. Marine Aquaculture

Advance the implementation of marine aquaculture in the off-shore environment (i.e., the EEZ) by addressing technical aspects such as systems engineering, environmental compatibility, and culture technology. Although you are not required to conduct the actual work in the EEZ, your application must demonstrate that the project will contribute to the goal of off-shore industry development.

Reduce or eliminate legal and social barriers to off-shore aquaculture development, e.g., legal constraints, use conflicts, exclusionary mapping, and appropriate institutional roles.

Address environmental issues for marine aquaculture, e.g., measure and reduce water quality and benthic community impacts; evaluate and reduce negative interactions between aquaculture and wild stocks, protected resources, and EFH; develop best management practices with scientific analysis and assessment of risk.

Develop effective enhancement strategies for marine and anadromous species to help in the recovery of wild stocks.

## III. How to Apply

You must follow the instructions in this document in order to apply for a grant or cooperative agreement under the S-K Program. Your application must be complete and must follow the format described here. Your application should not be bound in any manner and must be printed on one side only. You must submit one signed original and nine signed copies of your application.

### A. Cover Sheet

You must use Office of Management and Budget (OMB) Standard Form 424 and 424B (4-92) as the cover sheet for each project. (In order to complete item 16 of Standard Form 424, see section V.A.5. of this document.)

### B. Project Summary

You must complete NOAA Form 88-204 (10-98), Project Summary, for each

project. You must list on the Project Summary the specific priority to which the application responds (see section II. of this document).

### C. Project Budget

You must submit a budget for each project, using NOAA Form 88-205 (10-98), Project Budget and associated instructions. You must provide detailed cost estimates showing total project costs. Indicate the breakdown of costs between Federal and non-Federal shares, divided into cash and in-kind contributions. To support the budget, describe briefly the basis for estimating the value of the cost sharing derived from in-kind contributions. Specify estimates of the direct costs in the categories listed on the Project Budget form.

You may also include in the budget an amount for indirect costs if you have an established indirect cost rate with the Federal government. For this solicitation, the total dollar amount of the indirect costs you propose in your application must not exceed the indirect cost rate negotiated and approved by a cognizant Federal agency prior to the proposed effective date of the award, or 100 percent of the total proposed direct costs dollar amount in the application, whichever is less. The Federal share of the indirect costs may not exceed 25 percent of the total proposed direct costs. If you have an approved indirect cost rate above 25 percent of the total proposed direct cost, you may use the amount above the 25-percent level up to the 100-percent level as part of the non-Federal share. You must include a copy of the current, approved, negotiated indirect cost agreement with the Federal government with your application.

We will not consider fees or profits as allowable costs in your application.

The total costs of a project consist of all allowable costs you incur, including the value of in-kind contributions, in accomplishing project objectives during the life of the project. A project begins on the effective date of an award agreement between you and an authorized representative of the U.S. Government and ends on the date specified in the award. Accordingly, we cannot reimburse you for time that you expend or costs that you incur in developing a project or preparing the application, or in any discussions or negotiations you may have with us prior to the award. We will not accept such expenditures as part of your cost share.

### D. Narrative Project Description

You must provide a narrative description of your project that may be up to 15 pages long. The narrative

should demonstrate your knowledge of the need for the project, and show how your proposal builds upon any past and current work in the subject area, as well as relevant work in related fields. You should not assume that we already know the relative merits of the project you describe. You must describe your project as follows:

#### 1. Project goals and objectives.

Identify the specific priority listed earlier in the solicitation to which the proposed project responds. Identify the problem/opportunity you intend to address and describe its significance to the fishing community. State what you expect the project to accomplish.

If you are applying to continue a project we previously funded under the S-K Program, describe in detail your progress to date and explain why you need additional funding. We will consider this information in evaluating your current application.

#### 2. Project impacts.

Describe the anticipated impacts of the project on the fishing community in terms of reduced bycatch, increased product yield, or other measurable benefits. Describe how you will make the results of the project available to the public.

#### 3. Evaluation of project.

Specify the criteria and procedures that you will use to evaluate the relative success or failure of a project in achieving its objectives.

#### 4. Need for government financial assistance.

Explain why you need government financial assistance for the proposed work. List all other sources of funding you have or are seeking for the project.

#### 5. Federal, state, and local government activities and permits.

List any existing Federal, state, or local government programs or activities that this project would affect, including activities requiring: certification under state Coastal Zone Management Plans; section 404 or section 10 permits issued by the Corps of Engineers; experimental fishing or other permits under FMPs; environmental impact statements to meet the requirements of the National Environmental Policy Act; scientific permits under the ESA and/or the Marine Mammal Protection Act; or Magnuson-Stevens Act EFH consultation if the project may adversely affect areas identified as EFH. Describe the relationship between the project and these FMPs or activities, and list names and addresses of persons providing this information. You can get information on these activities from the NMFS Regions (see Section I.F., Application **ADDRESSES**). If we select your project for funding, you are responsible for complying with all applicable requirements.

6. *Project statement of work.* The statement of work is an action plan of activities you will conduct during the period of the project. You must prepare a detailed narrative, fully describing the work you will perform to achieve the project goals and objectives. The narrative should respond to the following questions:

(a) What is the project design? What specific work, activities, procedures, statistical design, or analytical methods will you undertake?

(b) Who will be responsible for carrying out the various activities? (Highlight work that will be subcontracted and provisions for competitive subcontracting.)

(c) What are the major products and how will project results be disseminated? Describe products of the project, such as a manual, video, technique, or piece of equipment. Indicate how project results will be disseminated to potential users.

(d) What are the project milestones? List milestones, describing the specific activities and associated time lines to conduct the scope of work. Describe the time lines in increments (e.g., month 1, month 2), rather than by specific dates. Identify the individual(s) responsible for the various specific activities.

This information is critical for us to conduct a thorough review of your application, so we encourage you to provide sufficient detail.

7. *Participation by persons or groups other than the applicant.* Describe how government and non-government entities, particularly members of fishing communities, will participate in the project, and the nature of their participation. We will consider the degree of participation by members of the fishing community in determining which applications to fund.

8. *Project management.* Describe how the project will be organized and managed. Identify the principal investigator and other participants in the project. If you do not identify the principal investigator, we will return your application without further consideration. Include copies of any agreements between you and the participants describing the specific tasks to be performed. Provide a statement no more than two pages long of the qualifications and experience (e.g., resume or curriculum vitae) of the principal investigator(s) and any consultants and/or subcontractors, and indicate their level of involvement in the project. If any portion of the project will be conducted through consultants and/or subcontracts, you must follow procurement guidance in 15 CFR part 24, "Grants and Cooperative

Agreements to State and Local Governments," and 15 CFR part 14, "Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, Other Non-Profit, and Commercial Organizations." If you select a consultant and/or a subcontractor prior to submitting an application, indicate the process that you used for selection.

#### *E. Supporting Documentation*

You should include any relevant documents and additional information (i.e., maps, background documents) that will help us to understand the project and the problem/opportunity you seek to address.

### **IV. Screening, Evaluation, and Selection Procedures**

#### *A. Initial Screening of Applications*

When we receive applications at any of the NMFS Regional Offices, we will first screen them to ensure that they were received by the deadline date (see DATES); include OMB form 424 signed and dated by an authorized representative (see section III. A. of this document); were submitted by an eligible applicant (see section I.E. of this document); provide for at least a 10-percent cost share but not more than 50 percent (see section I.G. of this document); involve an eligible activity (see section I.D. of this document); address one of the funding priorities for species under Federal jurisdiction (see section II.A.-D. of this document); include a budget and a statement of work including milestones (see sections III.C. and III.D.6 of this document); and identify the principal investigator (see section III D.8. of this document). If your application does not conform to these requirements and the deadline for submission has passed, we will return it to you without further consideration.

We do not have to screen applications before the submission deadline, nor do we have to give you an opportunity to correct any deficiencies that cause your application to be rejected.

#### *B. Evaluation of Proposed Projects*

##### **1. Technical Evaluation**

After the initial screening, we will solicit individual evaluations of each project application from three or more appropriate private and public sector experts to determine the technical merit. These reviewers will be required to certify that they do not have a conflict of interest concerning the application(s) they are reviewing. They will assign scores ranging from a minimum of 60 (poor) to a maximum of 100 (excellent)

to applications based on the following criteria, with weights shown in parentheses:

*a. Soundness of project design/conceptual approach.* Applications will be evaluated on the conceptual approach; the likelihood of project results in the time frame specified in the application; whether there is sufficient information to evaluate the project technically; and, if so, the strengths and/or weaknesses of the technical design relative to securing productive results. (50 percent)

*b. Project management and experience and qualifications of personnel.* The organization and management of the project will be evaluated. The project's principal investigator and other personnel, including consultants and contractors participating in the project, will be evaluated in terms of related experience and qualifications. Applications that include consultants and contractors will be reviewed to determine if your involvement, as the primary applicant, is necessary to the conduct of the project and the accomplishment of its objectives. (25 percent)

*c. Project evaluation.* The effectiveness of your proposed methods to monitor and evaluate the success or failure of the project in terms of meeting its original objectives will be examined. (10 percent)

*d. Project costs.* The justification and allocation of the budget in terms of the work to be performed will be evaluated. Unreasonably high or low project costs will be taken into account. (15 percent)

Following the technical review, we will determine the weighted score for each individual review and average the individual technical review scores to determine the final technical score for each application. Then, we will rank applications in descending order by their final technical scores and determine a "cutoff" score that is based on the amount of funds available for grants. We will eliminate from further consideration those applications that scored below the cutoff.

##### **2. Constituent Panel(s)**

For those applications at or above the cutoff technical evaluation score, we will solicit individual comments and evaluations from a panel or panels of three or more representatives selected by the Assistant Administrator for Fisheries (AA), NOAA. Panel members will be chosen from the fishing industry, state government, non-government organizations, and others, as appropriate. We will provide panelists with a summary of the technical evaluations, and, for

applications to continue a previously funded project, information on progress on the funded work to date.

Each panelist will evaluate the applications in terms of the significance of the problem or opportunity being addressed, the degree to which the project involves collaboration with fishing community members and other appropriate collaborators, proposed means to disseminate project results, and the merits of funding each project. Each panelist will provide a rating from 0–4 (poor to excellent) for each project, and provide comments if they wish. Panel members will be required to certify that they do not have a conflict of interest and that they will maintain confidentiality of the panel deliberations.

Following the Constituent Panel meeting, we will average the individual ratings for each project. We will then develop a ranking of projects based on the individual ranks within each of the priority areas.

### C. Selection Procedures and Project Funding

After projects have been evaluated and ranked, we will use this information, along with input from the NMFS Regional Administrators (RAs) and Office Directors (ODs), to develop recommendations for project funding. RAs/ODs will prepare a written justification for any recommendations for funding that fall outside the ranking order, or for any cost adjustments.

The AA will review the funding recommendations and comments of the RAs/ODs and determine the projects to be funded. In making the final selections, the AA may consider costs, geographical distribution, and duplication with other federally funded projects. Awards are not necessarily made to the highest ranked applications.

We will notify you in writing whether your application is selected or not. Furthermore, if your application is not selected, we will return it to you. Successful applications will be incorporated into the award document.

The exact amount of funds, the scope of work, and terms and conditions of a successful award will be determined in preaward negotiations between you and NOAA/NMFS representatives. The funding instrument (grant or cooperative agreement) will be determined by NOAA Grants. You should not initiate your project in expectation of Federal funding until you receive a grant award document signed by an authorized NOAA official.

We will not award any Federal funds to you or any subrecipients who have an

outstanding delinquent Federal debt or fine until either:

- a. The delinquent account is paid in full,
- b. A negotiated repayment schedule is established and at least one payment is received, or
- c. Other arrangements satisfactory to Commerce are made.

### V. Administrative Requirements

#### A. Your Obligations as an Applicant

You must:

1. Meet all application requirements and provide all information necessary for the evaluation of the proposal(s), including one signed original and nine signed copies of the application.
2. Be available to respond to questions during the review and evaluation of the proposal(s).

3. Submit a completed Form CD-511, "Certification Regarding Debarment, Suspension and Other Responsibility Matters; Drug-Free Workplace Requirements and Lobbying." The following explanations are provided:

a. *Nonprocurement debarment and suspension.* Prospective participants (as defined at 15 CFR 26.105) are subject to 15 CFR part 26, "Nonprocurement Debarment and Suspension" and the related section of the certification form prescribed above applies;

b. *Drug-free workplace.* Grantees (as defined at 15 CFR 26.605) are subject to 15 CFR part 26, subpart F, "Governmentwide Requirements for Drug-Free Workplace (Grants)," and the related section of the certification form prescribed above applies;

c. *Anti-lobbying.* Persons (as defined at 15 CFR 28.105) are subject to the lobbying provisions of 31 U.S.C. 1352, "Limitation on Use of Appropriated Funds to Influence Certain Federal Contracting and Financial Transactions," and the lobbying section of the certification form applies to applications for grants or cooperative agreements for more than \$100,000; and

d. *Anti-lobbying disclosures.* Any applicant who has paid or will pay for lobbying using any funds must submit an SF-LLL, "Disclosure of Lobbying Activities," as required under 15 CFR part 28, appendix B.

4. If applicable, require applicants/bidders for subgrants, contracts, subcontracts, or other lower tier covered transactions at any tier under the award to submit a completed Form CD-512, "Certifications Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transactions and Lobbying" and disclosure form SF-LLL, "Disclosure of Lobbying Activities." Form CD-512 is

intended for your use and should not be sent to the Department of Commerce (Commerce). You should send an SF-LLL submitted by any tier recipient or subrecipient to Commerce only if your application is recommended for funding. Instructions will be contained in the award document. We will provide you with all required forms.

5. Complete Item 16 on Standard Form 424 (4-92) regarding clearance by the State Point Of Contact (SPOC) established as a result of Executive Order 12372. You can get the list of SPOCs from any of the NMFS offices listed in this document or from the S-K Home Page (see section I.G. Electronic Access Addresses of this document). It is also included in the "Catalog of Federal Domestic Assistance." You must contact the SPOC, if your state has one, to see if applications to the S-K Program are subject to review. If SPOC clearance is required, you are responsible for getting that clearance in time to submit your application to the S-K Program by the deadline (see **DATES**).

6. Complete Standard Form 424B (4-92), "Assurances—Non-construction Programs." B. Your Obligations as a Successful Applicant (Recipient) If you are awarded a grant or cooperative agreement for a project, you must:

1. Manage the day-to-day operations of the project, be responsible for the performance of all activities for which funds are granted, and be responsible for the satisfaction of all administrative and managerial conditions imposed by the award.

2. Keep records sufficient to document any costs incurred under the award, and allow access to these records for audit and examination by the Secretary of Commerce, the Comptroller General of the United States, or their authorized representatives; and, submit financial status reports (SF 269) to NOAA's Grants Management Division in accordance with the award conditions.

3. Submit semiannual project status reports on the use of funds and progress of the project to us within 30 days after the end of each 6-month period. You will submit these reports to the individual identified as the NMFS Program Officer in the funding agreement.

4. Submit a final report within 90 days after completion of each project to the NMFS Program Officer. The final report must describe the project and include an evaluation of the work you performed and the results and benefits in sufficient detail to enable us to assess the success of the completed project.

We are committed to using available technology to achieve the timely and



wide distribution of final reports to those who would benefit from this information. Therefore, you are required to submit final reports in electronic format, in accordance with the award terms and conditions, for publication on the NMFS S-K Home Page. You may charge the costs associated with preparing and transmitting your final reports in electronic format to the grant award. We will consider requests for exemption from the electronic submission requirement on a case-by-case basis.

We will provide you with OMB-approved formats for the semiannual and final reports.

5. In addition to the final report in section V.B.4. of this document, we request that you submit any publications printed with grant funds (such as manuals, surveys, etc.) to the NMFS Program Officer for dissemination to the public. Submit either three hard copies or an electronic version of any such publications.

You are encouraged to the extent feasible to purchase American-made equipment and products with the funding provided under this program.

Note, if you incur any costs prior to receiving an award agreement signed by an authorized NOAA official, you do so solely at your own risk of not being reimbursed by the Government. Notwithstanding any verbal or written assurance that you may have received, Commerce has no obligation to cover preaward costs.

### C. Other Requirements

#### 1. Federal Policies and Procedures

If you receive Federal funding, you are subject to all Federal laws and Federal and Commerce policies, regulations, and procedures applicable to financial assistance awards. You must comply with general provisions that apply to all recipients under Commerce grant and cooperative agreement programs.

#### 2. Name Check Review

You may be subject to a name check review process. We use name checks to determine if you or any key individuals named in your application have been convicted of, or are presently facing, criminal charges such as fraud, theft, perjury, or other matters that significantly reflect on your management, honesty, or financial integrity.

#### 3. Financial Management Certification/Preaward Accounting Survey

You may, at the discretion of the NOAA Grants Officer, be required to

have your financial management systems certified by an independent public accountant as being in compliance with Federal standards specified in the applicable OMB Circulars prior to execution of the award. If you are a first-time applicant for Federal grant funds, you may be subject to a preaward accounting survey by Commerce prior to execution of the award.

#### 4. False Statements

A false statement on the application is grounds for denial or termination of funds and grounds for possible punishment by a fine or imprisonment (18 U.S.C. 1001).

#### Classification

Prior notice and an opportunity for public comments are not required by the Administrative Procedure Act or any other law for this notice concerning grants, benefits, and contracts.

Furthermore, a regulatory flexibility analysis is not required for purposes of the Regulatory Flexibility Act.

This action has been determined to be not significant for purposes of Executive Order 12866.

Applications under this program are subject to Executive Order 12372, "Intergovernmental Review of Federal Programs."

This document contains collection-of-information requirements subject to the Paperwork Reduction Act (PRA). The use of Standard Forms 424, 424B, and SF-LLL have been approved by OMB under the respective control numbers 0348-0043, 0348-0040, and 0348-0046. NOAA-specific requirements have been approved under OMB control number 0648-0135. These requirements and their estimated response times are 1 hour for a project summary, 1 hour for a budget form, 2.5 hours for a semiannual report, and 13 hours for a final report. These estimates include the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding these burden estimates or any other aspect of this collection of information, including suggestions for reducing this burden, to Alicia Jarboe, F/SF2, Room 13112, 1315 East West Highway, Silver Spring, MD 20910-3282.

Notwithstanding any other provision of law, no person is required to respond to, nor shall any person be subject to a penalty for failure to comply with, a collection of information subject to the requirements of the PRA unless that

collection of information displays a currently valid OMB control number.

A solicitation for applications will also appear in the "Commerce Business Daily."

Dated: February 28, 2001.

**William T. Hogarth,**

*Acting Assistant Administrator for Fisheries, National Marine Fisheries Service.*

[FR Doc. 01-5560 Filed 3-6-01; 8:45 am]

**BILLING CODE 3510-22-S**

## DEPARTMENT OF DEFENSE

[OMB Control Number 0704-0231]

### Information Collection Requirements; Defense Federal Acquisition Regulation Supplement; Mortuary Services Contracts

**AGENCY:** Department of Defense (DoD).

**ACTION:** Notice and request for comments regarding a proposed extension of an approved information collection requirement.

**SUMMARY:** In compliance with section 3506(c)(2)(A) of the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35), DoD announces the proposed extension of a public information collection requirement and seeks public comment on the provisions thereof. DoD invites comments on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of DoD, including whether the information will have practical utility; (b) the accuracy of the estimate of the burden of the proposed information collection; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the information collection on respondents, including the use of automated collection techniques or other forms of information technology. The Office of Management and Budget (OMB) has approved this information collection requirement for use through July 31, 2001. DoD proposes that OMB extend its approval for use through July 31, 2004.

**DATES:** DoD will consider all comments received by May 7, 2001.

**ADDRESSES:** Respondents may submit comments directly on the World Wide Web at <http://emissary.acq.osd.mil/dar/dfars.nsf/pubcomm>. As an alternative, respondents may e-mail comments to: [dfars@acq.osd.mil](mailto:dfars@acq.osd.mil). Please cite OMB Control Number 0704-0231 in the subject line of e-mailed comments.

Respondents that cannot submit comments using either of the above methods may submit comments to: