

Priority List of Projects Eligible for Funding in FY 2010 under the Coastal and Estuarine Land Conservation Program

The Coastal and Estuarine Land Conservation Program (CELCP) provides state and local governments with matching funds to purchase significant coastal and estuarine lands, or conservation easements on such lands, from willing sellers. Each fiscal year, projects are ranked for selection based on an independent, competitive, merit-based evaluation. This report provides the priority list of projects that are ready and eligible for funding in FY 2010, subject to the amounts appropriated for the program. This report also describes the process and criteria used to develop the list.

The projects included on this list have not yet been selected for funding. Rather, NOAA will use this list as a guide in selecting projects for funding within the amounts appropriated for FY 2010, after confirming that projects are still viable.

The President's Budget for FY 2010 requested \$15 million for land conservation projects under the Coastal and Estuarine Land Conservation Program (CELCP), as well as an additional \$5 million for projects under the Great Lakes Restoration Initiative.

Background on CELCP

Established in 2002 under the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, and re-authorized in 2009 under the Omnibus Public Land Management Act, CELCP provides matching funds to state and local governments to protect lands with significant conservation, recreation, ecological, historical, or aesthetic values, or that are threatened by conversion from their natural, undeveloped, or recreational state to other uses. CELCP's authority specifies that priority be given to lands which can be effectively managed and protected, that have significant ecological value, that have a demonstrated need for protection, and that have ability to successfully leverage funds.

Since 2002, NOAA has awarded more than \$230 million to state and local governments in 27 of the 34 eligible coastal states and territories. CELCP funds have supported the protection of more than 45,000 acres, and the number of acres will continue to grow as the dozens of ongoing projects come to completion. Additional information about the CELCP can be found on NOAA's website at: <http://coastalmanagement.noaa.gov/land/welcome.html>.

FY 2010 Competitive Process

The FY 2010 CELCP competition was conducted in much the same manner as in previous years, with a few changes. The Omnibus Public Land Management Act, which reauthorized the CELCP, passed in March 2009 during the application period for FY 2010 proposals. To conform to the new law, NOAA revised the funding opportunity announcement and re-opened the competition for a limited period to enable applicants to adjust their proposals accordingly.

NOAA initially published a Federal Register Notice (FRN) announcing the FY 2010 CELCP funding opportunity in the agency's December omnibus FRN on January 2, 2009 (Vol. 74, p.82), with the application period ending March 31, 2009. The Omnibus Public Land Management Act, which was enacted on March 30, 2009, contained some changes to eligibility requirements and program priorities. As a result, NOAA revised the FY 2010 FFO and published a stand-alone FRN on August 19, 2009 (Vol. 74, p. 41862) to re-open the competition, with the application period ending September 18, 2009. The purpose of the re-opening was to allow eligible states and territories the opportunity to adjust project proposals to comport with changes directed by the new legislation. The funding opportunity notices and application materials were posted through Grants.gov and on the CELCP website. For the re-opening, NOAA also posted a document on the CELCP website summarizing the changes in eligibility criteria and requirements under the new legislation. A copy of the notice and application materials can be found on NOAA's CELCP website at: http://coastalmanagement.noaa.gov/land/celcp_fundingop.html.

In total, coastal states and territories submitted sixty (60) proposals for the FY 2010 competition. NOAA has generated a ranked list of projects considered ready and eligible for funding (below). ***Funding for projects on the list is subject to the availability of FY 2010 appropriations.***

Development of the FY 2010 Priority List

Under the funding opportunity, each eligible coastal state and territory could nominate up to three projects addressing priorities identified within the state or territorial CELCP plans for the national funding competition. Each qualifying project proposal was evaluated by four merit reviewers according to criteria described in the funding notice. Criteria included:

- *Program purpose (up to 55 points)*, i.e., relevance to program goals, including ecological, conservation, recreational, aesthetic, historical/cultural values, and public benefits gained from the long-term protection and management of the property. Priority was given to projects that protect lands with significant ecological value.
- *Technical merit (up to 25 points)*, i.e., whether a project could be effectively managed and protected over the long-term; the degree of threat of conversion from a natural or recreational state to other uses; and whether the project could be executed within the performance period.
- *Qualifications of applicants (up to 10 points)*, i.e., capacity and experience of the applicant to execute the land transaction consistently with CELCP Guidelines and to manage (either directly or through partnerships) property for long-term conservation of the values for which it is being protected.
- *Project costs (up to 20 points)*, i.e., whether land acquisition costs are reasonable and based on an independent appraisal or other assessment of fair market value; whether the source of the required non-Federal matching share of funds is consistent with CELCP program authority and guidelines and is likely to be available within the performance period; and whether direct and indirect costs for implementation of the project, if requested, are reasonable and consistent with CELCP guidelines.

Program staff ranked eligible projects in priority order based on the averaged scores of the four merit reviewers. Projects were further evaluated according to the following selection factors, which were listed in the funding notice: program objectives and priorities (as set forth in section I.A. and I.B. of the FFO notice), including priority consideration for lands with significant ecological value and that can be effectively managed and protected; geographic distribution of projects and/or funds; benefits to National Estuarine Research Reserves; and the applicant's prior CELCP award performance (if applicable).

Program staff also reviewed each project for eligibility and completeness. Partial funding was recommended for several projects, as indicated on the table below, based on eligibility of costs and/or proposed uses. Projects that were determined to be not ready or eligible proposed ineligible long-term uses of the site(s) or did not provide sufficient information to determine eligibility, as required in the funding notice and published evaluation criteria.

Final Selection of FY 2010 Projects for Funding under CELCP

The list below comprises the FY 2010 priority list of projects that are ready and eligible for funding in FY 2010, subject to the amounts appropriated for the program. *The projects included on this list have not yet been selected for funding.* NOAA will use this list as a guide in selecting projects for funding within the amounts appropriated for FY 2010, after confirming that projects are still viable. NOAA must also first review and approve a final grant application before funds will be awarded, as well as review supporting due diligence documents (such as appraisal and title documentation) for each project before funds will be released to grant recipients.

For any projects selected for funding, applicants will need to submit additional documentation either at the time of final grant application, or as a condition of a grant award. This documentation includes: an appraisal that meets Federal appraisal standards to support the requested funding amount; evidence of title; evidence of seller's willingness; evidence of agreement; survey plat map; and state certification that the project complements working waterfronts needs. Documentation is required for each property that will be acquired with CELCP funds and also for each property that will contribute toward the non-Federal cost share. Documents will be used to substantiate cost estimates contained in project proposals and ensure the clear transfer of title or proper recordation of conservation easements to the grant recipient. These requirements are further described in section 4.4 of the CELCP Guidelines and in section IV.B.2. of the re-opened FFO (published August 19, 2009).

If funding is appropriated for CELCP in FY 2010, NOAA would expect to award grants between March and October 2010. NOAA recognizes that some projects may cease to be viable before a grant is awarded. NOAA will confirm the status of projects prior to making a final selection for funding. NOAA also recognizes that projects selected for funding may fall through prior to completion, even after a grant award has been made. To address this possibility, NOAA will maintain a contingency list of projects that were not able to be funded with available appropriations. NOAA will select replacement projects from this list in the event that a selected project cannot be completed and/or if funds are returned to the program.

**FY 2010 Prioritized List for the
Coastal and Estuarine Land Conservation Program**

Rank	State	Project Name	Eligible Funding[#]
1	HI	Lapakahi Marine Life Conservation District Acquisition, North Kohala, Hawai`i Island	\$1,250,000
2	WA	Kiket Island Addition - Phase II	\$3,000,000
3	MD	Ayers Creek - Holly Grove Swamp Phase II	\$1,375,000*
4	WI	Nemadji River	\$1,912,000*
5	CA	Tognazzini Property - Paradise Beach	\$1,200,000
6	FL	Rookery Bay NERR - Keewaydin Island ^β	\$1,500,000
7	MI	Saugatuck Harbor Natural Area Acquisition	\$3,000,000
8	PR	San Miguel Natural Reserve - Phase III	\$3,000,000*
9	MS	Cat Island	\$1,206,575
10	GA	Altamaha River Rayonier Tract - Phase II ^β	\$2,000,000*
11	OR	Big Creek	\$2,000,000
12	CT	Barn Island Wildlife Management Area Expansion and Marsh Migration Refuge	\$786,600
13	NH	Pawtuckaway River Corridor ^β	\$731,743 [^]
14	MI	Bete Grise Wetlands Acquisition	\$1,719,500
15	WI	Houghton Falls	\$1,423,150
16	OH	Kelleys Island Monagan Road Preserve	\$476,750 [^]
17	AK	Campbell Creek Estuary	\$1,000,000*
18	MA	Magnolia Hill Conservation Project	\$3,000,000 [‡]
19	NC	Eagles Island, Blue Sky Tract	\$251,090 [^]
20	OR	Beaver Creek	\$2,450,000 [†]
21	VA	Blackwater River Old-Growth Forest Project - Isle of Wight County	\$800,000*
22	VA	Davis Tract: Dune, Beach and Bird Habitat, Southern Tip-Northampton County	\$1,558,500 [†]
23	MA	Nasketucket Bay Land Protection Project	\$2,800,000
24	FL	Indian River Lagoon Blueway - North Brevard	\$1,006,112.50
25	WI	Mashek Creek Acquisition	\$398,000*
26	ME	Merriland River Corridor ^β	\$641,500*
27	NY	Swan River Marsh and Upland South Shore Estuary Reserve ^β	\$1,830,500
28	CA	North Richmond Wetlands - San Pablo Creek Marsh	\$460,000
29	GA	Battery Halleck Conservation Project	\$305,500
30	AL	Mobile-Tensaw Delta/Perdido River Corridor	\$3,000,000
31	OH	Lake Erie Bluff Preservation Project	\$3,000,000 [‡]
32	GA	Fort Frederica North Marsh Property	\$2,012,500
33	MI	Harsens Island Conservation Area	\$3,000,000*
34	HI	Pao`o Coastal Conservation Land Acquisition	\$1,250,000

35	ME	Pond Cove Island	\$637,500*
36	PA	Roderick Wildlife Reserve Expansion	\$526,609 [†]
37	SC	Waccamaw River Nature Park ^β	\$655,000* [‡]
38	NY	Jonas/Mooney/Oelsner Parcels on Long Island Sound	\$2,500,000
39	IN	Hidden Hundred	\$1,800,000 ^{^†}
40	OR	Ecola Creek Reserve Expansion	\$1,801,500 [^]
41	NJ	Osborn Island ^β	\$1,867,500 [†]
42	CA	Pillar Point Bluff Complex	\$2,138,000 [†]
43	RI	Rocky Point - Phase II ^β	\$3,000,000* [‡]
44	WA	Elk River Estuarine Lands	\$872,700 [^]
45	AK	Mendenhall Wetlands State Game Refuge	\$130,000 ^{^*}
46	HI	Black Pot Park Expansion, Kaua`i	\$700,000 [†]
47	OH	Sylvan Prairie Park Expansion	\$350,000
48	NC	Green Swamp - Gert Holdings Tract	\$3,000,000*
49	MD	Acquisition of Horseman's Perfection - Fishing Bay WMA Property	\$394,586* [^]
50	NY	Hudson River NERR Enhancement Project: Plotkin Acquisition ^β	\$1,030,000
51	SC	Palmetto Fort - Mount Pleasant	\$400,000*
52	NJ	Mannington Meadow Tidal Marsh Greenway	\$1,300,000*
53	NJ	MPS Tuckahoe	\$2,016,250
54	PA	Tidal Schuylkill River Greenway and Trail	\$1,190,000 [†]
55	CNMI	Susupe Lake	\$200,000
56	NC	Lewis Farm	\$247,860
57	VI	Acquisitions on St. Croix and St. Thomas	\$425,834.50 [†]

Guide to Notations:

* Signifies projects that will require negotiation or clarification of some elements with applicant, particularly regarding proposed project costs or uses of property. NOAA reserves the right to review any lease or management strategy for consistency with CELCP guidelines. NOAA also reserves the right to review all costs at the time of final grant application to determine eligibility and reasonableness and request budget changes accordingly, if needed.

[^] Signifies projects that have been recommended for the list at a reduced funding level from the requested amount due to ineligibility of certain costs and/or proposed uses on portions of the project site(s).

[†] Signifies projects that have been recommended for the list, but contain certain ineligible proposed costs, match, or uses that may necessitate an as-yet-undetermined reduction in funding level from the requested amount. If selected for funding, program officials will work with applicants to determine the eligible federal funding amount.

[‡] Signifies that a NEPA determination is necessary before the project will be funded.

^β Signifies documented benefits to a National Estuarine Research Reserve.

[#] Signifies that the costs for purchase of lands or easements, or the value of in-kind properties or donated land value proposed as match, must be documented through appraisals that meet Federal "Yellow Book" appraisal standards. These and other costs will be reviewed at the time of final grant application or as a part of the due diligence documentation and, if necessary, NOAA may request or negotiate budget changes accordingly.