

Special Award Conditions

1. Federal Consistency Certification

If required by the applicable state, the Recipient will need to prepare a Federal Consistency certification when the complete and signed Project Checklist (and any other required information) for each project is submitted to NOAA. The Recipient shall provide this information to the state agency responsible for Federal Consistency reviews at the same time it is submitted to NOAA. At that time, if the state agency responsible for Federal consistency reviews intends to review the activity, it is obligated to notify the Recipient and NOAA. In this circumstance, NOAA will not approve the release of Federal funds until the state agency completes the Federal Consistency review and concurs that it is consistent with the enforceable policies of the state's Coastal Management Program.

2. Deed/Conservation Easement Restriction Language

Pursuant to 15 CFR 24.31(b)(1), the deed(s) for the real property(ies) or conservation easement(s) acquired with funds from this award shall contain substantially the following provision:

Deeds: "This property has been acquired [in part] with funds from Federal financial assistance award NA1xNOS419xxxx through NOAA's Coastal and Estuarine Land Conservation Program. Title to the property conveyed by this deed shall vest upon acquisition in the [name of grant recipient or other appropriate public agency] subject to the conditions that the property shall be managed for conservation purposes and consistent with the purposes for which it was entered into the CELCP. The [recipient/public agency] shall not dispose of, exchange, encumber its title or other interests in, or convert the use of this property without the approval of NOAA or its successor agencies."

Easements: "This conservation easement has been acquired [in part] with funds from Federal financial assistance award NA1xNOS419xxxx through NOAA's Coastal and Estuarine Land Conservation Program. The rights conveyed by this easement shall vest in [name of grant recipient or other appropriate public agency] subject to the conditions that the property be managed for conservation purposes and consistent with the purposes for which it was entered into the CELCP. [The recipient/public agency] is responsible for monitoring and enforcing the terms of this easement and shall not exchange, reassign, extinguish or otherwise dispose of it, or modify the terms, without the approval of NOAA or its successor agencies."

For each property or conservation easement acquired under the award, a copy of the recorded deed or conservation easement showing the required language shall be submitted with the final project report.

3. Funding Acknowledgment Sign

For each property or conservation easement acquired under the award, the Recipient shall cause to be erected at the property a permanent plaque or sign satisfactory to NOAA that identifies the project and credits the "National Oceanic and Atmospheric Administration through the Coastal and Estuarine Land Conservation Program" as a funding source. The Recipient's final project report shall include photographs of the sign installed at the property as evidence that this award condition has been met.

4. Reimbursement of Grant Funds

Pursuant to 15 CFR 24.31(c), in the event NOAA becomes aware that the property or easement has been disposed of, transferred, or exchanged; there are title discrepancies or encumbrances that NOAA deems

interfere with the purpose for which these funds were granted; or if NOAA determines that the property has ceased to be used for the purposes for the original purposes as approved by NOAA, the Recipient shall reimburse NOAA for the share of the federal funds received for the project based on the fair market value of the interest in the land at the time of disposal, or the grant amount, whichever is greater.

5. Complete Project Documentation

Federal funds are not permitted to be expended under this award until NOAA reviews and approves the project. Specifically, no Federal funds may be expended on the project until the Recipient has submitted to NOAA for each property being acquired through this award: maps (site map, region map, and survey); a complete and signed Project Checklist; evidence of agreement with a willing seller; evidence of title; and appraisal, and NOAA has approved them.

6. Post Award NEPA Review Process

Because the Recipient has not yet submitted all required information for the project identified, it was not possible to complete the NEPA review process for this award. Consequently, federal funds are also restricted until the required documents have been submitted and reviewed to determine if additional NEPA documentation is required.

7. New Award SAC

This award number NA1xNOS419xxxx, to X, supports the work described in the Recipient's proposal entitled X CELCP Project dated XX/XX/201x, which is incorporated into the award by reference. Where the terms of the award and proposal differ, the terms of the award shall prevail.