

## Summary of Eligibility Criteria & Requirements for CELCP & Matching Funds

The table below presents the eligibility criteria and requirements for expenditure/reimbursement of CELCP funds (i.e., the Federal share) and matching funds (i.e., the non-Federal share). Some of these requirements are new, as directed under CELCP’s recent re-authorization (Omnibus Public Land Management Act of 2009, Pub. L. No. 111-11, March 30, 2009), while others are unchanged from past program requirements.

PLEASE NOTE: Some of the language below includes various “terms of art” that have specific definitions for NOAA’s grant programs. A glossary is provided at the end of this document to clarify terminology.

<i>Eligibility Criteria/ Requirements</i>	<b>CELCP Funds (Federal Share)</b>	<b>Match Funds (Non-Federal Share)</b>
<b><i>Eligible costs</i></b>	<ul style="list-style-type: none"> <li>- Land acquisition (i.e., purchase price of CELCP-funded property).</li> <li>- Direct transaction costs (such as appraisals, surveys, title work, etc.) that support acquisition of a CELCP-funded property.</li> <li>- Administrative and initial stewardship costs, at amounts up to the equivalent of 5 percent of the Federal share (see FFO for explanation of administrative and initial stewardship costs).</li> </ul>	<ul style="list-style-type: none"> <li>- NEW! The value of properties acquired by or donated to the grant recipient or qualified NGO. The value is established “at the time of <a href="#">grant closing</a>”, not the time of <a href="#">property closing</a>. (See “Time window for obtaining an appraisal” below.)</li> <li>- Costs associated with land management planning, remediation, restoration, and enhancement <i>for properties purchased with CELCP funds</i> if incurred during the <a href="#">award performance period</a>.</li> <li>- NEW! Costs associated with land acquisition, land management planning, remediation, restoration, and enhancement <i>for in-kind match properties</i>.</li> </ul>
<b><i>Time window for incurring costs related to the grant</i></b>	<ul style="list-style-type: none"> <li>- Must be incurred within the <a href="#">award performance period</a>.</li> <li>- In limited cases, may be incurred during the <a href="#">pre-award period</a> (within the 90 days prior to award start date) if requested in the <a href="#">final grant application</a> and applicant can demonstrate it is necessary to incur the costs in advance of the award start date. Pre-award costs are subject to NOAA’s approval as part of a final grant application and are incurred at the recipient’s risk.</li> <li>- The Federal share of the land acquisition cost (i.e., purchase price of property acquired with CELCP Funds) may be reimbursed if the acquisition occurs between <a href="#">selection date</a> and the award start date; however reimbursement of funds is subject to NOAA’s approval of due diligence documents; closing on a property prior to the award start date is at the applicant’s risk.</li> </ul>	<ul style="list-style-type: none"> <li>- Cash match or in-kind contributions of costs associated with land acquisition, land management planning, remediation, restoration, and enhancement of the <i>CELCP-funded property</i> must be provided or incurred during the <a href="#">award performance period</a>.</li> <li>- NEW! In-kind contributions of match in the form of land, or costs associated with acquisition, land management planning, remediation, restoration, and enhancement for <i>properties used as in-kind match</i> may be incurred during the <a href="#">banked match</a> window or <a href="#">award performance period</a>.</li> </ul>

<p><b><i>Time window for obtaining an appraisal/ establishing date of value</i></b></p>	<ul style="list-style-type: none"> <li>- For properties acquired with Federal CELCP funds, within one year or less of <a href="#">property closing</a>.</li> </ul>	<ul style="list-style-type: none"> <li>- NEW! For land contributed as in-kind match, the value is established at the time of <a href="#">grant closing</a>, which for the FY 2010 competition, means within one year of the expected <a href="#">grant closing</a> date or within nine months of the expiration of the <a href="#">award performance period</a>.</li> </ul>
<p><b><i>Applicable Federal cost principles</i></b></p>	<ul style="list-style-type: none"> <li>- OMB Circular A-87 “Cost Principles for State, Local, and Indian Tribal Governments”</li> </ul>	<ul style="list-style-type: none"> <li>- OMB Circular A-87 “Cost Principles for State, Local, and Indian Tribal Governments”</li> <li>- NEW! OMB Circular A-122 “Cost Principles for Non-Profit Organizations” (for in-kind match properties held by qualified NGOs)</li> </ul>
<p><b><i>Due diligence documentation requirements</i></b></p>	<ul style="list-style-type: none"> <li>- Site survey, regional map, and site map or aerial photo.</li> <li>- Evidence of title (e.g., title opinion, property report).</li> <li>- Complete and self-contained appraisal prepared to <i>Uniform Appraisal Standards for Federal Land Acquisitions</i> (“Yellow Book”).</li> <li>- CELCP project checklist (for NEPA purposes).</li> <li>- Evidence of willing seller.</li> <li>- Evidence of agreement (e.g., purchase &amp; sale agreement, contract, option).</li> </ul>	<ul style="list-style-type: none"> <li>- Same as for CELCP-funded properties, except that the appraisal may be prepared to <i>Uniform Standards of Professional Appraisal Practice</i> (USPAP) rather than Federal “Yellow Book” standards.</li> </ul>
<p><b><i>Who is eligible to hold title to properties/ easements</i></b></p>	<ul style="list-style-type: none"> <li>- The grant recipient.</li> <li>- If the grant recipient is not a land-holding agency, they may designate another eligible agency within the same unit of government (e.g., a state agency) that has a mission consistent with long-term conservation and management under the <i>CELCP Guidelines</i>.</li> </ul>	<ul style="list-style-type: none"> <li>- The same public agency that holds title to the property acquired with CELCP funds.</li> <li>- A qualified NGO. (Note that qualified NGOs generally include 501(c)(3) non-profit organizations whose primary mission is to acquire and manage land for the purposes of conservation.)</li> </ul>
<p><b><i>Deed language requirements</i></b></p>	<p>This property has been acquired [in part] with funds from Federal financial assistance award NAXxNOS419xxxx through NOAA’s Coastal and Estuarine Land Conservation Program (CELCP). Title to the property conveyed by this deed shall vest upon acquisition in the [name of grant recipient or recipient’s designated 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/designated 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.</p>	<p>The acquisition/donation value of this property/conservation easement has been used as match for Federal financial assistance award NAXxNOS419xxxx through NOAA’s Coastal and Estuarine Land Conservation Program (CELCP). The property must be maintained for conservation purposes and consistent with the purposes for which it was approved as match for a grant under the CELCP. <i>For real property:</i> [Name of title holder] shall not dispose of, exchange, encumber its title or other interests in, or convert the use of this property without notifying NOAA or its successor agencies). <i>For easements:</i> [Name of easement holder] is responsible for monitoring and enforcing the terms of this easement and shall not dispose of the easement or modify the terms without notifying NOAA or its successor agencies.</p>

## Glossary of NOAA's Grant Terms

**Award performance period** – The award performance period begins on the official start date of the award (typically October 1) and lasts 18 months. The last day of the award performance period is referred to as the award expiration date (e.g., for an 18-month project that begins on Oct. 1, 2010, the award will expire on March 31, 2012). The award performance period may also be extended an additional 18 months (for a maximum total award performance period of three years), with approval from NOAA, if circumstances warrant (e.g., unforeseen circumstances that prevent the project from being completed within the initial 18-month award period). In order to qualify for an extension, grant recipients must: be in good standing (i.e., up-to-date on all progress and financial reports), demonstrate progress during the initial 18-month award period, and be able to demonstrate that additional time is likely to result in successful completion of the project.

**Banked match** – Banked match is the value of lands acquired or donated for conservation purposes or in-kind contributions of services on these same properties. In order to count toward the non-Federal share of funding, these costs must be incurred within the three years prior to the submission date of the [final grant application](#).

**Due diligence documentation** – Due diligence documentation is the suite of materials that support the purchase of a property that must be reviewed and approved by NOAA in order to release funds to a grant recipient. For CELCP, this documentation includes: maps and surveys, project checklist, evidence of a willing seller, evidence of a purchase agreement, evidence of marketable title, and a complete and self-contained appraisal prepared to the Federal standards. Recipients must also submit a draft deed or conservation easement showing the required NOAA language.

**Final grant application** – The final grant application is submitted by applicants whose projects are selected for funding, once appropriations have been made and NOAA is able to establish how much money is available for grant awards. Selected projects are those projects that have been competitively ranked based on an external merit review of the [pre-proposal](#) submitted in response to a Federal Funding Opportunity notice. A final application comprises the standard Federal forms (SF424, SF424A, SF424B, and CD511), an updated scope of work and project budget, and the due diligence materials, if they are available.

**Grant closing date** – Ninety days after the [award performance period](#) expires.

**Pre-award period** – The 90 days before the start date of the [award performance period](#). If approved by NOAA, certain costs are eligible for reimbursement with CELCP funds if they are incurred within the pre-award period.

**Pre-proposal** – The pre-proposal is the application submitted to the CELCP competition in response to the Federal Funding Opportunity notice. Pre-proposals are reviewed and evaluated by an external panel of merit reviewers and ranked for funding within the amounts available in a given fiscal year. Projects that are selected for funding are then invited to submit a [final grant application](#) for funding.

**Property closing** – The date a target property is acquired.

**Selection date** – The selection date is the date the project was recommended for funding through the competitive selection process. For the CELCP, the selection date is the date the competitively ranked list of projects deemed ready and eligible for funding in a given fiscal year is approved and signed by the program's selection official, NOS Assistant Administrator David Kennedy.