

Assistance Standard Terms and Conditions. Performance report will be submitted to the NOAA office responsible for the program.

Unless otherwise authorized, semi-annual financial reports will be submitted in accordance with the Department of Commerce, Financial Assistance Standard Terms and Conditions to the Grants Officer at NOAA GMD.

C. Matching Funds

For ease of reference, the matching funds requirements described in section VIII of the Guidelines have been included here. With the exception of section VI. Projects to Improve or Amend Coral Reef Fishery Management Plans, all other program areas are subject to the matching fund requirements stated here, pursuant to section VIII of the Guidelines.

As per section 6403(b)(1) of the Coral Reef Conservation Act of 2000, Federal funds for any coral conservation project funded under this Program may not exceed 50 percent of the total cost of the projects. The matching funds may comprise a variety of public and provide sources and can include in-kind contributions and other non-cash support. NOAA strongly encourages applicants to leverage as much investment as possible. Federal funds may not be considered as matching funds.

As per section 6403(b)(2) of the Conservation Act, the NOAA Administrator may waive all or part of the matching requirement if the Administrator determines that the project meets the following two requirements:

1. No reasonable means are available through which an applicant can meet the matching requirement, and
2. The probable benefit of such project outweighs the public interest in such matching requirement.

Applicants must specify in their proposal the source and may be asked to provide letters of commitment to confirm stated contributions. In the case of a waiver request, the applicant must provide a detailed justification explaining the need for the waiver including attempts to obtain sources of matching funds, how the benefit of the project outweighs the public interest in providing match and any other extenuating circumstances preventing the availability of match.

Notwithstanding any other provisions herein, and in accordance with 48 U.S.C. 1469a(d), the Program shall waive any requirement for local matching funds for any project under \$200,000 (including in-kind

contribution) to the governments of Insular Areas, defined as the jurisdictions of the U.S. Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.

D. General Information

If an application is selected for funding, NOAA has no obligation to provide any additional prospective funding in connection with that award in subsequent years. Any subsequent proposal to continue work on an existing project must be submitted to the competitive process for consideration and will not receive preferential treatment. Renewal of an award to increase funding or to extend the period of performance is at the total discretion of NOAA.

Unsuccessful applications will be destroyed and not returned to the applicant.

The recipients must comply with Executive Order 12906 regarding any and all geospatial data collected or produced under grants or cooperative agreements. This includes documenting all geospatial data in accordance with the Federal Geographic Data Committee Content Standard for digital geospatial data.

Classification

This Program will be added to the Catalog of Federal Domestic Assistance under the Coastal Zone Management Act (11.419), Financial Assistance for National Centers for Coastal Ocean Science (11.426), and Habitat Conservation (11.463). The Program uses only the existing NOAA Federal financial assistance awards package requirements per 15 CFR parts 14 and 24.

The Department of Commerce Pre-Award Notification of Requirements for Grants and Cooperative Agreements contained in the **Federal Register** Notice of October 1, 2001 (66 FR 49917), as amended by the **Federal Register** notice published on October 30, 2002 (67 FR 66109), is applicable to solicitation. The program will determine National Environmental Policy Act (NEPA) compliance on a project by project basis.

Executive Order 12866

This action has been determined to be "not significant" for purposes of Executive Order 12866, Regulatory Planning and Review."

Executive Order 12372

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

Paperwork Reduction Act

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 Paperwork Reduction Act, 44 U.S.C. 3501 *et seq.*, unless that collection of information displays a currently valid OMB control number. Forms SF-424, SF-424A, SF-424B, and SF-LLL and CD-346 have been approved by OMB under the respective control numbers 0348-0043, 0348-0044, 0348-0040, 0348-0046 and 0605-0001, respectively.

This notice also contains a collection-of-information requirement subject to the Paperwork Reduction Act and which has been approved by OMB under control number 0648-0448. The public reporting burden is estimated to average one hour per response for comments on a proposed project from each agency with jurisdiction over coral reef ecosystems in the area where the project is to be conducted and one hour per response for a request for a waiver of matching funds. This estimate includes 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 this burden estimate, or any other aspect of these data collections, including suggestions for reducing the burden, to the NOAA Office of Response and Restoration, N/ORR, National Ocean Service, 1305 East-West Highway, Silver Spring, MD 20910.

Notice and Comment are not required under 5 U.S.C. 553(a)(2), or any other law, for rules relating to public property, loans, grants, benefits or contract. Because notice and comment are not required, a regulatory flexibility analysis is not required and has not been prepared for this notice 5 U.S.C. 601 *et seq.*

Dated: January 13, 2003.

Jamison S. Hawkins,

Acting Assistant Administrator for National Ocean Service.

[FR Doc. 03-1153 Filed 1-16-03; 8:45 am]

BILLING CODES 3510-JE-S and 3510-22-S