

proposals. In addition, Department of Commerce (DOC) and Department of Interior (DOI) employees may act as Cooperators if they are responsible for performing analyses or interpreting data collected under a Prescott award. However, no Prescott Grant Program funds can be used for salaries or travel of DOC or DOI employees. See section I. F. for Eligibility requirements.

There is no guarantee that sufficient funds will be available to make awards for all qualified projects. Publication of this notice does not oblige NOAA to award any specific project or to obligate any available funds. If an application for a financial assistance award is selected for funding, NOAA/NMFS has no obligation to provide any additional funding in connection with that award in subsequent years. In no event will NOAA or DOC be responsible for proposal preparation costs if this program fails to receive funding or is cancelled because of other agency priorities.

If a recipient of an award incurs any costs prior to receiving an award agreement signed by an authorized NOAA official, they would do so solely at their own risk of these costs not being included under the award.

Notwithstanding any verbal or written assurance that applicants have received, pre-award costs are not allowed under the award unless the Grants Officer approves them in accordance with 15 CFR 14.28.

F. Eligibility

There are 5 categories of eligible stranding network participants that can apply for funds under this Program: (1) Letter of Agreement (LOA) holders; (2) LOA designees; (3) researchers; (4) NMFS-recognized Northwest Region participants; and, (5) state, local, or eligible Federal government entities.

In order for these organizations and individuals to apply for award funds under the Prescott Grant Program, they must meet the following eligibility criteria specific to their category of participation:

1. LOA Holder Participant

a. Active as an authorized participant for the past 3 years in network activities.²

²Applications from new network members, such as individuals or groups that have been granted authorization recently, will likely not qualify for eligibility during the first few funding cycles unless those applicants have experience as active Network participants (e.g., as designee or under 109(h)) for the past 3 years. The Act makes clear its intent to provide financial assistance to the active stranding network: "Provide grants to eligible stranding network participants* * *", and preference should be given to: " * * * those facilities that have

b. Participating in good standing.³

c. Holding a current LOA for stranding response (either live or dead animal response) or rehabilitation from NMFS.

d. Not a current full-time or part-time employee of the DOC or the DOI.

2. LOA Designee Participant

a. Active as an authorized participant for the past 3 years in network activities².

b. Participating in good standing³.

c. Holding a current letter of designation from a NMFS LOA holder.

d. Not a current full-time or part-time employee of DOC or DOI.

3. Researcher Participant

a. Active as an authorized participant for the past 3 years in network activities.²

b. Holds an authorizing letter from an appropriate NMFS Regional Administrator to salvage or receive salvaged dead stranded marine mammal specimens and parts for the purpose of utilization in scientific research (50 CFR 216.22), unless an exception to notification or prior authorization is

established records for rescuing or rehabilitating sick and stranded marine mammals." The 3 year period is important to establishing whether or not participants are in good standing by their completion of reporting requirements and level of cooperation.

³To be "in good standing", you must meet all of the following criteria:

a. If a Marine Mammal Protection Act (MMPA) or Endangered Species Act (ESA) scientific research or enhancement permit holder and the applicant is a designated Principal Investigator, have fulfilled all permit requirements, including but not limited to submission of all reports, and must have no pending or outstanding enforcement actions under the MMPA or ESA.

b. Have complied with the terms and responsibilities of the appropriate LOA, MMPA section 109(h) authorization, or National Contingency Plan (whichever applies). This includes the following reporting requirements: (1) timely reporting of strandings to NMFS, (2) timely submission of complete reports on basic or Level A data to the Regional Coordinator (includes investigator's name, species, stranding location, number of animals, date and time of stranding and recovery, length and condition, and sex; marine mammal parts retention or transfer; annual reports), and (3) collecting information or samples as necessary and as requested. This also includes the following coordination/cooperation requirements: (1) cooperation with state, local, and Federal officials, and (2) cooperation with other stranding network participants.

c. Have cooperated in a timely manner with NMFS in collecting and submitting Level B (supplementary information regarding sample collection related to life history and to the stranding event) and Level C (necropsy results) data and samples, when requested.

d. Have no current enforcement investigation for the take of marine mammals contrary to MMPA or ESA regulations.

e. Have no record of pending NMFS notice of violation(s) regarding the policies governing the goals and operations of the Stranding Network.

cited under 50 CFR 216.22(c)(8).

Persons authorized to salvage dead marine mammal specimens under this section must have registered the salvage with the appropriate NMFS Regional Office within 30 days after the taking or death occurs.

c. Holds or has applied for a NMFS scientific research and/or enhancement permit to take marine mammals requested under authority of the MMPA of 1972, as amended (16 U. S. C. 1361 *et seq.*), the Regulations Governing the Taking and Importing of Marine Mammals (50 CFR part 216), the ESA of 1973, as amended (16 U. S. C. 1531 *et seq.*), and the regulations governing the taking, importing, and exporting of endangered fish and wildlife (50 CFR part 222, subpart C).

d. Have at least one designated co-Investigator(s) that is an active NMFS-authorized stranding network participant in good standing³.

e. Not a current full-time or part-time employee of DOC or DOI.

4. Northwest Region Participants

a. Active as a NMFS-recognized participant for the past 3 years or more in Northwest Region network activities² and named in the Draft 2002 National Contingency Plan for Response to Marine Mammal Unusual Mortality Events.

b. Participating in good standing³.

c. Not a current full-time or part-time employee of DOC or DOI.

5. State, Local, or Federal Government Participants

a. Actively involved as an authorized participant in stranding response and/or rehabilitation during the past 3 years in an area of geographic need (i.e., municipality or larger region with no existing responder)².

b. Participating in good standing³.

c. State and local government officials or employees participating pursuant to MMPA section 109(h)(16 U.S.C. 1379(h)) for marine mammal species not listed under the Endangered Species Act and fulfilling reporting obligations outlined in 50 CFR 216.22 (i.e., submission of written report to NMFS every 6 months containing description of animal(s) involved, circumstances of taking, method of taking, name and position of official or employee involved, and disposition of animal(s)).

d. Not a current full-time or part-time employee of DOC or DOI.

Applicants must submit the required documentation in their proposal (see section III, How to Apply) as evidence that they are an LOA holder participant, designee participant, researcher participant, NMFS-recognized Northwest Region participant, or a state,