

OVERVIEW

AGENCY: U.S. Environmental Protection Agency (EPA)

TITLE: Chesapeake Bay Program Office Fiscal Year 2023 Request for Applications for:
Chesapeake Bay Tidal Water Nutrient Limitation Assessment

ACTION: Request for Applications (RFA)

RFA #: EPA-I-R3-CBP-23-04

ASSISTANCE LISTING #: 66.466

IMPORTANT DATES

February 21, 2023	Issuance of RFA
April 18, 2023	Application submission deadline (see Section IV for more information)
June 16, 2023	Approximate date for EPA to notify applicant(s) of results
June 30, 2023	Approximate date for applicant(s) to submit revised federal cooperative agreement application
August 14, 2023	Approximate data of award

COVID-19 Update: EPA is providing flexibilities to applicants experiencing challenges related to COVID-19. Please see the **Flexibilities Available to Organizations Impacted by COVID-19** clause in Section IV of [EPA's Solicitation Clauses](#).

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FULL TEXT OF ANNOUNCEMENT

I. FUNDING OPPORTUNITY DESCRIPTION

A. Background

1. About the Chesapeake Bay Program

The Chesapeake Bay is North America's largest and most biologically diverse estuary. A resource of extraordinary productivity, it is worthy of the highest levels of protection and restoration. Authorized by Clean Water Act (CWA) Section 117, 33 USC Section 1267, the CBP is responsible for supporting the Executive Council through a number of actions, including the coordination of federal, state, and local efforts to restore and protect living resources and water quality of the Chesapeake Bay and its watershed. CWA Section 117 also authorizes EPA to provide assistance grants to support the goals of the program. The Chesapeake Bay Program was bolstered by the Infrastructure Investment and Jobs Act of 2021, allowing for increased investment in traditional, nature-based, and green infrastructure. The Chesapeake Bay Program is committed to increasing diversity, equity, inclusion, and justice in its grant programs, projects, and associated community engagement efforts.

The CBP is a unique regional partnership that has led and directed the restoration of the Chesapeake Bay since 1983. Today, the CBP partners include the states of Delaware, Maryland, New York, Pennsylvania, Virginia, and West Virginia; the District of Columbia; the Chesapeake Bay Commission (a tri-state legislative body); and EPA, representing the federal government. The partnership's work is guided by the [Chesapeake Bay Watershed Agreement](#), which establishes the plan for collaboration across the Bay's political boundaries and establishes goals and outcomes for the restoration of the Bay, its tributaries, and the lands that surround them.

2. Background on Partnership Structure

The CBP partnership is guided at the direction of the **Chesapeake Executive Council** (Executive Council), which, through its leadership, establishes the policy direction for the restoration and protection of the Chesapeake Bay and exerts its leadership to rally public support for the Bay effort and signs directives, agreements, and amendments that set goals and guide policy for Chesapeake Bay restoration. The Executive Council is established by CWA Section 117. To ensure implementation of the Executive Council's Chesapeake Bay Agreements, the CBP partnership has several committees, teams, workgroups comprised of participating partners. The committees, teams, and workgroups that will be supported the activities of this RFA include:

The **Principals' Staff Committee** (PSC) acts as the senior policy advisors to the Executive Council, accepting items for their consideration and approval and setting agendas for Executive Council meetings. The PSC translates the restoration vision by setting policy and implementing actions on behalf of the Executive Council. The PSC also provides policy and program direction to the Management Board.

The **Management Board** provides strategic planning, priority setting, and operational guidance through implementation of a comprehensive, coordinated, accountable implementation strategy for the CBP. It directs and coordinates all of the goal teams and workgroups under it.

The **Scientific and Technical Advisory Committee** (STAC) provides scientific and technical guidance to the Chesapeake Bay Program on measures to restore and protect the Chesapeake Bay. Since its creation

in December 1984, STAC has worked to enhance scientific communication and outreach throughout the Chesapeake Bay watershed and beyond.

The CBP partnership also includes two other advisory committees: the Citizens' Advisory Committee and the Local Government Advisory Committee. Both committees are supported under different funding mechanisms.

The six **Goal Implementation Teams (GITs)**, listed below, along with the **Scientific, Technical Assessment and Reporting (STAR)** team, include federal and non-federal experts from throughout the watershed. Thus, academic experts, advocacy organizations, and others become active members of the broad restoration partnership.

The charge of the **Water Quality GIT** is to evaluate, focus, and accelerate the implementation of practices, policies, and programs that will restore water quality in the Chesapeake Bay and its tributaries to conditions that support living resources and protect human health.

The **STAR Team** works to increase collaboration among science providers to provide monitoring, modeling, and analysis needed to update, explain, and communicate ecosystem condition and change to support the Chesapeake Bay Program's GITs. The STAR Team and its workgroups and Monitoring Team serve the CBP science collaboration effort by coordinating the following major functions:

- Manage CBP-funded monitoring networks and coordinate with additional science providers to utilize and expand networks addressing progress towards achieving goals and outcomes of the 2014 Chesapeake Bay Watershed Agreement
- Ensure data and information quality, management, and access
- Update, and deliver, status and trends (indicators) of ecosystem conditions
- Explain ecosystem condition and change
- Expand modeling to better understand and predict ecosystem response
- Coordinate climate change activities
- Synthesize and communicate results to support the CBP decision framework being used by the Goal Teams to develop and implement management strategies for the 2014 Watershed Agreement.

The **Communications Workgroup** provides support for the communication needs of the CBP partners by spurring public action through consistent messaging, expanded media coverage, use of multimedia and online tools, comprehensive branding and promotion, outreach to stakeholders, and coordinated internal and external communications.

For additional background information on the CBP achievements and commitments, see the CBP partnership's website located at <http://www.chesapeakebay.net/>.

B. Scope of Work

EPA seeks to support one recipient to conduct a nutrient limitation assessment (nitrogen and phosphorus limitation) on tidal water samples from the surface waters of the mainstem Chesapeake Bay and select major tributaries over a two-year period.

While the CBP partnership is comprised of federal and non-federal organizations, activities funded under this RFA are primarily for the support of the non-federal partners. The recipient of the cooperative

agreement awarded under this RFA may work directly with federal agencies, but the nature of the work will result only in direct, significant benefits to the non-federal agencies, partners, and the general public. Any indirect or incidental benefits to EPA are not the purpose of this RFA.

The total estimated funding under this solicitation is approximately \$550,000 overall, with an estimated \$275,000 available for the first year and \$275,000 combined again for the second year. There is no guarantee of funding throughout this period or beyond.

If your organization has an interest and the skills to accomplish both activities and is eligible to receive a federal assistance agreement as described in Section III of this announcement, we encourage you to apply. Each eligible application will be evaluated using the criteria described in Section V. The activities are multi-year projects (up to two years), and the application should have a work plan and budget for the first year and a projected work plan and estimated budget detail for the second (and final) year.

Applicants must address both activities below in their application.

Activity 1: Water sample collection

Estimated Funding: \$40,000 for each year

Activity 2: Nutrient Limitation Assessment

Estimated Funding: \$235,000 for each year

Total Estimated Funding: \$550,000 overall with \$275,000 each year of the two years.

The CBP tidal Bay Model simulations provide critical information for nutrient management/eutrophication decision-making by characterizing the effects of changing nutrient loading to tidal waters. The CBP model assessments of eutrophication and hypoxia in tidal coastal waters are dependent on nutrient limitation sensitivity, which is used to assess model performance and calibration. Further, where and when nutrient limitation occurs in the Bay determines the relative sensitivity of hypoxia and eutrophication to the nutrient loads from various state-basins in the watershed.

Relative nutrient loading effectiveness, i.e., the sensitivity of tidal water hypoxia to watershed nutrient loading reductions from each state-basin, is primarily determined by nutrient limitation in the tidal Bay. Therefore, any change in the location, timing, and extent of nutrient limitation would alter effectiveness predictions. In the Chesapeake Bay Total Maximum Daily Load (TMDL) state-basin nutrient targets are allowed to be exchanged in particular ratios to allow for the greatest environmental protection at least cost. The exchanges allowed are between nitrogen and phosphorus (N-to-P) loads or basin-to-basin (B-to-B) loads. Exchanges are allowed based on the respective effectiveness of the state-basins nutrients on dissolved oxygen in the Bay's Deep Water and Deep Channel designated uses.

The relative extent of nitrogen vs. phosphorus limitation predicted by the model is a critical component in determining the target loadings for total nitrogen and total phosphorus and their N-to-P or B-to-B exchange coefficients. As such, the robustness and accuracy of key model predictions, including establishing (1) overall target nutrient loadings, (2) their relative nutrient effectiveness from state-basin to state-basin, i.e., B-to-B nutrient exchanges, and (3) their N-to P exchange coefficients, relies on the accuracy of the simulated nutrient limitation and the observations of nutrient limitation in the Bay.

In addition, nutrient limitation has been statistically estimated with bioassay-derived results as the prediction and Chesapeake Bay long-term water quality monitoring data for the explanatory variables (Zhang et al., 2021). In this way, actual Bay response to management actions has been mapped through time as a monitoring-derived estimate of Bay conditions. New monitoring results offer an opportunity to calibrate the Bay water quality model and the new statistics-based estimates of Bay condition through time in response to management actions.

Despite the importance of nutrient limitation, observations of nutrient limitation are restricted to bioassay samples taken during the late 1990s and early 2000s in the mainstem of the Chesapeake Bay by Fisher et al. (1992, 1999) and Kemp et al. (2005).

References listed are here:

Fisher, T.R., E.R. Peele, J.W. Ammerman, and L.W. Harding Jr. 1992. Nutrient limitation of phytoplankton in Chesapeake Bay. *Marine Ecology Progress Series* 82:51–63.

Fisher, T.R., A.B. Gustafson, K. Sellner, R. Lacouture, L.W. Haas, R.L. Wetzel, R. Magnien, D. Everitt, B. Michaels, and R. Karrh. 1999. Spatial and temporal variation of resource limitation in Chesapeake Bay. *Marine Biology* 133:763–778.

Kemp, W.M., W.R. Boynton, J.E. Adolf, D.F. Boesch, W.C. Boicourt, G. Brush, J.C. Cornwell, T.R. Fisher, P.M. Glibert, J.D. Hagy, L.W. Harding, E.D. Houde, D.G. Kimmel, W.D. Miller, R.I.E. Newell, M.R. Roman, E.M. Smith, and J.C. Stevenson. 2005. Eutrophication of Chesapeake Bay: Historical trends and ecological interactions. *Marine Ecology Progress Series* 303:1–29.

Zhang, Q., T. R. Fisher, E. M. Trentacoste, C. Buchanan, A. B. Gustafson, R. Karrh, R. R. Murphy, J. Keisman, C. Wu, R. Tian, and J.M. Testa. 2021. Nutrient limitation of phytoplankton in Chesapeake Bay: Development of an empirical approach for water-quality management. *Water Research* 188 (2021): 116407.

Activities 1 and 2 propose to reassess the key measure of nutrient limitation in the Bay over a two-year period of measurements using water sample collection and bioassays of tidal water samples collected across all seasons from the mainstem Bay and major tidal tributaries; and processed as described by Fisher et al. (1992, 1999), to better support 1) CBP target load estimates, 2) B-to-B nutrient exchanges, 3) N-to-P nutrient exchanges, 4) provide monitoring-based estimates of change in nutrient limitation patterns for comparison with historical assessments of Bay health, and 5) provide an additional level of calibration for the CBP Phase 7 Main Bay Model. Assessments of nutrient limitation change will be used to assess real ecosystem change through time in response to decades of management actions and climate change influences.

Activity 1: Water Sample Collection

The following are examples of the types of tasks required to carry out Activity 1 – Water Sample Collection. Applicants are expected to conduct these tasks or describe, in detail, alternative approaches to providing the requested support.

- Target collection of water samples from the midchannel of the mainstem Chesapeake Bay for six stations and six tidal tributary stations each month over two years (12 samples per month at 12

stations each year = 144 samples per year). **Water samples should be collected coincident with time and place of the ongoing Chesapeake Bay Long-term Water Quality Monitoring Program sample collections to have coincident data on water quality conditions associated with each bioassay sample collected** (<https://www.chesapeakebay.net/who/group/tidal-monitoring-and-analysis-workgroup>). Water samples for the bioassays should be collected from surface water only.

- For reference, stations can be found on the tidal Chesapeake Bay map at the following link: <https://data-chesbay.opendata.arcgis.com/datasets/ChesBay::tidal-water-quality-monitoring-stations-in-the-chesapeake-bay/about>. Station GPS coordinates will be available upon request.
 - Year 1: Collect surface water samples from historical data collection sites: Mainstem Chesapeake Bay - six stations identified by the CBP Long-Term Water Quality Monitoring Program (<https://data-chesbay.opendata.arcgis.com/datasets/ChesBay::tidal-water-quality-monitoring-stations-in-the-chesapeake-bay/about>) as CB2.1, CB3.3C, CB4.3C, CB5.2, CB6.1, and CB6.4, tidal Choptank River - two stations (ET 5.1, ET 5.1), tidal Patuxent River - two stations (TF1.5, LE 1.1) and tidal Potomac River - two stations (TF2.3, LE2.3).
 - Year 2: Mainstem Chesapeake Bay sampling locations should be repeated for the same six stations (CB2.1, CB3.3C, CB4.3C, CB5.2, CB6.1, CB6.4). Two tidal Virginia tributaries with two stations per tributary should be sampled with the Virginia tributaries sampled to be determined through consultation with the Chesapeake Bay Program Monitoring Team. In addition, one Maryland tributary from Year 1 with two stations should be repeated. The Year 1 tributary for repeated sampling should be chosen from the Choptank, Patuxent, or Potomac Rivers through consultation with the Chesapeake Bay Program Monitoring Team.
- Surface samples should be collected, stored in 20-liter cubitainers and immediately covered with screens at 50% ambient light.
- Samples should be transported back to the dock where they can be immediately picked up and transported by laboratory personnel involved in Activity 2, the nutrient limitation assessment.
- Field assessment of water quality conditions should be measured and recorded (e.g., temperature, salinity, dissolved oxygen, pH).
- Recipient staff or contractor should have boat safety and handling skills for conducting water sampling on the open waters and tidal tributaries.
- Recipient staff must have laboratory skills, knowledge and experience working with water quality sampling and assessment programs and the associated sample care, quality assurance and control procedures, data management and delivery.
- Recipient staff must have experience, resources, and capacity suitable to effectively conduct time-sensitive nutrient limitation bioassays, manage resulting data, and deliver and report the results.

Please note that the recipient will be required to have an approved Quality Assurance/Quality Control (QA/QC) plan in place for water sample collection and handling and water quality data collection and recording.

Activity 2: Nutrient Limitation Assessment

The following are examples of the types of tasks that are expected be performed to carry out Activity 2 – Nutrient Limitation Assessment. Applicants must conduct these tasks or describe, in detail, alternative approaches to providing the requested support.

- Travel from the laboratory to make timely, same-day collection of water samples from the boats and their field crews at locations around the bay as necessary each month.
- Handle samples in transit as necessary to protect the health and integrity of the samples for effective nutrient bioassay assessment
 - Samples are to be transported to a lab on the day of collection where the cubitainers must be placed in a biological oxygen demand (BOD) box at the water temperature recorded at the field site (i.e., monitoring station) at the time of collection, and placed on a day/night light exposure cycle appropriate for the month of collection at 200 microE per m⁻² s⁻¹ (about 1/10 solar intensity at noon).
- Process samples [no later than?] the day after collection. Bioassays should be promptly conducted on fresh (i.e., not preserved or archived samples) tidal water samples with a chlorophyll *a* assessment endpoint, typically within 24 hours of collection as per the bioassay method protocol.
- Maintain healthy water samples (i.e., capable of sustaining the algal communities being tested) in the laboratory in incubators for the duration of each bioassay assessment
- Dose samples as needed with known concentrations of nitrogen and phosphorus.
- Assess samples for nitrogen and phosphorus response.
- Have an established and approved quality assurance plan.
- Manage data for a target of 144 uniquely identified sample events per year, quality assurance/quality control data, metadata and any required field data.
- Provide quarterly reports to the Chesapeake Bay Program Monitoring Team through one of its related workgroup venues (e.g., Integrated Monitoring Workgroup, Data Integrity Workgroup, Criteria Assessment Protocol), summarizing sample collection status and progress compared with the sample plan as well as status of completing assessments while updating the group on any issues, successes, or challenges.
- Provide semi-annual reports to the Project Officer.
- Provide annual data set deliverables to the Project Officer.
- Provide an annual interpretive summary of results to the Project Officer classifying bioassay sample results according to published approaches to nutrient response classification of the bioassays.
- Recipient staff should have laboratory skills, knowledge, and experience working with water quality sampling and assessment programs.
- Recipient staff should have the experience, resources, and capacity to effectively conduct time-sensitive nutrient limitation bioassays.
- Staff should have skills and experience in interpreting nutrient limitation bioassays.
- Staff should have expertise in laboratory procedure oversight, including quality assurance and quality control procedures associated with water quality sampling collection and conducting bioassays.

- The recipient project manager should have strong programmatic experience, skills, and proficiency with program management, data management, metadata management of water quality monitoring programming.
- Recipient staff should have the capacity and experience in the coordination of sample collection with sample assessment requirements of study design.
- Recipient staff should have a history of meeting reporting requirements in a timely, effective, and efficient manner.
- Recipient staff should have a proficiency with data management and analysis, including use of spreadsheets, databases, and graphics software to present results of data analyses, and have familiarity with ecological and environmental monitoring programs and analyses.
- Recipient staff should have a proficiency with scientific writing, editing, communication, and computer skills.
- Recipient staff should have an ability to advance diversity and environmental justice issues and promote the meaningful involvement, treatment, and inclusiveness of all people in the implementation of the 2014 *Chesapeake Bay Watershed Agreement*.
- Recipient staff should have a history of interpretation, communication, and delivering summary of bioassay study results for water quality assessments.

Deliverables:

The recipient will be required to provide a chart or list of deliverables, providing items and due dates. Applications submitted in response to this RFA should include plans to provide the following in their proposal:

Quarterly: Progress reports on meeting sample collection plans and bioassay sample processing progress provided to at least one of the Chesapeake Bay Program Monitoring Team venues (e.g., Integrated Monitoring Workgroup, Data Integrity Workgroup, Criteria Assessment Protocol Workgroup).

Semiannual: Semiannual progress reports and semiannual monitoring reviews, following the Chesapeake Bay Program Office's (CBPO) grant protocols, provided to the Project Officer.

Annually: Bioassay results for the year including nutrient limitation class assignments for each sample. Related water quality measures as appropriate to the methods needed to make the assessments.

As Needed: Presentations on work and progress to CBP technical workgroups as directed by the Project Officer.

Skills and Experience:

To fulfill the activities of this RFA, applicants are expected to have the following skills and experience, or describe, in detail, alternative approaches (e.g., hiring contractors) to ensure the provision and availability of such skills and experience:

- Boat safety and handling skills for conducting water sampling on the open waters and tidal tributaries.
- Laboratory skills, knowledge and experience working with water quality sampling and assessment programs.

- Experience, resources and capacity suitable to effectively conduct time-sensitive nutrient limitation bioassays consistent with historical approaches.
- Skills and experience in interpreting nutrient limitation bioassays.
- Expertise in laboratory procedure oversight including quality assurance and quality control procedures associated with water quality sampling collection and conducting bioassays.
- Senior scientist provision of strong programmatic experience, skills and proficiency with program coordination and management, data management, metadata management of water quality monitoring programming.
- Capacity and experience in coordination of sample collection with sample assessment requirements of study design.
- History of meeting reporting requirements in a timely, effective and efficient manner.
- A proficiency with data management and analysis, including use of spreadsheets, databases, and graphics software to present results of data analyses; familiarity with ecological and environmental monitoring programs and analyses.
- A proficiency with scientific writing, editing, and communication.
- An ability to advance diversity and environmental justice issues and promote the meaningful involvement, treatment, and inclusiveness of all people in the implementation of the *Chesapeake Bay Watershed Agreement*.
- History of interpretation, communication and delivering summary of bioassay study results for water quality assessments.

C. EPA Strategic Plan Linkage & Anticipated Outcomes and Outputs

Pursuant to Section 6a of EPA Order 5700.7A1, “Environmental Results under EPA Assistance Agreements,” EPA must link proposed assistance agreements to the Agency’s Strategic Plan. EPA also requires that grant applicants and recipients adequately describe environmental outputs and outcomes to be achieved under assistance agreements (see EPA Order 5700.7A1, Environmental Results under Assistance Agreements, accessible at <https://www.epa.gov/grants/epa-order-57007a1-epas-policy-environmental-results-under-epa-assistance-agreements>).

1. Linkage to EPA’s Strategic Plan

The activities to be funded under this solicitation support the [FY 2022-2026 EPA Strategic Plan](#). Awards made under this solicitation will support *Goal 5: Ensure Clean and Safe Water for All Communities, Objective 5.2 Protect and Restore Waterbodies and Watersheds* of the [Strategic Plan](#).

[EPA Order 5700.7A1](#) also requires that grant applicants adequately describe environmental outputs and outcomes to be achieved under assistance agreements. Applicants must include specific statements describing the environmental results of the proposed project in terms of well-defined outputs and, to the maximum extent practicable, well-defined outcomes that will demonstrate how the project will contribute to the priorities described above.

2. Outputs

The term “output” means an environmental activity, effort, and/or associated work product related to an environmental goal and objective that will be produced or provided over a period of time or by a specified date. Outputs may be quantitative or qualitative but must be measurable during an assistance agreement funding period. Examples of potential outputs under the Scope of Work of this announcement may include but are not limited to the following:

- Provide main Bay and tributary analysis of nutrient limitation to support Chesapeake Bay protection and restoration efforts and address the needs and requirements of CBP decision-makers and managers in the understanding of how CBP nutrient reductions are achieving nutrient limitation and consequent algal biomass and eutrophication reductions.
- Improvement of CBP's management decisions through the development of nutrient limitation bioassays of the Chesapeake's mainstem and tidal tributaries.
- Refinement of local tidal TMDLs and other water quality assessments by providing CBP managers with essential information on nutrient limitation.
- Support the Monitoring Team, STAR and its workgroups, WQGIT, and other technical and management/policy CBP groups as needed and as directed by the Project Officer (PO).

Progress reports and a final report will also be required outputs for all activities, as specified in Section VI.C., Reporting, of this announcement.

3. Outcomes

The term "outcome" means the result, effect, or consequence that will occur from carrying out an environmental program or activity that is related to an environmental or programmatic goal or objective. Outcomes may be qualitative and environmental, behavioral, health-related, or programmatic in nature but must also be quantitative. They may not necessarily be achievable within an assistance agreement funding period. Examples of potential outcomes under the Scope of Work of this announcement may include but are not limited to the following:

- Improved understanding of how reducing nitrogen and phosphorus loads delivered to tidal Bay waters are increasing nutrient limitation through time and space and, as a consequence, are reducing chlorophyll and increasing dissolved oxygen concentrations to achieve Bay water quality standards with dissolved oxygen, water clarity/SAV, and chlorophyll *a*.
- Improved understanding of how nutrient limitation is related to habitat restoration as represented by achievement of the Chesapeake Bay living-resource-based water quality standards and water quality standards of other tidal Chesapeake TMDLs and assessments.
- Increased knowledge and strategies to improve local economic and human health, and environmental goals through a restored Chesapeake Bay.
- Improved knowledge of nutrient limitation in the Chesapeake's mainstem and tidal tributaries thereby improving calibration of the Phase 7 Bay Model and other key CBP management tools.
- Improved CBP decision-making and leadership in responding to nutrient reductions to overcome present and future water quality challenges.

D. Authorizing Statutes and Regulations

This grant is made pursuant to CWA Section 117(d), 33 U.S.C. Section 1267(d), which authorizes EPA to issue grants and cooperative agreements for the purposes of protecting and restoring the Chesapeake Bay's ecosystem, and is funded by the Infrastructure Investment and Jobs Act (PL 117-58). This project is subject to the Office of Management and Budget's (OMB) Uniform Grants Guidance (2 C.F.R. Part 200) and EPA-specific provisions of the Uniform Grants Guidance (2 C.F.R. Part 1500).

E. Minority Serving Institutions:

EPA recognizes that it is important to engage all available minds to address the environmental challenges the nation faces. At the same time, EPA seeks to expand the environmental conversation by including members of communities which may have not previously participated in such dialogues to participate in EPA programs. For this reason, EPA strongly encourages all eligible applicants identified in Section III, including minority serving institutions (MSIs), to apply under this opportunity.

For purposes of this solicitation, the following are considered MSIs:

1. Historically Black Colleges and Universities, as defined by the Higher Education Act (20 U.S.C. § 1061). A list of these schools can be found at Historically Black Colleges and Universities at: <https://sites.ed.gov/whhbcu/one-hundred-and-five-historically-black-colleges-and-universities/>;
2. Tribal Colleges and Universities (TCUs), as defined by the Higher Education Act (20 U.S.C. § 1059c(b)(3) and (d)(1)). A list of these schools can be found at American Indian Tribally Controlled Colleges and Universities at <https://sites.ed.gov/whiaiane/tribes-tcus/tribal-colleges-and-universities/>;
3. Hispanic-Serving Institutions (HSIs), as defined by the Higher Education Act (20 U.S.C. § 1101a(a)(5)). A list of these schools can be found at Hispanic-Serving Institutions at <https://sites.ed.gov/hispanic-initiative/hispanic-serving-institutions-hsis/>;
4. Asian American and Native American Pacific Islander-Serving Institutions; (AANAPISIs), as defined by the Higher Education Act (20 U.S.C. § 1059g(b)(2)). A list of these schools can be found at [Asian American and Native American Pacific Islander-Serving Institutions](#) and this associated link, and
5. Predominately Black Institutions (PBIs), as defined by the Higher Education Act of 2008, 20 U.S.C. 1059e(b)(6). A list of these schools can be found at [Predominately Black Institutions](#) and this associated link, https://www.google.com/maps/d/viewer?mid=1wlli3j7gtINq_w-ONKAb2bF2VmY&ie=UTF&msa=0&ll=37.35160769312532%2C-96.17229800000001&z=4.

F. Additional Provisions for Applicants Incorporated into the Solicitation

Additional provisions that apply to sections III, IV, V, and VI of this solicitation and/or awards made under this solicitation, can be found at [EPA Solicitation Clauses](#). These provisions are important for applying to this solicitation and applicants must review them when preparing applications for this solicitation. If you are unable to access these provisions electronically at the website above, please contact the EPA point of contact listed in this solicitation (usually in Section VII) to obtain the provisions.

II. AWARD INFORMATION

A. Funding Amount and Expected Number of Awards

CBPO plans to award one cooperative agreement under this RFA. The total estimated funding under this solicitation is approximately \$550,000 overall, with an estimated \$275,000 available each year for two years. There is no guarantee of funding throughout this period or beyond.

B. Award Type

EPA has determined that a cooperative agreement is the appropriate funding vehicle for this project. Cooperative agreements are used under circumstances where substantial involvement is anticipated between EPA and the recipient during performance of the Activities. EPA awards cooperative agreements for those projects in which it expects to have substantial interaction with the recipient throughout the performance of the project. EPA will negotiate the precise terms and conditions of “substantial involvement” as part of the award process. Federal involvement may include close monitoring of the recipient’s performance; collaboration during the performance of the scope of work in accordance with 2 C.F.R. 200.317 and 2 C.F.R. 200.318, as appropriate; review of proposed procurements; review of qualifications of key personnel; and/or review and comment on the content of printed or electronic publications prepared. EPA does not have the authority to select employees or contractors employed by the recipient. The final decision on the content of reports rests with the recipient.

For this project, federal involvement would typically be in the form of participation with other CBP partners and stakeholders in an advisory capacity to the recipient. The participation is expected to include involvement through various CBP GITs and related committees and workgroups (on which EPA also participates to ensure that all the recommendations for technical work support the CBP partners). All work conducted is to support the *2014 Chesapeake Bay Watershed Agreement*.

C. Partial Funding

In appropriate circumstances, EPA reserves the right to partially fund applications by funding discrete portions or phases of proposed projects. If EPA decides to partially fund a project, it will do so in a manner that does not prejudice the applicant or affect the basis upon which the application or portion thereof was evaluated and selected for award and therefore maintains the integrity of the competition and selection process.

D. Expected Project Period

The expected project period for the cooperative agreement is two years, with funding provided on an annual basis. No commitment of funding can be made beyond the first year. The expected start date for the award resulting from this RFA is **August 14, 2023**.

III. ELIGIBILITY INFORMATION

Note: Additional provisions that apply to this section can be found at [EPA Solicitation Clauses](#).

A. Eligible Applicants

Under CWA Section 117(d), funds are available for technical and general assistance grants to nonprofit organizations, State, tribal (federally recognized) and local governments, colleges, universities, and interstate agencies. For-profit organizations are not eligible to submit applications in response to this RFA.

B. Cost-Share or Matching Requirements

Pursuant to CWA Section 117(d)(2)(A), 33 U.S.C. Section 1267(d)(2)(A), the agency shall determine the cost-share requirements for awards. The Assistance Listing Number, 66.466, states that assistance agreement applicants must commit to a cost-share ranging from 5 percent to 50 percent of eligible project costs as determined at the sole discretion of EPA. For this RFA, EPA has determined that an applicant must provide a minimum of 5 percent of the total cost of the project as the non-federal cost-share.

Cost-share may be in the form of cash or in-kind contributions. Involvement from foundations, watershed groups, private sector, eligible governmental, as well as non-conventional partners can help with the match. The match must be met by eligible and allowable costs and is subject to the match provisions in grant regulations. Applications that do not demonstrate how the 5 percent match will be met will be rejected.

C. Threshold Eligibility Criteria

All applications will be reviewed for eligibility and must meet the eligibility requirements described in Sections III.A., B., and C. to be considered eligible. Applicants deemed ineligible for funding consideration as a result of the threshold eligibility review will be notified within 15 calendar days of the ineligibility determination.

1. Applications must substantially comply with the application submission instructions and requirements set forth in Section IV of this solicitation or else they will be rejected. However, where a page limit is expressed in Section IV with respect to the application, or parts thereof, pages in excess of the page limitation will not be reviewed. Applicants are advised that readability is of paramount importance and should take precedence in application format, including selecting a legible font type and size for use in the application.
2. In addition, initial applications must be submitted through Grants.gov as stated in Section IV of this solicitation (except in the limited circumstances where another mode of submission is specifically allowed for as explained in Section IV) on or before the application submission deadline published in Section IV of this solicitation. Applicants are responsible for following the submission instructions in Section IV of this solicitation to ensure that their application is timely submitted. Please note that applicants experiencing technical issues with submission through Grants.gov should follow the instructions provided in Section IV, which include both the requirement to contact Grants.gov and email a full application to EPA prior to the deadline.
3. Applications submitted outside of Grants.gov will be deemed ineligible without further consideration unless the applicant can clearly demonstrate that it was due to EPA mishandling or technical problems associated with Grants.gov or SAM.gov. An applicant's failure to timely submit their application through Grants.gov because they did not timely or properly register in SAM.gov or Grants.gov will not be considered an acceptable reason to consider a submission outside of Grants.gov.
4. Applications must be for projects linked to the strategic goal outlined in Section I.C.1.

5. For an application to be considered eligible for funding, project-related work included in the application must take place within the Chesapeake Bay watershed, which includes portions of Delaware, Maryland, New York, Pennsylvania, Virginia, and West Virginia, and all of the District of Columbia.
6. Applications must show how they will meet the 5 percent cost-share requirement of Section III.B.
7. Applications requesting funding over the maximum funding available will be rejected.
8. If an application is submitted that includes any ineligible tasks or activities, that portion of the application will be ineligible for funding and may, depending on the extent to which it affects the application, render the entire application ineligible.
9. Applications must address both Activity 1 and 2 described in Section I.B. to be considered eligible. Applications that address only one Activity or neither will be considered ineligible.

IV. APPLICATION AND SUBMISSION INFORMATION

Note: Additional provisions that apply to this section can be found at [EPA Solicitation Clauses](#).

A. How to Obtain an Application Package

Applicants can download individual grant application forms from the application package available in the Workspace associated with this opportunity on Grants.gov.

B. Submission Process

1. Requirement to Submit Through Grants.gov and Limited Exception Procedures

Applicants must apply electronically through [Grants.gov](#) under this funding opportunity based on the [Grants.gov](#) instructions in this announcement. If your organization has no access to the internet or access is very limited, you may request an exception for the remainder of this calendar year by following the procedures outlined [here](#). Please note that your request must be received at least 15 calendar days before the application due date to allow enough time to negotiate alternative submission methods. Issues with submissions with respect to this opportunity only are addressed in section 3. Technical Issues with Submission below.

2. Submission Instructions

a. SAM.gov (System for Award Management) Registration Instructions

Organizations applying to this funding opportunity must have an active SAM.gov registration. If you have never done business with the Federal Government, you will need to register your organization in SAM.gov. If you do not have a SAM.gov account, then you will create an account using [login.gov](#) (1) to complete your SAM.gov registration. SAM.gov registration is FREE. The process for entity registrations includes obtaining Unique Entity ID (UEI), a 12-character alphanumeric ID assigned an entity by

SAM.gov, and requires assertions, representations and certifications, and other information about your organization. Please review the [Entity Registration Checklist](#) for details on this process.

If you have done business with the Federal Government previously, you can check your entity status using your government issued UEI to determine if your registration is active. SAM.gov requires you renew your registration every 365 days to keep it active.

Please note that SAM.gov registration is different than obtaining a UEI only. Obtaining an UEI only validates your organization's legal business name and address. Please review the [Frequently Asked Question](#) on the difference for additional details.

Organizations should ensure that their SAM.gov registration includes a current e-Business (EBiz) point of contact name and email address. The EBiz point of contact is critical for Grants.gov Registration and system functionality.

Contact the [Federal Service Desk](#) for help with your SAM.gov account, to resolve technical issues or chat with a help desk agent: (866) 606-8220. The Federal Service desk hours of operation are Monday - Friday 8am - 8pm ET.

b. Grants.gov Registration Instructions

Once your SAM.gov account is active, you must register in Grants.gov. Grants.gov will electronically receive your organization information, such as e-Business (EBiz) point of contact email address and UEI. Organizations applying to this funding opportunity must have an active Grants.gov registration. Grants.gov registration is FREE. If you have never applied for a federal grant before, please review the [Grants.gov Applicant Registration](#) instructions. As part of the Grants.gov registration process, the EBiz point of contact is the only person that can affiliate and assign applicant roles to members of an organization. In addition, at least one person must be assigned as an Authorized Organization Representative (AOR). Only person(s) with the AOR role can submit applications in Grants.gov. Please review the [Intro to Grants.gov-Understanding User Roles](#) and [Learning Workspace - User Roles and Workspace Actions](#) for details on this important process.

Please note that this process can take a month or more for new registrants. Applicants must ensure that all registration requirements are met in order to apply for this opportunity through Grants.gov and should ensure that all such requirements have been met well in advance of the application submission deadline.

Contact [Grants.gov](#) for assistance at 1-800-518-4726 or support@grants.gov to resolve technical issues with Grants.gov. Applicants who are outside the U.S. at the time of submittal and are not able to access the toll-free number may reach a Grants.gov representative by calling 606-545-5035. The Grants.gov Support Center is available 24 hours a day 7 days a week, excluding federal holidays.

c. Application Submission Process

To begin the application process under this grant announcement, go to [Grants.gov](#) and click the red "Apply" button at the top of the view grant opportunity page associated with this opportunity.

The electronic submission of your application to this funding opportunity must be made by an official

representative of your organization who is registered with Grants.gov and is authorized to sign applications for Federal financial assistance. If the submit button is grayed out, it may be because you do not have the appropriate role to submit in your organization. Contact your organization's EBiz point of contact or contact [Grants.gov](https://www.grants.gov) for assistance at 1-800-518-4726 or support@grants.gov.

Applicants need to ensure that the Authorized Organization Representative (AOR) who submits the application through Grants.gov and whose UEI is listed on the application is an AOR for the applicant listed on the application. Additionally, the UEI listed on the application must be registered to the applicant organization's SAM.gov account. If not, the application may be deemed ineligible.

d. Application Submission Deadline

Your organization's AOR must submit your complete application package electronically to EPA through Grants.gov no later than <<<**April 18, 2023**>>> 11:59 PM ET. Please allow for enough time to successfully submit your application and allow for unexpected errors that may require you to resubmit.

Applications submitted through Grants.gov will be time and date stamped electronically. Please note that successful submission of your application through Grants.gov does not necessarily mean your application is eligible for award. Any application submitted after the application deadline time and date deadline will be deemed ineligible and not be considered.

3. Technical Issues with Submission

If applicants experience technical issues during the submission of an application that they are unable to resolve, follow these procedures before the application deadline date:

- 1) Contact Grants.gov Support Center before the application deadline date.
- 2) Document the Grants.gov ticket/case number.
- 3) Send an email with the RFA number EPA-I-R3-CBP-23-04 in the subject line to Autumn Rose (rose.autumn@epa.gov) before the application deadline time and date and must include the following:
 - a. Grants.gov ticket/case number(s)
 - b. Description of the issue
 - c. The entire application package in PDF format.

Without this information, EPA may not be able to consider applications submitted outside of Grants.gov. Any application submitted after the application deadline time and date deadline will be deemed ineligible and not be considered.

Please note that successful submission through Grants.gov or email does not necessarily mean your application is eligible for award.

EPA will make decisions concerning acceptance of each application submitted outside of Grants.gov on a case-by-case basis. EPA will only consider accepting applications that were unable to submit through Grants.gov due to [Grants.gov](https://www.grants.gov) or relevant [SAM.gov](https://www.sam.gov) system issues or for unforeseen exigent circumstances, such as extreme weather interfering with internet access. Failure of an applicant to submit prior to the application submission deadline date because they did not properly or timely

register in SAM.gov or Grants.gov is not an acceptable reason to justify acceptance of an application outside of Grants.gov.

4. Application Materials

The following forms and documents are required under this announcement:

Mandatory Documents:

- 1) Application for Federal Assistance (SF-424)
- 2) Budget Information for Non-Construction Programs (SF-424A)
- 3) EPA Key Contacts Form 5700-54
- 4) EPA Form 4700-4 Preaward Compliance Review Report
- 5) Project Narrative Attachment Form – The project narrative should be prepared as described in Appendix A of the announcement.
- 6) Budget Narrative Attachment Form – The budget narrative should include a spreadsheet that shows each year's cost for the salaries, fringe benefits, total salaries/wages, travel expenses, equipment, supplies, contractual expenses, other cost, and indirect cost. A multi-year budget detail template is available at <https://www.epa.gov/restoration-chesapeake-bay/chesapeake-bay-program-grant-guidance>. For more information, please refer to EPA's Office of Grants and Debarment's budget detail guidance at <https://www.epa.gov/grants/rain-2019-g02> and indirect cost guidance located at <https://www.epa.gov/grants/rain-2018-g02-r>.
- 7) Other Attachment Form – The applicant's Indirect Cost Rate Agreement should be included, as applicable.

C. Project Narrative Requirements

1. Content and Form of Project Narrative

Each application will be evaluated using the criteria referenced in Section V.B. of this announcement, all of which must be addressed. The project narrative shall not exceed **15** pages in length; one page being one-sided, single-spaced, and typed. Font size should be no smaller than 10 and typed on 8 ½" x 11" paper. Note that the **15** pages include resumes or curriculum vitae and letters of support. The 15-page limit does not include documentation of non-profit status, cost-share letters of commitment, the SF-424, SF-424A, budget detail, Key Contacts Form, or 4700-4 form. If you submit more than 15 pages for the project narrative, the additional pages will be discarded and will not be reviewed. See Appendix A for additional instructions.

2. Environmental Justice and Underserved Communities

Environmental Justice Web-based Screening Tool - Applicants are encouraged, as appropriate, to include data from EPA's EJSCREEN tool (or other EJ-focused geospatial mapping tools) as part of their application to help characterize and describe the affected communities/populations and areas and address the environmental justice criterion in Section V. Data from other sources (e.g. studies, census, and third-party reports) should also be included to give a more complete picture of the impacted communities and populations. Instructions, resources, and tutorials on how to use EJSCREEN are included at the hyperlink above.

D. Other Application Information

1. Intergovernmental Review

Please review the Intergovernmental Review clause included as part of the [EPA Solicitation Clauses](#). This program MAY be subject to [Executive Order 12372](#)--Intergovernmental Review of Federal Programs. See this link for information and instructions: <https://www.epa.gov/grants/epa-region-3-grants-and-audit-management-branch-intergovernmental-review-process-and-single>. Further information regarding this requirement will be provided if your application is selected for funding.

2. Funding Restrictions

a. Administrative Cost Cap Requirement under Statutory Authority

Recipients applying for CBP assistance agreements must adhere to the requirements for “Administrative Costs” under the CWA Section 117 (d)(4), 33 U.S.C. Section 1267 (d)(4), which states that administrative costs shall not exceed 10 percent of the annual grant award (annual grant award = federal share plus cost-share). [Appendix B: Administrative Cost Cap Worksheet](#) is provided as an example of a method to calculate the 10-percent limitation. You are not required to submit Appendix B with your application.

b. Allowable Costs

All costs incurred under this program must be allowable under [2 CFR Part 200 Subpart E](#). In accordance with applicable law, regulation, and policy, any recipient of funding must agree to comply with restrictions on using assistance funds for unauthorized lobbying, fund-raising, or political activities (i.e., lobbying members of Congress or lobbying for other federal grants, cooperative agreements, or contracts). See e.g. [2 CFR 200.450](#). Funds generally cannot be used to pay for travel by federal agency staff. Proposed project activities must also comply with all state and federal regulations applicable to the project area. The applicant must also review the solicitation for any other programmatic funding restrictions applicable to this program. If awarded funding, the recipient must refer to the terms and conditions of its award for other funding restrictions applicable to its award. It is the responsibility of the recipient to ensure compliance with these requirements. In addition, please see [2 CFR 200](#) for information on pre-award costs.

E. Coalition Coverage

Groups of two or more eligible applicants may choose to form a coalition and submit a single application under this RFA; however, one entity must be responsible for the grant. Coalitions must identify which eligible organization will be the recipient of the grant and which eligible organization(s) will be subrecipients of the recipient (the “pass-through entity”). Subawards must be consistent with the definition of that term in 2 CFR 200.1 and comply with EPA’s [Subaward Policy](#). The pass-through entity that administers the grant and subawards will be accountable to EPA for proper expenditure of the funds and reporting and will be the point of contact for the coalition. As provided in 2 CFR 200.332, subrecipients are accountable to the pass-through entity for proper use of EPA funding. For-profit organizations are not eligible for subawards under this grant program but may receive procurement contracts. Any contracts for services or products funded with EPA financial assistance must be awarded under the competitive procurement procedures of 2 CFR Part 200 and/or 2 CFR Part 1500, as applicable. The regulations at 2 CFR 1500.10 contain limitations on the extent to which EPA funds may be used to compensate individual consultants. Refer to the [Best Practice Guide for Procuring Services, Supplies, and](#)

[Equipment Under EPA Assistance Agreements](#) for guidance on competitive procurement requirements and consultant compensation. Do not name a procurement contractor (including a consultant) as a “partner” or otherwise in your application unless the contractor has been selected in compliance with competitive procurement requirements.

V. APPLICATION REVIEW INFORMATION

Note: Additional provisions that apply to this section can be found at [EPA Solicitation Clauses](#).

A. Evaluation Process

After EPA reviews applications for threshold eligibility purposes as described in Section III, CBPO will conduct a merit evaluation of each eligible application. Reviews will be performed by a team of professionals from EPA and other CBP partner organizations with a working knowledge of the technical analysis and programmatic evaluation needs of the CBP partnership. All reviewers will sign a conflict-of-interest statement indicating they have no conflict.

B. Evaluation Criteria: Maximum score: 100 points

The evaluation criteria below will be used to review eligible applications submitted under this RFA.

Criteria	Points
1. Organizational Capability, Scope, Knowledge, Skill, Experience and Approach: Under this criterion, reviewers will evaluate the application based on: a. How well it demonstrates that the applicant has the organizational skill and experience to conduct all aspects of the proposed nutrient limitation analysis activities under Section I.B. (18 points) b. The extent and quality to which it demonstrates the knowledge, experience, and ability of the organization to timely and successfully achieve the relevant nutrient limitation bioassays and analyses to support the CBP partners as described in Section I.B., regardless of whether the application encompasses one of the examples provided or puts forth an alternative approach that achieves the goals of the activities. (18 points)	36
2. Programmatic Capability and Past Performance: Under this criterion, applicants will be evaluated based on their ability to successfully complete and manage the proposed project, considering the applicant's: a. Past performance in successfully completing and managing assistance agreements identified in their project narrative. Assistance agreements include federal grants and cooperative agreements (but not federal contracts) similar in size, scope, and relevance to the proposed project within the last five years (preferably EPA agreements). (6 points) b. History of meeting the reporting requirements under assistance agreements identified in their project narrative, including whether the applicant submitted acceptable, final technical reports under those agreements and the extent to	38

which the applicant adequately and timely reported on their progress towards achieving the expected outputs and outcomes under those agreements and if such progress was not being made whether the applicant adequately reported why not; (6 points) c. Programmatic experience within the organization and plan for timely and successfully achieving the objectives of the nutrient limitation analyses through bioassays. (8 points) d. Project manager expertise/qualifications, staff skills and knowledge, and resources, or the ability to obtain them, to successfully achieve the goals of the proposed nutrient limitation bioassay project. (10 points) e. Staff expertise/qualifications, staff skills and knowledge, and resources, or the ability to obtain them, to successfully achieve the goals of the proposed nutrient limitation bioassay project. (8 points) Note: In evaluating applicants under items a. and b. of this criterion, the Agency will consider the information provided by the applicant and may also consider relevant information from other sources, including agency files and prior/current grantors (e.g., to verify and/or supplement the information supplied by the applicant). If you do not have any relevant or available past performance or past reporting information, please indicate this in the application and you will receive a neutral score for these subfactors (Items a. and b. above--a neutral score is half of the total points available in a subset of possible points). If you do not provide any response for these items, you may receive a score of 0 for these factors.	
3. Cost-effectiveness: Under this criterion, reviewers will evaluate each application based on the degree of cost-effectiveness, considering the following factors: organizational overhead, budget breakdown, and ability to control costs for the nutrient limitation bioassay activities listed in Section I. (8 points)	8
4. Transferability of Results to Similar Projects and/or Dissemination to the Public: Under this criterion, reviewers will evaluate the application based on the degree to which the application includes an adequate plan to gather information and lessons learned from the project <u>and</u> transfer that documentation, information, data, results, and recommendations to CBP partners and stakeholders across the Chesapeake Bay watershed in a timely manner. (6 points)	6
5. Innovation and Modernization of Methods Over Time: Under this criterion, reviewers will evaluate the extent and quality of the application's description of innovation to deliver results by means of concepts, approaches, methods, or combinations of them. The reviewers will also evaluate the application based on the extent to which it addresses the development of recommendations for changes to the existing CBP partnership communication platforms and practices, which will further improve the effectiveness of efforts to raise public awareness, involvement, and diversity across the stakeholder communities within the Chesapeake Bay watershed. (4 points)	4
6. Timely Expenditure of Grant Funds: Under this criterion, reviewers will evaluate the application based on the approach, procedures, and controls for ensuring that grant funds will be expended in a timely and efficient manner. (4 points)	4

7. Environmental Results: Applicants will be evaluated based on their plan and approach for tracking and measuring their progress towards achieving the environmental outputs and outcomes identified in Section I.C of the RFA. (4 points).	4
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C. Review and Selection Process

Eligible applications will be evaluated and ranked using the criteria stated in Section V.B. above by a panel of reviewers from EPA and other CBP partner organizations with a working knowledge of the technical analysis and programmatic evaluation needs of the CBP partnership. The review team will then forward the highest-ranked applications to the CBPO Director or Deputy Director for final selection. In making the final funding decision, the selection official may also consider programmatic goals and priorities, including those described in the 2014 *Chesapeake Bay Watershed Agreement* at https://www.chesapeakebay.net/what/what_guides_us/watershed_agreement.

VI. AWARD ADMINISTRATION INFORMATION

Note: Additional provisions that apply to this section can be found at [EPA Solicitation Clauses](#).

A. Award Notices and Instructions for Submission of Final Application

It is expected that the applicant will be notified in writing of funding decisions on or around **June 16, 2023** either via electronic or postal mail. The notification will be sent to the original signer of the application or the project contact listed in the application. This notification, which informs the applicant that its application has been selected and is being recommended for award, is not an authorization to begin work. The official notification of an award will be made by the EPA Region 3 Grants Management Office. Applicants are cautioned that only a grant award official is authorized to bind the government to the expenditure of funds; selection does not guarantee an award will be made. For example, statutory authorization, funding, or other issues discovered during the award process may affect the ability of EPA to make an award to an applicant. The award notice, signed by an EPA grant award official, is the authorizing document and will be provided either via email or U.S. Postal Service.

Notification of selection does not indicate that the applicant can start work on the project. The selected applicant will be asked to submit a full federal assistance agreement application package. A federal project officer assists in the application process and negotiates a work plan, budget, and starting date. Processing for this particular cooperative agreement award is expected to take 60 days.

B. Administrative and National Policy Requirements

If your application is selected for funding, the following information will be helpful in preparing your cooperative agreement application. A listing and description of general EPA regulations applicable to the award of assistance agreements may be viewed at: <https://www.epa.gov/grants/epa-policies-and-guidance-grants>.

C. Reporting

Progress Report/Final Report Requirements

The awarded applicant will be required to submit semi-annual progress reports (every six months) throughout the duration of the agreement to update the EPA Project Officer on project progress. Semi-

annual progress reports are due within 30 days after the end of each reporting period, as detailed in the award terms and conditions. The recipient will also be required to participate in semi-annual calls/meetings with the EPA Project Officer to discuss progress. A final progress report is due to the EPA Project Officer within 120 after the end of the award performance period.

EPA Requirements for Quality Management Plans and Quality Assurance Plans

In accordance with 2 C.F.R. Section 1500.11, projects that include the generation or use of environmental data are required to submit a Quality Management Plan (QMP) and Quality Assurance Project Plan (QAPP).

The QMP must document quality assurance policies and practices that are sufficient to produce data of adequate quality to meet program objectives. The QMP should be prepared in accordance with EPA QA/R-2: EPA Requirements for Quality Management Plans (refer to <https://www.epa.gov/quality/epa-qar-2-epa-requirements-quality-management-plans>, Chapter 2). The recipient's QMP should be reviewed and updated annually as needed. The QMP must be submitted to the EPA project officer at least 45 days prior to the initiation of data collection or data compilation.

The recipient must develop and implement quality assurance and quality control procedures, specifications and documentation that are sufficient to produce data of adequate quality to meet project objectives. The Quality Assurance Project Plan (QAPP) is the document that provides comprehensive details about the quality assurance/quality control requirements and technical activities that must be implemented to ensure that project objectives are met. The QAPP should be prepared in accordance with EPA QA/R-5: EPA Requirements for Quality Assurance Project Plans. The QAPP must be submitted to the EPA project officer at least 30 days prior to the initiation of data collection or data compilation. Requirements for QAPPs can be found at <https://www.epa.gov/quality/template-developing-generic-quality-assurance-project-plan-or-plan-elements-model>.

D. Competition Dispute Resolution

Assistance agreement competition-related disputes will be resolved in accordance with the dispute resolution procedures published in 70 FR (Federal Register) 3629, 3630 (January 26, 2005) which can be found at [Grant Competition Dispute Resolution Procedures](#). Copies of these procedures may also be requested by contacting the person listed in Section VII of the announcement. Note, that the FR notice references regulations at 40 CFR Parts 30 and 31 that have been superseded by regulations in 2 CFR parts 200 and 1500. Notwithstanding the regulatory changes, the procedures for competition-related disputes remains unchanged from the procedures described at 70 FR 3629, 3630, as indicated in 2 CFR Part 1500, Subpart E.

E. Mandatory Disclosures

As required by [2 CFR § 200.113](#), non-federal entities or applicants for a Federal award must disclose, in a timely manner, in writing to the Federal awarding agency or pass-through entity all violations of Federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the Federal award. Failure to make required disclosures can result in any of the remedies described in [2 CFR § 200.338](#) including suspension and debarment.

VII. AGENCY CONTACTS

For administrative and technical issues regarding this RFA, please contact Autumn Rose via email at rose.autumn@epa.gov. All questions must be received in writing via with the reference line referring to this RFA (Re: RFA EPA-I-R3-CBP-23-04). All questions and answers will be posted on <https://www.epa.gov/grants/grants-your-region-information-specific-epa-region-3>.

VIII. OTHER INFORMATION

In developing your application, you may find the following documents helpful. Websites for guidance documents are listed here. If you prefer a paper copy, please call 1-800-YOUR BAY.

Boundaries of the Chesapeake Bay Watershed

<http://www.chesapeakebay.net/maps>

Chesapeake Bay Watershed Agreement

https://www.chesapeakebay.net/what/what_guides_us/watershed_agreement

Chesapeake Bay Program Office Grant and Cooperative Agreement Guidance

<https://www.epa.gov/restoration-chesapeake-bay/chesapeake-bay-program-grant-guidance>

EPA Requirements for Quality Management Plans and Quality Assurance Plans

<https://www.epa.gov/grants/implementation-quality-assurance-requirements-organizations-receiving-epa-financial>

Please visit the EPA Grants website (<https://www.epa.gov/grants>), the EPA Region 3 Grants website (<https://www.epa.gov/grants/grants-your-region-information-specific-epa-region-3>) or the Chesapeake Bay Program website (<https://www.epa.gov/restoration-chesapeake-bay/chesapeake-bay-program-grant-guidance>) if you have questions about grant issues such as costs or eligibility.

Further information on CBP committees is located at:

https://www.chesapeakebay.net/who/how_we_are_organized

APPENDIX A. APPLICATION FORMAT
U. S. ENVIRONMENTAL PROTECTION AGENCY, Region III
Chesapeake Bay Tidal Water Nutrient Limitation Assessment
EPA-I-R3-CBP-23-04

The following information must be provided, or the application may not be considered complete and may not be evaluated.

Project Narrative Format: Use the Project Narrative Attachment Form (see Section IV.F.) to submit this document. Project narratives as described below shall not exceed 15 single-spaced pages. The project narrative must be submitted on 8 ½" x 11" paper, and font size should be no smaller than 10. Note that the 15-page limit includes all supporting materials, resumes or *curriculum vitae*, and letters of support but **excludes** the budget narrative, documentation of non-profit status, and forms 1 through 5 as listed in Section IV. F. Applicants must ensure that the project narrative clearly addresses each Activity. Applicant's responses should be numbered and submitted according to the format listed below.

1. Name, address (street and email), and contact information of the applicant

2. Background - Include the following in this section:

- i) Project title
- ii) Brief description of your organization.
- iii) Documentation of non-profit status, if applicable.
- iv) Brief biographies of applicant lead(s) including resumes and/or curriculum vitae.
- v) Funding requested. Specify total cost of the project. Identify funding from other sources, including cost-share or in-kind resources.
- vi) UEI number — See Section IV.B

3. Work plan - Include the following in this section:

- i) A clear and concise discussion of how your organization will meet the objectives and requirements of each Activity, as described in Section I of the announcement.
- ii) Environmental Results – Outputs and Outcomes: Address how the application will meet the expected outputs and outcomes of this project.
 - Output: An output is an environmental activity, effort, or work product related to an environmental goal or objective that will be produced within the assistance agreement period. Examples of potential outputs for the activity are provided in Section I.C.2.
 - Outcome: An outcome is a result, effect, or consequence that will result from carrying out an environmental program or activity that is related to an environmental programmatic goal or objective. Outcomes are quantitative measures that may not necessarily be achievable within the assistance agreement period. Examples of potential outcomes are included in section I.C.3.
- iii) Review Criteria:
Address in narrative form each of the review criteria identified in Section V.B of the RFA. Identify by the review criteria number and title followed by your narrative.

With specific respect to the Programmatic Capability Past Performance factor in V.B: Submit a list of federally and/or non-federally funded assistance agreements (assistance agreements include federal grants and cooperative agreements but not federal contracts) that your organization performed within the last five years (no more than five agreements and preferably EPA agreements) and describe (i) whether, and how, you were able to successfully complete and manage those agreements and (ii) your history of meeting the reporting requirements under those agreements, including whether you adequately and timely reported on your progress towards achieving the expected outputs and outcomes of those agreements (and if not, explain why not) and whether you submitted acceptable final technical reports under the agreements.

In evaluating applicants under these factors in Section V, EPA will consider the information provided by the applicant and may also consider relevant information from other sources, including information from EPA files and from current/prior grantors (e.g., to verify and/or supplement the information provided by the applicant). If you do not have any relevant or available past performance or past reporting information, please indicate this in the application and you will receive a neutral score for these factors (a neutral score is half of the total points available in a subset of possible points). If you do not provide any response for these items, you may receive a score of 0 for these factors.

Environmental Justice Web-based Screening Tool - Applicants are encouraged, as appropriate, to include data from EPA's EJSCREEN tool (or other EJ-focused geospatial mapping tools) as part of their application to help characterize and describe the affected communities/populations and areas and address the environmental justice criterion in Section V. Data from other sources (e.g. studies, census, and third-party reports) should also be included to give a more complete picture of the impacted communities and populations. Instructions, resources, and tutorials on how to use EJSCREEN are included at the hyperlink above.

- 3. Budget detail:** For the first year and each of the subsequent years, provide a budget detail breakdown by the major budget categories (i.e., personnel, fringe benefits, travel, equipment, supplies, contractual, construction, other, and indirect). In each of the budgets, include the cost-share amount (a minimum of 5 percent for each of the total project costs) and demonstrate how the cost-share will be met, including, if applicable, letters of commitment from any third-party contributors. Please note that subaward costs must be itemized under a separate sub-line item within the "Other" budget cost category.

In addition, recipient applying for CBP assistance agreements must adhere to the requirement for "Administrative Costs" under CWA Section 117 (d)(4), 33 U.S.C. Section 1267 (d)(4), which states that administrative costs shall not exceed 10 percent of the annual grant award. Information on how to calculate the 10 percent administration cost cap is located in Appendix B: Administrative Cost Cap Worksheet.

To calculate the specific cost-share amount, follow these two-steps:

- 1) EPA assistance amount (including any in-kind) ÷ 95% = 100% of Total Grant Amount
- 2) 100% of Total Grant Amount × 5% = Applicant's Cost-Share Amount

**APPENDIX B. BUDGET GUIDANCE
EPA-I-R3-CBP-23-04**

**SAMPLE
(DO NOT SUBMIT WORKSHEET WITH APPLICATION)**

CHESAPEAKE BAY PROGRAM ADMINISTRATIVE COST CAP WORKSHEET

INSTRUCTIONS: In accordance with Clean Water Act (CWA) Section 117(d)(4) and 117(e)(6) , the costs of salaries and fringe benefits incurred in administering a grant under CWA Section 117(d) or 117(e) shall not exceed 10 percent of the annual grant award. The annual grant award is the total costs including Federal and cost share amounts. The worksheet below is provided to assist you in calculating allowable administrative costs. The Budget Detail of your Application for Federal Assistance (SF-424) should reflect how your administrative costs will comply with the cap. For specific guidance, refer to the next page of this sample "Compliance with CWA Section 117 Requirements Restricting Administrative Costs."

Total Costs	\$ _____
Cap %	X .10
Limit on Administrative Costs	\$ (a) _____
List Administrative Costs: (Budgeted costs for application)	
_____	\$ _____
_____	_____
_____	_____
_____	_____
Total	\$ (b) _____

Line (b) cannot exceed Line (a).

COMPLIANCE WITH CWA SECTION 117 RESTRICTING ADMINISTRATIVE COSTS

Statutory Authority

Under statutory authority, applicants applying for Chesapeake Bay Program grants/cooperative agreements under Clean Water Act (CWA) Section 117 (d) or (e) must adhere to the requirement on administrative costs as follows:

- Under CWA Section 117(a)(1) Administrative Cost - The term “administrative cost” means the cost of salaries and fringe benefits incurred in administering a grant under this section.
- Under CWA Section 117(d)(4) - Administrative Costs. - Administrative costs shall not exceed 10 percent of the annual grant award.
- Under CWA Section 117(e)(6) - Administrative Costs. -Administrative costs shall not exceed 10 percent of the annual grant award.

Guidance for Determining Administrative Costs

As determined by EPA/CBPO, the following provides guidance in determining administrative costs for grants/cooperative agreements under CWA Section 117 (d) and (e).

1. Administrative Costs

Salaries and fringe benefits charged against the project or program element for the sole purpose of administering the grant/cooperative agreements shall not exceed 10% of the annual grant **award (Federal and cost share)**. 100% of the salaries and fringe benefits related to these functions are considered administrative costs. Examples of administrative costs include, but are not limited to, preparation and submission of grant applications, fiscal tracking of grants funds, maintaining project files, and collection and submission of deliverables.

2. Non-administrative Costs

Salaries and fringe benefits related to the implementation of the project or program element of the grant/cooperative agreement are not considered administrative costs. None of the salaries and fringe benefit costs related to these functions shall be considered administrative costs. Example:

- The salaries and fringe benefits for technical staff to conduct work to accomplish specific Bay Program goals as outlined in the program or project elements are not administrative costs.

3. Calculation of Administrative Costs

In order to ensure compliance with this requirement, use the format above or a similar format to calculate the costs and include in the Budget Detail of your Application for Federal Assistance (SF-424).

4. Questions Regarding Administrative Costs

The recipients shall direct questions to the EPA Project Officer who will determine what costs should be included as administrative costs on a case-by-case basis.