

OVERVIEW

AGENCY: U.S. Environmental Protection Agency (EPA), Region 3

TITLE: Chesapeake Bay Program Office Fiscal Year 2023 Request for Applications for:
Small Watershed Grants Program and Innovative Nutrient and Sediment Reduction Program

ACTION: Request for Applications (RFA)

RFA #: EPA-R3-CBP-23-14

ASSISTANCE LISTING #: 66.466

IMPORTANT DATES

August 2, 2023	Issuance of RFA
September 18, 2023	Application submission deadline (see Section IV for more information)
October 30, 2023	Approximate date for EPA to notify applicant(s) of results
November 13, 2023	Approximate date for selected applicant(s) to submit revised federal cooperative agreement application
January 1, 2024	Approximate date of award(s)

TABLE OF CONTENTS

I. FUNDING OPPORTUNITY DESCRIPTION	2
II. AWARD INFORMATION.....	13
III. ELIGIBILITY INFORMATION	14
IV. APPLICATION AND SUBMISSION INFORMATION	17
V. APPLICATION REVIEW INFORMATION	22
VI. AWARD ADMINISTRATION INFORMATION	25
VII: AGENCY CONTACT	26
VIII: OTHER INFORMATION	27
APPENDIX A. APPLICATION FORMAT	28
APPENDIX B. BUDGET GUIDANCE.....	31

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 Chesapeake Bay Program (CBP) is responsible for supporting the Chesapeake Bay Executive Council (Executive Council) through 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 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. About the CBP Partnership

The CBP partnership is guided at the direction of the **Executive Council** 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 **Principals' Staff Committee (PSC)** works on behalf of the Executive Council to translate the restoration vision into policy and implementation actions. In addition, the 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 also provides policy and program direction to the Management Board.

The **Management Board (MB)** provides strategic planning, priority setting, and operational guidance through implementation of a comprehensive, coordinated, accountable implementation strategy for the CBP. It directs and coordinates the Goal Implementation Teams and workgroups under it.

The **Goal Implementation Teams (GITs)** include federal and non-federal experts from throughout the watershed. Through the GITs, academic, federal, and state scientists and experts, advocacy organizations, environmental managers and others become active members of the broad restoration partnership.

Pursuant to CWA Section 117(b)(2), 33 USC Section 1267(b)(2), the **Chesapeake Bay Program Office (CBPO)** is the office within EPA charged with providing support to the Executive Council in the restoration and protection of the Chesapeake Bay. The CBPO and CBP, mentioned above, are two distinct entities.

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

3. Science Applications for the Chesapeake Bay and its Watershed

Chesapeake Bay Total Maximum Daily Load

Pursuant to Section 303(d) of the Clean Water Act, 33 USC 1313(d), the EPA has established the Chesapeake Bay Total Maximum Daily Load (TMDL), a historic and comprehensive “pollution diet” with rigorous accountability measures to initiate sweeping actions to restore clean water to the Chesapeake Bay and the watershed's streams, creeks, and rivers.

The Chesapeake Bay TMDL – the largest ever developed by EPA – identifies the necessary pollution reductions of nitrogen, phosphorus and sediment across Delaware, Maryland, New York, Pennsylvania, Virginia, West Virginia, and the District of Columbia and sets pollution limits necessary to meet applicable state water quality standards in Chesapeake Bay, its tidal tributaries and embayments. These pollution limits were further divided by jurisdiction and major river basin based on state-of-the-art modeling tools, extensive monitoring data, peer-reviewed science, and close interaction with jurisdictional partners.

Watershed Implementation Plans

Watershed Implementation Plans (WIPs) describe how each of the seven Chesapeake Bay watershed jurisdictions, in partnership with federal and local governments, will achieve their respective Chesapeake Bay TMDL allocations and planning targets. The goal of the Chesapeake Bay TMDL and supporting jurisdictional WIP process is to implement by 2025 all nutrient and sediment pollutant load reduction and prevention measures needed to fully restore water quality in Chesapeake Bay and its tidal rivers. Additionally, this implementation by 2025 of practices in the jurisdictions' WIPs to reduce nutrient and sediment loads is one of the 31 outcomes in the 2014 Watershed Agreement.

On July 9, 2018, the PSC approved the final [Phase III WIP planning targets](#), which represent the nitrogen and phosphorus pollution limits necessary to meet applicable water quality standards in the Chesapeake Bay. The Phase III WIPs describe the actions the jurisdictions will take to have all practices on the ground by 2025 to achieve their respective Phase III planning targets.

On January 24, 2020, the PSC approved the final Phase III planning targets for sediment which represent the pollution limits necessary to meet applicable water quality standards in the Chesapeake Bay. Additional information on these sediment targets can be found on the CBP partnership's [WIP Sediment Planning Targets](#) document.

Two Year Milestones

EPA and the Bay jurisdictions have adopted extensive measures to ensure accountability for reducing pollution and meeting target dates for progress under the Chesapeake Bay TMDL. Bay jurisdictions include Delaware, Maryland, New York, Pennsylvania, Virginia, West Virginia and the District of Columbia. The TMDL is being implemented using an accountability framework that guides restoration efforts. As part of this accountability framework, EPA and the Bay jurisdictions agreed to develop milestones to increase restoration work and ensure progress. The two-year milestones represent key check-in points on the way to having all pollution reduction measures in place by 2025 to restore the Bay and its tidal rivers.

Chesapeake Bay Program Partnership’s Environmental Models and Decision-Support Tools

Models of the Chesapeake Bay’s air shed, watershed, estuary, and living resources have been developed by the partners and linked together over the past 30 years. The CBP partnership’s suite of models assists in understanding the important processes affecting the health of the watershed and the Chesapeake Bay ecosystem. These modeling tools provide the Chesapeake Bay watershed state and local jurisdictions with an understanding of the effect of various control strategies on pollutant levels and the level of nutrient and sediment load reductions needed to restore the Chesapeake Bay and achieve the jurisdictions’ water quality standards for dissolved oxygen, chlorophyll *a*, underwater bay grasses and water clarity. By quantifying the management actions necessary to restore Chesapeake Bay habitats and the living resources dependent on those habitats, these integrated CBP partnership models and decision-support tools provide guidance to environmental managers and citizens on where the most cost-effective reductions can be made so that controls are equitable and broadly supported.

Comprehensive Evaluation of System Response

In 2023, the Scientific and Technical Advisory Committee published the [Comprehensive Evaluation of System Response](#) which (1) Identified gaps and uncertainties in system response —physical, chemical, biological, and socioeconomic— that impact efforts designed to attain water quality standards, (2) Identified recent scientific developments that can shed light on the gaps and uncertainties in system response to advance efforts to attain water quality standards, (3) Recommended research strategies that improve understanding of system response to support informed decision making to attain water quality standards, and (4) Recommended strategies for integrating scientific and technical analysis with active adaptive management in order to aid decision-making under uncertainty (to achieve water quality standards).

The cooperative agreements awarded through this RFA will help support the applications of science from the Chesapeake Bay TMDL, two-year milestones, Phase III WIPs, environmental models and support tools and Comprehensive Evaluation of System Response, along with other relevant studies.

4. Justice40 and Equity Considerations

The cooperative agreements awarded under this RFA will advance the Biden-Harris Administration’s [Justice40 Initiative](#). Established by [Executive Order 14008](#) on *Tackling the Climate Crisis at Home and Abroad*, the Justice40 Initiative sets the goal that 40 percent of the overall benefits of certain federal investments, such as climate, clean energy, and other areas, flow to disadvantaged communities that are marginalized and overburdened by pollution and underinvestment.¹ Consistent with [Executive Order 13985](#) on *Advancing Racial Equity and Support for Underserved Communities Through the Federal Government*, [Executive Order 14091](#) on *Further Advancing Racial Equity and Support for Underserved Communities Through the Federal Government*, and [Executive Order 14096](#) on *Revitalizing Our Nation’s Commitment to Environmental Justice for All*, CBPO is committed to inclusion and equity and is focused on supporting disadvantaged communities through activities funded under this RFA. In 2023, CBPO finalized its equity strategy to demonstrate how it will advance the national goal of equity and fair access to the benefits from environmental programs for all communities. Consistent with the CBPO equity strategy, applicants should use methodology below for identifying disadvantaged communities

¹ For more information, see E.O. 14008, [Tackling the Climate Crisis at Home and Abroad](#) (Jan. 27, 2023); White House [Justice40 Initiative website](#); and OMB Memo M-23-09, [Addendum to the Interim Implementation Guidance for the Justice40 Initiative, M-21-28, on using the Climate and Economic Justice Screening Tool \(CEJST\)](#) (Jan. 27, 2023).

and develop criteria for tracking the overall benefits delivered to these communities to ensure that the 40 percent threshold is reached.

Disadvantaged communities can be identified based on demographic metrics from the [American Community Survey](#).² All variables except percent low income utilize the 80th percentile as the threshold to be included in that group:

- Percent low income: Defined as ratio of income to cost of living that is less than two. Data is presented as a census block group with a percentage of population that is low income $\geq 50\%$. This definition comes from work completed by the CBP Diversity Workgroup where they provided “best professional judgement” in terms of interpreting this metric.
- Percent unemployment: All those who did not have a job at all during the reporting period, made at least one specific active effort to find a job during the prior 4 weeks, and were available for work (unless temporarily ill).
- Percent in linguistic isolation: Percent of households in which no one age 14 and over speaks English “very well” or speaks English only (as a fraction of households).
- Percent less than high school education: Percent of individuals aged 25 and over with less than high school degree.
- Percent under age 5: Percent of individuals under age 5 as a fraction of population.
- Percent over age 64: Percent of individuals over age 64 as a fraction of the population.

B. Scope of Work

EPA plans to award two cooperative agreements under this RFA, one for each Activity described in detail below. The total estimated funding available is \$110,000,000, including \$20,000,000 for Year 1, and up to \$30,000,000 for Years 2-4.³ The maximum available funding per Activity is detailed in the chart below. There is no guarantee of funding throughout this period or beyond.

This RFA is seeking cost-effective proposals from eligible applicants to support the:

1. The **Planning, Assistance and Implementation – Small Watershed Grants (PAI SWG) Program** promotes community-based efforts to develop and implement conservation strategies to protect and restore the Chesapeake Bay and its watershed that support all the goals and outcomes of the 2014 Chesapeake Bay Watershed Agreement and any future watershed agreements; and
2. The **Innovative Nutrient and Sediment Reduction (INSR) Grants Program** supports efforts within the Chesapeake Bay and its watershed that use innovative strategies to vastly accelerate sub-watershed and/or regional-scale implementation of nutrient and sediment reductions with approaches demonstrated to be successful.

² The White House Council on Environmental Quality has developed the [Climate and Economic Justice Screening Tool](#) (CEJST) for identifying disadvantaged communities. Although not currently utilized by CBPO as the methodology for identifying disadvantaged communities within the Chesapeake Bay watershed, CBPO is evaluating transition to the CEJST in the future. To ensure consistency across funding programs, recipients will utilize the methodology described here, but may consider the CEJST as an additional resource for targeting funding.

³ Funding levels for project years 2-4 will be based on allocations directed in the Chesapeake Bay Program Office’s annual budget appropriation.

	Year 1	Year 2	Year 3	Year 4	Total
Activity 1: PAI SWG	\$10,000,000	\$15,000,000	\$15,000,000	\$15,000,000	\$55,000,000
Activity 2: INSR	\$10,000,000	\$15,000,000	\$15,000,000	\$15,000,000	\$55,000,000

If your organization has an interest and the experience to accomplish one or more of the Activities described below 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 four years), and the application should have a work plan and budget for the first year and a projected work plan and estimated budget for Years 2-4.

Applications must only address one Activity. Applicants interested in applying for funding for more than one Activity must do so in separate applications. If the same applicant is ranked highest for both Activities and has the capacity to perform multiple projects, EPA will take into consideration other factors, such as program priorities and diversity, when making selections. EPA reserves the right not to select the same applicant for both Activities.

The successful applicants selected under this RFA will coordinate with the successful applicants selected under RFA [EPA-I-R3-CBP-23-13](#) to ensure maximum effectiveness of the SWG and INSR grant programs. Applicants may apply for funding under both RFAs but must do so through separate applications.

Activity 1: Planning, Assistance and Implementation – Small Watershed Grants (PAI SWG) Program
Estimated Funding: \$55,000,000 (\$10,000,000 for Year 1 and up to \$15,000,000 for Years 2-4)

This RFA is seeking cost-effective proposals from eligible applicants to manage the Planning, Assistance and Implementation – Small Watershed Grants (PAI SWG) Program. The purpose of the PAI SWG Program is to promote community-based efforts to develop and implement conservation strategies to protect and restore the diverse natural resources of the Chesapeake Bay and its watershed and that support the goals and outcomes of the *2014 Chesapeake Bay Watershed Agreement* and any future partnership agreements.

The successful applicant for this Activity will issue subawards on a competitive basis to local governments, nonprofit organizations, and individuals in the Chesapeake Bay region working to improve the condition of their local watersheds while building community-based stewardship. The recipient must comply with applicable provisions of 2 CFR Part 200 and the [EPA Subaward Policy](#), including the [EPA General Terms and Conditions](#) for subawards.

Subrecipients would be those organizations that implement locally-based protection and restoration programs or projects within a watershed that align with the *2014 Chesapeake Bay Watershed Agreement* goals and outcomes, including the creation, restoration, protection, or enhancement of living resources and habitats associated with the Chesapeake Bay ecosystem. Subawards issued under the PAI SWG Program will provide up to **\$1,000,000** in federal funding per subaward.

The successful applicant must ensure that subawards include measurable nutrient and sediment reductions and that subrecipients track (qualitatively and quantitatively) environmental results (successes and failures) of the subaward projects. In addition, the successful applicant must ensure that

specific information about Best Management Practices (BMPs) implemented are tracked and reported to each jurisdiction so that project data becomes part of the overall accounting for the Chesapeake Bay TMDL. BMP information must be communicated to the relevant state agency that annually reports to CBPO. In addition, the successful applicant should work with subawards to verify that BMPs are completed as planned and the subaward has a plan in place to ensure proper function of implemented practices into the future. Requirements for what BMP information to report are established by the relevant state agency, typically through formatted templates and BMP tracking databases. The information is needed to comply with federal quality assurance requirements for environmental data.

Examples of subaward projects that could be funded under the PAI SWG Program include projects that:

- Support communities in developing and implementing locally-based programs and projects that advance 2014 Chesapeake Bay Watershed Agreement goals, specifically projects that address outcomes that are off course in implementation, as identified in Chesapeake Progress (www.chesapeakeprogress.com), such as the wetlands and forest buffers outcomes.
- Develop the technical capacity of local governments, citizen groups, and other organizations to promote community-based stewardship and increase local watershed health and sustainability.
- Promote a greater understanding of the Chesapeake Bay watershed and the interrelationship between the health of the Bay and the condition of local watersheds.
- Restore, protect, or conserve areas that are sensitive or of high value to multiple Agreement outcomes, such as wetlands (tidal and non-tidal) and riparian forests.
- Support collaboration, investment, and application of social science research, methodologies, and disciplines that aid in developing capacity and designing and implementing effective strategies.

The successful applicant for this activity will coordinate with the successful applicant(s) of Activity 2 to maximize the impact and efficacy of these two programs as well as coordinate with other federal funding sources that may exist that support both activities. Funds should be directed to subawards except for funds required to carry out the responsibilities below, or for communications, outreach, transfer of information, and administrative and technical assistance activities that directly support subrecipients.

The following are examples of the types of tasks required to successfully carry out the PAI SWG Program. Applicants are expected to conduct these tasks or describe, in detail, alternative approaches to providing the requested support.

- Administer the PAI SWG Program, including establishing guidelines for the competitive program, advertising the program transparently to all Bay stakeholders, issuing an RFA, assisting potential applicants to the extent permitted by applicable law and policy, including the EPA Subaward Policy, coordinating the review of applications, and selecting subrecipients.
- Ensure that no applicant or group of applicants has an unfair advantage during the competitive process.
- Develop an RFA that reflects the *2014 Chesapeake Bay Watershed Agreement* goals and outcomes, including the associated management strategies and workplans, with emphasis on efforts towards those outcomes that are off course in implementation, as identified in Chesapeake Progress (www.chesapeakeprogress.com), and that benefit multiple outcomes.
- Disburse funding to subrecipients in a timely manner to prevent the accumulation of unliquidated obligations and as required by the applicable federal regulations.

- Provide grant management assistance to potential and selected subrecipients to build their capacity in grant management, project implementation, organizational capacity building best practices, etc.
- Provide planning and design and other technical assistance-oriented activities that enhance capacity to implement on-the-ground restoration and conservation efforts more efficiently and effectively.
- Provide project monitoring to ensure the successful implementation of all the subaward projects.
- Actively search for ways to leverage EPA funding with other public and/or private funding sources.
- Organize and execute outreach and information sharing for the PSI SWG program, including a yearly event(s) to announce the successful applicants as well as other events that promote and share the successes, lessons learned, and best practices from PAI SWG projects.
- Ensure the transfer of information between, and networking among, the SWG and INSR grantee communities and other CBP restoration and conservation practitioners.
- Design and implement a communications program that enables subrecipients to conduct outreach within their local community and to their stakeholders about the project, its benefits, and sources of funding.
- Undertake a third-party evaluation of this program and review and coordinate implementation of recommendations.
- Qualitatively and quantitatively track measured nutrient and sediment reductions and environmental results (successes and failures) of the subaward projects and ensure that the data and results are communicated and reported to CBP and its jurisdictional partners in an accepted format.
- Ensure that subrecipients comply with federal quality assurance requirements. See Section VI.C of this RFA for more information.

Activity 2: Innovative Nutrient and Sediment Reduction (INSR) Grants Program

Estimated Funding: \$55,000,000 (\$10,000,000 for Year 1 and up to \$15,000,000 for Years 2-4)

This RFA is seeking cost-effective proposals from eligible applicants to manage the Innovative Nutrient and Sediment Reduction (INSR) Grants Program. The objective of the INSR Program is to support efforts within the Chesapeake Bay watershed to:

1. Accelerate sub-watershed and/or regional-scale implementation of nutrient and sediment reductions with demonstrated approaches that use priority practices that are in the state WIPs;
2. Actively transfer and disseminate the lessons learned from the subaward projects to the wider Bay region stakeholder community; and
3. Work to institutionalize the continued and expanded implementation of nutrient and sediment reduction practices and approaches.

The successful applicant for this activity will issue subawards to nonprofit organizations, state and local governments, educational institutions, tribal governments and organizations, and/or interstate agencies on a competitive basis to achieve the objectives of the INSR program, as described below. The recipient must comply with applicable provisions of 2 CFR Part 200 and the [EPA Subaward Policy](#), including the [EPA General Terms and Conditions](#) for subawards.

Recognizing a need to foster a balance of cost-effectiveness with accelerated methods for pollution reduction, for purposes of this RFA, CBPO is defining "innovative" as:

- a) Approaches that utilize demonstrated technologies or techniques for reducing nonpoint nutrient/sediment loads to the Bay; and
- b) Sustainable improvements in removal efficiencies and/or cost-effectiveness, which may include incentives or methods that are demonstrably effective at increasing implementation rates.

The INSR Program should be designed to cultivate promising projects and ideas whose goal is to develop, support, and vastly accelerate implementation of innovative, sustainable and cost-effective approaches that dramatically reduce nutrient and sediment pollution on a sub-watershed and/or regional scale. Focus should be placed on advancing efforts that help implement the jurisdictions' WIPs and two-year milestones of the Chesapeake Bay TMDL. These projects should lead to advancing knowledge in the development and transfer of cutting-edge, inventive ways of approaching nonpoint and point source load reductions while also contributing knowledge of cost-effective and sustainable ways of doing business.

Subawards will support technology transfer and effective dissemination and institutionalization of approaches to expand the collective knowledge of the most cost-effective and sustainable approaches to dramatically reducing or eliminating nutrient and sediment pollution to the Chesapeake Bay and its tributaries. Subawards issued under the INSR Program will provide up to **\$2,000,000** in federal funding per subaward.

The successful applicant must ensure that subrecipients include measurable nutrient and sediment reductions and qualitatively and quantitatively track measured nutrient and sediment reductions and environmental results (successes and failures) of the subaward projects. In addition, the successful applicant must ensure that specific information about the BMPs implemented are tracked and reported to each jurisdiction so that project data becomes part of the overall accounting for the Chesapeake Bay TMDL. BMP information must be communicated to the relevant state agency that annually reports to CBPO. In addition, the successful applicant should work with subawards to verify that BMPs are completed as planned and the subaward has a plan in place to ensure proper function of implemented practices into the future. Requirements for what BMP information to report are established by the relevant state agency, typically through formatted templates and BMP tracking databases. The information is needed to comply with federal quality assurance requirements for environmental data.

Examples of subaward projects that could be funded under the INSR Program include projects that:

- Support implementation of projects that align with priorities driven by the water quality outcomes in the *2014 Chesapeake Bay Watershed Agreement*, specifically those included in jurisdictions' Watershed Implementation Plans and two-year milestones.
- Provide technical assistance and capacity building for the design, planning, and implementation of local standards, ordinances, regulations, restoration practices, and programs to reduce nutrient and sediment loads from stormwater and agricultural lands.
- Support the technology transfer, dissemination, institutionalization, and expanded implementation of actions that will address the greatest agricultural challenges facing restoration of water quality in the Bay (as described in the *2014 Chesapeake Bay Watershed Agreement* and associated Management Strategies and Outcome [Logic and Action Plans](#), [Bay TMDL and its associate WIPs and milestones](#), and [FY2022-2026 EPA Strategic Plan](#)).

- Support collaboration, investment, and application of social science research, methodologies, and disciplines that aid in developing capacity and designing and implementing effective strategies.
- Support applications of technologies that have been shown to yield proven or cost-effective reductions of nutrients or sediments, with opportunities for widespread implementation across the Chesapeake Bay Watershed.

The successful applicant for this Activity will coordinate with the successful applicant of Activity 1 to maximize the impact and efficacy of these two programs as well as coordinate with other federal funding sources that may exist that support both activities. Funds should be directed to subawards except for funds required to carry out the responsibilities below or for communications, outreach, and administrative and technical assistance activities that directly support subrecipients.

The following are examples of the types of tasks required to successfully carry out the INSR Program. Applicants are expected to conduct these tasks or describe in detail alternative approaches to providing the requested support.

- Administer the INSR program, including establishing guidelines for the competitive program, advertising the program transparently to all Bay stakeholders, issuing an RFA, assisting potential applicants to the extent permitted by applicable law and policy, including the EPA Subaward Policy, coordinating the review of applications, and selecting subrecipients.
- Ensure that no applicant or group of applicants has an unfair advantage during the competitive process.
- Develop an annual RFA that reflects the priorities of the *2014 Chesapeake Bay Watershed Agreement* water quality outcomes as well as Bay Program partners' Watershed Implementation Plans, management strategies and associated outcome workplans, with emphasis on efforts that benefit multiple outcomes.
- Disburse funding to subrecipients in a timely manner to prevent the accumulation of unliquidated obligations and as required by the applicable federal regulations.
- Provide hands-on technical assistance that enhances capacity to more efficiently and effectively implement on-the-ground conservation efforts that achieve nutrient and sediment reduction.
- Provide project monitoring to ensure the successful implementation of all the subaward projects.
- Actively search for ways to leverage EPA funding with other public and/or private funding sources.
- Organize and execute outreach programs for the INSR Program, including a yearly event(s) to announce the successful applicants as well as other events that promote and share the successes, lessons learned, and best practices from INSR projects.
- Ensure the transfer of information between, and networking among, the SWG and INSR grantee communities and other CBP restoration and conservation practitioners.
- Design and implement a communications program that enables subrecipients to conduct outreach within their local community and to their stakeholders about the project, its benefits, and sources of funding.
- Ensure subaward project results are disseminated and transferred for broad application and adoption.
- Review and implement previous INSR Program evaluations and undertake the next-scheduled third-party review of the grant program.
- Qualitatively and quantitatively track measured nutrient and sediment reductions and environmental results (successes and failures) of the subaward projects and ensure that the

data and results are communicated and reported to CBP and its jurisdictional partners in an accepted format.

- Ensure that subrecipients comply with federal quality assurance requirements. See Section VI.C of this RFA for more information.

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.

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 accomplishment of the activities described above in Section I.B.

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:

- Administer an annual grant competition process, including RFP development, advertisement, and selection.
- Develop program guidance for subrecipients, execute subaward agreements, and disperse funding in a timely manner.
- Monitor subrecipient progress, assess performance, and communicate environmental results to EPA and the appropriate jurisdiction(s).
- Provide technical assistance to potential applicants and successful grantees.
- Build public knowledge and support for the grants programs by actively promoting prior successes and future goals.
- Develop and publish an annual report that summarizes funded projects and accomplishments.
- Conduct roundtables for stormwater, agricultural and other crosscutting subjects.
- Conduct webinars to highlight projects and emphasize peer-to-peer connections.

Semi-annual and final reports 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:

- Reduced nitrogen, phosphorus, sediment delivered to Chesapeake Bay watershed.
- Reduced volume and pollutant load of runoff.
- Improvements made to state, county, or local environmental programs, requirements, or policies that better protect public health and the environment.
- Improved organizational ability to advance environmental and community goals within the Chesapeake Bay and its watershed.
- Advancement of progress toward water quality, habitat, living resource, stewardship outcomes contained within the *2014 Chesapeake Watershed Agreement*.
- Increased number of individuals taking action to improve local watershed health.

D. Authorizing Statutes and Regulations

The cooperative agreement(s) issued for Activity 1 of this RFA will be made pursuant to CWA Sections 117(g)(2) and 117(d). Section 117(g)(2) authorizes the establishment of the SWG program to implement cooperative tributary basin strategies that address water quality and living resource needs and to implement locally based protection and restoration programs and projects.

The cooperative agreement issued for Activity 2 of this RFA will be made pursuant to CWA Section 117(d), which authorizes EPA to issue grants and cooperative agreements for the purposes of protecting and restoring the Chesapeake Bay's ecosystem.

All cooperative agreements awarded under this RFA are 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(2)). A list of these schools can be found at [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](#);
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](#);

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

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](#).

II. AWARD INFORMATION

A. Funding Amount and Expected Number of Awards

The total estimated funding under this solicitation is approximately \$110,000,000 for two cooperative agreements, with up to \$55,000,000 available per award for each Activity 1 and Activity 2. Funding will be awarded incrementally in the amount of \$10,000,000 for Year 1 and up to \$15,000,000 for Years 2-4.

	Year 1	Year 2	Year 3	Year 4	Total
Activity 1: PAI SWG	\$10,000,000	\$15,000,000	\$15,000,000	\$15,000,000	\$55,000,000
Activity 2: INSR	\$10,000,000	\$15,000,000	\$15,000,000	\$15,000,000	\$55,000,000

EPA reserves the right to reject all applications and make no award under this announcement or award less than the estimated funding amounts identified. Funding depends on availability, satisfactory performance, Agency priorities, and other applicable considerations. EPA makes no commitment of annual funding amounts for any fiscal year(s), as funds may be limited based on these applicable considerations.

EPA reserves the right to make additional awards under this announcement, consistent with Agency policy and guidance, if additional funding becomes available after the original selection is made. Any additional selection for awards will be made no later than six months after the original selection decision.

B. Award Type

EPA intends to award cooperative agreements under this solicitation. Cooperative agreements allow for substantial involvement between the EPA Project Officer and the selected applicant(s) in the performance of the supported work. Although EPA will negotiate precise terms and conditions relating to substantial involvement as part of the award process, the anticipated substantial federal involvement for these projects may include:

- Close monitoring of recipient's performance to verify the results proposed in the scope of work;
- Collaboration during performance of the scope of work;
- Review of proposed procurement in accordance with 2 CFR 200.317 and 2 CFR 200.318;
- Approving qualifications of key personnel (EPA will not select employees or contractors employed by the award recipient); and
- Review and comment on reports prepared under the cooperative agreement (the final decision on the content of reports rests with the recipient).

EPA does not have the authority to select recipient employees, contractors, or subrecipients, and the final decision on the content of reports rests with the recipient.

For these projects, federal involvement would typically be in the form of participation with other CBP partners and stakeholders in an advisory capacity to the grantee. The participation is expected to include involvement through the various CBP Goal Implementation Teams 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* and the Chesapeake TMDL.

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 an application, it will do so in a manner that does not prejudice any applicants 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 five 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 January 1, 2024.

III. ELIGIBILITY INFORMATION

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

A. Eligible Applicants

Eligibility for Activity 1 (PAI SWG)

Pursuant to [Assistance Listing 66.466](#) and CWA 117(g)(2), funds are available for technical assistance and assistance grants under the SWG Program to local governments and nonprofit organizations and individuals in the Chesapeake Bay region.

Eligibility for Activity 2 (INSR)

Pursuant to [Assistance Listing 66.466](#) and CWA 117(d), funds are available for technical and general assistance grants under the INSR program to nonprofit organizations, State, tribal (federally-recognized) and local governments, colleges, universities, and interstate agencies.

Federally-Recognized Tribes

Seven tribes in Region 3, all located in Virginia within the Bay watershed, have received federal recognition. Such tribes are specifically included in the CWA's definition of "municipality." See CWA

Section 503(4) (“municipality” includes “a city, town, borough, county, parish, district, association, or other public body created by or pursuant to State law and having jurisdiction over disposal of sewage, industrial wastes, or other wastes, or an Indian tribe or an authorized Indian tribal organization.”) Federally recognized tribes also have a special status in federal environmental law, including the Clean Water Act. See, e.g., CWA Section 518(e) (EPA “to treat an Indian tribe as a State” for various purposes under the statute). Federally recognized tribes are defined in the statute at CWA Section 518(h). Due to their CWA status, federally recognized tribes are eligible for Chesapeake Bay grants under CWA Section 117 on the same basis as local governments. Moreover, tribes are eligible to receive pass-through funding from prime recipients of Chesapeake Bay program funds.

Definition of Nonprofit Organization

Consistent with the definition of *Nonprofit organization* at 2 CFR § 200.1, the term nonprofit organization means any corporation, trust, association, cooperative, or other organization that is operated mainly for scientific, educational, service, charitable, or similar purpose in the public interest and is not organized primarily for profit; and uses net proceeds to maintain, improve, or expand the operation of the organization. The term includes tax-exempt nonprofit neighborhood and labor organizations. Note that 2 CFR 200.1 specifically excludes Institutions of Higher Education from the definition of nonprofit organization because they are separately defined in the regulation. While not considered to be a nonprofit organization(s) as defined by 2 CFR 200.1, public or nonprofit Institutions of Higher Education are, nevertheless, eligible to submit applications under this RFA. Hospitals operated by state, tribal, or local governments or that meet the definition of nonprofit at 2 CFR 200.1 are also eligible to apply as nonprofits or as instrumentalities of the unit of government depending on the applicable law. For-profit colleges, universities, trade schools, and hospitals are ineligible.

Nonprofit organizations that are not exempt from taxation under section 501 of the Internal Revenue Code must submit other forms of documentation of nonprofit status; such as certificates of incorporation as nonprofit under state or tribal law. Nonprofit organizations exempt from taxation under section 501(c)(4) of the Internal Revenue Code that lobby are not eligible for EPA funding as provided in the Lobbying Disclosure Act, 2 U.S.C. 1611.

B. Cost-Share or Matching Requirements

Activity 1 (PAI SWG):

Pursuant to Clean Water Act 117(g)(2), Small Watershed Grants are subject to a minimum 25 percent cost-share. Therefore, for Activity 1, an applicant must provide a minimum of **25 percent** of the total cost of the project as the non-federal cost-share.

Activity 2 (INSR):

Pursuant to CWA Section 117(d)(2)(A), 33 USC 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 Activity 2, EPA has determined that an applicant must provide a minimum of **50 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 federal regulations. Applications that do not demonstrate how the 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 Grants.gov submission 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 detail a plan to support project-related work throughout the entirety of the Chesapeake Bay watershed. Applications that address only a portion of the Chesapeake Bay watershed (such as a single city, county, state, or watershed) will be rejected.

7. Applications must show how they will meet the minimum cost-share requirement of Section III.B (25 percent for Activity 1 and 50 percent for Activity 2). Applications that fail to meet the minimum cost-share requirement will be rejected. (See Appendix A for additional information regarding the budget narrative and formula for calculating cost-share.)
8. Applications requesting funding for more than the maximum available funding range for the Activity for which the applicant is applying will be rejected.
9. Each application must address only one of the Activities detailed in Section I.B. (Activity 1 or 2). Applications that do not address an Activity or address more than one Activity will be rejected.
10. Applicants may not submit more than one application for each Activity. Applicants may submit more than one application as long as they are for separate Activities. If an applicant submits more than one application under an Activity, EPA will contact the applicant to determine which application to review.
11. 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 overall application, render the entire application ineligible for funding.

IV. APPLICATION AND SUBMISSION INFORMATION

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

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.

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](https://www.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 **September 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 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-R3-CBP-23-14 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](#) or relevant [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. An optional 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 [RAIN-2019-G02, Interim General Budget Development Guidance for Applicants and Recipients of EPA Financial Assistance](#).

Optional Documents:

- 7) Other Attachment Form – The applicant's Indirect Cost Rate Agreement should be included, as applicable. See [RAIN-2018-G02-R, Indirect Cost Guidance for Recipients of EPA Assistance Agreements](#) for additional information about indirect costs.

C. Project Narrative Requirements

1. Content and Form of Project Narrative

Each application will be evaluated using the criteria in Section V.B. of this announcement. All application review criteria in Section V must be addressed in the project narrative. The project narrative shall not exceed **15** pages in length. Pages refer to one side of a single-spaced, typed page. Font size should be no smaller than 10 and the application must be submitted in an 8 ½" x 11"-page size format. **Note that the 15 pages include all supporting materials, including resumes or curriculum vitae and letters of support.** The 15-page limit does not include documentation of nonprofit status, cost-share letters of commitment, the SF-424, SF-424A, budget detail, Key Contacts Form and 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 <https://www.epa.gov/ejscreen>.

D. Other Application Information

1. Intergovernmental Review

Executive Order 12372, Intergovernmental Review of Federal Programs, may be applicable to awards resulting from this announcement. EPA implemented the Executive Order in 40 CFR Part 29. EPA may require applicants selected for funding to provide a copy of their application to their State Point of Contact (SPOC) for review as provided at 40 CFR 29.7 and 40 CFR 29.8. The SPOC list can be found on the webpage below.⁴

[Office of Federal Financial Management Resources and Other Information](#)

EPA may require successful applicants from states that do not have a SPOC to provide a copy of their application for review to directly affected state, area-wide, regional and local government entities as provided at 40 CFR 29.7 and 40 CFR 29.8. These reviews are not required before submitting an application. Only applicants that EPA selects for funding under this announcement are subject to the Intergovernmental Review requirement.

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), where they are defined as "the cost of salaries and fringe benefits incurred in administering" the grant, and which also states that administrative costs shall not exceed 10 percent of the annual grant award, which equals both the federal and recipient shares. [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

⁴ Alternatively, the SPOC list and additional guidance concerning the Intergovernmental Review process can be found on the EPA Region 3 website at: <https://www.epa.gov/grants/epa-region-3-grants-and-audit-management-branch-intergovernmental-review-process-and-single>.

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 apply to the review of applications under this RFA.

Criteria	Points
1. Programmatic Capability and Program Design: Under this criterion, reviewers will evaluate the applicant based on their programmatic capability to successfully perform the proposed activity considering how well the applicant addresses the criteria described in Section I.B, including: a. The applicant’s plan and approach to developing a subaward grant program including establishing guidelines for the competitive program, advertising the program transparently to all Bay stakeholders, issuing an RFA, coordinating the review of applications, selection of the subrecipients, and assisting potential applicants with the subaward process. (15 points) b. The applicant’s approach to managing subrecipient funding and projects and ensuring that subawards are managed in compliance with federal and EPA requirements, including 2 CFR 200.332 and EPA’s General Terms and Conditions for Establishing and Managing Subawards. (15 points)	30
2. Organizational Capability: Under this criterion, reviewers will evaluate the application based on: a. The quality of the application and how it demonstrates the organization’s ability to timely and successfully achieve the relevant Activity to support the CBP partners as described in Section I.B. (10 points) b. How well the applicant demonstrates, or plans to develop, the organizational capability, resources including dedicated staff capacity, and relevant skills, experiences, and knowledge for supporting the Activities in this RFA. (10 points) Note: Prior to naming a contractor (including consultants) or subrecipient in your application as a “partner”, please carefully review Section IV.d, “Contracts and Subawards”, of EPA’s Solicitation Clauses. In evaluating this criterion, EPA will only consider the experience of any contractor(s), including consultants, if the applicant demonstrates they were selected in compliance with the competitive procurement requirements in 2 CFR 200.319 and 2 CFR 200.320. EPA does <u>not</u> accept justifications for sole-source contracts for services or products available in the commercial marketplace based on a contractor’s role in preparing an application.	20
3. Past Performance: Under this criterion, reviewers will evaluate the applicant based on their programmatic capability to successfully perform the proposed activity considering the applicant’s 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) within the last five years (preferably EPA agreements). Note: In evaluating applicants under this criterion, EPA will consider the information provided by the applicant and may also consider relevant information from other sources, including EPA 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, please indicate this in the application	10

	and you will receive a neutral score for these subfactors; 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 zero for these subfactors.	
4.	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 relevant Activity listed in Section I.	10
5.	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 transfer the documentation/information/data/results/recommendations to CBP partners and stakeholders in the Chesapeake Bay watershed in a timely manner.	5
6.	Timely Expenditure of Grant Funds: Under this criterion, reviewers will evaluate the application based on the approach, procedures, and controls for ensuring that awarded grant funds will be expended in a timely and efficient manner.	5
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.	10
8.	Environmental Justice: Applications will be evaluated based on the extent to which they demonstrate how the project will address the disproportionate and adverse (see below) human health, environmental, climate-related and other cumulative impacts, as well as the accompanying economic challenges of such impacts, resulting from industrial, governmental, commercial and/or other actions that have affected and/or currently affect the underserved communities described in Section I of the solicitation. As part of this evaluation, applications will be evaluated based on: how the project benefits the underserved communities including those that have experienced a lack of resources or other impediments to addressing the impacts identified above that affect their community and; the extent to which the project addresses engagement with these communities, especially local residents in these communities who will be affected by the project, to ensure their meaningful participation with respect to the design, project planning, and performance of the project.	10
TOTAL		100

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. EPA plans to select one application for each Activity. In making the final funding decisions, the selection official may also consider programmatic goals and priorities, including those described in the [2014 Chesapeake Bay Watershed Agreement](#). EPA reserves the right not to select the same applicant for both Activities.

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 **October 30, 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 recipient 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 (PO) to discuss progress. A final progress report is due to the EPA Project Officer within 120 after the end of the award performance period.

The recipient will be required to report to EPA project-level implementation data, including geolocation and the status of project implementation using the system designated by CBPO for tracking Infrastructure-funded projects.

The recipient may be requested to provide progress and informational presentations to CBP technical and management-decision making groups, when requested.

EPA Requirements for Quality Management Plans and Quality Assurance Plans

In accordance with [2 C.F.R. Section 1500.12](#), 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's [Quality Management Plan \(QMP\) Standard](#). 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 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. A model template and guidance for developing QAPPs can be found at <https://www.epa.gov/quality/template-developing-generic-quality-assurance-project-plan-or-plan-elements-model>.

D. Disputes

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 200.339](#) including suspension and debarment.

VII: AGENCY CONTACT

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-R3-CBP-23-14). 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 grantee forms

<http://www.epa.gov/ogd/forms/forms.htm>

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
EPA-R3-CBP-23-14

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 in length. The project narrative must be submitted in an 8 ½" x 11"-page size format, and font size should be no smaller than 10. Note that the 15 pages include all supporting materials, including resumes or curriculum vitae and letters of support. The 15-page limit does not include documentation of nonprofit status, cost-share letters of commitment, SF-424, SF-424A, budget narrative, Key Contacts Form and 4700-4 form. 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 <https://www.epa.gov/ejscreen>.

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). Please note that subaward costs must be itemized under a separate sub-line item within the "Other" budget cost category. 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>.

Grantees 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: Chesapeake Bay Program Administrative Cost Cap Worksheet.

In each budget submitted with the application, include the cost-share amount (a minimum of 25 percent of the total project costs for Activity 1 and 50 percent for Activity 2) and demonstrate how the cost-share will be met, including, if applicable, letters of commitment from any third-party contributors.

To calculate the minimum cost-share for amount, follow these steps:

Activity 1 – PAI SWG – 25 percent minimum cost-share

1. EPA amount (including any in-kind) $\div$ 75% = 100% of Total Grant Amount
2. 100% of Total Grant Amount $\times$ 25% = Recipient's Cost-Share Amount

For example, $\$55,000,000 \div 75\% = \$73,333,333 \times 25\% = \$18,333,334$ minimum cost-share

Activity 2 – INSR – 50 percent minimum cost-share

A 50% cost-share is calculated as a 1:1 match, meaning that the recipient must provide \$1 cost-share for every \$1 in EPA federal funding.

For example, $\$55,000,000$ EPA funding = $\$55,000,000$ minimum cost-share

**APPENDIX B. BUDGET GUIDANCE
EPA-R3-CBP-23-14**

**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.