

**Federal Agency Name:** US Environmental Protection Agency, Region 08

**Funding Opportunity Title:** FY12 and FY13 Region 8 Wetland Program Development Grants

**Announcement Type:** Request for Proposals (RFP)

**Catalog of Federal Domestic Assistance Number:** 66.461

**Funding Opportunity Number:** EPA-REG08 -12-01

**Dates:** Hard copy proposals must be received by the Agency Contact (see Section IV, PROPOSAL AND SUBMISSION INFORMATION, of this RFP) **by 5:00 P.M. MDT March 26, 2012** Proposals submitted electronically through Grants.gov must be received by **March 26, 2012 at 9:59 P.M. MDT** (Late proposals will not be considered for funding). Questions about this RFP must be submitted in writing via e-mail and must be received by the Agency Contact identified in Section VII, AGENCY CONTACTS, **before March 16, 2012**. Written responses to frequently asked or general questions will be posted on EPA's website at: <http://www.epa.gov/region8/water/wetlands>

*A full final application package is not required at this time. Following EPA's evaluation of proposals, all applicants will be notified regarding their status. Final application(s) will be requested from the eligible applicants whose proposal(s) have been preliminarily recommended for award. The applicants will be provided with instructions and a due date for submittal of the final application packages.*

**Note to Applicants:** If you name subawardees/subgrantees and/or contractor(s) in your proposal to assist you with the proposed project, pay careful attention to the information in Section II.C, CONTRACTS AND SUBAWARDS.

## SUMMARY

### **Notice of Request for Proposals for Projects to be Funded from the Wetland Program Development Grants - Regional Allocation**

(CFDA 66.461 - Wetland Program Development Grants)

Wetland Program Development Grants (WPDGs) provide eligible applicants an opportunity to conduct and promote the coordination and acceleration of research, investigations, experiments, training, demonstrations, surveys, and studies relating to the causes, effects, extent, prevention, reduction, and elimination of water pollution. **Implementation of wetland protection programs is not an eligible project under this announcement.**

The U.S. Environmental Protection Agency (EPA), Region 8 is soliciting proposals from eligible applicants to build or refine State/Tribal/local government wetland programs as described in Section I, FUNDING OPPORTUNITY DESCRIPTION, of this announcement. States, Tribes, local government agencies, interstate agencies, and intertribal consortia are eligible to apply under this announcement, as further described herein. Universities that are agencies of a state government are eligible, but must include documentation demonstrating that they are chartered as part of a state government in the proposal submission. Non-profit organizations are not eligible to compete under this RFP.

Under this announcement, as more fully explained in Section I, there will be two separate applicant tracks for eligible applicants. Eligible States and Tribes are in Track One or Track Two, and eligible local governments, interstate agencies, intertribal consortia, and universities that are agencies of a state government are in Track Two. Applicants under each track will only compete for awards against other applicants in their track. See Section V for further information.

Applicants may submit more than one proposal under this RFP under the applicable tracks. Each proposal must be separately submitted. In addition, State and Tribal applicants may submit proposals under each track, but each

proposal must be separately submitted. **State and Tribal applicants cannot submit one proposal covering both tracks.**

This document describes the grant selection and award process for eligible applicants interested in applying for WPDGs under this announcement. A list of previously funded proposals is posted at EPA's Wetland Grants Database (<http://iaspub.epa.gov/wgd-public>) for reference.

The total amount of federal funding available under this announcement is approximately \$3,300,500 (\$1,650,250 expected from FY12 and \$1,650,250 expected from FY13) **depending on Agency funding levels, which may vary from year to year, and other applicable considerations.** EPA anticipates awarding approximately \$1,980,300 in federal funds under Track One and approximately \$1,320,200 in federal funds under Track Two. It is anticipated that approximately 10 to 25 awards will be made under this announcement. Awards will likely range from \$25,000 to \$250,000 in federal funds.

**EPA reserves the right to increase or decrease (including to zero) the total number of awards and dollar amounts for each Track, or change the ratio of Track One to Track Two assistance agreements it awards.** Such change may be necessary as a response to the quality of proposals received by EPA, the amount of funds awarded to the selected applicants, or budget availability.

All applicants must describe in their proposal how they will contribute the required minimum cost share/matching funds (see Section III.B for information on the minimum non-federal 25 percent cost share/match requirement).

**Important Dates:**

- 03/26/12        Proposals must be received electronically through Grants.gov by **11:59 P.M. MDT** or in hard copy by **5:00 P.M. MDT**.
  
- 05/01/12        EPA tentatively selects proposals for awards. Successful applicants will be requested to submit full grant applications and workplans for selected projects to be funded.
  
- 06/15/12        EPA awards grants to recipients.

The dates above (other than the March 26, 2012 proposal submission date) are anticipated dates and may be subject to change. See Section IV for further information on submission methods and dates.

**Contents of this Request for Proposals:**

I.	Funding Opportunity Description	p. 04
II.	Award Information	p. 09
III.	Eligibility Information	p. 11
IV.	Proposal and Submission Information	p. 14
V.	Proposal Review Information	p. 23
VI.	Award Administration Information	p. 28
VII.	Agency Contacts	p. 30
VIII.	Other Information	p. 30

**Federal Agency Name:** U.S. Environmental Protection Agency, Region 08

**Funding Opportunity Title:** FY12 and FY13 Region 8 Wetland Program Development Grants

**Announcement Type:** Request for Proposals (RFP)

**Catalog of Federal Domestic Assistance Number:** 66.461

**Funding Opportunity Number:** EPA-REG08 12-01

## **I. FUNDING OPPORTUNITY DESCRIPTION**

### **A. PROGRAM OBJECTIVES**

The goals of EPA's wetland program include increasing the quantity and quality of wetlands in the U.S. by conserving and restoring wetland acreage and improving wetland condition. In pursuing these goals, EPA seeks to build the capacity of all levels of government to develop and refine effective, comprehensive programs for wetland protection and management.

WPDGs provide States, Tribes, local governments, interstate agencies, and intertribal consortia (hereafter referred to as applicants or recipients) an opportunity to carry out projects to develop and refine comprehensive wetland programs.

The statutory authority for WPDGs is Section 104(b)(3) of the Clean Water Act (CWA), 33 USC §1254(b)(3). Section 104(b)(3) of the CWA restricts the use of these funds to improving wetland programs by conducting or promoting the coordination and acceleration of research, investigations, experiments, training, demonstrations, surveys, and studies relating to the causes, effects (including health and welfare effects), extent, prevention, reduction, and elimination of water pollution. Projects that are demonstrations must involve new or experimental technologies, methods, or approaches. EPA expects that the results of the project will be disseminated so that others can benefit from the knowledge gained in the demonstration project.

Wetland mapping as part of a project to build a State/Tribal/local government program to research, investigate, experiment, train, demonstrate, survey, and study the causes, effects, extent, prevention, reduction, and elimination of water pollution is eligible for funding. For example, eligible applicants can form "Wetland Mapping Coalitions" to help co-fund regional (two or more States and/or Tribes) mapping efforts that would otherwise be too costly for any one group to undertake.

A project that is accomplished through the performance of routine, traditional, or established practices, or a project that is simply intended to carry out a task rather than transfer information or advance the state of knowledge, however worthwhile the project might be, is not considered a demonstration project. Implementation projects are not eligible for funding under this announcement. Funds received through the WPDG competition cannot be used to fund proposal tasks to implement a wetland program, for fundraising, honorarium, or to fund the purchase of land or conservation easements. Proposal tasks that are or might be required by a previous or pending permit, e.g., CWA Section 404 permit, CWA Section 402 permit, CWA Section 401 certification, or federal, State, Tribal, or local government regulatory requirement(s) are not eligible for funding because they are implementation tasks. Implementation of individual mitigation projects, mitigation banks, or in-lieu-fee mitigation programs are not eligible for funding.

Purchase of vehicles (including boats, motor homes, etc.) and office furniture is not eligible for funding under this program. The lease of vehicles is eligible for funding under this program but must be described in the budget detail.

Proposed projects must comply with all state and federal regulations applicable to the project area. It is the responsibility of the applicant to ensure compliance. Under the competition, each proposed project must be able to be completed within the project period.

Funds awarded under this announcement for meeting support/training may be used by recipients to promote participation and to support the travel expenses of non-federal personnel. Assistance funds may be used by the successful applicant to defray transportation and subsistence expenses for non-federal attendees at training sessions, roundtables, or work group meetings. The applicant will select meeting locations, secure meeting facilities (e.g., meeting rooms, accommodations, audio-visual equipment), and develop meeting agendas and materials. The successful applicant will use its logos on any materials it provides; EPA will use its logos on any materials it provides. The applicant is solely responsible for determining a methodology for selecting and funding reimbursement requests and providing a report on how participating non-federal attendees benefited from the meetings. EPA will not participate in the selection or approval of individuals who receive travel assistance.

## **B. ENVIRONMENTAL RESULTS AND LINKAGE TO STRATEGIC PLAN**

The WPDG program supports EPA's 2011-2015 Strategic Plan. Awards made under this announcement will support Goal 2: Protecting America's Waters, Objective 2.2: Protect and Restore Watersheds and Aquatic Ecosystems, Increase Wetlands of the EPA Strategic Plan (available at <http://www.epa.gov/planandbudget/strategicplan.html> ).

Goal 2: Protecting America's Waters -- Protect and restore our waters to ensure drinking water is safe, and that aquatic ecosystems sustain fish, plants, and wildlife, and economic, recreational, and subsistence activities.

- Objective 2.2: Protect and Restore Watersheds and Aquatic Ecosystems -- Protect the quality of rivers, lakes, streams, and wetlands on a watershed basis, and protect urban, coastal, and ocean waters.
  - Increase Wetlands: By 2015, working with partners, achieve a net increase in wetlands nationwide with additional focus on coastal wetlands, and biological and functional measures, and assessment of wetland condition.

All proposed projects must demonstrate the linkage to the Strategic Plan and 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 demonstrate how the project will contribute to the overall goal of restoring and protecting ecosystems. Additional information regarding EPA's Strategic Plan and discussion of environmental results can be found at: <http://www.epa.gov/ogd/grants/award/5700.7.pdf>.

Outputs (deliverables/products) refer to an environmental activity, effort, and/or associated work product related to an environmental goal or 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 the assistance agreement funding period.

Examples of anticipated outputs from the assistance agreements to be awarded under this announcement include, but are not limited to:

- Development of a State/Tribal Wetland Program Plan (described in Section I.C.1.a, Track One Applicant Proposals);
- Development of training materials and tools to help local decision-makers integrate wetland protection into watershed planning;
- Development of protocols and assessment criteria that can be used to identify wetland restoration and protection priorities;
- Development of monitoring protocols and assessment criteria that can be used to report the ambient condition of wetland resources; and/or
- Development of methods or strategies to incorporate wetland water quality standards into EPA approved State/Tribal water quality standards.

Outcomes (objectives/goals) are 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 are used as a way to gauge a project's performance. Outcomes may be environmental, behavioral,

health-related or programmatic in nature. For instance, if there is great need to improve the knowledge and decision-making ability, with respect to environmental issues, of local and state officials who are in the position of creating laws, ordinances, permits, etc. In this context, certain efforts designed to improve decision-making and behavioral changes can be viewed as environmental outcomes (results) if the grantee can show or measure the improvement in the knowledge of decision-makers who are in the position to create environmental institutional changes that are necessary to restore or protect the environment. In such instances, outcomes are not measured typically by environmental or water quality indicators, but rather by the institutional indicators that lead to the adoption and application of laws and regulations and the active management of programs necessary to provide environmental protection.

Outcomes must be quantitative and may not necessarily be achieved within an assistance agreement funding period. Outcomes may be short term (changes in learning, knowledge, attitude, or skills), intermediate (changes in behavior, practice, or decisions), or long-term (changes in condition of the natural resource).

Examples of anticipated outcomes from the assistance agreements to be awarded under this announcement include, but are not limited to:

- Increased understanding of a wetland's condition;
- Improved wetland protection efforts;
- Increased understanding of how to ensure "no net loss" in quality and quantity of wetlands in the CWA 404 or State/Tribal regulatory program;
- Increased quantity of wetlands; and
- Increased quality of wetlands.

As part of the proposal workplan, applicants must describe how the project will result in the protection of wetland resources and link the anticipated outputs and outcomes to the Agency's Strategic Plan. Further information is located in Section IV.C, CONTENT OF PROPOSAL SUBMISSION, of this RFP. Additional information regarding EPA's definition of environmental results in terms of outputs and outcomes can be found at: <http://www.epa.gov/ogd/grants/award/5700.7.pdf>.

### **C. PRIORITY AREAS AND TRACK CONCEPT**

EPA is soliciting proposals from eligible applicants to build or refine State/Tribal/local government wetland programs. Comprehensive wetland programs help enable States/Tribes/local governments to more effectively protect, restore, and manage their wetland resources.

With the work of many States and Tribes, EPA has distilled a set of core elements, actions, and activities that together comprise a comprehensive wetland program. EPA has summarized these common core elements, actions, and activities in the *Core Elements of an Effective State and Tribal Wetland Program Framework*, also called the *Core Elements Framework* (CEF). The CEF describes in greater detail each of the four core elements that make up an effective State/Tribal wetland program. These four core elements are:

- monitoring and assessment;
- voluntary restoration and protection;
- regulatory approaches including CWA 401 certification; and
- wetland-specific water quality standards.

Each of these four core elements is comprised of several broad "actions" that if collectively carried out would complete that core element. Of this broad array of actions, only some are program development action(s) that are eligible for funding under this RFP. The actions eligible for funding are at <http://www.epa.gov/cefdevelop/> and located in Appendix A of this RFP.

Under this announcement, EPA will have two separate applicant tracks for eligible applicants. Eligible States and Tribes are in Track One or Track Two and eligible local governments, interstate agencies, intertribal consortia, and universities that are agencies of a state government are in Track Two. Applicants may submit more than one proposal under this RFP under the applicable tracks. Each proposal must be separately submitted. In addition,

State and Tribal applicants may submit proposals under each track but each proposal must be separately submitted. State and Tribal applicants cannot submit one proposal covering both tracks.

**All proposals submitted under this RFP, regardless of track, must be for projects that build or refine State/Tribal/local government wetland programs. Accordingly, all applicants must demonstrate in their proposal how their proposed project will build or refine a State/Tribal/local government wetland program as follows: A. For Track One Applicants, by demonstrating how they will develop a Wetland Program Plan (and, if they so choose, also carrying out actions in accordance with Appendix A), or by referencing one or more grant-eligible action(s) from an existing EPA-approved Wetland Program Plan (see Section I.C.1. a, Track One Applicant Proposals) that they plan to undertake as part of the proposed project, or B. For all Track Two Applicants, by demonstrating which core element(s) from Appendix A their proposal is building or refining and by referencing one or more of the actions under a core element(s) in Appendix A that they will undertake as part of the proposed project, or ( for local governments, universities, interstate agencies, or intertribal consortia) referencing one or more grant-eligible action(s) from an existing EPA-approved Wetland Program Plan that they plan to undertake as part of the proposed project.**

**Track One eligible applicants will only be evaluated against other Track One eligible applicants. Track Two eligible applicants will only be evaluated against other Track Two eligible applicants. See Section V, PROPOSAL REVIEW INFORMATION, for further information.**

The two tracks are described in more detail below.

## **1. Track Concept**

### **a. Track One Applicant Proposals**

**Only State and Tribal applicants are eligible to submit proposals and compete under Track One. Track One proposals will be evaluated based on the Track One criteria in Section V.A, of this RFP.**

**Track One includes a national priority area**, which involves longer-term State and Tribal wetland program planning (i.e. Wetland Program Plans, or WPPs), and carrying out shorter-term projects that are consistent with the WPP. EPA has found that long-term planning helps States and Tribes build their wetland programs more effectively and efficiently, and is therefore emphasizing WPPs as a national priority.

Under Track One, States and Tribes must submit proposals for either: 1) carrying out grant-eligible actions from an EPA-approved WPP, or 2) developing a WPP (and, if they so choose, also carrying out actions in accordance with Appendix A). If a State or Tribe submits any other type of proposal they will be included and evaluated under Track Two.

WPPs are voluntary plans developed by State and Tribal agencies that articulate what the State or Tribe wants to accomplish with their wetland programs over time. WPPs describe overall program goals along with broad-based actions consistent with the CEF and more specific activities that will help achieve the goals. Timelines for the WPPs vary between 3-6 years, with more specific timeframes typically associated with the WPP actions/activities.

WPPs should include the following five minimum components:

1. An overall goal statement(s) for the program over the time period covered by the WPP.
2. An overall timeframe for the WPP, with a minimum timeframe of three years and a maximum of six years, starting from the time of WPP submittal to EPA.
3. A list of planned actions consistent with the CEF that the program intends to carry out over the WPP's timeframe, and which, if collectively met, will accomplish the overall WPP goal(s).
4. An intended schedule for the achievement of each action.
5. A listing of more specific activities to be accomplished under each action.

WPPs do not need to be elaborate documents. An effective WPP may be a concise list of planned actions to help create a focused and sustainable wetland program. A WPP can refer to both wetland program implementation and program development efforts planned for the upcoming 3 to 6 years (please note, however, that program implementation efforts are **not** eligible for WPDG funding). WPPs should also include any actions that the State or Tribe anticipates funding through sources other than WPDGs. Actions listed in a WPP should be consistent with the broad actions listed in the relevant core elements chapter of the CEF (see individual core element tables at <http://www.epa.gov/owow/wetlands/initiative/cefintro.html>). It is not necessary for CEF actions to be included verbatim in a WPP, but WPPs should reference the part of the CEF that most closely relates to the proposed actions. WPPs are approved by EPA in a process that is independent of the WPDG process. EPA-approved State/Tribal WPPs can be found at: <http://water.epa.gov/type/wetlands/wpp.cfm>.

If a State or Tribe already has an EPA-approved WPP, they may submit a proposal to develop or refine their wetland program in accordance with their WPP. The State or Tribe must indicate in their proposal(s) which of the development or refinement actions from their approved WPP that they intend to carry out.

If a State or Tribe does not have an EPA-approved WPP, they may submit a proposal to develop a WPP. In addition to developing a WPP, a State or Tribe may want to include in its proposal other program building or refining tasks it wants to undertake during the time it will be developing its WPP. If a State or Tribe chooses to submit a proposal that is not exclusively about developing a WPP, the State or Tribe must indicate in its proposal which core element(s) its project would develop or refine, and which associated action(s) its project would take, in accordance with Appendix A.

Independent of the WPDG process, each Region has communicated a date to its States and Tribes by which WPPs must have been submitted for approval, and another date by which all WPPs submitted for approval by the Regional deadline will have been approved or not approved. For each Region, both of these dates predate issuance of this RFP. If a State/Tribe submits a proposal under Track One to implement activities in an approved WPP, they must indicate in their proposal that the WPP was approved prior to the issuance of this RFP.

States or Tribes submitting proposals to develop a WPP under this option may want to include travel support and meeting set-up and facilitation support to hold meetings amongst state agencies or stakeholders.

#### **b. Track Two Applicant Proposals**

**State, Tribal, local government, interstate agency, intertribal consortium, and university applicants are eligible to compete under Track Two, which will be evaluated based on the Track Two evaluation criteria in Section V.A of this RFP. Local government, interstate agency, intertribal consortium, and university applicants are not eligible to compete under Track One.**

Under Track Two, States, Tribes, local governments, interstate agencies, intertribal consortia, and universities that are agencies of a state must submit proposals to carry out action(s) to develop or refine a State, Tribe, or local government's wetland program from Appendix A, or as further explained below for certain applicants, from the grant-eligible actions articulated in an EPA-approved WPP. Applicants must indicate in their proposals which core element(s) their project would develop or refine, and which associated action(s) their project would take, in accordance with Appendix A or with an EPA-approved WPP if the applicant is a local government, university, interstate agency, or intertribal consortium.

As noted above, where applicable, Track Two proposals can link to the grant-eligible actions in an EPA-approved WPP in their State if the applicant is a local government, university, interstate agency, or intertribal consortium. Local government, university, interstate agency, and intertribal consortium applicants can link to an EPA-approved State/Tribal WPP in a variety of ways. Examples of how to link to an EPA-approved WPP include but are not limited to:

- An EPA-approved WPP proposes to develop regulations on water withdrawals in areas surrounding vital wetlands. To link to this WPP, a university proposes to study the effect of groundwater withdrawals on particular types of wetlands common in the State/Tribe, and provide the results of the study to the State/Tribe to inform those parts of the regulations governing ground water withdrawals in areas near vital wetlands.
- An EPA-approved WPP proposes to survey wetlands identified in its existing wetland inventory for the State/Tribe to verify location, hydric conditions, and wetland type. To link to this WPP, a county proposes to perform this verification within its own boundaries.

EPA-approved State/Tribal WPPs can be found at: <http://water.epa.gov/type/wetlands/wpp.cfm> .

## **II. AWARD INFORMATION**

### **A. AMOUNT OF FUNDING**

EPA anticipates approximately \$3,300,500 in federal funding (\$1,650,350 expected from FY12 and \$1,650,350 expected from FY13) to be available for assistance agreements under this announcement to fund approximately 10 to 25 awards. Under this announcement, EPA will have two separate applicant tracks with States and Tribes in Track One or Track Two, and local governments, interstate agencies, intertribal consortia, and universities that are agencies of a state government in Track Two.

EPA anticipates awarding approximately \$1,980,300 in federal funds under Track One and approximately \$1,320,200 in federal funds under Track Two. Awards for the selected projects will likely range from \$25,000 to \$250,000 in federal funding. EPA will fund a maximum of 75 percent of the total project cost (see Section III.B, COST SHARING/MATCH REQUIREMENTS, for information on minimum non-federal cost share/match requirement).

It is anticipated that the assistance agreements awarded under this announcement will have one to four year project periods. The project period for assistance agreements under this announcement should be no more than four years.

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

EPA reserves the right to increase or decrease (including to zero) the total number of awards and dollar amounts for each track, or change the ratio of Track One to Track Two assistance agreements it awards. Such changes may be necessary as a response to the quality of proposals received by EPA, the amount of funds awarded to the selected applicants, or budget availability.

EPA reserves the right to make no awards under this announcement, or make fewer awards than anticipated. In addition, EPA reserves the right to make additional awards under this announcement, consistent with Agency policy and guidance, if additional funding becomes available after the selections are made. Any additional selections for awards will be made no later than six months after the original selection decisions.

### **B. TYPE OF FUNDING**

It is anticipated that grants and cooperative agreements may be funded under this announcement. When cooperative agreements are awarded, EPA will have substantial involvement with the project workplans and budgets. Although EPA will negotiate precise terms and conditions relating to substantial involvement as part of the award process, the anticipated substantial federal involvement for projects selected may include: close monitoring of the recipient's performance; collaboration during the performance of the scope of work; in accordance with 40 CFR 30.44(e) or 31.36(g), as appropriate, review of proposed procurements; approving qualifications of key personnel (EPA does not have authority to select employees or contractors employed by the

recipient); and review and comment on content of publications (printed or electronic) prepared under the cooperative agreement (the final decision on the content of reports rests with the recipient).

## C. CONTRACTS AND SUBAWARDS

### 1. **Can funding be used by the applicant to make subawards, acquire contract services, or fund partnerships?**

EPA awards funds to one eligible applicant as the recipient even if other eligible applicants are named as partners or co-applicants or members of a coalition or consortium. The recipient is accountable to EPA for the proper expenditure of funds.

Funding may be used to provide subgrants or subawards of financial assistance, which includes using subawards or subgrants to fund partnerships, provided the recipient complies with applicable requirements for subawards or subgrants including those contained in 40 CFR Parts 30 or 31, as appropriate. Applicants must compete contracts for services and products, including consultant contracts, and conduct cost and price analyses, to the extent required by the procurement provisions of the regulations at 40 CFR Parts 30 or 31, as appropriate. The regulations also contain limitations on consultant compensation. Applicants are not required to identify subawardees/subgrantees and/or contractors (including consultants) in their proposal. However, if they do, the fact that an applicant selected for award has named a specific subawardee/subgrantee, contractor, or consultant in the proposal EPA selects for funding does not relieve the applicant of its obligations to comply with subaward/subgrant and/or competitive procurement requirements as appropriate. Please note that applicants may not award sole source contracts to consulting, engineering, or other firms assisting applicants with the proposal solely based on the firm's role in preparing the proposal.

Successful applicants cannot use subgrants or subawards to avoid requirements in EPA grant regulations for competitive procurement by using these instruments to acquire commercial services or products from for-profit organizations to carry out its assistance agreement. The nature of the transaction between the recipient and the subawardee or subgrantee must be consistent with the standards for distinguishing between vendor transactions and subrecipient assistance under Subpart B Section .210 of OMB Circular A-133, and the definitions of subaward at 40 CFR 30.2(ff) or subgrant at 40 CFR 31.3, as applicable. EPA will not be a party to these transactions. Applicants acquiring commercial goods or services must comply with the competitive procurement standards in 40 CFR Part 30 or 40 CFR Part 31.36 and cannot use a subaward/subgrant as the funding mechanism.

### 2. **How will an applicant's proposed subawardees/subgrantees and contractors be considered during the evaluation process described in Section V, PROPOSAL REVIEW INFORMATION, of the announcement?**

Section V, PROPOSAL REVIEW INFORMATION, of the announcement describes the evaluation criteria and evaluation process that will be used by EPA to make selections under this announcement. During this evaluation, except for those criteria that relate to the applicant's own qualifications, past performance, and reporting history, the review panel will consider, as appropriate and relevant, the qualifications, expertise, and experience of:

- (i) an applicant's named subawardees/subgrantees identified in the proposal if the applicant demonstrates in the proposal that if it receives an award that the subaward/subgrant will be properly awarded consistent with the applicable regulations in 40 CFR Parts 30 or 31. For example, applicants must not use subawards/subgrants to obtain commercial services or products from for-profit firms or individual consultants.
- (ii) an applicant's named contractor(s), including consultants, identified in the proposal if the applicant demonstrates in its proposal that the contractor(s) was selected in compliance with the competitive Procurement Standards in 40 CFR Part 30 or 40 CFR 31.36 as appropriate. For example, an applicant must demonstrate that it selected the contractor(s) competitively or that a proper non-competitive sole-source award consistent with the regulations will be made to the contractor(s), that efforts were made to provide small and disadvantaged businesses with opportunities to compete, and that some

form of cost or price analysis was conducted. EPA may not accept sole source justifications for contracts for services or products that are otherwise readily available in the commercial marketplace.

EPA will not consider the qualifications, experience, and expertise of named subawardees/subgrantees and/or named contractor(s) during the proposal evaluation process unless the applicant complies with these requirements.

### III. ELIGIBILITY INFORMATION

#### A. ELIGIBLE APPLICANTS

States, Tribes, local government agencies, universities that are agencies of a state, interstate agencies, and intertribal consortia are eligible to apply for WPDGs under this announcement. As explained in Section I, there will be two separate applicant tracks with States and Tribes in Track One or Track Two, and local governments, interstate agencies, intertribal consortia, and universities that are agencies of a state government in Track Two.

Past recipients of WPDGs include but are not limited to: wetland regulatory agencies, water quality agencies, planning offices, wild and scenic rivers agencies, departments of transportation, fish and wildlife or natural resources agencies, agriculture departments, forestry agencies, coastal zone management agencies, park and recreation agencies, non-point source or storm water agencies, city or county, and other State/Tribal/local government agencies that conduct wetland-related efforts.

Tribes must be federally recognized, although "Treatment as a State" status is not a requirement.

Intertribal consortia must meet the requirements of 40 CFR §35.504 (a) and (c) (<http://www.epa.gov/lawsregs/search/40cfr.html>). This section states that an intertribal consortium is eligible to receive grants only if the consortium demonstrates that all members of the consortium meet the eligibility requirements for the grant and authorize the consortium to apply for and receive assistance. An intertribal consortium must submit to EPA adequate documentation of: (1) the existence of the partnership between Indian tribal governments, and (2) authorization of the consortium by all its members to apply for and receive the grant(s) for which the consortium has applied.

The term "interstate agency" is defined in CWA Section 502 as "an agency of two or more states established by or pursuant to an agreement or compact approved by the Congress, or any other agency of two or more states, having substantial powers or duties pertaining to the control of pollution as determined and approved by the Administrator." (Administrator refers to the head of EPA.)

Universities that are not chartered as a part of a state government are not eligible to apply for assistance under this RFP. Universities must include documentation demonstrating that they are chartered as a part of a state government in their proposal. Documentation may include such things as: state constitution, university charter, or case law that has confirmed the university as a state agency.

Non-profit organizations are **not** eligible to compete under this RFP.

#### B. COST SHARING/MATCH REQUIREMENTS

**All applicants, except as noted below, must describe in their proposal submission how they will contribute a minimum of 25 percent of the total project cost in cost share/matching funds in accordance with 40 CFR 31.24, 35.385, and 35.615.** The cost share/match must be for allowable costs and may be provided by the applicant or partner organization or institution. The cost share/match may be provided in cash or by in-kind contributions. In-kind contributions often include salaries or other verifiable costs and this value must be carefully documented. In the case of salaries, applicants may use either minimum wage or fair market value. If the cost share/match is provided by a partner organization, the applicant is still responsible for proper accountability and documentation. A partner organization's indirect cost/fringe **cannot** be used as cost share/match. Please note that an applicant's indirect cost/fringe **can** be used as cost share/match. Other federal grants may not be used as cost share/ match without specific statutory authority. All grant funds are subject to federal audit.

The total project cost is the sum of the total requested federal share and applicant cost share/match. The minimum cost share/match is determined by dividing the total project cost by four as illustrated by the following formula:

$$\frac{\text{Total Project Cost (\$)}}{4} = \text{minimum cost share/match (\$)}$$

For example, if the **total project cost** (sum of federal and non-federal funds) is \$100,000 the applicant must be able to provide \$25,000 in cash or in-kind contributions as cost share/match.

**OR**

$$\frac{\text{Total Federal Funds Requested (\$)}}{3} = \text{minimum cost share/match (\$)}$$

For example, if the **total federal funds requested** are \$75,000 the applicant must be able to provide \$25,000 in cash or in-kind contributions as cost share/match.

If a Tribe or intertribal consortium includes its WPDG in an approved Performance Partnership Grant (PPG), the cost share/match requirement may be reduced to 5 percent of the allowable cost of the workplan budget for the first two years in which the Tribe or intertribal consortium receives a PPG. After two years, the cost share/match may be increased up to 10 percent of the workplan budget (as determined by the Regional Administrator). See Section III.D, PERFORMANCE PARTNERSHIP GRANTS, for additional information. Currently the Agency is finalizing a process to determine the percent cost share/match for Tribes and intertribal consortia after the two-year initial grant period (see regulations at 40 CFR Part 35.536(c)).

For example, if the **total project cost** for Tribal/intertribal consortium in a PPG is \$100,000 the Tribe/intertribal consortium must be able to provide a \$5,000 in-cash or in-kind contribution as cost share/match for the first two years with a 5 percent minimum cost share/ match requirement.

$$\frac{\text{Total Project Cost (\$)}}{20} = \text{minimum 5\% Tribal PPG cost share/match (\$)}$$

Where the stated purpose is to include a WPDG in a PPG, a Tribe or intertribal consortium may prepare a budget and proposed workplan based upon the assumption that EPA will approve the waiver amount for PPGs under 40 CFR 35.536. If the Tribe or intertribal consortium does not or cannot include the WPDG as part of an approved PPG, or chooses to withdraw the WPDG from their PPG, the Tribe or intertribal consortium must then meet the 25 percent cost share/match requirements identified above and, as applicable, negotiate a revised workplan with the EPA contact identified in Section VII, AGENCY CONTACTS.

Please contact the EPA Regional grant contact person listed in Section VII, AGENCY CONTACTS, of this RFP if you have any questions about calculating cost share/match.

**In order to be considered for funding, all applicants must describe in their proposal submission how they will contribute the appropriate cost share/match requirement. In addition, if an applicant cannot meet the appropriate cost share/match by the time of award, they will not be eligible to receive funding.**

### **C. THRESHOLD ELIGIBILITY CRITERIA**

These are requirements that if not met by the time of proposal submission will result in elimination of the proposal from consideration for funding. Only proposals that meet all of these criteria will be evaluated against the ranking factors in Section V of the announcement. 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. Applicants must meet the eligibility requirements in Section III. A, ELIGIBLE APPLICANTS, of this announcement. All applicants must state which track they are applying under. Eligible States and Tribes are in Track One or Track Two and eligible local governments, interstate agencies, intertribal consortia, and universities that are agencies of a state government are in Track Two. Applicants in each track will be evaluated against the evaluation criteria for that track, as described in Section V of this announcement.
2. Projects must be performed within one or more of the states of EPA Region 8, specifically, Colorado, Montana, North Dakota, South Dakota, Utah and Wyoming, to be eligible to apply for funding. Inter-jurisdictional watershed projects must primarily be implemented in EPA Region 8. Applicants need not be located within the boundaries of the EPA Region to be eligible to apply for funding so long as the project will be performed within the geographic boundaries of the Region.
3. Proposals must **substantially** comply with the proposal submission instructions and requirements set forth in Section IV, PROPOSAL AND SUBMISSION INFORMATION, of this announcement, or else they will be rejected. However, where a page limit is expressed in Section IV with respect to the proposal, pages in excess of the page limitation will not be reviewed. If a single-spaced proposal is submitted, it will only be reviewed up to the equivalent of the 16 page double-spaced page limit for the proposal specified in Section IV.C.3, Proposal Workplan, of the announcement (Section IV.C.3 establishes a 16 page double-spaced proposal workplan page limit which would be the equivalent of 8 single-spaced pages; any single-spaced pages in excess of 8 will not be reviewed).
4. All proposals submitted under this RFP, regardless of track, must be for projects that build or refine State/Tribal/local government wetland programs. Accordingly, all applicants must demonstrate in their proposal how their proposed project will build or refine a State/Tribal/local government wetland program as follows: A. For all Track One Applicants, by demonstrating how they will develop a Wetland Program Plan, or by referencing one or more grant-eligible action(s) from an existing EPA-approved WPP that they plan to undertake as part of the proposed project, **or** B. For all Track Two Applicants, by demonstrating which core element(s) from Appendix A their proposal is building or refining and by referencing one or more of the actions under a core element(s) in Appendix A that they will undertake as part of the proposed project, or for local governments, universities, interstate agencies, or intertribal consortia by referencing one or more grant-eligible action(s) from an existing EPA-approved Wetland Program Plan that they plan to undertake as part of the proposed project.
5. All proposals submitted must conduct or promote the coordination and acceleration of research, investigations, experiments, training, demonstrations, surveys, and studies relating to the causes, effects (including health and welfare effects), extent, prevention, reduction, and elimination of water pollution.
6. Demonstration projects must involve new or experimental technologies, methods, or approaches, where the results of the project will be disseminated so that others can benefit from the knowledge gained in the demonstration project. A project that is accomplished through the performance of routine, traditional, or established practices, or a project that is simply intended to carry out a task rather than transfer information or advance the state of knowledge, however worthwhile the project might be, is not a demonstration and all or parts of the proposal will be eliminated from consideration. (i.e. implementation projects are not eligible for funding under this announcement. Funds received through the WPDG competition cannot be used to fund a proposal's tasks to implement a wetland program).
7. Proposals must be received by the EPA or through [www.grants.gov](http://www.grants.gov), as specified in Section IV, PROPOSAL AND SUBMISSION INFORMATION, of this announcement on or before the proposal submission deadline published in Section IV. Proposals received after the submission deadline will be considered late and returned to the sender without further consideration unless the applicant can clearly demonstrate that it was late due to EPA mishandling or because of technical problems attributable to grants.gov and not the applicant. For hard copy submissions, where Section IV requires proposal receipt by a specific person/office by the submission deadline, receipt by an agency mailroom is not sufficient. Applicants should confirm receipt of their proposal with Cynthia

Gonzales (303-312-6569) as soon as possible after the submission deadline—failure to do so may result in your proposal not being reviewed. Hard copy proposals must be submitted by regular first class U.S. Postal Service, overnight delivery, hand delivery, or courier service to the Regional EPA contact identified in Section VII, AGENCY CONTACTS. Proposals that are submitted via FAX or e-mail **will not** be considered.

8. Applicants may submit more than one proposal under this RFP under the applicable tracks. Each proposal must be separately submitted. In addition, State and Tribal applicants may submit proposals under each track but each proposal must be separately submitted. State and Tribal applicants cannot submit one proposal covering both tracks.

#### **D. INELIGIBLE ACTIVITIES**

If a proposal is submitted that has ineligible tasks, that portion of the proposal will be ineligible for funding and **may, depending on the extent to which it affects the proposal, render the entire proposal ineligible for funding.**

1. Funds cannot be used for project or parts of projects to implement a wetland program, for fund-raising, honorarium, or for the purchase of land or conservation easements. Proposal tasks that are or might be required by a previous or pending permit, e.g., CWA Section 404 permit, CWA Section 402 permit, CWA Section 401 certification, or federal, state, tribal, or local government regulatory requirement(s) are **not** eligible for funding because they are implementation tasks.
2. Implementation of individual mitigation projects, mitigation banks, or in-lieu-fee mitigation programs are not eligible for funding. Inventory or mapping for the sole purpose of locating wetlands is considered implementation and is **not** eligible for funding.
3. Purchase of vehicles (including boats, motor homes) and office furniture is **not** eligible for funding under this program. The lease of vehicles is eligible for funding under this program but must be described in the budget detail.
4. Restoration of wetlands through conventional methods is ineligible. If a project involves restoration, only education and training on restoration, or restoration involving new or experimental methods are eligible.

#### **E. PERFORMANCE PARTNERSHIP GRANTS (PPG)**

Funds for a WPDG may be included in a PPG. A PPG enables entities to combine funds from more than one environmental program grant into a single grant with a single budget. Under this competition, State and interstate agency proposals must first be selected under the competitive grant process described in this RFP and, in accordance with 40 CFR 35.138, the workplan commitments that would have been included in the WPDG workplan must be included in the PPG workplan. Similarly, Tribal and intertribal consortia proposals must first be selected under this competitive grant process in accordance with 40 CFR 35.535. If a proposed PPG workplan differs significantly from the WPDG workplan approved for funding under this competition, the Regional Administrator must consult the National Program Office (see 40 CFR 35.535). The purpose of this consultation requirement is to address the issue of ensuring that a project which is awarded WPDG funding under this competition is implemented as described once commingled with other grant programs in a PPG. For further information, see the final rules on Environmental Program Grants for State and interstate agencies at 40 CFR Part 35, Subpart A and Tribes and intertribal consortia at 40 CFR Part 35, Subpart B. The rules are also available on EPA's website at: <http://www.epa.gov/fedrgstr/EPA-TOX/2001/January/Day-09/t218.htm> (State) and at <http://www.epa.gov/fedrgstr/EPA-GENERAL/2001/January/Day-16/g219.htm> (Tribal). Local governments are not eligible for PPGs.

### **IV. PROPOSAL AND SUBMISSION INFORMATION**

#### **A. HOW TO OBTAIN A PROPOSAL PACKAGE**

Applicants can download individual grant application forms, including Standard Forms (SF) 424 and SF 424A, from EPA's Office of Grants and Debarment website at: <http://www.epa.gov/ogd/AppKit/application.htm>. If you cannot access the electronic forms, a paper application kit will be mailed upon request. Please send an e-mail to

GAD\_OGDWEB@epamail.epa.gov with 'PAPER APPLICATION KIT' in the subject line to request a paper application kit.

## **B. FORM OF PROPOSAL SUBMISSION**

Applicants have the option to submit their proposals in **one** of two ways: 1) electronically via [www.grants.gov](http://www.grants.gov) **or** 2) hard copy and CD by regular first class U.S. Postal Service mail, overnight delivery, hand delivery, or courier service to the Regional EPA contact identified in Section VII, AGENCY CONTACTS. Proposals that are submitted via FAX or e-mail **will not** be considered. All proposals must be prepared, and include the information, as described in Section IV.C, CONTENT OF PROPOSAL SUBMISSION, regardless of mode of submission.

### **1. Electronic Submission**

#### **a. Grants.gov**

Applicants who wish to submit their materials electronically through the federal government's Grants.gov web site may do so. Grants.gov allows an applicant to download an application package template and complete the package offline based on agency instructions. After an applicant completes the required application package, it can submit the package electronically to Grants.gov, which transmits the package to the funding agency.

The electronic submission of your proposal must be made by an official representative of your institution who is registered with Grants.gov and is authorized to sign applications for federal assistance. For more information, go to <http://www.grants.gov> and click on "Get Registered" on the left side of the page.

**Note that the registration process may take a week or longer to complete, so plan accordingly. If your organization representative has already registered, check grants.gov now to make sure their registration is current.** If your organization is not currently registered with Grants.gov, please encourage your office to designate an Authorized Organization Representative (AOR) and ask that individual to begin the registration process as soon as possible. If the AOR experiences registration problems, he/she may contact Grants.gov for assistance by phone at 1-800-518-4726 or e-mail at <http://www.grants.gov/help/help.jsp>

To begin the proposal process under this grant announcement, go to <http://www.grants.gov> and click on the "Apply for Grants" tab on the left side of the page. Then click on "Apply Step 1: Download a Grant Application Package" to download the compatible Adobe viewer and obtain the application package. **To apply through Grants.gov you must use Adobe Reader applications and download the compatible Adobe Reader version (Adobe Reader applications are available to download free on the Grants.gov website).** For more information on Adobe Reader, please visit the Help Section on grants.gov at <http://www.grants.gov/help/help.jsp> or [http://www.grants.gov/aboutgrants/program\\_status.jsp](http://www.grants.gov/aboutgrants/program_status.jsp).

Once you have downloaded the viewer, you may retrieve the proposal package by entering the Funding Opportunity Number, **EPA-REG08 -12-01**, or the CFDA number that applies to the announcement (CFDA 66.461), in the appropriate field. You may also be able to access the proposal package by clicking on the "Application" button at the top right of the synopsis page for this announcement on <http://www.grants.gov> (to find the synopsis page, go to <http://www.grants.gov> and click on the "Find Grant Opportunities" button on the left side of the page and then go to "Search Opportunities" and use the "Browse by Agency" feature to find EPA opportunities).

#### **b. Proposal Submission Deadline**

Your organization's AOR must submit your complete proposal electronically to EPA through Grants.gov (<http://www.grants.gov>) no later than **9:59 P.M. MDT March 26, 2012**. **It may take a day or more to receive confirmation of your submittal or associated error messages. To facilitate the submission process, and leave time to address any submission issues, consider submitting your proposal at least several days before the closing day of the announcement.**

Please submit **all** of the proposal materials described below.

**c. Proposal Materials**

**The following forms and documents are required and must be submitted under this announcement:**

- I. Application for Federal Assistance (SF-424)
- II. Budget Information for Non-Construction Programs (SF-424A)
- III. Proposal Workplan - prepared as described in Section IV.C.3 of the announcement.

**I. Standard Form 424 (SF-424) – Application for Federal Assistance**

Complete the form. There are no attachments. Please be sure to include the organization fax number and e-mail address in Block 5 of the Standard Form SF-424.

Please note that the organizational Dun and Bradstreet (D&B) Data Universal Number System (DUNS) number must be included on the SF-424. Organizations may obtain a DUNS number at no cost by calling the toll-free DUNS number request line at 1-866-705-5711.

**II. Standard Form 424A (SF-424A) – Budget Information for Non-Construction Programs:**

Complete the form. There are no attachments. The total amount of federal funding requested for the project period should be shown on line 5(e) and on line 6(k) of SF-424A. If indirect costs are included, the amount of indirect costs should be entered on line 6(j). The indirect cost rate (i.e., a percentage), the base (e.g., personnel costs and fringe benefits), and the amount should also be indicated on line 22. In Section B: Budget Categories column (1) should be filled out for federal funds, column (2) should be filled out for non-federal cost-share/match, and column (5) should be filled out for total project cost (combined federal funds and non-federal cost share/match).

**III. Proposal Workplan**

Prepare the proposal workplan in accordance with the instructions in Section IV.C.3, Proposal Workplan, of the announcement. The workplan should be readable in PDF or MS Word and consolidated into a single file. Please remember that there is a page limit for the workplan.

**d. Proposal Preparation and Submission Instructions**

**Forms and Documents I through III** listed under Proposal Materials above should appear in the "Mandatory Documents" box on the Grants.gov Grant Application Package page.

For forms I and II, click on the appropriate form and then click "Open Form" below the box. The fields that must be completed will be highlighted in yellow. Optional fields and completed fields will be displayed in white. If you enter an invalid response or incomplete information in a field, you will receive

an error message (note that some error messages will not be sent to you until the following day, even after your application appears to have been accepted). When you have finished filling out each form, click “Save.” When you return to the electronic Grant Application Package page, click on the form you just completed, and then click on the box that says, “Move Form to Submission List.” This action will move the document over to the box that says, “Mandatory Completed Documents for Submission.”

For document III, Proposal Workplan, you will need to attach electronic files. Prepare your proposal workplan as described in Section IV.C.3 of the announcement and save the document to your computer as an MS Word or PDF file. When you are ready to attach your proposal to the application package, click on “Project Workplan Attachment Form,” and open the form. Click “Add Mandatory Project Workplan File” and then attach your proposal (previously saved to your computer) using the browse window that appears. You may then click “View Mandatory Project Workplan File” to view it. Enter a brief descriptive title of your project in the space beside “Mandatory Project Workplan File Filename;” the filename should be no more than 40 characters long. If there are other attachments that you would like to submit to accompany your proposal, you may click “Add Optional Project Workplan File” or use the Other attachments form and attach the documents. When you have finished attaching the necessary documents, click “Close Form.” When you return to the “Grant Application Package” page, select the “Project Workplan Attachment Form” and click “Move Form to Submission List.” The form should now appear in the box that says, “Mandatory Completed Documents for Submission.”

Once you have finished filling out and/or attaching all of the forms and document and they appear in one of the “Completed Documents for Submission” boxes, click the “Save” button that appears at the top of the Web page. It is suggested that you save the document a second time, using a different name, since this will make it easier to submit an amended package later if necessary. Please use the following format when saving your file: “Applicant Name – FY12 – Reg08 WPDG Proposal – 1<sup>st</sup> Submission” or “Applicant Name – FY12 – Reg08 WPDG Proposal – 2<sup>nd</sup> Submission.”

Once your proposal package has been completed and saved, send it to your AOR for submission to U.S. EPA through Grants.gov. Please advise your AOR to close all other software programs before attempting to submit the proposal package through Grants.gov. Consider submitting your proposal well in advance of the proposal deadline to allow time for you and your AOR to address any error messages.

In the “Application Filing Name” box, your AOR should enter your organization’s name (abbreviate where possible), the fiscal year (e.g., FY12), and the grant category (e.g., Region 08 Wetland Program Development Grants). The filing name should not exceed 40 characters. From the “Grant Application Package” page, your AOR may submit the application package by clicking the “Submit” button that appears at the top of the page. The AOR will then be asked to verify the agency and funding opportunity number for which the application package is being submitted. If problems are encountered during the submission process, the AOR should reboot his/her computer before trying to submit the proposal package again. [It may be necessary to turn off the computer (not just restart it) before attempting to submit the package again.] If the AOR continues to experience submission problems, he/she may contact Grants.gov for assistance by phone at 1-800-518-4726 or e-mail at <http://www.grants.gov/help/help.jsp>. In addition, please contact Cynthia Gonzales (303-312-6569) if you are having difficulties.

Proposal packages submitted through Grants.gov will be time/date stamped electronically.

If you have not received a confirmation of receipt from EPA (not from Grants.gov) within seven (7) calendar days of the proposal deadline, please contact Cynthia Gonzales (303) 312-6569 as indicated above. Failure to do so may result in your proposal not being reviewed.

## **2. Hard Copy and Compact Disc (CD) Submission**

Two hard copies of the complete proposal package as described in Section IV.C, CONTENT OF PROPOSAL SUBMISSION, and an electronic version on a CD, are required. Please mark all submissions: **ATTN: FY12/FY13 Region 8WPDG Proposal**. The CD may be in Adobe Portable Document Format (.pdf) or Microsoft Word (.doc). Letters of support, pictures and/or maps will need to be scanned so that they can be submitted electronically as part of the CD. Pictures and/or maps may be included as separate files using .jpg or .tif format.

Hard copy proposals **with CD** must be submitted by regular first class U.S. Postal Service mail, overnight delivery, hand delivery, or courier service to the Regional EPA contact identified in Section VII, **AGENCY CONTACTS**, and listed below.

**Proposals that are submitted via FAX or e-mail will not be considered.**

The address for hard copy submission is:  
US Environmental Protection Agency, Region 8  
~~1585-1595~~ Wynkoop Street  
Denver, Colorado 80202-1129  
Attn: Cynthia Gonzales (EPR-EP)

### **C. CONTENT OF PROPOSAL SUBMISSION**

**Applicants should read the following section very carefully and address all requirements.**

All proposal packages, regardless of how submitted, must include the following three documents:

#### **1. Signed Standard Form 424 (SF-424), Application for Federal Assistance**

Complete the form and have it signed. Please be sure to include the organization fax number and e-mail address in Block 5 of the SF 424.

Please note that the organizational Dun and Bradstreet (D&B) Data Universal Number System (DUNS) number must be included on the SF-424. Organizations may obtain a DUNS number at no cost by calling the toll-free DUNS number request line at 1-866-705-5711 or by visiting the web site at [www.dnb.com](http://www.dnb.com).

#### **2. Standard Form 424A (SF-424A), Budget Information for Non-Construction Programs**

Complete the form. The total amount of federal funding requested for the project period should be shown on line 5(e) and on line 6(k) of the SF 424A. If indirect costs are included, the amount of indirect costs should be entered on line 6(j). The indirect cost rate (i.e., a percentage), the base (e.g., personnel costs and fringe benefits), and the total indirect amount should also be indicated on line 22.

#### **3. Proposal Workplan**

The proposal workplan, Sections A-F below, must be no more than sixteen (16) double-spaced 8.5 x 11 inch pages (a page is one side of paper) (**except** for documents specifically excluded from the page limit as noted below). Pages should be consecutively numbered for ease of reading. It is recommended that applicants use a standard 12-point type with 1-inch margins and that applicants format their workplan as described below for ease of reading. Applicants are advised that readability is of paramount importance and should take precedence in selection of an appropriate font for use in the proposal workplan. Additional pages beyond the 16 page limit will not be considered. If a single-spaced proposal workplan is submitted, it will only be reviewed up to the equivalent of the 16 page double-spaced page limit for proposal workplans [eight (8) single-spaced pages is the equivalent of the 16-page double-spaced proposal workplan page limit; any single-spaced pages in excess of 8 will not be reviewed]. Budget information, described below, must be included within the 16-page limit not in the supporting materials or appendix. Any supporting materials (such as support letters from partners and annotated resumes) that the applicant chooses to provide are not included in the 16-page limit for the proposal workplan and

should be submitted as attachments. See Section IV.C.3.F, below, for a discussion of optional supporting materials.

**The proposal workplan must include the information listed below in items A-E (F is optional),** and address the relevant evaluation criteria in Section V, PROPOSAL REVIEW INFORMATION, for either Track One or Track Two as applicable. The proposal workplan must also address the threshold eligibility factors in Section III.C as applicable. If a particular item is not applicable, the proposal should clearly state this.

**A. Cover Page** including:

1. Project Title (the project title should reflect the main project outcome/objective and should be 15 words or less);
2. Indicate whether the applicant is in Track One or Two;
3. List one or more of the core element(s) from the attached Appendix A discussed in Section I.C, or from an EPA-approved WPP that are addressed in this proposal, and/or indicate if the proposal is to develop a WPP;
4. List the action(s) from Appendix A, or from an existing EPA-approved WPP (indicate which WPP the action(s) is from and refer to the appropriate WPP page number), that apply to core elements that are addressed in this proposal. If the proposal is exclusively about developing a WPP (which should be indicated as per “3” above), no action from Appendix A needs to be listed;
5. Name of applicant and applicant’s DUNS number;
6. Key personnel and contact information (i.e., e-mail address and phone number);
7. Geographic Location - state(s) **or** tribe (with the name of the state that the tribe is located in); **and** 8- or 14-digit Hydrologic Unit Code(s) with watershed name(s) if the project is not statewide. If the project is local in scale, provide the name of the city or county, along with the name of the state that the city or county is located in. Please note that more specific geolocational information may be requested by EPA upon award, depending on the nature of the project (as described in VI.A. AWARD NOTICES, item #6).
8. Total project cost, federal dollars requested and cost share/match; and
9. Abstract/project summary. The abstract should begin with one or two sentences describing the main objective of the proposal. It should also include a listing of the main tasks to be accomplished, and a description of the final product(s). The entire abstract should be 250 words or less.

**B. Project Description** containing:

1. Program Priorities – see Section I. C.

**Track One:** States /Tribal Applicants:

Describe in detail how you will either: 1) carry out grant-eligible actions in an EPA-approved WPP, **or** 2) develop a WPP. If you choose #2, then (if applicable) also describe any other program building or refining tasks (consistent with Appendix A) that you propose to undertake.

**Track Two:** State, Tribal, local government, interstate agency, intertribal consortium, or university applicants:

Describe in detail one or more core element(s) and associated action(s) from Appendix A **or** from an EPA-approved WPP (for local governments, interstate agencies, intertribal consortia, and universities) that you propose to carry out or help carry out.

2. Description of Need

Describe the need for the project as it pertains to developing or refining a State/Tribal/local government wetland program. Beyond a narrative description of the need for the project, some examples of ways to provide additional information that the project is needed by a State/Tribe/local government - or that the applicant at least exercised due diligence to further demonstrate State/Tribe/local government need for the project – include (but are not limited to):

- i. Letters of support/commitment from state(s), tribe(s), or local government(s) indicating their need for the project's deliverables.
- ii. Documentation of the responses from efforts made to reach out to States/Tribes/local governments with respect to project need. Such documentation could include dates(s) of emails, letters, or phone calls and the title(s) of the person(s) the applicant reached;
- iii. Citing results of surveys or studies that show a clear need for the proposed outputs and outcomes, etc.
- iv. Citing activities articulated in an EPA-approved WPP.

The items listed in i-iv above are **not** subject to the proposal workplan page limit.

3. Outputs, Outcomes, and Results – This information may be provided in table or narrative form in the proposal.

- i. Outputs (project products)- List the outputs expected to be achieved through the completion of the proposed project (examples of outputs can be found in Section I.B, ENVIRONMENTAL RESULTS AND LINKAGE TO STRATEGIC PLAN, of this announcement);
- ii. Outcomes (project objectives) - List the outcomes of the project expected to be achieved as a result of the project outputs. (examples of outcomes can be found in Section I.B, ENVIRONMENTAL RESULTS AND LINKAGE TO STRATEGIC PLAN, of this announcement);
- iii. Link to EPA Strategic Plan - Describe how project products (outputs) and objectives (outcomes) relate to the EPA Strategic Plan Goal of achieving a net increase in wetland acres with a focus on assessment of wetland condition. (See Section I.B, ENVIRONMENTAL RESULTS AND LINKAGE TO STRATEGIC PLAN, of this announcement);
- iv. Tracking Outputs and Outcomes - Describe your approach for measuring and tracking your progress toward achieving the expected project output(s) and project outcome(s).

4. Project Tasks – Outline the steps you will take to meet the project product(s) and objective(s). Describe the projects tasks or components and the anticipated products associated with each task. Include a description of the roles and responsibilities of the applicant. If development of a methodology is part of the proposed project, then describe the planned development steps. Describe the roles and responsibilities of the applicant in carrying out the meeting support/training. If travel assistance is to be provided for non-Federal attendees describe the process for selecting non-Federal attendees who may receive travel assistance.

5. Partnership Information – Describe the agencies/organizations who will partner with you as appropriate and necessary to successfully conduct the project. Include a clear description of the roles of specific partners in the project's components/tasks. Describe how these partnerships will contribute to building or refining a State/Tribe/local government wetland program. Where a State/Tribal wetland program is split among more than one agency, EPA encourages partnerships between these agencies as appropriate. If having no partners is best to achieve the project's outcomes and outputs **describe** why having no partners is appropriate and necessary. You may attach optional letters of support/commitment, from intended partners, to your proposal as supporting documents and they will not be counted in the 16-page limit for the proposal workplan. The letters should be submitted on the supporting organization's letterhead and may be addressed to the applicant. For more discussion of letters of support/commitment, see Section IV.C.3.F, below.

6. Milestone Schedule - Provide a milestone schedule that covers the entire grant period. Include a breakout of the project tasks into phases with associated tasks and products. Include the anticipated dates for the start and completion of each task.

7. Detailed Budget Workplan – Provide a detailed budget and estimated funding amounts for each project task. Identify the requested federal dollars, demonstrate how the cost share/match will be met, and provide the total project cost for each project task. Provide a description of proposed cost for each of the budget categories found in Form SF 424A (i.e., personnel, travel, contractual, other). Identify funding by budget category for each year of funding request. Explain if and how non-federal partners will contribute to the required cost share/match. Describe cost-effectiveness, reasonableness of costs, and value of in-kind contributions.

If travel for staff is planned for the project, then indicate it in the budget. Include travel for applicant staff to attend wetland meetings throughout the proposed project period that are related in scope to the proposal. If applicable, the budget workplan for the “other” cost category must include travel reimbursement to pay for travel costs of non-Federal attendees.

While contractual and subgrant efforts may be part of an applicant’s proposal, each WPDG recipient must be significantly involved in the administration of the award. Note that any proposed subgrants or contracts between partners for non-commercial services should be included in the “other” cost category of the SF 424A.

When formulating budgets for proposals, applicants must not include management fees or similar charges in excess of the direct costs and indirect costs at the rate approved by the applicants cognizant audit agency, or at the rate provided for by the terms of the agreement negotiated with EPA. The term "management fees or similar charges" refers to expenses added to the direct costs in order to accumulate and reserve funds for ongoing business expenses, unforeseen liabilities, or for other similar costs that are not allowable under EPA assistance agreements. Management fees or similar charges may not be used to improve or expand the project funded under the agreement, except to the extent authorized as a direct cost of carrying out the project.

Any optional letters of support that you wish to provide, from intended cost share/match partners, should be attached to your proposal as supporting documents. Letters of support are not counted in the 16-page limit for the proposal workplan. The letters should be submitted on the supporting organization’s letterhead and may be addressed to the applicant. For more discussion of letters of support, see Section IV.C.3.F, below.

8. Restoration Demonstration Project Information - If you are proposing a restoration demonstration project, describe the current environmental condition of the project site and the reason for restoration. Describe your post-installation monitoring program, and whether it will be funded as a part of this project or with another named funding source. If another funding source would be used, explain how you are confident that this work will be funded. Describe the regulatory authorities that you must comply with (e.g. CWA Section 404 permits, any applicable State and local permits). You may need to comply with regulations in order to conduct, monitor, and/or maintain a proposed restoration demonstration project. If you are not proposing this type of project, do not provide any description for item “8”.
9. Programmatic Capability/ Technical Experience/ Qualifications – Provide a brief description of your experience as it relates to the proposed project, and your readiness and ability to implement the proposed project in a successful and timely manner. Provide a list of key staff and briefly describe their expertise/qualifications and knowledge as relevant to the proposed project. Describe your organization’s resources, or the ability to obtain them, to successfully achieve the goals of the project. Providing annotated resumes of applicant’s key staff is encouraged. The annotated resumes should be no more than two pages per person and should be attached at the end of the proposal workplan. Resumes are not included in the 16-page limit for the proposal workplan. See Section IV.C.3.F, below, for more on supporting documentation attachments.

10. **Transfer of Results** – Describe the applicant’s plan for active transfer of project results and/or methods to other State, Tribe or local agencies within and beyond their own organization so that the others can better build their wetland programs. Examples of ways to demonstrate how the project may be used by a State/Tribe/local government include:

- i. Presentations of results at forums typically attended by representatives from State/Tribes/local government wetland programs;
- ii. Documentation of how you intend to share results with a relevant agent of a State/Tribal/local government wetland program;
- iii. Conducting a webinar or other outreach to State/Tribes/local governments, etc.

C. **Past Performance** - Submit a list of federally and/or non-federally funded assistance agreements (assistance agreements include Federal grants and cooperative agreements but not Federal contracts) similar in size, scope and relevance to the proposed project that your organization performed within the last three years (no more than 5 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 proposal 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.

D. **Quality Assurance/Quality Control (QA/QC)** - If you plan to collect or use environmental data or information, explain how you will comply with the Quality Assurance/Quality Control requirements (see Section VIII.A, QUALITY ASSURANCE/QUALITY CONTROL (QA/QC) and THE EXCHANGE NETWORK, of this announcement for additional information). For example, do you plan to provide a QA Project Plan for EPA to review?

E. **Invasive Species Control** – If applicable, describe how you will ensure that your project does not facilitate the introduction or spread of invasive species. Explain how you would respond if an invasive species problem occurs in relation to your project. (See Section VIII.D, INVASIVE SPECIES CONTROL, of this announcement for further information).

F. **Optional** - You may provide some or all of the optional attachments listed below. **They are not included in the 16-page limit for the proposal workplan.** Possible attachments (some are discussed above) include the following:

- i. Pictures and Maps: Pictures and/or maps may be attached to describe the project.
- ii. Staff Resumes: Staff resumes may be attached to describe the experience of relevant applicant staff and should not be more than approximately two pages per person.
- iii. Support Letters: Support letters may be useful in illustrating support for proposals submitted under either Track One or Track Two. Support letters may be attached to verify:
  - Partners’ support for or commitment to the project;
  - Cost share/match or other resources provided by partners; and/or
  - How partners will make use of the project’s results.

Partners who will be providing cost share/match should describe the resources (in-kind services or dollars) that they are committing to the project (see item 7, Budget Workplan under the Project

Description Section, above). A partner's indirect costs or fringe benefits cannot be used as cost share/match. Support letters may be useful in illustrating support for proposals submitted under either Track One or Track Two. All letters of support should be on the official letterhead of the supporting agency or organization, and can be addressed to the applicant.

NOTE: The applicant should also provide in its proposal workplan any additional information, to the extent not already identified above, that addresses the selection criteria found in Section V, PROPOSAL REVIEW INFORMATION.

#### **D. SUBMISSION DATES AND TIMES**

Proposal submissions sent by hard copy with CD must be **received** by the Agency Contact identified in Section VII, AGENCY CONTACTS, by **5:00P.M. MDT March 26, 2012**. Proposals submitted electronically through Grants.gov must be received by grants.gov by **9:59 P.M. MDT March 26, 2012**. Late proposals will not be considered for funding.

#### **E. INTERGOVERNMENTAL REVIEW**

This program may be eligible for coverage under E.O. 12372, "Intergovernmental Review of Federal Programs." An applicant (except for Tribes and Tribal Consortia) should consult the office or official designated as the single point of contact in his or her State for more information on the process the State requires to be followed in applying for assistance, if the State has selected the program for review. Further information regarding this can be found at [http://www.whitehouse.gov/omb/grants\\_spoc](http://www.whitehouse.gov/omb/grants_spoc).

#### **F. CONFIDENTIAL BUSINESS INFORMATION**

It is **not** recommended that you include confidential business information ("CBI") in your proposal/application. However, if CBI is included, it will be treated in accordance with 40 CFR 2.203. Applicants must clearly indicate which portion(s) of their proposal/application they are claiming as CBI. EPA will evaluate such claims in accordance with 40 CFR 2.204(c)(2) prior to disclosure. If no claim of confidentiality is made, EPA is not required to make the inquiry to the applicant otherwise required by 40 CFR 2.204(c)(2) prior to disclosure. The Agency protects competitive proposals from disclosure under applicable provisions of the Freedom of Information Act prior to the completion of the competitive selection process.

#### **G. PROPOSAL COMMUNICATIONS**

In accordance with EPA's Assistance Agreement Competition Policy (EPA Order 5700.5A1), EPA staff will not meet with individual applicants to discuss draft proposals, provide informal comments on draft proposals, or provide advice to applicants on how to respond to ranking criteria. Applicants are responsible for the contents of their applications/proposals. However, consistent with the provisions in the announcement, EPA will respond to questions from individual applicants regarding threshold eligibility criteria, administrative issues related to the submission of the proposal, and requests for clarification about the announcement. Questions must be submitted in writing via e-mail to the Agency Contact identified in Section VII. Written responses on frequently asked questions or general issues will be posted on EPA Region 8's website at: <http://www.epa.gov/region8/water/wetlands/grants.html>

### **V. PROPOSAL REVIEW INFORMATION**

#### **A. SELECTION CRITERIA**

Only those proposals that meet the threshold eligibility criteria found in Section III will be evaluated based on the evaluation criteria and weights listed below (125-point scale). Applicants need to address these criteria in their proposal submittal. Points will be awarded based on how well each criterion and/or sub-criterion is addressed in the proposal submittal. Applicants for Track One projects will be evaluated against each other based on the Track One criteria and applicants for Track Two projects will be evaluated against each other based on the Track Two criteria. There will be separate selection lists for each track.

**Track One: Evaluation Criteria for TRACK ONE Applicants – States and Tribes**

<p>1) National Priority Area: Wetland Program Development and WPPs (15 points)</p>	<p>Under this criterion, proposals will be evaluated based on how well the applicant:</p> <ol style="list-style-type: none"> <li>1. Proposes to develop a WPP consistent with the objectives and guidelines described in Section I. C, PRIORITY AREAS AND TRACK CONCEPT, of this announcement. In addition, if applicable, the proposal will also be evaluated to the extent it describes one or more core element(s) and associated action(s) (see Appendix A) that the applicant proposes to carry out.</li> </ol> <p>OR</p> <ol style="list-style-type: none"> <li>2. Describes which grant-eligible actions from an EPA-approved WPP the applicant proposes to carry out and how they will do so.</li> </ol>
<p>2) Project Need (10 points)</p>	<p>Under this criterion, proposals will be evaluated based on how well the applicant demonstrates the need for the project as it pertains to developing or refining a State/Tribal/local government wetland program.</p>
<p>3) Environmental Results: Outputs, Outcomes, and Tracking (25 points)</p>	<p>A. Under this criterion, proposals will be evaluated based on how well it demonstrates each of following: (20 points)</p> <ol style="list-style-type: none"> <li>1. Description of how the applicant expects to achieve the expected project outputs (products). (7.5 points)</li> <li>2. Description of how the applicant expects to achieve the expected project outcomes (objectives) and how the project’s outcomes will be used to develop or refine a State or Tribal wetland program (i.e., how likely is it that the project will increase protection of wetland resources or increase knowledge of an applicant’s wetland resources)? (7.5 points)</li> <li>3. Description of how the proposed project’s objectives and outcomes are aligned with the EPA Strategic Plan Goal of achieving a net increase in wetland acres with a focus on assessment of wetland condition. (5 points)</li> </ol> <p>B. Tracking Outputs and Outcomes: Under this criterion, applicants will be evaluated based on how well their proposal demonstrates a sound plan for measuring and tracking their progress toward achieving the expected project outputs and outcomes. (5 points)</p>
<p>4) Project Tasks/Milestone Schedule/Detailed Budget Workplan (30 points)</p>	<p>Under this criterion, proposals will be evaluated based on the extent and quality to which they demonstrate the following:</p> <ol style="list-style-type: none"> <li>A. A clear description of project tasks and associated products and whether the applicant’s approach (methodology) or the steps proposed to develop an approach is sound. (20 points)</li> <li>B. A clearly articulated milestone schedule that shows a breakout of the project into phases by associated task and a timeline for completion of the tasks including the anticipated dates for the start and completion of each task. (5 points)</li> <li>C. The adequacy of the information provided in the detailed budget and whether the proposed costs are reasonable and allowable including whether: the applicant identified the requested federal dollars and the total project cost for each component/task for each</li> </ol>

	<p>budget item from Form 424A; the applicant explained if and how non-federal partners will provide cost share/match and demonstrated the cost-effectiveness and reasonableness of costs and the value of in-kind contributions. (5 points)</p>
<p>5) Programmatic Capability/Technical Experience/Qualifications (15 points)</p>	<p>Under this criterion, proposals will be evaluated based on the applicant's ability to successfully manage and complete the proposed project taking into account their:</p> <ul style="list-style-type: none"> <li>A. Experience related to the proposed project, and their readiness and ability to implement the proposed project in a successful and timely manner. (5 points)</li> <li>B. Staff experience/qualifications, staff knowledge, and resources, or the ability to obtain them, to successfully achieve the goals of the project. (10 points)</li> </ul>
<p>6) Partnerships (15 points)</p>	<p>Under this criterion, proposals will be evaluated based on how well the applicant has demonstrated appropriate and necessary partnerships to successfully conduct the project including whether they have provided a clear description of the roles of specific partners in the project's components/tasks, and how these partnerships will contribute to building a State/Tribal/local government's wetland program. A State/Tribal applicant may describe how they will partner within their organization, or if appropriate, <b>describe</b> how having no partners is the best approach.</p>
<p>7) Transfer of Results (5 points)</p>	<p>Under this criterion, proposals will be evaluated based on how well it demonstrates the applicant's plan for active transfer of project results and/or methods to other States or Tribes within and beyond their own organization, so that the others can better build their wetland programs.</p>
<p>8) Past Performance (10 points)</p>	<p>Under this criterion, applicants will be evaluated based on their ability to successfully complete and manage the proposed project taking into account the applicant's:</p> <ul style="list-style-type: none"> <li>(i) past performance in successfully completing and managing the assistance agreements identified in response to Section IV.C of the announcement (5 points) and</li> <li>(ii) history of meeting the reporting requirements under the assistance agreements identified in response to Section IV.C of the announcement including whether the applicant submitted acceptable final technical reports under those agreements and the extent to which the applicant adequately and timely reported on their progress towards achieving the expected outputs and outcomes under those agreements and if such progress was not being made whether the applicant adequately reported why not (5 points).</li> </ul> <p>Note: In evaluating applicants under items i and ii of this criterion, the Agency will consider the information provided by the applicant and may also consider relevant information from other sources including agency files and prior/current grantors (e.g., to verify and/or supplement the information supplied by the applicant). If you do not have any relevant or available past performance or past reporting information, please indicate this in the proposal and you will receive a neutral score for these subfactors (items i and ii above-a neutral score is half of the total points available in a subset of possible points). If you do not provide any response for these items, you may receive a score of 0 for these factors.</p>

**Track Two: Evaluation Criteria for TRACK TWO Applicants – States, Tribes, local governments, interstate agencies, intertribal consortia, and universities that are agencies of a state**

<p>1) Wetland Program Development (15 points)</p>	<p>Under this criterion, proposals will be evaluated based on how well the proposed project addresses the core element (s) and any action(s) under a core element to develop or refine a State/Tribe/local government’s wetland program either through the program development/refinement actions in the CEF (located in Appendix A) or from the grant-eligible actions in an existing EPA-approved WPP (if the applicant is a local government, interstate agency, intertribal consortium, or university).</p>
<p>2) Project Need (10 points)</p>	<p>Under this criterion, proposals will be evaluated based on how well the applicant demonstrates the need for the project as it pertains to developing or refining a State/Tribal/local government wetland program.</p>
<p>3) Environmental Results: Outputs, Outcomes, and Tracking 25 points)</p>	<p>A. Under this criterion, proposals will be evaluated based on how well it demonstrates each of following: (20 points)</p> <ol style="list-style-type: none"> <li>1. Description of how the applicant expects to achieve the expected project outputs (products). (7.5 points)</li> <li>2. Description of the how the applicant expects to achieve the expected project outcomes (objectives) and how the project’s outcomes will be used to develop or refine a State/Tribe/local government’s wetland program? (I.e. How likely is it that the project will increase protection of wetland resources or increase knowledge of an applicant’s wetland resources)? (7.5 points)</li> <li>3. Description of how the proposed project’s objectives and outcomes are aligned with the EPA Strategic Plan Goal of achieving a net increase in wetland acres with a focus on assessment of wetland condition. (5 points)</li> </ol> <p>B. Tracking Outputs and Outcomes: Under this criterion, applicants will be evaluated based on how well their proposal demonstrates a sound plan for measuring and tracking their progress toward achieving the expected project outputs and outcomes. (5 points)</p>
<p>4) Project Tasks/Milestone Schedule/Detailed Budget Workplan (30 points)</p>	<p>Under these criteria, proposals will be evaluated based on the extent and quality to which they demonstrate the following:</p> <ol style="list-style-type: none"> <li>A. A clear description of project tasks and associated products and whether the applicant’s approach (methodology) or the steps they propose to develop an approach is sound. (20 points)</li> <li>B. A clearly articulated milestone schedule that shows a breakout of the project into phases by associated task and a timeline for completion of the tasks including the anticipated dates for the start and completion of each task. (5 points)</li> <li>C. The adequacy of the information provided in the detailed budget and whether the proposed costs are reasonable and allowable including whether: the applicant identified the requested federal dollars and the total project cost for each component/task for each budget item from Form 424A; the applicant explained if and how non-federal partners will provide cost share/match and demonstrated the cost-effectiveness and reasonableness of costs and the value of in-kind contributions. (5 points)</li> </ol>
<p>5) Programmatic</p>	<p>Under this criterion, proposals will be evaluated based on the applicant’s</p>

<p>Capability/Technical Experience/Qualifications (15 points)</p>	<p>ability to successfully manage and complete the proposed project taking into account their:</p> <ul style="list-style-type: none"> <li>A. Experience related to the proposed project, and their readiness and ability to implement the proposed project in a successful and timely manner. (5 points)</li> <li>B. Staff experience/qualifications, staff knowledge, and resources, or the ability to obtain them, to successfully achieve the goals of the project. (10 points)</li> </ul>
<p>6) Partnerships (15 points)</p>	<p>Under this criterion, proposals will be evaluated based on how well the applicant has demonstrated appropriate and necessary partnerships to successfully conduct the project including whether they have provided a clear description of the roles of specific partners in the project's components/tasks, and how these partnerships will contribute to building a State/Tribal/local government's wetland program. A State/Tribal applicant may describe how they will partner within their organization, or if appropriate, <b>describe</b> how having no partners is the best approach. If the applicant is an interstate agency, intertribal consortium, or university designated as a State agency they should describe how they will partner with the State/Tribe/local government in which the project is physically located.</p>
<p>7) Transfer of Results (5 points)</p>	<p>Under this criterion, proposals will be evaluated based on how well it demonstrates the applicant's plan for active transfer of project results and/or methods to State, Tribe or other local agencies within and beyond their own organization, so that the others can better build their wetland programs.</p>
<p>8) Past Performance (10 points)</p>	<p>Under this criterion, applicants will be evaluated based on their ability to successfully complete and manage the proposed project taking into account the applicant's:</p> <ul style="list-style-type: none"> <li>(i) past performance in successfully completing and managing the assistance agreements identified in response to Section IV.C of the announcement (5 points) and</li> <li>(ii) history of meeting the reporting requirements under the assistance agreements identified in response to Section IV.C of the announcement including whether the applicant submitted acceptable final technical reports under those agreements and the extent to which the applicant adequately and timely reported on their progress towards achieving the expected outputs and outcomes under those agreements and if such progress was not being made whether the applicant adequately reported why not (5 points).</li> </ul> <p>Note: In evaluating applicants under items i and ii of this criterion, the Agency will consider the information provided by the applicant and may also consider relevant information from other sources including agency files and prior/current grantors (e.g., to verify and/or supplement the information supplied by the applicant). If you do not have any relevant or available past performance or past reporting information, please indicate this in the proposal and you will receive a neutral score for these subfactors (items i and ii above-a neutral score is half of the total points available in a subset of possible points). If you do not provide any response for these items, you may receive a score of 0 for these factors.</p>

## **B. REVIEW AND SELECTION PROCESS**

All proposals received by the submission deadline will first be screened by EPA staff against the threshold criteria in Section III of the announcement. Proposals that do not pass the threshold review will not be evaluated further or considered for funding.

A panel or panels of EPA staff will review eligible proposals for each track based on the appropriate Track One and Track Two evaluation criteria listed in Section V.A above, assign scores to each proposal, and develop a ranked list of the proposals in each Track (i.e., Track One and Two) based on the evaluation scores received. The ranking list for each Track will be provided to the Selection Official who makes final funding decisions. Final funding decisions will then be made by the Selection Official based on the evaluation conducted by the review panel and may also take into account the following factors:

1. Geographic distribution of funds;
2. Diversity of projects;
3. Availability of funds; and
4. The distribution of awards between Track One and Track Two.

## **VI. AWARD ADMINISTRATION INFORMATION**

### **A. AWARD NOTICES**

All applicants, including those who are not selected for funding, will be notified by e-mail. A final application will be requested from eligible applicants whose proposal has been preliminarily selected for award. The applicant will be provided with instructions and a due date for submittal of the final application package. This letter is not an authorization to begin performance.

EPA reserves the right to negotiate and/or adjust the final grant amount and workplan prior to award, as appropriate and consistent with Agency policy, including EPA's Competition Policy (EPA Order 5700.5A1). An approvable final workplan is required to include:

1. Workplan components to be funded under the assistance agreement;
2. Estimated work years and the estimated funding amounts for each workplan component;
3. Workplan commitments for each workplan component and a timeframe for their accomplishment;
4. Performance evaluation process and reporting schedule in accordance with 40 CFR §35.115;
5. Roles and responsibilities of the recipient and EPA (for cooperative agreements only) in carrying out the workplan commitments; and
6. Grant awardees will be expected to provide to EPA project location information for any grant-funded project. The type of locational information (Statewide, 8-digit hydrologic unit code, 12-digit hydrologic unit code, county, municipality, Tribal land boundary, local wetland with borders defined by lat/long points, etc.) will be determined by consultation with EPA, and will be determined based on the geographic scale and intent of the project.
7. In consultation with EPA, grant awardees will be expected to provide to EPA a breakdown of federal funds that will be spent by "project category" (i.e. the type of effort(s) that is being conducted). Project Categories can be found at:  
<http://www.epa.gov/owow/wetlands/grantpcd.html>

In addition, successful applicants and their partners will be required to certify that they have not been Debarred or Suspended from participation in federal assistance awards in accordance with 40 CFR Part 32.

A list of the successful proposals will be posted at the following website addresses <http://www.epa.gov/region8/water/wetlands/grants.html> and at EPA's Wetland Grant Database (<http://iaspub.epa.gov/wgd-public>). Additional information about this announcement, including information concerning deadline extensions or other modifications, can be found at [http://water.epa.gov/grants\\_funding/wetlands/grantguidelines/index.cfm](http://water.epa.gov/grants_funding/wetlands/grantguidelines/index.cfm) and [www.grants.gov](http://www.grants.gov).

## **B. ADMINISTRATIVE AND NATIONAL POLICY REQUIREMENTS**

The general award and administration process for all Wetland Program Development Grants is governed by regulations at 40 CFR Part 30 (“Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Nonprofit Organizations”), 40 CFR Part 31 (“Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments”) and 40 CFR Part 35, Subpart A (“Environmental Program Grants for State, Interstate, and Local Government Agencies”) and Subpart B (“Environmental Program Grants for Tribes”). These regulations can be found at: <http://tinyurl.com/4sfhfhc>.

## **C. MANAGEMENT AND ADMINISTRATION OF ASSISTANCE AGREEMENTS**

An applicant that receives an award under this announcement is expected to manage assistance agreement funds efficiently and effectively and make sufficient progress towards completing the project activities described in the work-plan in a timely manner. The assistance agreement will include terms/conditions implementing this requirement.

## **D. SUBAWARD AND EXECUTIVE COMPENSATION REPORTING**

Applicants must ensure that they have the necessary processes and systems in place to comply with the subaward and executive total compensation reporting requirements established under OMB guidance at [2 CFR Part 170](#), unless they qualify for an exception from the requirements, should they be selected for funding.

## **E. CENTRAL CONTRACTOR REGISTRATION (CCR) AND DATA UNIVERSAL NUMBERING SYSTEM (DUNS) REQUIREMENTS**

Unless exempt from these requirements under OMB guidance at [2 CFR Part 25](#) (e.g., individuals), applicants must:

1. Be registered in the CCR prior to submitting an application or proposal under this announcement. CCR information can be found at <https://www.bpn.gov/ccr/>
2. Maintain an active CCR registration with current information at all times during which it has an active Federal award or an application or proposal under consideration by an agency, and
3. Provide its DUNS number in each application or proposal it submits to the agency. Applicants can receive a DUNS number, at no cost, by calling the dedicated toll-free DUNS Number request line at 1-866-705-5711, or visiting the D&B website at: <http://www.dnb.com>.

If an applicant fails to comply with these requirements, it will, should it be selected for award, affect their ability to receive the award.

## **F. REPORTING**

These regulations specify basic grant reporting requirements; including performance and financial reports (see 40 CFR 30.51, 30.52, 31.40, 31.41, 35.115, and 35.515). In negotiating these grants, EPA will work closely with recipients to incorporate appropriate performance measures and reporting requirements into each grant agreement consistent with 40 CFR 30.51, 31.40, 35.115, and 35.515. These regulations provide some flexibility in determining the appropriate content and frequency of performance reports. At a minimum, however, the reporting schedule must require the recipient to report at least annually. Award recipients will be required to submit the final report electronically and in hard copy and should include, in addition, a 1-2 page project summary. Additionally, if travel assistance is provided to selected attendees, the recipient will be required to provide a report on how participating non-Federal attendees benefited from the meetings/training.

## **G. DISPUTE PROCEDURES**

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: [http://frwebgate.access.gpo.gov/cgi-bin/getpage.cgi?position=all&page=3629&dbname=2005\\_register](http://frwebgate.access.gpo.gov/cgi-bin/getpage.cgi?position=all&page=3629&dbname=2005_register) . Copies may also be requested by contacting the Agency contact in Section VII, AGENCY CONTACTS.

## **VII. AGENCY CONTACTS**

US Environmental Protection Agency, Region 8  
Ecosystem Protection Program (EPR-EP)  
1595 Wynkoop Street  
Denver, Colorado 80202-1129  
Attn: Cynthia Gonzales, WPDG Coordinator  
Email: [gonzales.cynthia@epa.gov](mailto:gonzales.cynthia@epa.gov)

## **VIII. OTHER INFORMATION**

### **A. QUALITY ASSURANCE/QUALITY CONTROL (QA/QC) and THE EXCHANGE NETWORK**

Quality Assurance/Quality Control requirements are applicable to these grants (see 40 CFR 30.54 and 40 CFR 31.45). QA/QC requirements apply to the collection of environmental data. Environmental data are any measurements or information that describe environmental processes, location, or conditions; ecological or health effects and consequences; or the performance of environmental technology. Environmental data include information collected directly from measurements, produced from models, and compiled from other sources such as databases or literature. Applicants should allow sufficient time and resources for this process. EPA can assist applicants in determining whether QA/QC is required for the proposed project. If QA/QC is required for the project, the applicant is encouraged to work with the EPA QA/QC staff to determine the appropriate QA/QC practices for the project. Contact the Regional Office Wetland Grant Coordinator (See Section VII, AGENCY CONTACTS, for Agency Contact information) for referral to an EPA QA/QC staff.

The successful applicant must ensure all water quality data generated in accordance with an EPA approved Quality Assurance Project Plan, either directly or by subaward, is transmitted into the Agency's Storage and Retrieval (STORET) Data Warehouse annually or by project completion using either WQX or WQXweb. Water quality data that are appropriate for STORET include physical, chemical, and biological sample results for water, sediment and fish tissue. The data include toxicity data, microbiological data, and the metrics and indices generated from biological and habitat data. The Water Quality Exchange (WQX) is the water data schema associated with the EPA, State and Tribal Exchange Network. Using the WQX schema partners map their database structure to the WQX/STORET structure. WQXweb is a web-based tool to convert data into the STORET format for smaller data generators that are not direct partners on the Exchange Network. More information about WQX, WQXweb, and the STORET Warehouse, including tutorials, can be found at <http://www.epa.gov/storet/wqx/>.

### **B. DATA SHARING**

All recipients of these assistance agreements will be required to share any data generated through this funding agreement as a defined deliverable in the final workplan. The Office of Management and Budget (OMB) Circular A-110 has been revised to provide public access to research data through the Freedom of Information Act (FOIA) under some circumstances. Data that are (1) first produced in a project that is supported in whole or in part with Federal funds and (2) cited publicly and officially by a Federal agency in support of an action that has the force and effect of law (i.e., a regulation) may be accessed through FOIA. If such data are requested by the public, the EPA must ask for it, and the grantee must submit it, in accordance with A-110 and EPA regulations at 40 CFR 30.36.

### **C. COPYRIGHTS**

In accordance with 40 CFR 31.34 EPA reserves a royalty-free, nonexclusive and irrevocable right to reproduce, publish, or otherwise use, and to authorize others to use, for Federal Government purposes copyrighted works developed under a grant, subgrant or contract under a grant or subgrant. Examples of Federal purpose include but are not limited to: (1) Use by EPA and other Federal employees for official Government purposes; (2) Use by Federal contractors performing specific tasks for the Government; (3) Publication in EPA documents provided the document does not disclose trade secrets (e.g., software codes) and the work is properly attributed to the recipient through citation or otherwise; (4) Reproduction of documents for inclusion in Federal depositories; (5) Use by

State, Tribal and local governments that carry out delegated Federal environmental programs as “co-regulators” or act as official partners with EPA to carry out a national environmental program within their jurisdiction; (6) Limited use by other grantees to carry out Federal grants provided the use is consistent with the terms of EPA’s authorization to the grantee to use the copyrighted material.

#### **D. INVASIVE SPECIES CONTROL**

Pursuant to Executive Order 13112 (<http://www.invasivespeciesinfo.gov/>), the recipient of EPA funds and all subcontractors shall monitor the project to ensure it does not facilitate the introduction or spread of invasive species. If invasive species are detected or populations promoted in any way, the recipient will respond rapidly to control populations in an environmentally sound manner, as approved by the EPA Project Officer.

#### **E. WETLANDS MAPPING STANDARD**

A "National Wetland Mapping Standard" has recently been developed by a work group of the Federal Geospatial Data Committee (FGDC). This work group has provided a national standard for wetland mapping which must be used in all mapping projects that are funded through the federal government. Non-federally funded wetland mapping projects are encouraged to comply with the standard. Wetlands mapped using the standard can be uploaded to the U.S. Fish and Wildlife Service (FWS) database to refine the existing wetland data. The National Wetland Mapping Standard can be found at: [http://www.fgdc.gov/standards/projects/FGDC-standards-projects/wetlands-mapping/FinalDraft\\_FGDC\\_WetlandsMappingStandard\\_2009-01.pdf](http://www.fgdc.gov/standards/projects/FGDC-standards-projects/wetlands-mapping/FinalDraft_FGDC_WetlandsMappingStandard_2009-01.pdf) .

**This document is derived from the full Core Element Framework (CEF) for purposes of the Fiscal Years 2010 and beyond Wetland Program Development Grant (WPDG) Request-for-Proposals. This document includes only CEF wetland program development and refinement actions and activities, which are eligible for WPDG funding. The Full CEF for wetland program development and implementation actions and activities can be found at <http://www.epa.gov/owow/wetlands/initiative/cefintro.html>.**

## **Appendix A: Program Development and Refinement Activities**

### **What are the Core Elements of a Wetland Program?**

The core elements are basic program functions that form the foundation of wetlands management and protection.

These include:

- 1. Monitoring and Assessment;**
- 2. Regulatory activities including 401 certification;**
- 3. Restoration and Protection;**
- 4. Water Quality Standards for Wetlands.**

In the past, EPA has endorsed six core elements of a wetland program: Regulation, Monitoring and Assessment, Restoration, Waters Quality Standards, Public-Private Partnerships, and Coordination among state/tribal/local government and federal agencies. EPA has also referred to Outreach and Education as an overarching element. EPA streamlined this list to focus on the basic program functions. Partnerships, interagency coordination, and outreach are approaches that, among others, support these basic program functions

This Appendix specifically lists actions and activities that are program development activities. These actions and activities are grouped under the recently streamlined Core Elements.

Please note that EPA is encouraging the development of Wetland Program Plans (WPPs) by States and Tribes. The content of WPPs, and the intent behind them, is described in an October 2009 memorandum sent by EPA to State and Tribal wetland programs. **Development of WPPs is considered a grant-eligible activity.**

**Core Element: MONITORING AND ASSESSMENT**  
**Activities and Actions for Program Development**

**Overall Objective:** Develop a monitoring and assessment strategy consistent with *Elements of a State Water Monitoring and Assessment Program for Wetlands* (EPA, 2006) that an applicant can use to manage wetlands according to their objectives

**Set 1.Goals**

Actions <sup>†</sup>	Menu of Activities <sup>†</sup>
a. Identify program decisions and long-term environmental outcome(s) that will benefit from a wetlands monitoring and assessment program	<ul style="list-style-type: none"> <li>• Document program’s long-term environmental goals</li> <li>• Identify programs that will ultimately use monitoring data, e.g. track trends, 401 certification, restoration, permitting</li> <li>• Collaborate with water quality programs in a state/tribe/local government</li> <li>• Identify how wetland data can be used to implement watershed planning</li> </ul>
b. Define wetlands monitoring objectives and strategies	<ul style="list-style-type: none"> <li>• Coordinate with most relevant partners, for example: federal, state, tribal, and local agencies, universities, regional and national work groups</li> <li>• Examine other sources for monitoring information within the state/tribe/local government</li> <li>• Identify monitoring objectives</li> <li>• Define data needs and uses</li> <li>• Coordinate with your Water Quality Monitoring Program to identify shared goals and activities</li> <li>• Examine how to integrate wetlands monitoring strategy into existing water quality monitoring efforts as feasible</li> <li>• Document wetlands monitoring strategy</li> </ul>
c. Develop monitoring design, or an approach and rationale for site selection that best serves monitoring objectives (e.g., census, probabilistic survey, rotating basin)	<ul style="list-style-type: none"> <li>• Determine the appropriate classification scheme in order to group the type, class, and size of wetlands</li> <li>• Develop and describe site selection process</li> <li>• List universe of wetland resources from which sites could be selected if available</li> <li>• Determine which data are already available.</li> </ul>
d. Select a core set of indicators to represent wetland condition or a suite of functions	<ul style="list-style-type: none"> <li>• Identify indicators that are relevant for established monitoring objectives</li> <li>• Confirm indicators are scientifically defensible</li> <li>• Develop/select field method(s)</li> <li>• Add supplemental indicators if needs dictate and as resources allow</li> </ul>

## Set 2: Strategy Development

Actions <sup>†</sup>	Menu of Activities <sup>†</sup>
a. Ensure the scientific validity of monitoring and laboratory activities	<ul style="list-style-type: none"> <li>• Develop and draft peer review Quality Management Plan</li> <li>• Develop and draft peer review Quality Assurance Project Plan</li> <li>• Develop and draft peer review Field Operations Manual</li> <li>• Select, prioritize, and peer review candidate assessment indicators</li> </ul>
b. Monitor wetland resources by the development of the monitoring tools and specific wetland studies as specified in strategy	<ul style="list-style-type: none"> <li>• Identify and train staff to monitor for each indicator</li> <li>• Verify monitoring strategy by conducting sufficient number of pilot monitoring projects (small-scale projects to test methods, calibrate, enhance reference network, etc.)</li> <li>• Develop a schedule for monitoring wetland resources</li> <li>• Develop a method to track sites that are monitored</li> </ul>
c. Establish reference condition	<ul style="list-style-type: none"> <li>• Define reference condition (the gradient from unimpaired to impaired)</li> <li>• Define reference standard condition (e.g., Best Attainable Condition, Least Disturbed Condition, Minimally Disturbed Condition, Historical Condition, Best Professional Judgment)</li> <li>• Determine process for measuring reference standard condition (e.g., reference sites, historical data)</li> <li>• Select reference sites using a systematic approach</li> </ul>
d. Track monitoring data in a system that is accessible, updated on a timely basis, and integrated with other water quality data	<ul style="list-style-type: none"> <li>• Design a data management system that supports program objectives</li> <li>• Refine a data system so that it can be used for analysis</li> <li>• Make data system compatible with and regularly update Water Quality Standards</li> <li>• Integrate with other water quality data systems (e.g., watershed planning databases)</li> <li>• Georeference data as it is gathered for reporting</li> <li>• Identify sites to sample repeatedly for a trend network</li> </ul>
e. Analyze monitoring data to evaluate wetlands extent and condition/function or to inform decision-making	<ul style="list-style-type: none"> <li>• Document data analysis and assessment procedures</li> <li>• Develop assessment method to determine condition thresholds relative to reference standard condition (i.e., departure from reference standard condition)</li> <li>• Determine baseline wetland condition</li> <li>• Analyze changes in wetland extent or condition relative to reference conditions</li> <li>• Analyze changes in wetland extent or condition in response to climate change</li> </ul>

### Set 3 Strategy Refinement

Actions	Menu of Activities
a. Evaluate monitoring program to determine how well it is meeting a jurisdiction's monitoring program objectives	<ul style="list-style-type: none"> <li>• Develop schedule to evaluate monitoring program</li> <li>• Ensure the assessment method is providing the necessary information</li> <li>• Make changes as necessary to the program</li> <li>• Review other wetlands program elements (e.g., restoration, regulation, water quality standards)</li> <li>• Modify other aspects of wetlands program as needed based on review of monitoring data</li> </ul>
b. Evaluate the environmental consequences of a federal or state/tribal/local government action or group of actions; modify programs as needed based on M&A data	<ul style="list-style-type: none"> <li>• Inform state/tribal/local government wetland permit decisions</li> <li>• Inform 401 certification decisions on federal actions</li> <li>• Modify permitting or 401 certification practices as needed based on assessment information</li> </ul>
c. Improve the site-specific management of wetland resources.	<ul style="list-style-type: none"> <li>• Incorporate monitoring and analysis into restoration techniques</li> <li>• Develop and establish methods to establish ecologically-meaningful benchmarks for gauging restoration success</li> <li>• Develop and establish methods to evaluate the performance of compensatory mitigation sites</li> <li>• Develop and establish methods to evaluate the ecosystem services provided by individual wetlands.</li> </ul>
d. Develop geographically-defined wetland protection, restoration, and management plans	<ul style="list-style-type: none"> <li>• Identify and prioritize management areas (e.g. identify vulnerable wetlands, prioritize restoration potential)</li> <li>• Incorporate wetlands into a comprehensive Watershed Plan that serves state/tribal/local government water quality management needs and addresses all waters</li> <li>• Evaluate progress toward meeting wetland objectives identified in other projects/programs, for example: State Wildlife Action Plans</li> <li>• Inform broader watershed activities (e.g., reducing erosion, providing floodplain storage, reducing nutrient loading, etc.)</li> </ul>

### Core Element: Regulatory Activities and Actions for Program Development

#### **ELEMENTS OF A REGULATORY PROGRAM**

<p><b>KEY:</b>  X – These steps form the basics of a successful program.  O – Steps are suggested because they are often found in a successful program, but may not be necessary.  N/A – Step not applicable to this program category.</p>
--

### Overall Objective: Develop a Strategy to Administer Regulatory Activities Efficiently and Consistently

## Set 1. Goals

Actions	Activities	Program Categories			
		401 Certification	SPGP\RGP Permits	404 Assumption*	S/T Permit
<b>a. Provide clear and comprehensive jurisdictional coverage of aquatic resources</b>	Develop and adopt definition of waters of the state or tribe at least as inclusive as CWA (S/T/LG permit program does not need to be as comprehensive as CWA)	X	X	X	X
	Develop delineation process that will delineate wetlands in a manner that is at least equivalent with the federal program (S/T/LG permit program does not need to be as comprehensive as CWA)	N/A	X	X	X
	Develop and adopt procedure to extend state/tribal/local government jurisdiction to aquatic resources that are not “waters of the US” (e.g., isolated wetlands)	N/A	O	O	O
	Base all water related regulatory programs within a jurisdiction on the same definition of waters of the “State”	O	O	O	O
<b>b. Clearly identify a comprehensive scope of activities to be regulated</b>	Develop and adopt clear definition of regulated activities that is as extensive as CWA (S/T/LG permit program does not need to be as comprehensive as CWA)	N/A	X	X	X
	Coordinate with other CWA or state/tribe/local government aquatic regulatory programs to cover all impact types and methods (e.g., quality vs. quantity, point vs. nonpoint source pollution, classes of activities)	X	X	X	O
		N/A	N/A	O	O
<b>c. Provide clear guidance to public on how to identify jurisdictional waters and activities</b>	Develop clear, publicly accessible guidance and / or training on how to identify waters of the “State” for wetlands, streams, and other waters	O	X	X	X
	Develop clear, publicly accessible guidance on what activities in waters of the “state” require what authorizations	N/A	X	X	X
<b>d. Evaluation</b>	Periodic review of state/tribal/local government program to ensure all potentially regulated activities are addressed, and take appropriate programmatic action	O	X	X	O

\* Completion of the CWA §404 actions in this table does not constitute CWA §404 assumption. The requirements for assumption can be found at <http://www.epa.gov/owow/wetlands/pdf/40cfrPart233.pdf>.

## Set 2: Strategy Development

Actions	Activities	Program Categories			
		401 Certification	SPGP/RGP Permits	404 Assumption*	SVT Permit
<b>a. Adopt regulations or rules to implement state/tribal/local government and/or federal water quality statutes</b>	Develop and adopt guidance to implement statutes as appropriate	X	X	X	X
	Develop and adopt regulations that identify agency goals and responsibilities for all water quality statutes.	O	X	X	X
<b>b. Develop procedures to operate according to a clear and effective set of criteria for reviewing and responding to applications</b>	Develop and adopt publicly accessible criteria for applying for and agency review of applications	X	X	X	X
	Establish reasonable timelines for initially responding to applications in regulatory guidelines	O	X	X	X
	Establish reasonable timelines for providing final responses to applications in regulatory guidelines	X	X	X	X
	Develop internal procedures for responding to federal actions on permits	X	N/A	N/A	N/A
<b>c. Actively review proposed impacts to waters of the “state”</b>		X	X	X	X
	Develop standard practices or general authorizations for like projects impacting similar aquatic resources	N/A	O	O	O
<b>d. Determine and adopt comprehensive project review criteria</b>	Adapt and adopt 404(b)(1) Guidelines or comparable review criteria for assessing and minimizing impacts	O	X	X	O
	Develop and adopt more stringent review criteria than the 404(b)(1) Guidelines	O	O	O	O

\* Completion of the CWA §404 actions in this table does not constitute CWA §404 assumption. The requirements for assumption can be found at <http://www.epa.gov/owow/wetlands/pdf/40cfrPart233.pdf>.

Actions	Activities	Program Categories			
		401 Certification	SPGP\RGP Permits	404 Assumption*	S\T Permit
<b>e. Coordinate among agencies, programs, and industry groups to reduce duplicative efforts by the programs and the regulated public</b>	Develop clear guidelines for roles, responsibilities, and procedures for review of permits for activities that require approval from more than one state/tribal/local government agency	O	O	O	O
		O	O	O	O
		O	O	O	O
<b>f. Require effective mitigation for authorized impacts</b>	Develop and establish minimum requirements and review criteria for mitigation proposals	X	X	X	X
		O	O	O	O
		O	O	O	O
		O	O	O	O
<b>g. Track / Evaluate</b>	Program Development: <ul style="list-style-type: none"> <li>Development and adoption of state, tribal, or municipal rules to protect wetlands</li> </ul>	O	O	O	O
	Develop program tracking system to measure: <ul style="list-style-type: none"> <li># of 401 certifications waived without review</li> <li># of applications reviewed</li> <li># of permits/certifications issued annually</li> <li>% applications responded to on schedule</li> <li>% projects whose impacts changed from initial application to issuance/certification</li> <li>Ratio of impacted aquatic resources to mitigation required by aquatic resource type (e.g. wetland acres, stream linear feet)</li> </ul>	O	O	O	O

### Set 3: Strategy Refinement

Actions	Activities	Program Categories			
		401 Certification	SPGP\RGP Permits	404 Assumption*	S\T Permit
<b>a. Enforce aquatic resource protections</b>	Develop enforcement and compliance mechanisms to monitor compliance and deter violations	X	X	X	X
	Set timeframe for sites to come into compliance	O	O	O	O
<b>b. Ensure impact assessments and mitigation crediting lead to replacement of aquatic resources with similar structural, functional or condition attributes</b>	Develop and adopt functional or condition assessment methodologies	O	O	O	O
	Develop and establish performance standards and success criteria for mitigation	X	X	X	X
	Develop methods to evaluate mitigation against reference and pre-impact sites regularly; revise performance standards, review criteria, and/or functional/condition assessment methods accordingly	O	O	O	O
	Develop and improve a process to coordinate regulatory programs with other entities conducting restoration to share best practices, mitigation/restoration priorities, and/or assessment methodologies	O	O	O	O

\* Completion of the CWA §404 actions in this table does not constitute CWA §404 assumption. The requirements for assumption can be found at <http://www.epa.gov/owow/wetlands/pdf/40cfrPart233.pdf>.

Actions	Activities	Program Categories			
		401 Certification	SPGP\RGP Permits	404 Assumption*	SVT Permit
<b>c. Incorporate the watershed approach into the regulatory decision-making process</b>	Develop and establish methods for determining cumulative impacts to aquatic resources within a watershed	O	O	O	O
		O	O	O	O
		O	O	O	O
		O	O	O	O
		O	O	O	O
		O	O	O	O
<b>d. Perform public education and outreach about wetland protection, regulated waters and activities, and authorization process</b>	Make education/outreach documents or activities available on important programmatic topics such as: <ul style="list-style-type: none"> <li>• Importance of aquatic resources</li> <li>• Regulatory program requirements</li> <li>• How to identify protected waters</li> <li>• Listing regulated activities</li> <li>• Regulatory program performance</li> <li>• Opportunities for public participation in the protection of aquatic resources</li> </ul>	O	O	O	O
	Make program information available through readily accessible outlets (hotline, website, brochures, etc.)	X	X	X	X
<b>e. Develop process to measure Environmental Results</b>	Develop a process to track: <ul style="list-style-type: none"> <li>• % permitted sites that are inspected per year</li> <li>• % permits in compliance</li> <li>• % non-compliant sites where enforcement actions taken</li> <li>• % non-compliant sites brought into compliance within timeframe</li> <li>• # of unauthorized impacts brought into compliance (annual tracking)</li> <li>• % mitigation sites monitored</li> <li>• % mitigation sites established</li> <li>• % mitigation sites meeting performance goals</li> </ul>	O	O	O	O

### III. Core Element: VOLUNTARY RESTORATION AND PROTECTION

#### Activities and Actions for Program Development

**Overall Objective:** Develop a clear and consistent strategy for restoration and protection and link to existing watershed plans (both quantity and quality focused) and critical environmental area plans when available.

#### Set 1: Goals

Key Actions	Program Building Activities
<p>a. Establish goals that are consistent or compatible across relevant agencies</p>	<p>Coordinate with relevant agencies that outline restoration/protection goals and strategies and timeframes</p> <p>Develop multi-agency body to coordinate restoration/protection efforts</p> <p>Gather information on wetland location, class and condition/functions by carrying out specific wetland surveys and studies.</p> <p>Set restoration goals based on agency objectives and available information.</p>
<p>b. Consider watershed planning, wildlife habitat, and other objectives when developing your selection process restoration/ protection sites</p>	<p>Identify rare, vulnerable, or important wetlands by carrying out specific wetland surveys and studies and prioritize for restoration/protection</p> <p>Apply tools (GIS, color-infrared photography, mapping, modeling, field inspection of soil, vegetation, and hydrologic conditions) to develop methodology to identify and prioritize restorable wetlands</p> <p>Develop tools to integrate restoration/protection efforts on a watershed or landscape scale, e.g., prioritize restoration sites within a watershed</p> <p>Share restoration/protection efforts on a watershed or landscape scale, e.g., prioritize restoration sites within a watershed</p> <p>Share priorities with other organizations involved in wetland protection and restoration, e.g., wildlife bureaus, agriculture/conservation agencies, land trusts, mitigation banks</p> <p>Share priorities with other water quality protection programs, e.g., identify riparian restoration projects that would reduce sediment and nutrient loadings to streams and</p>

<p>c. Provide clear guidance on appropriate restoration and management techniques and success measures</p>	<p>Develop restoration and management guidance specific to wetland types and location (e.g. urban vs. rural)</p> <p>Develop and establish measures of restoration success, e.g., adopt functional and/or condition indicators and field methods.</p> <p>Develop and establish performance standards based on reference wetland site in a relatively undisturbed condition</p> <p>Through guidance, encourage restoration outcomes that recreate natural self-sustaining systems and reduce the need for ongoing management*</p> <p>Develop a process to verify restoration techniques with site visits and adapt as necessary</p> <p>Train restoration partners to use guidance techniques</p>
--	--

## Set 2: Develop Strategy for Protection

Actions	Program Building Activities <sup>†</sup>
a. Establish partnerships to leverage additional protection	Share protection priorities with partners  Develop management plans for protected wetlands.  Develop a system to track: <ul style="list-style-type: none"> <li>• Number of stewardship agreements</li> <li>• Acres of wetlands protected through partnerships</li> <li>• Acres of vulnerable wetlands protected through partnerships</li> </ul>
b. Establish and Institutionalize long term protection, using mechanisms such as incentives, purchase of land title or easements to protect wetlands	Develop management plans for protected wetlands.  Develop a system to track: <ul style="list-style-type: none"> <li>• Acres of wetlands protected</li> <li>• Acres of vulnerable wetlands protected</li> </ul>

## Set 3: Develop Strategy for Restoration

Actions	Program Building Activities
a. Increase wetland acreage through restoration (re-establishment)	Develop restoration and management plans for re-established wetlands consistent with restoration guidance.  Develop a system to track: <ul style="list-style-type: none"> <li>• Acres of wetlands re-established</li> <li>• Restoration sites using techniques that comply with guidance</li> <li>• Level of function/condition based on indicators</li> </ul> Provide technical assistance to re-establishment projects as needed
b. Improve natural wetland conditions and functions through restoration (rehabilitation)	Develop restoration and management plans for rehabilitated wetlands consistent with restoration guidance.  Develop a system to track: <ul style="list-style-type: none"> <li>• Acres of wetlands rehabilitated</li> <li>• Improvement on function/condition indicators</li> <li>• Net change in water quality, flood control, or habitat</li> </ul> Provide technical assistance to restoration projects as needed
c. Establish partnerships to leverage more restoration	Share restoration and protection priorities with partners  Develop restoration and management plans for restored wetlands consistent with restoration guidance.  Develop a system to track: <ul style="list-style-type: none"> <li>• Number of restoration agreements</li> <li>• Acres of wetlands restored through partnerships</li> <li>• Acres of priority wetlands restored through partnerships</li> </ul> Provide technical assistance to partners as needed

**Set 4: Refine Protection and Restoration Strategies**

<b>Actions</b>	<b>Program Building Activities</b>
a. Develop and evaluate restoration/protection projects	<p>Develop and populate accessible tracking database for restoration/protection sites</p> <p>Administer and update tracking database regularly</p> <ul style="list-style-type: none"> <li>• Consider % of total acres of restoration/protection sites throughout state or tribal territory or local government jurisdiction that are in database</li> <li>• Track projects by watershed or other relevant spatial unit</li> </ul>
b. Monitor restoration/protection sites to ensure that they are implemented and managed correctly and linked to relevant watershed planning efforts	<p>Monitor effectiveness of all or a sample of sites representative of wetland class, type, and size using adopted indicators and methods.</p> <p>Develop a system to track acres or numbers of restored/protected wetlands that are comprehensively monitored for <math>\geq 3</math> years</p> <p>Develop, select, or refine a subset of indicators (core indicators) to monitor effectiveness of all restoration and protection sites</p> <p>Monitor effectiveness of restoration/protection sites through wetland surveys or studies using core indicators</p> <p>Develop a system to track:</p> <ul style="list-style-type: none"> <li>• Acres or % of restored/protected wetlands monitored for <math>\geq 3</math> years using core indicators</li> <li>• Acres or % meeting established performance goals based on function/condition indicators</li> </ul> <p>Share wetland restoration/protection efforts to relevant entities (other agencies, public, etc.)</p>
c. Develop a process to modify restoration/protection techniques as needed	<p>Develop process to review restoration and protection methods and modify as needed</p> <p>Develop process to review restoration and protection sites as needed and plan for follow-up site maintenance, restoration, and protection activities.</p>

**IV Core Element: Water Quality Standards for Wetlands  
Activities and Actions for Program Development**

**Overall Objective:** Develop, adopt, and incorporate water quality standards into wetlands programs

**Set 1: Goals and Definitions**

Actions	Menu of Activities
a. Develop and adopt an appropriate definition of wetlands	<ul style="list-style-type: none"> <li>• Include wetlands in state/tribal/local government legal definition of waters</li> <li>• Ensure legal definition of waters is at least as inclusive as the CWA definition.</li> <li>• Remove any regulatory language excluding defined wetlands from water quality standards</li> </ul>
b. Ensure the appropriate wetlands definition is included in WQS	<ul style="list-style-type: none"> <li>• Include appropriate definition of wetlands in state/tribal/local government policy or regulations authorizing water quality standards program (e.g., wetland size, type, ownership)</li> </ul>

## Set 2: Strategy Development

Actions	Menu of Activities
a. Gather and analyze monitoring data and other information that will become basis of water quality standards	<ul style="list-style-type: none"> <li>• Define wetland types/classes</li> <li>• Establish reference conditions for defined wetland types in terms of functional/condition performance and other physical measurements</li> </ul>
b. Establish and adopt appropriate wetland-specific designated uses to be achieved and protected	<ul style="list-style-type: none"> <li>• Define designated uses for different wetland types (e.g., recreation, wildlife habitat,)</li> <li>• Locate where designated uses apply</li> </ul>
c. Establish and adopt narrative criteria that qualitatively describe the condition or suite of functions that must be achieved to support a designated use	<ul style="list-style-type: none"> <li>• Develop and establish narrative physical criteria (e.g., fill material not present; no hydrologic alterations)</li> <li>• Develop and establish narrative biologic criteria (e.g., species composition, population dynamics, structure)</li> <li>• Develop technical documents to support the narrative criteria with numerical data. This document describes the types of narrative and numerical data that will be used in determining attainment of the standard</li> </ul>
d. Develop and adopt numeric criteria representing wetland specific values for chemical, physical, and biological parameters that may not be exceeded, must be exceeded, or some combination to protect or restore designated uses	<ul style="list-style-type: none"> <li>• Develop and establish numeric criteria for biological attributes based on wetland type and location (e.g., plant or macroinvertebrate indices, algae )</li> <li>• Develop and establish numeric criteria for chemical constituents based on wetland type and location (e.g., nutrients)</li> <li>• Develop and establish numeric criteria for physical parameters based on wetland type and location (e.g., buffer characterizations, micro habitats)</li> </ul>
e. Better define state/tribal antidegradation policies for wetlands, requiring full protection of existing uses (functions and/or condition), maintenance of functions/condition in high quality wetlands, and a prohibition against lowering functions/conditions in outstanding national resource waters	<ul style="list-style-type: none"> <li>• Develop and include wetlands in antidegradation policies</li> <li>• Develop and include restoration potential of wetlands in antidegradation policies</li> <li>• Develop measures to ensure antidegradation is being applied successfully in a manner specific to wetlands</li> </ul>

### Set 3: Strategy Refinement

Actions	Menu of Activities
a. Develop and evaluate the process to use water quality standards as basis for regulatory decisions	<ul style="list-style-type: none"> <li>• Develop a system to track wetland impacts avoided or mitigated based on WQS, via permitting actions</li> </ul>
b. Develop and evaluate the water quality standards as basis for evaluating restoration/protection projects and mitigation/compensation projects	<ul style="list-style-type: none"> <li>• Use water quality standards in the development or refinement of restoration guidelines</li> <li>• Develop a system to track restoration/protection projects that are monitored for compliance with water quality standards</li> <li>• Track restoration/protection sites that meet water quality standards</li> <li>• Identify remedial measures for sites that do not meet wetland WQS</li> </ul>
c. Incorporate water quality standards into monitoring and assessment program	<ul style="list-style-type: none"> <li>• Update monitoring strategy and methods based on water quality standards</li> <li>• Develop a system to track acres monitored for compliance with water quality standards</li> </ul>