



## OFFICE OF WATER

WASHINGTON, D.C. 20460

March 13, 2025

### **MEMORANDUM**

**SUBJECT:** *Gulf Hypoxia Program 2025 Guidance for State Cooperative Agreements*

**FROM:** Benita Best-Wong, Deputy Assistant Administrator  
performing the non-exclusive duties and functions  
of the Assistant Administrator for Water

**BENITA  
BEST-WONG**

Digitally signed by  
BENITA BEST-WONG  
Date: 2025.03.13  
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**TO:** State Hypoxia Task Force Members  
EPA Regional Water Division Directors

#### **1. Introduction**

The U.S. Environmental Protection Agency is investing in critically needed strategies to improve water quality in the Mississippi/ Atchafalaya River Basin, or MARB, and reduce the low oxygen, or “dead,” zone in the northern Gulf of America.

This memorandum replaces and supersedes the EPA’s July 10, 2024, [Bipartisan Infrastructure Law: Gulf Hypoxia Program FY 24 Guidance for State Cooperative Agreements](#) Implementation Memorandum to provide direction that is consistent with the Administration’s priorities. The work of the Mississippi River/Gulf of America Watershed Nutrient Task Force (Hypoxia Task Force or HTF) and the EPA’s Gulf Hypoxia Program, or GHP, is in support of the EPA’s Powering the Great American Comeback Initiative as reflected in one or more of the following five pillars:

- Pillar 1: Clean Air, Land, and Water for Every American
- Pillar 2: Restore American Energy Dominance
- Pillar 3: Permitting Reform, Cooperative Federalism, and Cross-Agency Partnership
- Pillar 4: Make the United States the Artificial Intelligence Capital of the World
- Pillar 5: Protecting and Bringing Back American Auto Jobs

This implementation memorandum applies to the remaining Fiscal Years 2024-2026 GHP state appropriations. It provides information on GHP priorities and guidelines on how the EPA will distribute funds as cooperative agreements<sup>1</sup> to the HTF member states.

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<sup>1</sup> GHP state grants and cooperative agreements are awarded under Federal Assistance Listing 66.485.

The HTF is composed of five federal agencies,<sup>2</sup> 12 states<sup>3</sup> bordering the Mississippi and Ohio rivers, and the National Tribal Water Council. The EPA and the state of Iowa serve as Co-Chairs of the HTF. Three multi-state sub-basin committees and a Land Grant University Consortium, the Partners, are key participants. Through this investment, the EPA continues to build on its partnership with states, Tribes and Partners to make significant progress toward reducing nutrient loads that will improve water quality in the Gulf and throughout the MARB. The GHP is enabling the states to provide tangible benefits to communities and ecosystems across the region that depend on clean water. Through improved water quality, communities across the MARB can benefit from safer drinking water, protected fisheries and a more stable economy.

The Infrastructure Investment and Jobs Act includes \$12 million per year for five years (\$60 million in total) for actions to support the HTF's 2008 Gulf Hypoxia Action Plan through the GHP. Over \$21.5 million of GHP funds have been awarded to the HTF states to implement nearly 60 projects across the MARB. The GHP also funds eligible MARB Tribes and Partners to support the Gulf Hypoxia Action Plan. The Tribal GHP, announced in December 2022,<sup>4</sup> funds 15 Tribes within the MARB area of the HTF states to establish or enhance existing nutrient reduction programs. The Partners GHP, announced in May 2023,<sup>5</sup> consists of three sub-basin committees and one Land Grant University Consortium. Partners have begun implementing workplans to support the HTF states and Tribes, improve basin-wide communications and augment water quality monitoring across the MARB.

### **1.1. Updating the Gulf Hypoxia Program with the Administration's Priorities**

The following sections and statements in the July 10, 2024, memorandum have been updated or removed in this memorandum:

- Consistent with the administration's priorities, the EPA has removed references to previous implementation memorandums, Executive Orders and priorities established by any other administration.
- Consistent with Executive Order [\*Restoring Names That Honor American Greatness\*](#), the EPA has updated the nomenclature of the Gulf of Mexico to the Gulf of America in sections 1, 2 and 3.
- Consistent with Executive Orders [\*Initial Rescissions of Harmful Executive Orders and Actions\*](#), [\*Ending Illegal Discrimination and Restoring Merit-Based Opportunity\*](#), [\*Ending Radical And Wasteful Government DEI Programs And Preferencing\*](#), the EPA has removed sections 2.1, 2.2, 2.3; removed examples given for Strategic Outcomes 1, 2 and 3; removed items 2 and 8 and revised item 7 in section 4; clarified expectations of EPA Regions during application processing; and updated the workplan required elements in Appendix 1.
- Extended application submittal through July 1, 2025.
- Updated *National Environmental Policy Act & Cross-Cutting Authorities* part in section 2 to reflect the [\*Unleashing American Energy\*](#) Executive Order and the February 19, 2025, Council on Environmental Quality memorandum "Implementation of the National Environmental Policy Act." In addition, the EPA has updated the worksheets<sup>6</sup> that states must use for the Cross-cutting Authorities and for projects that implicate NEPA.

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<sup>2</sup> National Oceanic and Atmospheric Administration, U.S. Army Corps of Engineers, U.S. Department of Agriculture, U.S. Department of Interior and U.S. Environmental Protection Agency.

<sup>3</sup> Arkansas, Illinois, Indiana, Iowa, Kentucky, Louisiana, Minnesota, Mississippi, Missouri, Ohio, Tennessee and Wisconsin.

<sup>4</sup> [Gulf Hypoxia Program FY 23 Tribal Implementation](#) Memorandum

<sup>5</sup> [Gulf Hypoxia Program FY 23 Implementation Memorandum for Sub-Basin Committee and Land Grant University Consortium Cooperative Agreements](#)

<sup>6</sup> [Finding of No Significant Impact and Adoption for the IJA/BIL Gulf Hypoxia Program](#)

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## 2. GHP Requirements

**Application Status.** Each HTF member state is currently in one of three categories:

- A. Those states that submitted their application by November 1, 2024, but have not yet had the cooperative agreement awarded. These states should work with the EPA to update their cooperative agreement application in alignment with this memorandum and send directly to their EPA Regional Project Officer and to Jake Greif at [greif.jacob@epa.gov](mailto:greif.jacob@epa.gov) for further processing.
- B. Those states that intend to submit their application by July 1, 2025, should submit a cooperative agreement application aligning with this memorandum as instructed via [grants.gov](https://www.grants.gov).
- C. Those states that have received their award will receive further information from the EPA.

**Tracking of funds.** GHP funds are required to be awarded and tracked separately from other EPA State and Tribal Assistance Grants or Environmental Program and Management funds, such as those from Clean Water Act Sections 319 or 106, Gulf of America Division Farmer to Farmer grant programs, or those in a state Performance Partnership Grant. States may use GHP cooperative agreement funds to provide subawards, contracts or interagency agreements. GHP funds must be tracked separately from other federal or non-federal funds, either through a separate task or a phased approach.

**Match.** There are no match requirements applicable to the GHP funds; states must justify any sub-grantee match requirements.

**Cooperative agreements.** The EPA will award most of the GHP funding in equal amounts to states through cooperative agreements which will allow for close collaboration between the EPA and individual states to advance the Gulf Hypoxia Action Plan goals.

**Cooperative agreement timelines are to be no more than five years.** The HTF states should develop workplans that consider the timeline of their first GHP cooperative agreement. The estimated project period for these cooperative agreements may begin as soon as the first quarter of 2025, with work expected to be completed by the end of the fifth year following the award of a cooperative agreement.

**Non-competitive awards.** The EPA will make awards on a non-competitive basis, state recipient agencies must be determined by the states; they must be a state-funded entity or state agency.

**Authority.** The IJA statutory language<sup>7</sup> is the authority for the state cooperative agreements and directs that equal funding amounts shall be provided annually to the HTF member states. Appropriations are provided for annual funding for FY22-FY26.

**Funding amounts.** Funding available to ensure equal GHP amounts per state is based on funds awarded through the first state implementation memorandum:

- |                          |                            |
|--------------------------|----------------------------|
| • Arkansas: \$2,514,116  | • Minnesota: \$2,514,116   |
| • Illinois: \$2,514,116  | • Mississippi: \$2,514,116 |
| • Indiana: \$2,514,116   | • Missouri: \$1,765,783    |
| • Iowa: \$2,166,569      | • Ohio: \$2,514,116        |
| • Kentucky: \$2,514,116  | • Tennessee: \$2,514,116   |
| • Louisiana: \$2,514,116 | • Wisconsin: \$2,514,116   |

**Project areas.** The IJA authorizes GHP funds to support the implementation of the Gulf Hypoxia Action Plan; therefore, project funding must be expended in the MARB<sup>8</sup> part of the HTF member states and Tribal lands. GHP-funded state staff must support Gulf Hypoxia Action Plan implementation. These GHP-funded staff can also work on broader state nutrient reduction projects or projects in other geographic areas, provided other funds are used to support their work in areas of the state outside of the MARB. States should note the percentage of staff time in the budget worksheet (see Appendix 1, Documents 2 and 5) that will be used to support the Gulf Hypoxia Action Plan.

**National Environmental Policy Act and Cross-Cutting Authorities.** All GHP state cooperative agreement awards include a programmatic term and condition directing the state to comply with relevant requirements for activities that may implicate NEPA and Cross-cutting Authorities (Appendix 2). States may not expend EPA funds on the workplan activities prior to the EPA's approval of compliance with NEPA and the Cross-cutting Authorities.

**Build America, Buy America Act.** All GHP state cooperative agreement awards include a programmatic term and condition directing the state to comply with relevant requirements for infrastructure projects that may implicate the BABA Act (see Appendix 3).

**Davis-Bacon Act and Related Acts Prevailing Wage Requirements.** States should enforce Davis-Bacon Act and related acts' prevailing wage requirements across projects that receive GHP resources.

### **3. GHP Eligible Activities for State Workplans**

The HTF states must submit a cooperative agreement application, including a workplan for the desired length of two to five years, to receive the remaining allotment during FY24-FY26. The EPA expects states to use GHP funds to implement the Gulf Hypoxia Action Plan by scaling up implementation of nutrient reduction strategies to advance bold, systemic actions that accelerate nutrient load reductions in the MARB and to the Gulf of America. The EPA expects state workplans to prioritize actions that are most effective at reducing nutrient loads, using proven and innovative approaches.

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<sup>7</sup> P.L. 117-58

<sup>8</sup> The MARB is defined as [Hydrologic Unit Codes](#) 05, 06, 07, 08, 10 and 11.

**Workplans must support the four strategic outcomes described below.** Sub-bullets are examples of activities that can be included in the workplan to support these strategic outcomes. Workplans must support the strategic outcomes, but specific activities should be tailored to the needs of the applicant. Proposed workplan activities should reference the portion of an existing or updated State Nutrient Reduction Strategy that these activities support:

- 1. Support staff to implement the workplan.** States should strategically deploy staff to accomplish the goals of the GHP; convene public meetings; engage with Tribes; and support state, regional and basin-wide progress tracking. Staff can undertake a range of activities including but not limited to:
  - Implement, facilitate or advance new or existing state programs that reduce nutrient pollution, address the priorities of the GHP and advance the goals of the Gulf Hypoxia Action Plan.
  - Participate in non-state programs, multi-state collaborations and agriculture-sector led convenings for coordination and knowledge sharing, such as State Technical Committee meetings convened by the U.S. Department of Agriculture Natural Resource Conservation Service, agribusiness initiatives that advance water quality and efforts led by non-government organization to improve water quality.
  - Convene and engage partners and stakeholders in priority MARB watersheds, including county and local governments, farmers and ranchers, and Tribes.
- 2. Use state-level water quality programs and actions to advance nutrient reductions.** States should develop new or expand existing programs that measurably advance nutrient reduction goals articulated in their state strategies. States have the flexibility to invest in programs that may include but are not limited to the following objectives:
  - Accelerate technology adoption via strategic pay-for-success/outcome approaches and/or incentives.
  - Procure agricultural equipment (e.g., cover crop seeders) that can be shareable across thousands of acres.
  - Work with the agricultural sector to deploy farmer-led or supported efforts to document conservation advances through private investments.
  - Engage in innovative agriculture-water sector collaborations that implement projects to improve water quality.
  - Enable partner-led trainings, support farmer-led education and demonstrations, and employ new outreach approaches to increase participation of absentee landowners.
  - Conduct discrete and continuous real-time water quality monitoring, including in the ways described in Appendix 4.
  - Use the CWA assessment and listing process more fully and prioritize and implement Total Maximum Daily Loads and existing watershed plans for reducing nutrient pollution.
  - Further reduce nutrient loads from point sources.
  - Reduce nutrient loads from decentralized wastewater treatment systems, including straight pipes, where a watershed plan developed under the CWA Section 319 grant program or another program indicates they are critical sources. States may also develop new or amend existing watershed plans to identify additional critical source areas as appropriate. Work under these cooperative agreements should support coordinating with and leveraging the Clean Water State Revolving Fund and other funding sources.

- 3. Implement projects in prioritized watersheds with the greatest opportunities for nutrient reductions.** States should focus project implementation in those high-impact watersheds and critical source areas where the greatest nutrient reductions can be achieved. State workplans and actions should support measures for documenting, validating and verifying conservation practice systems to quantify expected nutrient reduction, including practices with resilience and hazard mitigation benefits, such as flood and drought mitigation. For example, states can:
- Leverage watershed plans and other projects primed to begin implementation, such as engaging with initiatives including the [CWA Section 319 grant program](#) or the U. S. Department of Agriculture's [Regional Conservation Partnership Program](#), [Mississippi River Basin Healthy Watersheds Initiative](#), or [National Water Quality Initiative](#). In some cases, this may involve working with stakeholders outside of a larger program, like a non-government organization that is carrying out a specific project.
  - Identify watersheds with a high level of stakeholder willingness to implement nutrient conservation and reduction practices and implement actions in those watersheds.
- 4. Collaborate across state boundaries with the HTF partners.** States should leverage GHP funds to engage with the HTF members, partners and stakeholders to assess, track, report and communicate progress to the HTF member states and the public at state, regional and MARB scales. In addition to ongoing involvement with the HTF, engage and collaborate with the HTF Tribes and Partners (sub-basin committees and a Land Grant University Consortium) to grow partnerships and develop public communications at the basin-wide and sub-basin scales. States should coordinate, consolidate and improve access to data collected by state, Tribal and federal agencies and present basin-wide and sub-basin progress toward Gulf Hypoxia Action Plan goals. Examples of activities include, but are not limited to, the following:
- Explore nutrient reduction opportunities in shared priority watersheds and coordinate information sharing, water quality monitoring activities and nutrient reduction or other nonpoint source projects with Tribes that share natural resource and water quality interests with a state.
  - Develop networks and methods with other HTF states to share, address and overcome common challenges, such as NEPA compliance, annual grant reporting, and public communications, among other shared efforts.
  - In addition to HTF Partner initiatives to enhance sub-basin and basin-wide coordination and communication, share data and strategy implementation outcomes with Partners, coordinate water quality monitoring, and participate in development and use of basin-wide communications strategies.
  - Adopt or adapt successful programs to reduce nutrient loading from other HTF states and establish channels to collaborate on and improve similar programs.

**Workplans must reflect strategic outcomes 1-4 described above in addition to any further outcomes** that are most suitable and beneficial to each state. The EPA will evaluate other potentially eligible activities on a case-by-case basis.

#### **4. GHP Documentation and Reporting**

The HTF state workplans are the primary vehicles for documenting activities undertaken with GHP funds. The state workplans will provide transparency and communicate the intended outputs and outcomes of GHP funded actions on advancing the Gulf Hypoxia Action Plan. The EPA has developed a GHP module in the existing Nonpoint Source Program Grants Reporting and Tracking System<sup>9</sup> that will be used to house data related to GHP funded projects. States will report water quality monitoring data into the Water Quality Exchange, which will be marked with “GHP” as the Project ID to easily identify data created with GHP funds. This data reporting is a programmatic requirement that is supplemental to the required annual progress reports, which are submitted to regional Project Officers. The following information will be reported for each project in the Grants Reporting and Tracking System:

1. Number of full-time employees funded by the GHP cooperative agreement
2. Acknowledgment of workplan’s compliance with Title VI of the Civil Rights Act
3. Project Title
4. Project Description
5. Anticipated project outputs and outcomes, as they relate to the strategic outcomes in section 3
6. Anticipated project outputs and outcomes, as they relate to the goals of the Gulf Hypoxia Action Plan
7. Anticipated project benefits related to resilience or hazard mitigation, including the actions that provide those anticipated environmental benefits
8. Project utilizes incentives to implement conservation practices and systems (Yes/No)
9. Project will/did result in pollutant load reductions (Yes/No)
10. Project budget, including funding sources
11. Source(s) of pollution
12. Sub-recipient information, including organization type and any funds contributed
13. Watershed plans
14. Project schedule
15. Waterbody Information, including the waterbody name, type and size
16. Pollutants to be addressed, including load reduction goals and actual load reductions
17. Drainage area(s) associated with the project
18. Conservation practices implemented
19. Key stakeholder engagement, including stakeholder name, affiliation and type of engagement

The EPA may include additional reporting requirements and, if so, will provide them to the states.

#### **5. GHP Regional Oversight and EPA Staff Support**

In accordance with 40 C.F.R. 35.115, the EPA Regions will oversee performance of state GHP funded assistance agreements. Oversight entails evaluating progress towards completing the outputs identified in approved workplans; providing findings/feedback to each recipient; including findings in the cooperative agreement file; and in cases where deficiencies are noted, developing an action plan to address performance problems.

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<sup>9</sup> The EPA’s [Grants Reporting and Tracking System](#).

The EPA regional staff will serve as project and technical officers for state cooperative agreements; the EPA headquarters staff will review the state workplans. The EPA headquarters and regional staff will provide direct technical support to states tailored to each state's specific needs and their projects. For example, the EPA can help identify opportunities for states to leverage federal and/or private foundation programs in support of their projects; provide expert technical and policy support in implementing CWA programs; help states overcome programmatic barriers to progress by engaging other federal agencies; adaptively manage and assess progress toward reaching the Gulf Hypoxia Action Plan goals; assist with data compilation and reporting; and promote innovative research at the EPA and other agencies in support of state needs. The EPA regional offices shall transmit all final GHP state workplans (and any future updated workplans) to the EPA headquarters for program record keeping.

## **6. EPA Contacts**

For more information or for general questions, please reach out to Katie Flahive ([flahive.katie@epa.gov](mailto:flahive.katie@epa.gov), 202-566-1206) or Jake Greif ([greif.jacob@epa.gov](mailto:greif.jacob@epa.gov), 202-564-2250).



## Appendix 1: Content of Application Submission

The application will remain open through July 1, 2025. The cooperative agreement application materials must be submitted through [Grants.gov](https://www.grants.gov) by **11:59pm ET on Thursday, July 1, 2025**. The application package must include the following application forms and attachments:

1. **Application for Federal Assistance Standard Form 424:** The electronic submission of the application must be made by an Authorized Official Representative of the state who is registered with Grants.gov and is authorized to sign applications for federal assistance. Applicants need to ensure that the Authorized Official Representative who submits the application through Grants.gov and whose Unique Entity Identifier is listed on the application is an Authorized Official Representative for the applicant listed on the application. Applicants must ensure that the Unique Entity Identifier listed in Block 8.c. is assigned to the applicant organization in Block 8.a.
2. **SF-424A, Budget Information:** Applicants are to characterize costs for construction contractors as "Construction" and costs for architectural and engineering services as "Contractual."
3. **EPA Form 4700-4, Pre-Award Compliance Review Report.** Collects information that enables the EPA to determine whether applicants are developing projects, programs and activities on a non-discriminatory basis.
4. **EPA Key Contacts Form 5700-54:** A minimum of two contacts should be identified. Please be sure the contacts on this form are consistent with the other forms. The Authorized Official Representative on this form must be the signatory on the other forms. If additional pages are needed, attach these additional pages to the electronic application package by using the "Other Attachments Form" in the "Optional Documents" box.
5. **Project Narrative Attachment Form:** Includes Project Approach, Environmental Results, Milestone Schedule, Detailed Budget Narrative, Quality Assurance. Prepare as described below. Use this form to submit the **Summary Information Page and Project Workplan**.

Application Preparation and Submission Instructions (see Grants.gov instructions at the end of this Appendix 1):

**Documents 1 through 5** listed under Application Materials above should appear in the "Mandatory Documents" box on the Grants.gov Grant Application Package page.

**For Documents 1 through 4**, 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 an invalid response or incomplete information is entered in a field, an error message will display. When finished filling out each form, click "Save." Return to the electronic Grant Application Package page, click on the completed form, 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 5**, attach electronic files. Prepare the narrative workplan as described in the box below and save the documents as a PDF file. To attach the workplan to the application package, click on "Project Narrative Attachment Form," and open the form. Click "Add Mandatory Project Narrative File," and then attach the PDF file workplan using the browser window that appears. Click "View Mandatory Project Narrative File" to view it. Enter a brief descriptive title of the project in the space beside "Mandatory Project Narrative File Filename;" the filename should be no more than 40 characters long. If there are other attachments to submit to accompany the workplan, click "Add Optional Project Narrative File" and proceed as before. When finished attaching the necessary documents, click "Close Form." Return to the "Grant Application Package" page, select the "Project

Narrative Attachment Form,” and click “Move Form to Submission List.” The form should now appear in the box that says, “Mandatory Completed Documents for Submission.”

Describe each workplan item in sufficient detail for the EPA to determine cost-effectiveness, reasonableness and allowability of costs. Cost-effectiveness will consider the organizational overhead (indirect costs), direct costs and ability to control costs versus anticipated results of services. Do not include confidential business information in the workplan. States should be aware that under Public Law No. 105-277, data produced under an award, and any information provided to the EPA, is subject to the Freedom of Information Act.

Template for Document 5 Summary Information Page and Project Workplan
<p>Summary Information Page (Should not exceed two pages)</p> <p><b>Project Title:</b> Please limit to 60 characters. The EPA reserves the right to change the project title for its administrative convenience.</p> <p><b>Organization Information:</b> Include organization name, address, contact person, phone number, e-mail address. Do not include private information.</p> <p><b>Proposed Funding Request.</b> Total dollar amount requested from the EPA.</p> <p><b>Brief Project Description.</b> Summarize the workplan for implementing the Gulf Hypoxia Action Plan in a clear and succinct manner using <b>plain language</b> and in 100 words or less. Do not use acronyms. This description may be posted to the EPA website, published in the EPA’s press releases and the HTF Newsletter. Include links to the state’s programmatic website(s). The EPA reserves the right to make unilateral changes to conform to posting requirements.</p> <p><b>Environmental Results:</b> Please describe major environmental results anticipated from this project. (Details will be included in the workplan, this is a high-level summary.)</p> <p><b>Place of Performance:</b> Ensure the boundary is within the HTF Member states and in the MARB. Identify the place of performance, defined as the geographic extent of where work will occur, of the cooperative agreement.</p> <p><b>Project Period:</b> Provide anticipated project start date and anticipated project completion date.</p>

Project Workplan (No page limit)

**Project Approach:** Describe the approach and include any maps, charts, and/or figures. Include a sentence briefly stating how the project supports the EPA Strategic Plan Goal 5: Ensure Clean and Safe Water for All Communities, Objective 5.2: Protect and Restore Waterbodies and Watersheds.

Workplans should reflect the required four strategic outcomes described in Section 3 and any further outcomes that are most suitable and beneficial to the state.

An option for consideration is to include in state workplans a table or other information summarizing how each project relates to each strategic outcome, or other outcomes a state will track, for example nitrogen/phosphorus load reductions, WQ samples collected, public engagement events, etc., and NEPA:

	Strategic Outcome				Other State Outcomes		NEPA Activity Category		
Project	#1	#2	#3	#4	Example 1	Example 2	#1	#2	#3
A			X			X			X
B	X			X	X		X		
C		X		X	X	X		X	

Include information about how the state will manage and monitor subawards for successful completion of projects, and ensure sub-awardees comply with quality assurance, financial and reporting requirements.

Include proposed public meeting dates, locations and outreach strategies.

States should ensure that the development and implementation of their Nutrient Reduction Strategies and projects proposed for the GHP cooperative agreements are in compliance with the requirements of Title VI of the Civil Rights Act.

Include budget resources necessary for: completing a Quality Management Plan or Quality Assurance Project Plan, if applicable; sharing project information broadly; and reporting progress.

**Environmental Results:** Include the following:

- Describe anticipated outputs and outcomes for strategic outcomes 1–4 defined in Section 3 of this memorandum (qualitative and quantitative, include social indicator(s)).
- Describe the anticipated products/results which are expected to be achieved from accomplishment of the project.
- Describe how the state will qualitatively and quantitatively measure and track the environmental results and pollutant load reductions (nitrogen, phosphorus, and other environmental benefits) from subaward projects and report those results (outputs and outcomes) to the EPA.

**Milestone Schedule:** Provide a milestone schedule that covers each year of the total project period requested (up to five years for the cooperative agreement) and provide a breakout of the project activities into phases with associated tasks and a timeframe for completion of tasks. The milestone schedule should show timeframes and major milestones to complete significant project tasks. Include an approach to ensure that: (1) any subawards are completed in sufficient time to allow the state to aggregate results and lessons learned and to ensure sub-awardees have been reimbursed for eligible

incurred costs; and (2) awarded funds will be expended in a timely and efficient manner. The schedule must include a detailed table.

**Transferability of Results and Dissemination to Public:** Describe the plan to transfer results to similar projects and disseminate to the public, including:

- Gather and share information and lessons learned from the project(s) to include a written summary to be shared with the public at HTF meetings, materials to share on the EPA's GHP website, blurbs to send to the EPA for publication in the Hypoxia Task Force Newsletter, any targeted materials to share with state stakeholders and partners, and any other plans to share results from the proposed projects.
- Efforts to support state, regional and basin-wide progress tracking.

**Technical Support:** Describe how the state will provide technical support to sub-awardees. Technical support should include a description of how the state will ensure Quality Assurance Project Plans submitted by sub-awardees meet the EPA requirements but could also include other forms of technical expertise.

**Detailed Budget Narrative:** Provide a detailed budget narrative referencing each category identified in the SF-424A (Document 2) and estimated funding amounts for each workplan component/task not easily understandable or that require additional information. Describe each item in sufficient detail for the EPA to determine cost-effectiveness, reasonableness and allowability of costs. Common examples where this is necessary are:

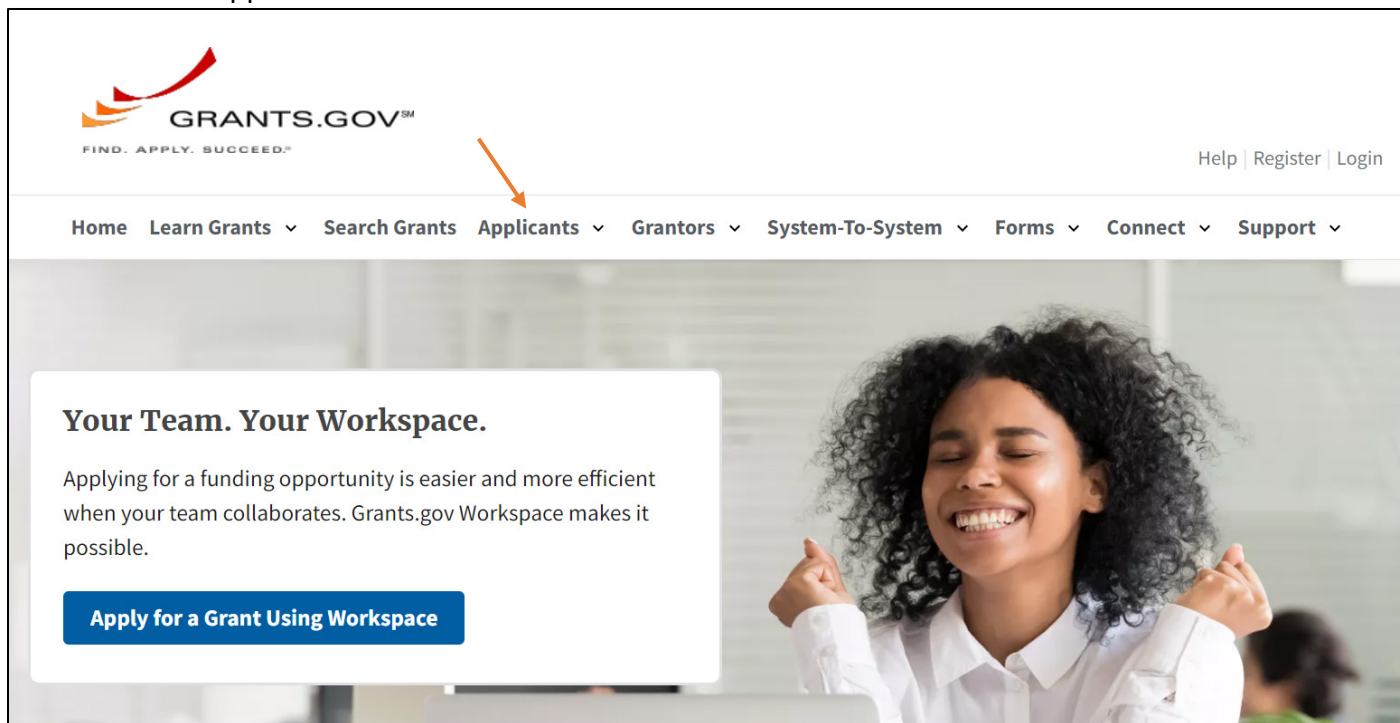
- Description of the roles and responsibilities of personnel.
- Description of what supplies will be used for.
- Description of why the purchase of equipment is preferable to rental of equipment.
- Contract details such as whether it will be sole source or competed and why that choice was made.
- Description of activities of a subawardee, etc.
- All subaward funding should be located under the "other" cost category.

For further information, states may refer to the [General Budget Development Guidance for Applicants and Recipients of EPA Financial Assistance webpage](#).

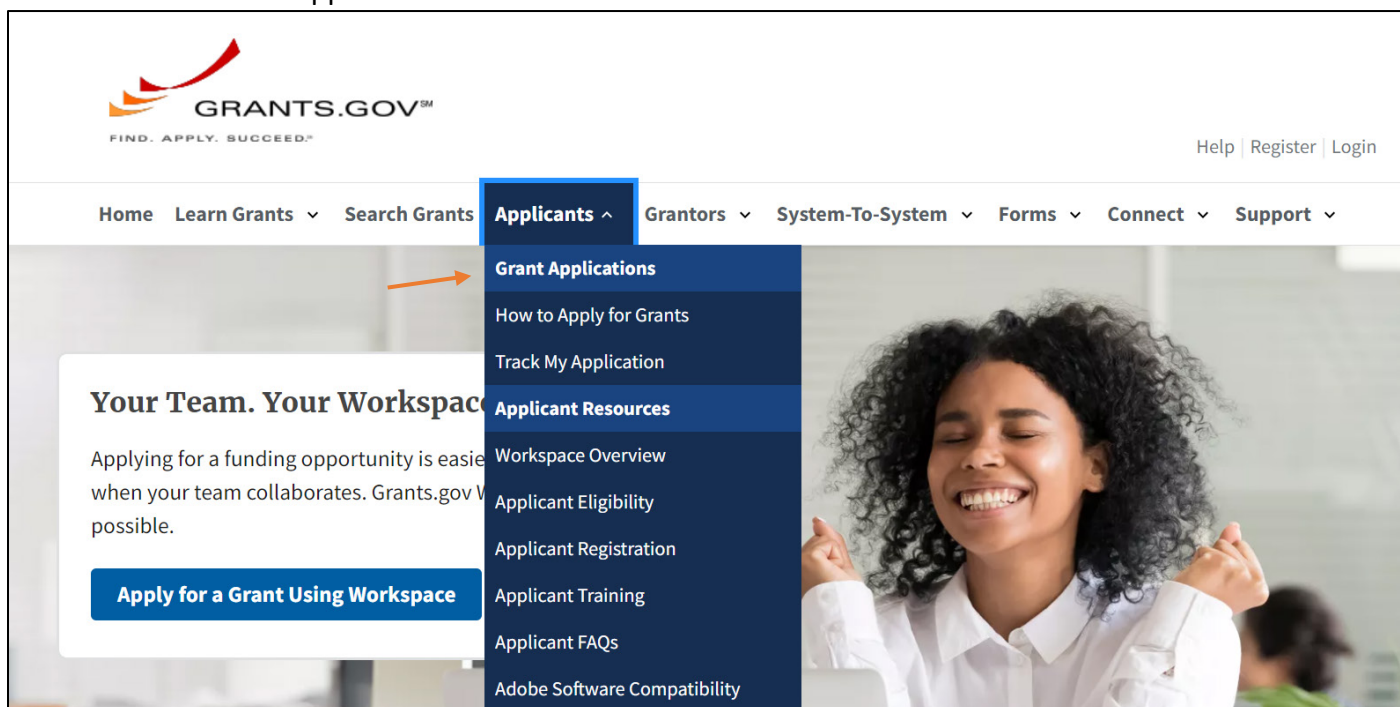
**Quality Assurance:** If the state or a sub-awardee plan to collect or use environmental data or information, explain how the state will comply with quality assurance requirements.

## Grants.gov instructions

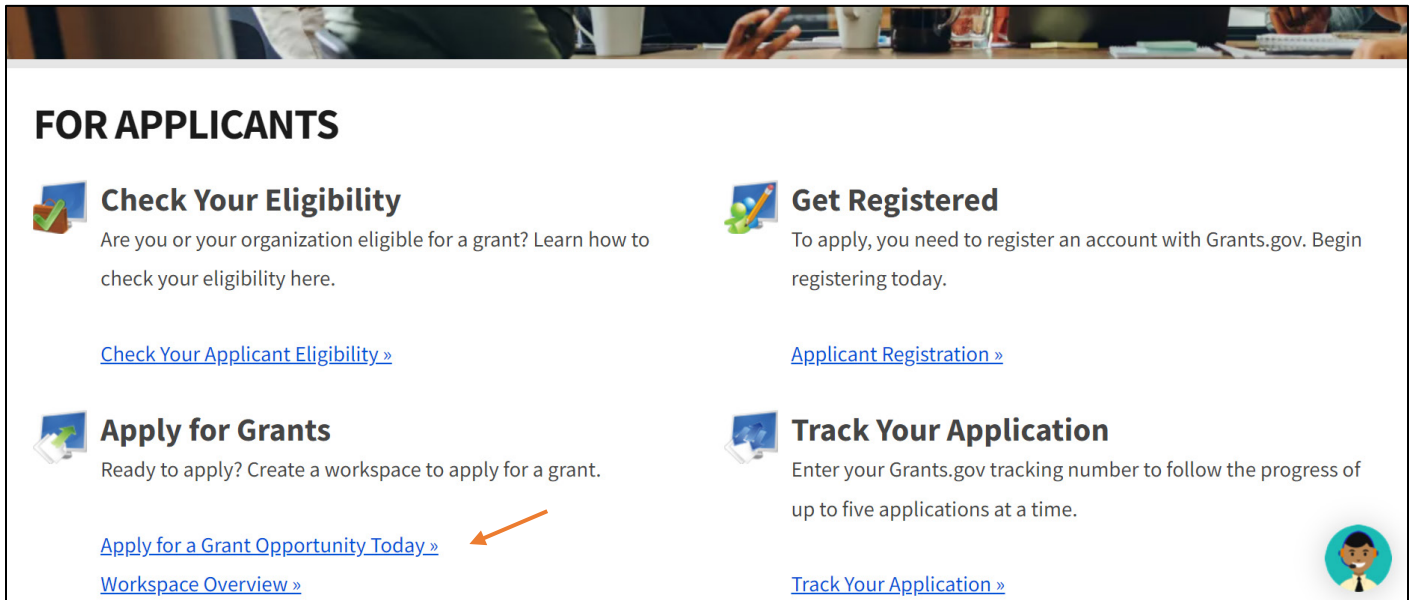
1. Go to [Grants.gov](https://www.grants.gov)
2. Click on the Applicants tab




3. Click on the Grant Applications button



4. Scroll down and click on “Apply for a Grant Opportunity Today” under the Apply for Grants section




## FOR APPLICANTS

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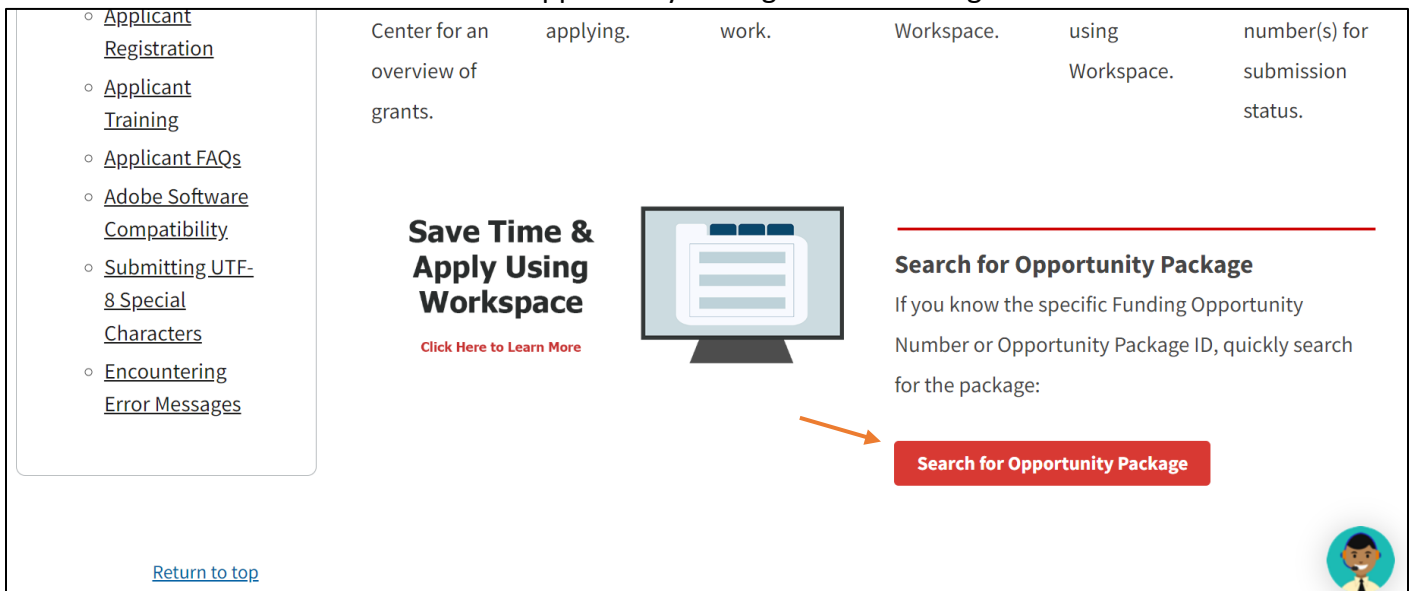
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## SEARCH FOR OPPORTUNITY PACKAGE

### Search for Opportunity Package

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7. Clicking on Search will open the View Opportunity page.
8. Click on preview to view the application forms.
9. Applicants that need technical assistance with submission using Grants.gov should visit the [Grants.gov Support Center](#).



## Appendix 2: NEPA and the Cross-cutting Authorities

All GHP state cooperative agreement awards include a programmatic Term and Condition directing the grantee to comply with relevant requirements for activities that may implicate NEPA and the Cross-cutting Authorities.

The approach for compliance with NEPA and the Cross-cutting Authorities described in this appendix is intended to inform all involved parties of how the EPA, the states, and cooperative agreement partners will fulfill their compliance responsibilities as states undertake the activities in their GHP cooperative agreement workplan.

As part of the [Finding of No Significant Impact and Adoption for the IJA Gulf Hypoxia Program](#), the EPA developed documentation required for satisfying the NEPA and Cross-cutting Authority Compliance Approach. The documentation includes the *Environmental Evaluation Questionnaire and Supporting Document Checklist* (Attachment 1) and the *Crosscutting Authorities Review Table* (Attachment 2).

### GHP Compliance Implementation Approach for NEPA and the Cross-cutting Authorities

The EPA will implement the GHP NEPA compliance in a similar manner to the U.S. Department of Agriculture, Natural Resources Conservation Service Environmental Quality Incentives Program Programmatic Environmental Assessment, and the EPA Water Infrastructure Finance and Innovation Act PEA. The EPA adopted the [May 2020, final EQIP PEA](#) and the [April 27, 2018, WIFIA PEA](#) with a preliminary Finding of No Significant Impact. The EPA's approach is as follows:

1. As part of undertaking conservation and green infrastructure practices under the GHP, individual environmental reviews called environmental evaluations, or EEs, will be completed by the states and reviewed by the EPA to inform the conservation and green infrastructure practices and assist the agency's compliance with NEPA. The EEs are a concurrent part of the planning process in which the potential long- and short-term impacts of an action are briefly evaluated to determine if the action falls within the scope of the conservation or green infrastructure practices adopted for the GHP. To satisfy the EE, states will provide a copy of either a completed *Environmental Evaluation Questionnaire and Supporting Document Checklist*<sup>10</sup> or [USDA NRCS-CPA-52 form](#); and *Crosscutting Authorities Review Table*<sup>11</sup> to the EPA Regional Project Officer.
2. States will identify the categories of each project proposed in their cooperative agreement workplan with respect to NEPA and the Cross-cutting Authorities (See the State Workplan Activity Categories for NEPA Compliance section below). While applicants do not need to submit these documents to Grants.gov as part of the application package, no funding can be spent on the workplan activities prior to EPA approval of compliance with NEPA and the Cross-cutting Authorities.
3. For Category 1 and 2 activities conducted by the states, no EE associated with NEPA will be necessary.
4. For Category 3 activities, an EE will be conducted where environmental impacts may be reasonably expected to occur with implementation of the conservation and green infrastructure practice activities under the GHP. The EPA has determined that the analysis of impacts in the adopted PEAs and underlying assumptions remain valid and do not need to be updated. The EE can be completed with the *Environmental Evaluation Questionnaire and Supporting Document Checklist* prepared as part of the GHP or applicants familiar with the NRCS conservation practices under EQIP may choose to complete the EE with the [USDA NRCS-CPA-52 form](#).

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<sup>10</sup> File name "[Attach1 EE Questionnaire for GHP\\_2025.docx](#)"

<sup>11</sup> File name "[Attach2 Crosscutters Review Table for GHP\\_2025.docx](#)"



5. For all activities, states are to complete the *Crosscutting Authorities Review Table* to determine the applicability of any of the Cross-cutting requirements and proceed with relevant compliance actions as appropriate. To complete the *Crosscutting Authorities Review Table*, states may use their existing procedures for documenting compliance with cross-cutting laws which, among other procedures, may include:
  - Use of the [EPA Regulatory and Guidance Information by Topic: Cross-Cutting Issues](#), which contains information on the laws and links to relevant compliance actions for those state activities that may trigger a cross-cutting law.
  - Existing state processes for conducting evaluation and assessments to satisfy Endangered Species Act Section 10 consultation requirements (or use of an existing Section 7 Biological Opinion or approved consultation).
  - Existing state processes for conducting assessments and ensuring compliance with CWA Sections 401 and 404, where applicable.
  - Existing state processes for conducting assessments and other compliance activities under the Archaeological and Paleontological Resources Protection Act, and the National Historical Preservation Act and/or Native American Graves Protection and Repatriation Act.
  - Existing state processes to determine if any other Cross-cutting Authorities apply.
6. The EPA Responsible Official<sup>12</sup> will review and provide documentation to the Project Officer to approve the initiation of project work. The EPA's documentation will include the following files for the record:
  - Environmental Assessment Adequacy Memorandum
  - Completed EE via *Environmental Evaluation Questionnaire and Supporting Document Checklist* or *USDA NRCS-CPA-52 form*
  - Cross-cutting Authorities Review Memorandum with the completed *Crosscutting Authorities Review Table*
  - Supporting documentation
7. Documentation of NEPA and the Cross-cutting Authorities compliance will be retained by the EPA and the states. The EPA will compile and maintain, collectively at the EPA headquarters and with the cooperative agreement files, the EEs and Cross-cutting Authorities Review and update this file on an annual basis.

### **State Workplan Activity Categories for NEPA Compliance**

State cooperative agreement activities generally fall into three categories with respect to NEPA.

#### **Category 1**

For programmatic activities that do not result in environmental impacts, such as hiring staff, outreach, and planning, states will not need to take any further action under NEPA. This category includes outreach, education, watershed assessments, data analyses, stakeholder meetings, and basic, conventional water quality monitoring (e.g., collection of water samples from rivers or lakes for analyses of chemical parameters or water-column biota, such as chlorophyll *a* levels or diatoms). States that propose to conduct biological monitoring such as electroshocking or in-stream collection of benthic (stream bottom) organisms will need to follow the procedures in Category 3 below.

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<sup>12</sup> The EPA Responsible Official is an EPA Regional Official who can sign and can be no lower than the EPA Branch Chief level or equivalent.

## Category 2

For programmatic activities that provide supplemental support for existing state programs that provide funding, supplies (e.g., seed) or other incentives to farmers to plant cover crops or implement no-till farming practices on *existing* agricultural fields, states will likely not take any further action under NEPA.

These outreach practices generally fall under the EPA categorical exclusion listed in 40 C.F.R. 6.204(a)(2)(iii)<sup>13</sup> and do not generally require further NEPA compliance. In addition, at the time of cooperative agreement award, the EPA will not know the specific locations where these voluntary incentive programs will be utilized, nor will the state grantee, but the state will indicate that these programs can be utilized on *existing* agricultural fields.

## Category 3

For programmatic activities that include implementing soil-disturbing conservation practices on *existing* farm fields, green infrastructure practices (on developed or redeveloped land) to manage stormwater in urban areas, soil-disturbing or drainage system conservation practices in areas adjacent to existing farm fields, within riparian buffer areas, wetlands, or within ditches/channels/other waters, or in undeveloped or undisturbed locations in urban areas, states will conduct an EE and the EPA will review and approve the EE before the activity is implemented. No activity can be completed, and no funding can be spent on the activity prior to the EPA's approval.

Relevant practices in this category include cover crops, reduced tillage, no-till practices, terracing, contour buffer strips, filter strips, nutrient management plans, heavy use area protection, in-field sediment basins and other practices on or within existing agricultural fields and livestock areas. Stormwater management and/or green infrastructure practices in this category are those implemented on developed or redeveloped land (i.e., not on undeveloped land, within stream corridors, or other undisturbed or natural lands). They may include bioretention, bioswales and permeable pavements. These systems use vegetation, soil media or permeable surfaces to capture, infiltrate or evapotranspire stormwater.

Activities that likely require further NEPA compliance include practices covered in the EQIP and/or WIFIA PEAs, such as:

- Two-stage ditches: open channels with established benches that provide a low-flow channel and a higher vegetated bench that is flooded during higher flows (USDA NRCS Conservation Practice 582).
- Saturated buffers: a subsurface, perforated distribution pipe used to distribute drainage system discharge beneath a vegetated buffer along its length and discharge channel (USDA NRCS CP 604).
- Bioreactors: subsurface structures built into a field that use a carbon source (e.g., wood chips) to reduce the concentration of nitrate in subsurface agricultural drainage flow (USDA NRCS CP 605).

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<sup>13</sup> 40 C.F.R. Section 6.204(a)(2) ("Certain actions eligible for categorical exclusion do not require the Responsible Official to document a determination that a categorical exclusion applies. These categorical exclusions are listed in paragraphs (a)(2)(i) through (a)(2)(x) of this section.") The EPA categorical exclusion (a)(2)(iii) include actions involving information collection, dissemination, or exchange; planning; monitoring and sample collection wherein no significant alteration of existing ambient conditions occurs; educational and training programs; literature searches and studies; computer studies and activities; research and analytical activities; development of compliance assistance tools; and architectural and engineering studies.

- Multipurpose oxbow: the return of a wetland and its functions to a close approximation of its original condition as it existed prior to disturbance on a former or degraded wetland site, along with the augmentation of wetland functions beyond the original natural conditions on a former, degraded or naturally functioning wetland site; sometimes at the expense of other functions. (USDA NRCS CPs 657, 659).
- Bank protection, stabilization or erosion control along waters of the United States.
- Water quality wetlands: Wetland created on a site location that was historically not a wetland that reduces nutrient losses and may provide wildlife habit and other co-benefits (USDA NRCS CPs 657, 658, 659).
- Cascading waterways: shaped or graded channel with suitable vegetation to convey surface water at a nonerosive velocity using a broad and shallow cross section to a stable outlet, with a series of earthen embankments or a combination ridge and channel constructed across the slope of the grassed waterway (USDA NRCS CPs 412, 638).
- Urban stormwater practices in undeveloped or otherwise undisturbed areas, such as bioretention, bioswales and permeable pavements. These systems use vegetation, soil media or permeable surfaces to capture, infiltrate or evapotranspire stormwater. Additionally, these practices are intended to reduce erosive peak flows and enhance water quality. These practices are generally used in highly modified urban environments and can help restore a more natural stream hydrography and reduce nutrients and excess sedimentation in streams. Green infrastructure applicability, siting, and design considerations are provided on the [EPA's Green Infrastructure webpage](#). (WIFIA)

To complete the EE, states may conduct a desktop and field level review for conservation and green infrastructure practice activities and complete the *Environmental Evaluation Questionnaire and Supporting Document Checklist* or applicants familiar with the NRCS conservation practices under EQIP may choose to complete the EE with the [USDA NRCS-CPA-52 form](#).

No activity can be completed, and no funding can be spent on the activity prior to the EPA's approval.

## Appendix 3: Build America, Buy America Act Summary for Clean Water Act Section 319 Grant Funded Projects

All GHP state cooperative agreement awards include a programmatic term and condition directing the state to comply with relevant requirements for infrastructure projects that may implicate the Build America, Buy America Act. States may review the information in this appendix that provides further information regarding BABA compliance for CWA Section 319 projects.

### Determination if BABA is implicated

What is the definition of a project? BABA applies specifically to infrastructure projects. In determining whether BABA is implicated, please use the definition of infrastructure project provided in 2 C.F.R. 184.3.

1. 2 C.F.R. 184.3: *Infrastructure project* is defined as any activity related to the construction, alteration, maintenance or repair of infrastructure in the United States regardless of whether infrastructure is the primary purpose of the project. See also paragraphs [\(c\)](#) and [\(d\) of Section 184.4](#).
2. The [small project general applicability waiver](#) applies to small projects **where assistance agreements or subawards under assistant agreements are less than \$250,000.**<sup>14</sup>
3. The EPA defines “project” as “any activity related to the construction, alteration, maintenance, or repair of infrastructure in the United States.” For purposes of CWA Section 319(h) grants, each individual subgrant awarded by a state (such as, through a competitive RFA process) is considered a “project,” even if multiple, separate best management practices, or BMPs, are implemented under the subgrant. If a subgrant award is above \$250,000, it is not eligible for the small project waiver. **If a state does not distribute Section 319 funds to subrecipients, the state’s annual Section 319 allocation is considered the “project.”**

Typical Nonpoint Source activities within a project. The next step is to consider the types of 1) activities, 2) the materials used, and 3) the public use of where the activities are occurring (private or public land). State NPS programs are encouraged to coordinate with the EPA as questions arise for specific projects.

1. Activities
  - If all the activities in a project support agricultural or conservation BMPs, BABA may not be implicated. The EPA Headquarters programs are examining whether agricultural conservation practices would reasonably be considered “infrastructure.”
2. Materials
  - Whether the products covered under 2 C.F.R. 184.3 are permanently incorporated into the project site. Non-permanent, temporary items used and removed during construction, and other materials or equipment that may be removed from the site are not covered under BABA (e.g., temporary scaffolding).
  - If BABA applies, the [De Minimis waiver](#) is an important implementation tool. The *De Minimis* waiver allows the use of products of non-domestic or unknown origin up to five percent of the total project cost.

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<sup>14</sup> The \$250,000 threshold applies to the federal portion of project funding.

### 3. Public use

- Project activities solely for the purchase, construction, maintenance or improvement of a private property solely for non-public use may not implicate BABA. For example, installing fencing to restrict private livestock from access on private land ([see question 8.3](#)).<sup>15</sup>
- Another example is an acid mine drainage project, if the work occurs on private land solely for personal use (with no public access), it likely will not constitute an infrastructure project and BABA may not be implicated. However, if the property includes public access or use, BABA may be implicated.
- Public access or public use may implicate BABA. Projects that include activities in populated areas may implicate BABA if they are implemented outside privately owned land. In municipal-owned lands, if practices use iron or steel products, manufactured products or construction materials as defined in 2 C.F.R. 184.3 (i.e., manufactured bioinfiltration system, raingardens using piping and plastic materials, etc.), BABA maybe implicated.
- One example of BABA potentially being implicated on private property is when attaching a home to a sewer system (lateral line connection). This activity is a connection to a treatment works and will most likely implicate BABA as the public function extends beyond private property.

### Recordkeeping

If BABA applies: The recipient is responsible for assuring projects meet BABA requirements in compliance with the terms and conditions of the grant. Often, the first step for recipients is bidding on a contract that clearly identifies the domestic preference requirements. If BABA is implicated for a project, contract and compliance documents (principally developed by a contractor) should be retained by the state for the appropriate record retention period for the grant (minimum of 3 years from the date of submission of the final Federal Financial Report, consistent with 2 C.F.R. 200.334, unless the state requirements exceed this timeframe).

- The *De Minimis* waiver allows the use of products of non-domestic or unknown origin up to five percent of the total project cost. Recordkeeping for *De Minimis* is simple, as many recipients keep a simple tabular list of items and their costs to track the *De Minimis* waiver use.

If BABA does not apply or is waived at the project level: The state NPS program should ensure that the following information is noted in the project file:

- The total cost of the award or subaward to ensure BABA compliance under the Small Projects Waiver;
- Evaluation of the materials used to implement the practices funded with the award or assistance agreement; and
- Whether the project is implemented on private property and not for public use.

### References:

OMB Guidance: [M-24-02](#) and <https://www.ecfr.gov/current/title-2/subtitle-A/chapter-I/part-184>

EPA Websites: [www.epa.gov/cwsrf/build-america-buy-america-baba](http://www.epa.gov/cwsrf/build-america-buy-america-baba)

EPA Email Inbox: [BABA-OW@epa.gov](mailto:BABA-OW@epa.gov)

Made in America Office Email Inbox: [MBX.OMB.MadeInAmerica@omb.eop.gov](mailto:MBX.OMB.MadeInAmerica@omb.eop.gov)

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<sup>15</sup> [Supplemental Questions and Answers for Build America, Buy America Act Implementation Procedures for Office of Water Federal Financial Assistance Programs](#) memorandum

#### Appendix 4: GHP Water Quality Monitoring Strategies

State workplans can support discrete and continuous real-time water quality monitoring, including:

- Continued funding support for existing monitoring systems/locations.
- Funding new monitoring locations to help measure loads and/or establish water quality trends.
- Supporting better, more cost-effective technology for water quality monitoring.

Workplans must comment on the planned water quality monitoring objective, parameters and frequency of the water quality monitoring that will be conducted, reflecting the following:

Priority Parameters for Monitoring
<p>Parameters are tiered based on the planned water quality monitoring objective:</p> <p>Tier one: Total nitrogen, total dissolved nitrogen, nitrate, total phosphorus, dissolved total phosphorus and/or orthophosphate, total suspended solids and/or suspended sediment concentration.</p> <p>Tier two: Flow data from a nearby continuous stream gage, turbidity, dissolved oxygen vertical profile*, dissolved organic carbon, chlorophyll <i>a</i>, temperature, algal toxin concentrations with observed bloom events at same time as chlorophyll <i>a</i>, and maximum lake depth**.</p> <p>Tier three: Zooplankton and phytoplankton biomass.</p> <p>* Consider dissolved oxygen profiles especially if lake hypoxia is a concern for cold and cool water fish survival.</p> <p>** Indicates a onetime measurement specific only to lakes.</p>

#### **If the GHP Water Quality Monitoring Objective is to conduct discrete and continuous real-time water quality monitoring to assess trends:**

Parameters: At a minimum, monitor for tier one parameters. Additionally, when possible, monitor for tier two parameters.

If monitoring:

- Lakes and Reservoirs, at minimum monitor monthly.
- Streams and Rivers, at minimum monitor monthly. Samples should occur across a range of stream flow conditions.
- Edge of Field, at minimum monitor monthly. However, more frequent sampling is suggested.

Considerations:

- It is sufficient to only monitor for biological parameters during the growing season.
- More frequent samples can help more clearly detect and quantify water quality trends.
- Consider deploying sensors that can measure parameters continuously such as dissolved oxygen, temperature and/or nitrate and orthophosphate. This can be especially useful in targeted areas with a goal of assessing the effectiveness of BMPs or tracking nutrient reduction.
- Consider prioritizing chlorophyll *a* sampling, especially in lakes and reservoirs, along with tier one parameters.
- Because data over long periods of time are essential to track trends, consider supplementing sample collection in water bodies with existing historical records.
- However, also consider ramping up monitoring in areas with a lack of data.
- If situated along the coast, consider extending monitoring sites to include estuary and near shore locations.

**If the GHP Water Quality Monitoring Objective is to collect data that can be used to develop numeric nutrient criteria:**

Parameters: At a minimum, monitor for tier one and tier two parameters and when possible nutrient response parameters in tier three.

If monitoring:

- Lakes and Reservoirs, at minimum collect one sample per year to characterize a range of lake characteristics across the state (broad spatial coverage) or more frequent sampling on a smaller number of lakes to understand temporal variability in different parameters (at minimum monthly samples).
- Streams and Rivers, at minimum monitor monthly. Samples should occur across a range of stream flow conditions.

Refer to the [EPA's website](#) for information on numeric nutrient criteria for lakes.