



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 2

290 BROADWAY

NEW YORK, NY 10007-1866

JUN 10 2013

Dear HEP Stakeholder:

On behalf of the U.S. Environmental Protection Agency Region 2 (EPA) and the New York-New Jersey Harbor & Estuary Program (HEP) Policy Committee, I am writing regarding the opportunity to host the HEP office.

Background of the National Estuary Program and the HEP Transition

Congress recognized the significance of preserving and enhancing coastal environments with the establishment of the National Estuary Program (NEP) in the 1987 amendments to the Clean Water Act (CWA). The purpose of the NEP is to promote the development and implementation of comprehensive management plans for estuaries of national significance threatened by pollution, development or overuse. At the request of the Governors of New York and New Jersey, the HEP was accepted into the NEP in 1988. There are 28 nationally recognized estuary programs. In the 25-plus years since the Harbor & Estuary was selected as an estuary of national significance, the HEP has proven to be an effective partnership for advancing regional efforts to achieve the fishable and swimmable goals of the Clean Water Act. The EPA will continue to work to attain these goals while also engaging the public through environmental justice and citizen science efforts. For further information about the national program and about the 28 NEPs, please visit <http://water.epa.gov/type/oceb/nep/index.cfm>.

The EPA and the HEP Policy Committee are seeking to move the HEP office outside of the EPA to a new non-federal host entity that will be the recipient of an EPA assistance agreement. This assistance agreement will be awarded as either a grant or a cooperative agreement. The HEP is currently housed at the EPA Region 2 office in New York, NY. The new host entity may be a state, interstate or local government agency; a college or university; or a non-profit organization. The host entity must be able to avoid conflicts of interest between administering the program and the regulatory requirements of federal, state and local agencies. The new HEP Director and staff will administer the program under the direction of the HEP Management Conference, which includes the EPA, numerous stakeholders and the host entity. While the Program Director and staff will be employees of the host entity, they must, first and foremost, represent the HEP Management Conference. Administering the HEP outside of EPA will increase program flexibility, provide access to funding opportunities and enhance partnerships with HEP stakeholders. Information regarding the HEP committee structure, work products, committee proceedings, planning documents and other details can be found at www.harborestuary.org.

Clean Water Act Section 320 assistance agreements must be cost-shared or matched dollar for dollar. The host entity must either provide this match, which can be either cash or in-kind services, or secure a commitment from partners to provide this match. The

match will be documented in the assistance agreement. We anticipate that \$512,000 will be available in the fall of 2013. Future year allocations are subject to Congressional appropriations.

The EPA will continue to participate on the Policy and Management Committees, and will generally participate in all other committees and work groups along with the new host entity.

Host Entity Responsibilities

The EPA is seeking a non-federal host entity whose responsibilities would include the following:

1. Meet the EPA eligibility criteria for an annual Clean Water Act Section 320 assistance agreement. This topic is more fully addressed under the section of this letter entitled “Submittal of the Statement of Interest” (see below).
2. Administer the Clean Water Act Section 320 assistance agreement that supports the HEP for the purposes and activities approved by the Management Conference.
3. Provide a HEP Director, program staff, and space and support services for these individuals.
4. Provide, or receive a commitment from its partners to provide, an acceptable 1:1 match for all Section 320 funds received. Cash or in-kind services are eligible as match.
5. Provide strong bi-state leadership and equally represent the states of New York and New Jersey.
6. Secure and leverage financial and technical resources to support HEP priorities.
7. Implement the actions identified in the HEP Comprehensive Conservation and Management Plan (CCMP), Action Plan and other strategic documents approved by the HEP Policy Committee.
8. Implement HEP activities through the administration and performance of an annual work plan under the EPA assistance agreement.
9. Provide technical and administrative support to Program work groups and committees.
10. Provide leadership and work with stakeholders through the existing HEP structure to carry out Program objectives for this unique bi-state program.
11. Provide expertise to the HEP Management Conference in the areas of water quality improvement, regional sediment management, habitat restoration and protection, climate change, environmental justice, environmental stewardship, research needs and citizen science.
12. Produce documents geared toward non-technical audiences, including periodic State of the Estuary Reports on status and trends.
13. Conduct outreach activities with citizens, resource managers and elected officials on environmental issues. Produce multilingual outreach materials, as needed.

In recognition of the HEP's status as an NEP, and its charge to work cooperatively and collaboratively with diverse partners, the HEP shall provide an open, neutral forum for debate, discussion, and problem-solving of priority issues within the watershed. The Program Director shall refrain from taking any legal or regulatory action, on behalf of the HEP, against a regulatory agency or other entity represented within any standing committees.

We encourage all entities interested in submitting a Statement of Interest to review the most recent annual program guidance at <http://www.harborestuary.org/reports/NEP-FY2012-FundingGuidance-Dirs013112toRegs.pdf> and the National Estuary Program Evaluation Guidance at http://water.epa.gov/type/oceb/nep/upload/2011_final_pe_guidance.pdf to make sure that they have the skills and experience to serve as the host entity. The Evaluation Guidance contains the criteria for determining if an NEP is making progress in implementing its CCMP, and lays out performance measures that must be met to ensure continued funding from EPA.

Submittal of Statement of Interest

If you are interested in submitting a Statement of Interest, we encourage you to visit the EPA Region 2's grants webpage (<http://www.epa.gov/region02/grants/>), which includes a grant application kit (<http://www.epa.gov/region02/grants/kit.htm>). You are not required to submit a grant application with your Statement of Interest. Non-profit entities are encouraged to review the last two items on the kit webpage entitled "Information for Non-Profit Organizations" and "Mandatory Grants Management Training for Non-Profit Recipients." Non-profit entities should also review the EPA's Non-Profit Guidance webpage (<http://www.epa.gov/region02/grants/nonprofit.html>) and the EPA Administrative Capability Questionnaire (http://www.epa.gov/region02/grants/pdfs/omb_pre-awardform0412.pdf).

Your Statement of Interest should address all of the topics contained in the attachment to this letter, should not exceed 15 pages, and must be submitted by 5:00 p.m. EST on August 26, 2013. It may be submitted via certified mail, hand-delivery, or email. Facsimiles will not be accepted.

Statements of Interest submitted via certified mail or hand-delivery must be accepted by EPA and signed for by the Chief of the Watershed Management Branch or his designee. Statements of Interest should be addressed as follows:

Richard P. Balla
Chief, Watershed Management Branch
U.S. EPA, Region 2
290 Broadway, 24th Floor
New York, NY 10007-1866

Statements of Interest submitted by email must be sent to WatershedManagement.Region2@epa.gov.

The EPA expects to make a final selection by September 30, 2013. The host entity that the EPA selects will be invited to submit an application for the annual Clean Water Act Section 320 funds.

Informational Meeting – June 26

The EPA will conduct an informational meeting on June 26, 2013. This meeting will start at 10 a.m. and will be held in Room 27A at the EPA office at 290 Broadway, New York, NY. Please email WatershedManagement.Region2@epa.gov, by June 19, 2013, if you plan to participate in this event in person or via webinar. Call-in and webinar information will be provided. The EPA will discuss eligibility requirements to serve as a host entity, assistance agreements and match requirements, and will answer questions.

Please forward this letter to any other entities that might be interested in submitting a Statement of Interest. We look forward to hearing from you.

Sincerely,

A handwritten signature in blue ink, appearing to read "Joan Leary Matthews".

Joan Leary Matthews, Director
Clean Water Division

Request for Statements of Interest – NY/NJ Harbor & Estuary Program
Attachment

In your Statement of Interest to serve as the host entity¹ for the NY/NJ Harbor & Estuary Program, please address each of the following items in the order presented, using the headings and numbering system below.

Alignment with Mission:

1. Your interest in hosting the program.
2. The relationship between your organization's mission to that of the HEP.
3. Your vision as to how the hosting arrangement will be established to ensure that the HEP will have relative autonomy and an identity distinct from that of your organization, if appropriate.

Leadership and Partnerships:

1. Your ability to provide strong bi-state leadership and expertise in the areas of water quality improvement, regional sediment management, habitat restoration and protection, climate change, environmental stewardship, research needs and citizen science.
2. Your ability to foster interaction, establish new partnerships, enhance existing partnerships and work together with diverse stakeholders, including underserved communities, throughout the HEP's designated study area in New York and New Jersey. (See <http://harborestuary.org/geography.htm>).
3. Your organization's experience and capacity to support and manage effective partnerships and collaborative relationships with federal, state, interstate, regional and local regulatory entities and non-governmental organizations.
4. Information about the financial and technical resources that you will provide to support the HEP office. If you are submitting a Statement of Interest with other partners, clearly define the role of each partner.
5. Your plan to staff the HEP office, including the process for selecting the director.
6. Letters of support from partners that substantiate their specific roles and a commitment to partner with you as the host entity. Letters of support do not count toward your 15-page Statement of Interest.

Ability to Leverage Additional Resources:

1. Your ability to secure and leverage financial and technical resources to support HEP priorities, including items in the Comprehensive Conservation and Management Plan and subsequent planning documents. Please provide your specific plan for leveraging these resources.
2. Your past performance in applying for and receiving funding from government agencies and non-governmental entities.

¹ If an applicant indicates in the Statement of Interest that it intends to create a new entity, e.g., non-profit, to host the HEP, the applicant should partner with an existing entity when submitting the Statement of Interest. The Statement of Interest should indicate that the existing entity would be the grant recipient and program host until the new entity is eligible to receive a grant from EPA.

Communication and Outreach:

1. Your past performance in conducting outreach activities with the general public, resource managers and elected officials on environmental matters.
2. Your plan for expanding the conversation on environmentalism and working for environmental justice, including outreach and protection for communities that have been historically underrepresented in decision-making.
3. Your ability and plans to produce written and web-based documents and presentations geared toward non-technical audiences. One example would be producing periodic State of the Estuary Reports on status and trends of the Harbor and Estuary.

Programmatic Capability and Past Performance:

1. Your knowledge and understanding of federal, state, interstate and local environmental statutes and regulations pertaining to water quality, sediment quality, and coastal zone management.
2. Your experience in successfully administering grants or cooperative agreements especially from EPA, other federal entities, or the States of New York and New Jersey.
3. The location(s) where the HEP Director and program staff will be physically housed and where HEP meetings will occur. Applicants must provide meeting locations that are reasonably accessible for both New York and New Jersey participants.
4. Discuss how you would potentially use the \$512,000 of federal fiscal year 2013 Clean Water Act Section 320 funding for HEP activities, including the amount used to support projects, program staff, the day-to-day activities of the program staff, and the environmental outputs and outcomes resulting from the activities undertaken.²
5. Your organization's financial and human resources capabilities, including the following:
 - a. Experience in managing budgets.
 - b. The indirect rate that your organization has negotiated for federal funds. Indirect rates can include rent, utilities, information technology support, etc.
 - c. Fiscal controls and capacity to manage federal assistance agreements.
 - d. Experience with EPA assistance agreements and EPA fiscal procedures including reporting and auditing.
 - e. Human resource management capacity to attract and retain qualified persons.
 - f. Ability to provide the required 1:1 non-federal match. Describe the non-federal sources and types of match that you will likely provide along with an assurance as to how the match will be provided each year.

² The final workplan must be approved by the HEP Policy Committee, must contain well-defined outputs, and to the maximum extent practicable, well-defined outcomes. Definitions and related documents are available at <http://www.epa.gov/ogd/grants/assistance.htm>