

	<b>U.S. ENVIRONMENTAL PROTECTION AGENCY</b>  <b>Cooperative Agreement</b>	<b>GRANT NUMBER (FAIN):</b> 02D42125 <b>MODIFICATION NUMBER:</b> 0 <b>PROGRAM CODE:</b> 4T	<b>DATE OF AWARD</b> 04/07/2026
		<b>TYPE OF ACTION:</b> New	<b>MAILING DATE</b> 04/10/2026
		<b>PAYMENT METHOD:</b> ASAP	<b>ACH#</b> 40863
		<b>RECIPIENT TYPE:</b> County	
<b>RECIPIENT:</b> COUNTY OF CHARLOTTE BUDGET AND ADMINISTRATIVE SERVICES DEPT. 18500 MURDOCK CIRCLE Ste 423 PORT CHARLOTTE, FL 33948-1068 EIN: 59-6000541		<b>PAYEE:</b> COUNTY OF CHARLOTTE BUDGET AND ADMINISTRATIVE SERVICES DEPT. 18500 MURDOCK CIRCLE Ste 423 PORT CHARLOTTE, FL 33948-1068	
<b>PROJECT MANAGER</b> Jennifer Hecker 1050 Loveland Blvd Port Charlotte, FL 33108-3 Email: jhecker@chnep.org Phone: 941-833-6583		<b>EPA PROJECT OFFICER</b> Jacob Netemeyer 61 Forsyth St. S.W. Atlanta, GA 30303-8960 Email: netemeyer.jacob@epa.gov Phone: 404-562-9281	
		<b>EPA GRANT SPECIALIST</b> Jimmy Robinson Grants Management Section 61 Forsyth St. S.W. Atlanta, GA 30303-8960 Email: Robinson.jimmy@epa.gov Phone: 404-562-9694	
<b>PROJECT TITLE AND DESCRIPTION</b> National Estuary Program See Attachment 1 for project description.			
<b>BUDGET PERIOD</b> 10/01/2025 - 09/30/2030	<b>PROJECT PERIOD</b> 10/01/2025 - 09/30/2030	<b>TOTAL BUDGET PERIOD COST</b> \$ 909,800.00	<b>TOTAL PROJECT PERIOD COST</b> \$ 909,800.00
<b>NOTICE OF AWARD</b>			
<p>Based on your Application dated 05/30/2025 including all modifications and amendments, the United States acting by and through the US Environmental Protection Agency (EPA) hereby awards \$ 909,800.00. EPA agrees to cost-share <u>100.00%</u> of all approved budget period costs incurred, up to and not exceeding total federal funding of \$ 909,800.00. Recipient's signature is not required on this agreement. The recipient demonstrates its commitment to carry out this award by either: 1) drawing down funds within 21 days after the EPA award or amendment mailing date; or 2) not filing a notice of disagreement with the award terms and conditions within 21 days after the EPA award or amendment mailing date. If the recipient disagrees with the terms and conditions specified in this award, the authorized representative of the recipient must furnish a notice of disagreement to the EPA Award Official within 21 days after the EPA award or amendment mailing date. In case of disagreement, and until the disagreement is resolved, the recipient should not draw down on the funds provided by this award/amendment, and any costs incurred by the recipient are at its own risk. This agreement is subject to applicable EPA regulatory and statutory provisions, all terms and conditions of this agreement and any attachments.</p>			
<b>ISSUING OFFICE (GRANTS MANAGEMENT OFFICE)</b>		<b>AWARD APPROVAL OFFICE</b>	
<b>ORGANIZATION / ADDRESS</b> U.S. EPA, Region 4 61 Forsyth Street Atlanta, GA 30303-8960		<b>ORGANIZATION / ADDRESS</b> U.S. EPA, Region 4, Water Division R4 - Region 4 61 Forsyth St. S.W. Atlanta, GA 30303-8960	
<b>THE UNITED STATES OF AMERICA BY THE U.S. ENVIRONMENTAL PROTECTION AGENCY</b>			
<b>Digital signature applied by EPA Award Official</b> Shantel Shelmon - Grants Management Officer			<b>DATE</b> 04/07/2026

## EPA Funding Information

FUNDS	FORMER AWARD	THIS ACTION	AMENDED TOTAL
EPA Amount This Action	\$ 0	\$ 909,800	\$ 909,800
EPA In-Kind Amount	\$ 0	\$ 0	\$ 0
Unexpended Prior Year Balance	\$ 0	\$ 0	\$ 0
Other Federal Funds	\$ 0	\$ 0	\$ 0
Recipient Contribution	\$ 0	\$ 0	\$ 0
State Contribution	\$ 0	\$ 0	\$ 0
Local Contribution	\$ 0	\$ 0	\$ 0
Other Contribution	\$ 0	\$ 0	\$ 0
Allowable Project Cost	\$ 0	\$ 909,800	\$ 909,800

Assistance Program	Statutory Authority	Regulatory Authority
66.456 - National Estuary Program	Clean Water Act: Sec. 320 & Infrastructure Investment and Jobs Act (IIJA) (PL 117-58)	2 CFR 200, 2 CFR 1500, 40 CFR 33 and 40 CFR 35 Subpart P

Fiscal									
Site Name	Req No	FY	Approp. Code	Budget Organization	PRC	Object Class	Site/Project	Cost Organization	Obligation / Deobligation
-	2604WGG029	26	BSD	04T00RR	000B89X76	4154	-	-	\$ 909,800
									\$ 909,800

Budget Summary Page

Table A - Object Class Category (Non-Construction)	Total Approved Allowable Budget Period Cost
1. Personnel	\$ 0
2. Fringe Benefits	\$ 0
3. Travel	\$ 0
4. Equipment	\$ 0
5. Supplies	\$ 0
6. Contractual	\$ 599,800
7. Construction	\$ 0
8. Other	\$ 310,000
9. Total Direct Charges	\$ 909,800
10. Indirect Costs: 0.00 % Base	\$ 0
11. Total (Share: Recipient <u>0.00</u> % Federal <u>100.00</u> %)	\$ 909,800
12. Total Approved Assistance Amount	\$ 909,800
13. Program Income	\$ 0
14. Total EPA Amount Awarded This Action	\$ 909,800
15. Total EPA Amount Awarded To Date	\$ 909,800

## Attachment 1 - Project Description

This action provides funding in the amount of \$909,800 under the Infrastructure Investment and Jobs Act (IIJA) (PL 117-58) to the County of Charlotte Coastal and Heartland to assist National Estuary Program (NEP), Florida in supporting the implementation of the Comprehensive Conservation and Management Plan (CCMP) and Strategic Plan to improve water quality, protect the natural habitat and living resources, and support sustainable human uses. The activities include protecting and restoring critical habitats, including wetlands, and addressing challenging issues that threaten the ecological and economic well-being of NEP watersheds and communities; supporting water quality protection and restoration, including Total Maximum Daily Load plan implementation; monitoring and addressing toxics, pathogen loads and contamination; implementing stormwater management practices that reduce non-point source pollution impacts; promoting the adoption of green and nature-based infrastructure approaches; preventing the spread of aquatic invasive species and/or managing their impacts; developing and implementing nutrient reduction strategies; measuring, monitoring, developing, and implementing adaptation strategies and using adaptation tools to promote coastal resilience; and developing and implementing strategies to increase opportunities for disadvantaged communities to access, enjoy, and benefit from surface waters and waterways, participate in ecosystem restoration, and engage in capacity-building or educational activities. NEPs may also use funds to support other activities identified in the CCMP, including projects that build organizational or financial capacity. NEP Regional Coordinators can answer specific questions on eligible uses.

The anticipated deliverables include GPRA Reporting through the EPA NEPORT. The expected outcomes include fully informed and engaged CHNEP Management Conference, other federal, state, and non-profit grants obtained to funding CCMP implementation and Increased participation by NEP mission partners. The intended beneficiaries include the citizens of the State of Florida.

Charlotte County Vulnerability Assessment; Polk County Vulnerability Assessment; Pine Island Flatwoods Restoration; CHNEP Water Atlas; Maintenance and Improvements; Other Vulnerability Assessments and Restoration Projects to be determined.

## Administrative Conditions

### National Administrative Terms and Conditions

#### General Terms and Conditions

The recipient agrees to comply with the current Environmental Protection Agency (EPA) general terms and conditions available at: <https://www.epa.gov/grants/epa-general-terms-and-conditions-effective-october-1-2025-or-later>

These terms and conditions are in addition to the assurances and certifications made as a part of the award and the terms, conditions, or restrictions cited throughout the award.

The EPA repository for the general terms and conditions by year can be found at: <https://www.epa.gov/grants/grant-terms-and-conditions#general>.

#### A. Correspondence Condition

The terms and conditions of this agreement require the submittal of reports, specific requests for approval, or notifications to EPA. Unless otherwise noted, all such correspondence should be sent to the following email addresses:

- Federal Financial Reports (SF-425): [rtpfc-grants@epa.gov](mailto:rtpfc-grants@epa.gov) and Jacob Netemeyer, Netemeyer.jacob@epa.gov; Jimmy Robinson, Robinson.jimmy@epa.gov
- All other forms/certifications/assurances, Indirect Cost Rate Agreements, Requests for Extensions of the Budget and Project Period, Amendment Requests, Requests for other Prior Approvals, updates to recipient information (including email addresses, changes in contact information or changes in authorized representatives) and other notifications: Jacob Netemeyer, Netemeyer.jacob@epa.gov; Jimmy Robinson, Robinson.jimmy@epa.gov
- Payment requests (if applicable): Jacob Netemeyer, Netemeyer.jacob@epa.gov; Jimmy Robinson, Robinson.jimmy@epa.gov
- Quality Assurance documents, workplan revisions, equipment lists, programmatic reports and deliverables: Jacob Netemeyer, Netemeyer.jacob@epa.gov

# Programmatic Conditions

## National Estuary Program (NEP) – Bipartisan Infrastructure Law (BIL)

### Programmatic Terms and Conditions

#### A. PERFORMANCE REPORTING AND FINAL PERFORMANCE REPORTS

Performance reports are required for all open EPA cooperative agreement awards. In accordance with 2 CFR 200.328, the recipient agrees to include in performance reports submitted under this agreement and pursuant to the Infrastructure Investment and Jobs Act (IIJA) and the National Estuary Program IIJA Implementation Memorandum for Fiscal Years 2022-2026 dated July 26, 2022.

The purpose of this report is to provide a clear record of how IIJA funds were spent during the reporting period. This may align with the current regional schedule of reporting for CWA §320 annual appropriations but a separate header is needed. In addition, EPA expects each NEP to identify IIJA projects within the existing NEP Online Reporting Tool (NEPORT) database where relevant, and to build a separate mechanism for reporting and tracking other required metrics for IIJA funding.

Regularly scheduled NEP Program Evaluations will include documentation and results of IIJA projects as they proceed. Evaluations should consider tracking and reporting information collected over the life of the projects. As a part of CCMP implementation, the IIJA-funded activities should be included in the program evaluation packages as appropriate.

The recipient will submit annual Government Performance and Results Act (GPRA) reporting information to EPA as specified in the annual program funding guidance by the date stipulated or date determined by HQs.

#### Performance Reports – Frequency

The recipient shall submit, to the EPA Project/Technical Officer, annual workplan & CCMP progress performance reports (electronically) as follows: 1) Midyear progress report for the period Oct 1st – March 31<sup>st</sup>; current FY, due to EPA by April 30<sup>th</sup> or last workday in April. 2) Bulleted list of MAJOR BIL program accomplishments (3 to 5) due to EPA by September 1st or first workday in September and 3) END OF YEAR program accomplishment report; reporting period from Oct 1 – Sept. 30<sup>th</sup>, current FY; due to EPA on October 30<sup>th</sup> or last business workday in October. The above schedule is consistent with NEP CWA 320 progress reporting timeline and project elements.

In accordance with 2 CFR 200.328(2)(d)(1), the recipient agrees that it will notify EPA of problems, delays, or adverse conditions which materially impair the ability to meet the outputs/outcomes specified in the assistance agreement work plan.

#### Final Performance Report (Close out/deliverables):

The recipient agrees to submit electronic copies of the Final Performance Report to the EPA Grant Project Officer/Technical Officer. The Final Project Report is due no later than **120 days** after the end of the budget/project period.

After the final expenditure of IIJA funds, NEPs shall provide a final narrative that includes any agreed-upon work-product(s) resulting from the project(s).

#### B. Subaward Performance Reporting

The recipient must report on its subaward monitoring activities under 2 CFR 200.331(d). IIJA Compliance tracking/reporting requirements extend to sub-awardees. Examples of items that must be reported if the pass-through entity has the information available are:

1. Summaries of results of reviews of financial and programmatic reports.
2. Summaries of findings from site visits and/or desk reviews to ensure effective subrecipient performance.
3. Environmental results the subrecipient achieved.
4. Summaries of audit findings and related pass-through entity management decisions.

5. Actions the pass-through entity has taken to correct deficiencies such as those specified at 2 CFR 200.331(e), 2 CFR 200.207 and the 2 CFR Part 200.338 Remedies for Noncompliance.

**C. Federal Funding Accountability and Transparency Act (FFATA) Reporting Requirements for Sub-award and Executive Compensation.** Purpose: To describe new Federal reporting requirements for EPA assistance agreement recipients. If, during the preceding fiscal year, a prime recipient or sub-recipient (a "prime" recipient is the recipient of record, the entity to which the Federal government makes an award; a "sub-recipient" is a sub-awardee at any other level down from the prime recipient) meets all three criteria listed below, then for each sub-award of \$30,000 or more that the recipient provides, the recipient must enter into the FFATA Subaward Reporting System (FSRS) the total compensation of its five most highly-paid executives: • the recipient received 80% or more of its annual gross revenue in Federal procurement contracts and financial assistance, and • the recipient received \$25,000,000 or more in annual gross revenues from Federal procurement contracts and financial assistance, and • there are no regularly-filed, publicly-available reports depicting the total compensation of the recipient's five most highly-paid executives. • The policy is available at: <https://fsrs.gov/>

#### **D. PROGRAM IJJA AUTHORITY**

During the performance period of this award, all recipients of grants or cooperative agreements awarded under the statute (IJJA of 2021 P.L. 117-58) are not required to provide match for IJJA FY25 and FY 26 funding. EPA waives the previous non-Federal match/cost-share requirements and strategies for IJJA funds for all NEPs. The recipient agrees to have financial management and programmatic management systems in place to track and report on expenditures of IJJA/IJJA funds including outputs and outcomes.

#### **E. AWARDING IJJA FUNDS**

In accordance with Policy Notice Number PN-2022-G03 regarding "Split Funding", EPA has determined, based on anticipated OMB direction for accounting, tracking, reporting on, documenting and conditioning IJJA funds as well as the need to facilitate effective transaction testing for expenditures of IJJA grant funds, that EPA will not combine IJJA appropriations and "regular" annual appropriations in the same grants. Regions have the flexibility to use the funding mechanism of their choice (annual, incremental, supplemental, etc.).

#### **F. FUNDS TRACKING**

NEPs must track IJJA funds separately from other funds received. Reporting measures and schedules initially will align where possible with CWA 320, however, a separate header for reporting, tracking is needed to better identify IJJA activities in these combined reports.

Routine IJJA financial tracking and updates to NEPs Management Conference (MC) will be conducted and shared during program scheduled meetings (NEP MC meeting packages).

However, EPA using existing agency systems (COMPASS) will track IJJA funds Quarterly and reports will be shared with each NEP for IJJA fund withdrawals and reimbursements, if applicable. Additional tracking requirements may be amended and added to these Terms and Conditions, if needed.

#### **G. IJJA FUNDING ELIGIBLE USES**

Eligible NEP projects funded through IJJA should accelerate and more extensively implement NEPs Comprehensive Conservation Management Plans (CCMPs) to build the adaptive capacity of ecosystems and communities to recurring extreme weather events and efforts leveraging additional resources, to the extent possible.

In accordance with 40 CFR 30.36, EPA has the right to reproduce, publish, use, and authorize others to use copyrighted works developed under this assistance agreement for Federal purposes.

#### **H. PROHIBITION OF FILL ACTIVITIES**

No funding under this agreement shall be used to support the placement of fill, pilings, or platforms directly or indirectly in open waters, near shore waters, or wetlands to create artificial islands or serve as infrastructure for commercial development or new land for purposes other than habitat restoration.

#### **I. ANNUAL IJJA WORKPLAN**

Each NEP must develop a detailed Management Conference approved IIJA Workplan and budget sheet(s) to EPA (Grants.gov) by June 1 of each year.

NEP's can submit workplan and budget into Grants.gov for FY26, with no match requirement. IIJA Funding is only available annually through FY26.

#### **Workplan elements:**

Annual IIJA Workplans can be submitted in the same format as annual appropriations workplans per the NEP funding guidance and must contain at a minimum the following workplan elements (refer to IIJA Implementation Memo):

- CCMP Goals and IIJA-supported tasks or activities related to each.
- Discussion of how projects reflect IIJA priorities and implement their CCMP, particularly with respect to how the proposed work may provide stressor adaptation or mitigation co-benefits, and support CCMP goals.
- Budget and personnel per SF 424 (FFR) categories.

#### **J. COMPETENCY OF ORGANIZATIONS GENERATING ENVIRONMENTAL MEASUREMENT DATA**

In accordance with EPA's Policy to Assure the Competency of Organizations Generating Environmental Measurement Data under Agency-Funded Assistance Agreements, for all awards where the maximum value of the assistance agreement will exceed \$200,000 in federal funding and the project will involve the generation or use of environmental data, the Recipient will be required to demonstrate competency prior to award.

Alternatively, where a pre-award demonstration of competency is not practicable, the Recipient must demonstrate competency prior to carrying out any activities under the award involving the generation or use of environmental data. The Recipient shall maintain competency for the duration of the project period of this agreement and this will be documented during the annual reporting process. A copy of the Policy, including methods by which competency may be demonstrated, is available online at [http://www.epa.gov/fem/lab\\_comp.htm](http://www.epa.gov/fem/lab_comp.htm).

#### **K. QUALITY ASSURANCE PROJECT PLAN**

The recipient will develop Quality Assurance Project Plans (QAPP) for all applicable projects and tasks involving environmental information operations in accordance with the most current version of EPA *Quality Assurance Project Plan Standard*. Regional guidance documents and national guidance documents may be helpful in meeting the requirements.

Grantees implementing environmental projects that include: 1) direct measurement, sampling or observation activities, 2) environmental modeling, 3) use of existing data, 4) use of survey results, or 5) calculation of environmental outcomes must prepare and implement a Quality Assurance Project Plan (QAPP/Quality Management Plan (QMP – *if applicable*)).

The grantee shall submit to the appropriate EPA personnel; including but not limited to the Project Officer, Technical Officer and/or Tribal Coordinator, etc. an approvable signed QAPP (QMP, if applicable) prior to any data collection. The EPA will review the QAPP/QMP to ensure that it meets the updated Quality Directives (QA), [CIO 2105.4](#) (March 20, 2024), programmatic needs, is consistent with the approved workplan and includes all the required QAPP/QMP elements and QA standards. Quality Directives consists of policy, procedures, standards and guidance. Once the QAPP/QMP is approved and signed by the EPA Designated approving official or Regional Quality Assurance Manager (DAO/RQAM) and TO/PO, if applicable, the EPA approved QAPP is forwarded to the recipient as the official file and for record keeping. The QAPP is good for 5 years from the date EPA signed.

For organizations with an EPA-approved Quality Management Plan, (QMP) where applicable, the recipient will submit an annual update letter to EPA documenting progress over the year and any changes to the QMP. Annual update letters will be sent every year for four years until the expiration of the QMP (five years from initial EPA approval). Annual QA update letters will be sent to the EPA Project/Technical Officer and the RQAM on the anniversary of the approval of the QMP by the RQAM; or on another mutually agreeable schedule. In addition, for multi-year projects, the grantee shall confirm that the QAPP is current and accurate.

No data collection/use activities may occur until the QAPP/QMP (if applicable) has been reviewed and approved by EPA.

#### **L. DATA MANAGEMENT**

The NEP will organize and maintain all environmental data collected through funding generated under this cooperative agreement in a manner that allows potential users of the NEP data to readily identify data of interest, access those data for use, and determine the suitability of those data for other users based on readily available QA/QC and methodology summaries. NEP metadata integrity must be assured. The NEP will inform the EPA Project Officer and TO/Program Manager. In writing of the name of the entity or organization responsible for maintaining the NEP collected data and the method of data access.

#### **M. TRAVEL**

A NEP Management Conference may allocate additional funds above \$10,000 per FY grant award for travel within the workplan and cooperative agreement at their discretion. These funds are to cover travel for the Director, staff and other non-federal individuals to: (1) report on IJJA & CWA 320 activities of the Management Conference at regional and national meetings called on behalf of the National Estuary Program (e.g., Regional and National NEP meetings, NEP Technical meetings/Conferences, etc.) and/or (2) provide peer-to-peer technical assistance to other NEP Management Conferences or neighboring communities. As a requirement of this cooperative agreement, the NEP Director is required to attend all national or regional meetings called on behalf of the program. Under extenuating circumstances, such as family emergencies or conflict in meeting dates caused by previously scheduled events, a NEP Director may delegate attendance to a senior staff member from the NEP.

#### **N. NEP KEY PERSONNEL**

The key personnel specified on the Cooperative Agreement Key Contacts form are considered to be essential to work performance. The process to enact changes to personnel is defined by each program's Management Conference (MC) and/or host agency. The Grantee shall notify the EPA Project Officer/Technical Officer or Program Manager of any changes in Key Contacts, as approved by the NEP MC, within 30 days.

#### **O. DIRECTOR PERFORMANCE EVALUATION**

The governing body of each NEP Management Conference shall establish guidelines for an annual NEP Director Performance Evaluation. Results of the Director Performance Evaluation shall be provided to the EPA Project Officer/Technical Officer/Program Manager within 30 days of the evaluation.

#### **P. EPA'S SUBSTANTIAL INVOLVEMENT**

In accordance with the EPA Order 5700.1, Section 7(b)(1), the agreement is being awarded as a cooperative agreement per 2 CFR 200.24 due to EPA's role in this agreement under IJJA and Section 320, Clean Water Act. EPA will provide substantial involvement in the form of technical assistance, development of outputs, and oversight. Specifically, substantial federal involvement will take the form of monitoring the project/program by EPA; participation and collaboration between EPA and the recipient in program content; review of project progress, and quantification and reporting of results. The tasks/activities involve annual on-site NEP visit to see on the ground project/program progress & success (beginning, ending & ongoing), member of Management Conference (Management/Policy Board/Committee/Council), TA to ad hoc technical/communication committees; EPA may serve as chair and co-chair on highest NEP decision board (advisory), and TO-review workplan & budget (reimbursements & ULOs) to ensure CCMP implementation/progress.

#### **Q. SUFFICIENT PROGRESS**

In accordance with GPI 11-01 "Managing Unliquidated Obligations and Ensuring Progress under EPA Assistance Agreements" dated September 28, 2012, EPA may terminate the assistance agreement for failure of the recipient to make sufficient progress on work and on drawing down funds, so as to reasonably ensure completion of the project within the project period, including any extensions. EPA will measure sufficient progress by examining the performance required under the work plans in conjunction with the milestone schedule, the time remaining for performance within the project period, the availability of funds necessary to complete the project, and whether draw down funds is commensurate with work progress. In accordance with 2 CFR 200.98, unobligated balance means the amount of funds under a federal award that the non-Federal entity has not obligated.

#### **R. PRODUCT SUBMISSION**

The NEP is responsible for submitting final scientific and technical products/reports produced under this cooperative agreement electronically to the National Technical Information Service (NTIS) and the EPA PO/TO/Program Manager as follows:

- **Electronic Documents: Two ways to submit:**

**URL:** If the documents exist on an agency website, please notify NTIS in an email message to [input@ntis.gov](mailto:input@ntis.gov) and to the EPA PO/TO/Program Manager, etc. Please specify the URL address where the documents can be found.

**Email:** Please attach pdf or common electronic formatted documents in an email addressed to [input@ntis.gov](mailto:input@ntis.gov) and to the EPA PO/TO/Program Manager.

Each final scientific and technical product/report produced by the NEP under this cooperative agreement must be available to the public for download through the NEP's website directly or through a link to an FTP site or other means of distribution.

## S. CYBERSECURITY CONDITION

The recipient agrees that when collecting and managing environmental data under this assistance agreement, it will protect the data by following all applicable State law cybersecurity requirements. EPA must ensure that any connections between the recipient's network or information system and EPA networks used by the recipient to transfer data under this agreement, are secure.

For purposes of this Section, a connection is defined as a dedicated persistent interface between an Agency IT system and an external IT system for the purpose of transferring information.

Transitory, user-controlled connections such as website browsing are excluded from this definition.

If the recipient's connections as defined above do not go through the Environmental Information Exchange Network or EPA's Central Data Exchange, the recipient agrees to contact the EPA Project Officer/Technical Officer (PO/TO), etc. and work with the designated Regional/Headquarters Information Security Officer to ensure that the connections meet EPA security requirements, including entering into Interconnection Service Agreements as appropriate. This condition does not apply to manual entry of data by the recipient into systems operated and used by EPA's regulatory programs for the submission of reporting and/or compliance data.

The recipient agrees that any subawards it makes under this agreement will require the subrecipient to comply with the requirements in (b)(1) if the subrecipient's network or information system is connected to EPA networks to transfer data to the Agency using systems other than the Environmental Information Exchange Network or EPA's Central Data Exchange.

The recipient will follow this condition: by including this requirement in subaward agreements; and during subrecipient monitoring deemed necessary by the recipient under 2 CFR 200.331(d), by inquiring whether the subrecipient has contacted the EPA. Nothing in this condition requires the recipient to contact the EPA on behalf of a subrecipient or to be involved in the negotiation of an Interconnection Service Agreement between the subrecipient and EPA.

### 2. Public or Media Events

EPA encourages the recipient to notify the EPA Project Officer listed in this award document of public or media events publicizing the accomplishment of significant events related to construction projects as a result of this agreement and provide the opportunity for attendance and participation by federal representatives with at least ten (10) working days' notice.

## T. OTHER AWARD CONSIDERATIONS

- **Fully enforce civil rights.** EPA's nondiscrimination regulations prohibit recipients of EPA financial assistance from taking actions in their programs or activities that are intentionally discriminatory and/or have a discriminatory effect based on race, color, national origin (including limited English proficiency), age, disability or sex. NEP funding under the IJA should ensure compliance with civil rights laws. EPA will provide interested NEPs with technical assistance and training to support their compliance with Title VI obligations

- **Compliance with Build America Buy America Act Requirements.** Congress passed the Build America Buy America (BABA) Act in 2021, concurrently with the IIJA. Congress established this domestic preference program to create long-term opportunities for domestic manufacturers and manufacturing jobs, and to build resilient domestic supply chains for a wide range of products used in construction and infrastructure, including iron and steel products, manufactured products, and construction materials. EPA will work with the NEPs to determine the types of products that may be covered by this new law and will support compliance where necessary.
- **Compliance with the Federal Flood Risk Management Standard for built infrastructure.** Where appropriate, projects should incorporate the *Federal Flood Risk Management Standard* (FFRMS) defined in Executive Order 13690 to improve the resilience of communities, ensuring that federal investments located in or near floodplains are designed to be resilient to the impacts of flooding. The FFRMS requires that new construction, or significant improvements, of structural infrastructure funded using federal financial assistance be elevated to withstand local flood risk conditions. More information can be found at: <https://www.fema.gov/floodplain-management/intergovernmental/federal-flood-risk-management-standard>

U. Technical Officer, Felicia Burks @ burks.felcia@epa.gov or 404-562-9371.