



## U.S. Environmental Protection Agency - Region 10

### Clean Water Act Section 106 Tribal Program FY17 Funding Announcement

(For proposals beginning 10/1/16 using FFY2016 funds, start dates may vary)

#### NEW CONTENT for FY2017:

- Draft work plans and budgets are due Friday, January 15, 2016.
  - See "Important Dates" on page 2.
- Final applications must be submitted through Grants.gov.
  - See "Important Dates" on page 2.
- New Tribal 106 Regional Contact: Krista Mendelman.
  - See page 6.
- This announcement references the R10 Indian General Assistance Program Funding Announcement where the information is the same.

**CFDA Number: 66.419** (Water Pollution Control Grants, Clean Water Act Section 106)

**CFDA Number: 66.605** (Performance Partnership Grants)

#### **DESCRIPTION**

**Overview:** Clean Water Act (CWA) Section 106 provides funding to support water pollution control programs. Section 518 of the 1987 amendments provides a mechanism for Tribal governments to access CWA funds by the "treatment in a manner similar to a state" (TAS) eligibility process. Currently 39 Tribes within EPA Region 10 (Alaska, Idaho, Oregon, and Washington) may be eligible to receive CWA Section 106 funds.

**Regulations:** Information on the CWA Section 106 grants program can be found in the Catalog of Federal Domestic Assistance (CFDA), Program Number 66.419, at:

<https://www.cfda.gov/index?s=program&mode=form&tab=core&id=49a87b2880350572a96c0a1387fa3342>. Regulations governing the award and administration of these grants are in the Code of Federal Regulations (CFR) at 40 CFR Part 35, Subpart B, Environmental Program Grants for Tribes and 2 CFR Part 200, Uniform Grants Guidance found at:

<http://www.gpoaccess.gov/cfr/index.html>.

**Program Guidance:** Information on the CWA Section 106 Tribal Program can be found in *Final Guidance on Awards of Grants to Indian Tribes under Section 106 of the Clean Water Act for Fiscal Years 2007 and Beyond*. <http://www2.epa.gov/water-pollution-control-section-106-grants/final-guidance-awards-grants-indian-tribes-under-section>

**Uses and Restrictions:** The CWA Section 106 program provides financial assistance for maintaining adequate measures for prevention and control of surface and ground water pollution from point and nonpoint sources. The program funds water quality management program activities including watershed assessments, water quality planning, standards development, monitoring and assessments, inspections and enforcement, permitting, training, advice and assistance to local agencies, and public information. It also funds participation in program activities related to the restoration of impaired watersheds such as Total Maximum Daily Loads (TMDLs), implementation of integrated wet weather strategies in coordination with nonpoint source programs, and development of source water protection programs.

Funds cannot be used for the construction, operation, or maintenance of wastewater treatment plants or drinking water systems, or the required water quality monitoring or sampling activities for facility permit compliance purposes. Funds cannot be used for costs financed by other federal grants.

The CWA Section 106 program can only fund activities within the Reservation or on lands held in trust for the tribe (tribal trust lands), or that impact waters upstream of these areas. If you are proposing to use funds outside of these areas, you must explain in your work plan the relationship of these activities to waters on the Reservation or tribal trust lands. If funds are being used for purposes beyond the Reservation or tribal trust lands boundaries, the Tribe should obtain the necessary access agreement or permission from the appropriate jurisdiction to conduct the activity.

## **IMPORTANT DATES**

**Combined Dates:** CWA Section 106 application due dates coincide with those of the Indian Environmental General Assistance Program (GAP) and CWA Section 319 base grant program. The dates pertain whether you are applying for these program funds as separate grants or as part of a Performance Partnership Grant (PPG).

**NEW - Draft Work Plans and Budgets:** Draft work plans and detailed budget are to be submitted by email to your EPA Project Officer by **Friday, January 15, 2016. Late application packages will not be accepted.**

**NEW - Final Application submitted through Grants.gov:** Your PO will assign you a due date between March and mid-May 2016 to submit your full application package to EPA. Full application packages including budgets, work plans and federal forms must be submitted electronically through Grants.gov. All grant forms can be downloaded at <http://www.Grants.gov/web/grants/applicants/download-application-package.html>. Please see the R10 2017 GAP Funding Announcement Attachment A at [http://www2.epa.gov/sites/production/files/2015-10/documents/a-grants\\_gov\\_instructions\\_noncompetitive\\_tribes.pdf](http://www2.epa.gov/sites/production/files/2015-10/documents/a-grants_gov_instructions_noncompetitive_tribes.pdf) for application instructions.

**Award:** EPA Region 10 will work to ensure that your grant is awarded by **September 30, 2016.**

## **AWARD AMOUNTS**

**Estimated Funding Levels:** Region 10 anticipates awarding approximately \$3.9 million to up to 39 Tribes. **Attachment 2** lists Region 10's FY2017 preliminary amounts. These amounts are for planning purposes. Region 10 will determine final amounts after it receives a final allocation.

**Tribal Match:** EPA provides 95% of the approved work plan costs and there is a 5% Tribal match. The EPA Regional Administrator may waive part or all of the Tribal match if after reviewing tribal socio-economic indicators, the Regional Administrator determines that fulfilling the 5% match requirement would impose undue financial hardship.

## **AWARD ADMINISTRATION**

**Performance Partnership Grants:** Your CWA Section 106 grants may be included in a PPG, which combine funds from two or more environmental program grants listed in 40 CFR Part 35 into a single grant with a single budget. The majority of CWA Section 106 Tribal grantees have PPGs, combining the CWA Section 106 program with the GAP, CWA Section 319, and other eligible programs. A PPG is intended to provide greater flexibility in program areas while achieving administrative savings. PPG information can be found in:

- January 16, 2001 Federal Register Notice, Environmental Program Grants for Tribes, 40 CFR Parts 31 and 35: [http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=2001\\_register&docid=01-219-filed.pdf](http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=2001_register&docid=01-219-filed.pdf)
- 40 CFR Parts 35: <http://www.gpoaccess.gov/cfr/index.html>
- Uniform Grants Guidance, 2 CFR Part 200: [http://www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title02/2cfr200\\_main\\_02.tpl](http://www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title02/2cfr200_main_02.tpl)
- EPA's July 1996 *Performance Partnership Grants for State and Tribal Environmental Programs: Revised Interim Guidance*: [http://water.epa.gov/grants\\_funding/ppg/ppgguide.cfm](http://water.epa.gov/grants_funding/ppg/ppgguide.cfm)
- CFDA Program 66.605 (PPGs): <https://www.cfda.gov/index?s=program&mode=form&tab=core&id=8a2df154ec9c9ac40d020ece3c078204>

**Progress Reports:** Progress reports should to be submitted quarterly or semi-annually. At the end of the grant, you are required to submit a final Federal Financial Reports (form SF-425). Region 10 will also list additional required reporting and documentation in the grant agreement described below in the Program Requirements section.

**EPA's Role in Performance Evaluation:** EPA's role and responsibilities in carrying out work plan commitments may include work plan negotiations and site visits. POs are required to conduct regular post-award monitoring in which they will review elements such as project and financial progress. These actions contribute to EPA's evaluation of grantee performance towards meeting work plan commitments.

**Grant Period:** You and your PO may prefer that you structure your work plan and application for a two year period. Please contact your PO about the duration of your work plan.

## **PROGRAM REQUIREMENTS**

In the program guidance, *Final Guidance on Awards of Grants to Indian Tribes under Section 106 of the Clean Water Act for Fiscal Years 2007 and Beyond*, EPA states that each grantee is required to submit an annual Tribal Assessment Report (TAR) that includes three components:

- A monitoring strategy,
- A water quality assessment, and
- Water quality data into STORET/WQX (or attempt to submit).

The water quality assessment may be submitted bi-annually with your PO's permission. The TAR is different from the grant performance and financial reports described above.

A copy of the guidance and additional TAR documents are available at <http://www.epa.gov/OWM/cwfinance/106tgg07.htm>. Please contact Gretchen Hayslip (hayslip.gretchen@epa.gov) for Region 10's electronic templates that you can use to prepare a water quality monitoring strategy and water quality assessment.

***To receive funding, you must include the TAR reporting requirement in your work plan. The following Term & Condition will be included in your grant award. Failure to comply with this Term & Condition may affect your ability to receive funding the following year:***

Recipient agrees to follow the EPA-issued guidance for the CWA Section 106 Tribal program, *Final Guidance on Awards of Grants to Indian Tribes under Section 106 of the Clean Water Act for Fiscal Years 2007 and Beyond*. Grantee agrees to the following conditions:

- 1) Based on the Grantee's prior self-assessment of fundamental, intermediate, or mature, Grantee will monitor certain parameters, unless Region 10 has approved a waiver.
- 2) The Guidance requires the grantee to submit an annual Tribal Assessment Report (TAR) that includes three components: description of monitoring strategy, water quality assessment, and electronic copies of water quality data. The TAR is due concurrent with performance reports at the end of the annual grant period. To assist Grantees, Region 10 has prepared water quality assessment report templates matching the fundamental, intermediate, or mature self-assessment. The EPA PO will provide the appropriate template to the Grantee upon request. At the discretion of the EPA PO, grantee may submit the water quality assessment portion of the TAR bi-annually.
- 3) As part of the TAR condition above, Grantee agrees to report monitoring data electronically for the basic required parameters. Grantee agrees to make efforts to submit data directly to the Agency's Storage and Retrieval data system (STORET). At a minimum, Grantee is required to submit data to EPA in a STORET-compatible format, which is EPA's STORET template (an Excel spreadsheet file). A Grantee can use the STORET template to organize data into a STORET-compatible format, then submit the data to STORET via WQX Web. For instructions, tutorials, and further information on STORET/WQX Web, visit <http://www.epa.gov/storet>. The EPA PO will provide information regarding assistance or training when available.

## **WORK PLAN and BUDGET**

**Work Plans:** To expedite the application review process, your PO may prefer that you use the standardized work plan template provided in **Attachment 1**. It is adapted from the template required for GAP and covers information required per 40 CFR Part 35. Please contact your PO if you are unsure of their desired format.

Your work plan, whether or not you choose to use the template, must comply with the requirements of 40 CFR Part 35 by including the following elements:

- 1) Work plan **components**. A component can be a task, a funding program such as CWA 106, or other clearly identified portion of work.
- 2) Estimated **work years** (FTEs) and **estimated cost** for each work plan component.
- 3) Work plan commitments (**i.e. tasks/activities**) for each work plan component and a **time frame** for their accomplishment and the **deliverable/product (i.e. output)**.
- 4) **Performance evaluation process and reporting schedule** that provides a discussion of:
  - a. Accomplishments as measured against work plan commitments.
  - b. Cumulative effectiveness of the work performed under all work plan components.
  - c. Existing and potential problem areas.
  - d. Suggestions for improvement, including where feasible, schedules for making improvements.
- 5) **Roles and responsibilities** of your tribe and EPA in carrying out the work plan.

Also include a narrative work plan for these components explaining the scope of work and including the following:

- 1) Discussion of the **tasks and activities (i.e. inputs)**.  
**NOTE:** Include a brief description or **list of parameters** you will be measuring using CWA Section 106 funds, and include an assurance that these are aligned with your Monitoring Strategy.
- 2) Discussion of the **deliverables or products (i.e. outputs)** to be accomplished from the work plan tasks.  
**NOTE:** Outputs/deliverables must include the annual TAR.
- 3) Discussion of the **environmental results (i.e. outcomes)** that may be generated by the completed work. For example, outcomes may be changes in human behavior or in the quality of the environment or public health directly or indirectly as a result of the grant funds. Outcomes will not necessarily occur during the grant period.
- 4) **Time line** for measuring accomplishments and completion of the tasks.
- 5) Description of the **geographic location** of the work activities.
- 6) Date of the most recent EPA-approved **QAPP(s)**.
- 7) Self-identified level of fundamental, intermediate, or advanced.

**Detailed Budget:** A detailed budget must be submitted for each year in a multi-year plan.

**Indirect Cost Rate Policy:** If your tribe includes indirect costs as part of a proposed budget, you must submit a copy of your tribe's current, approved Indirect Cost Rate Agreement to the EPA Region 10 Grants and Interagency Agreement Unit. If you do not have a negotiated

agreement, you must provide written proof that you have submitted an indirect cost rate proposal to your cognizant agency. If you don't have a current approved Indirect Cost Rate Agreement, or haven't submitted a proposal for one, EPA has established other options for including indirect costs in the proposed budget. Please see the R10 2017 GAP Funding Announcement Attachment G at <http://www2.epa.gov/sites/production/files/2015-10/documents/g-indirect-cost-rate-information-for-tribal-governments.pdf> for additional information.

## **CONTACTS**

For general information and eligibility requirements, contact the Tribal 106 Program Coordinators:

**NEW - Krista Mendelman**

EPA Region 10, Office of Water & Watersheds  
(206) 553-1571  
[mendelman.krista@epa.gov](mailto:mendelman.krista@epa.gov)

**Alan Moomaw**

EPA Region 10, Washington Operations Office  
(360) 753-8071  
[moomaw.alan@epa.gov](mailto:moomaw.alan@epa.gov)

For specific information regarding your grant, contact your PO (see **Attachment 1** for the PO assigned to your Tribe):

<b>Kris Carre</b>	(503) 326-7024	<a href="mailto:carre.kristine@epa.gov">carre.kristine@epa.gov</a>
<b>Wes Foster</b>	(206) 553-1604	<a href="mailto:foster.westley@epa.gov">foster.westley@epa.gov</a>
<b>Alan Moomaw</b>	(360) 753-8071	<a href="mailto:moomaw.alan@epa.gov">moomaw.alan@epa.gov</a>
<b>Jim Zokan</b>	(208) 378-5691	<a href="mailto:zokan.jim@epa.gov">zokan.jim@epa.gov</a>

For technical assistance about water quality monitoring and water quality assessment reports, contact:

**Gretchen Hayslip**, Monitoring Coordinator

EPA Region 10  
(206) 553-1685  
[hayslip.gretchen@epa.gov](mailto:hayslip.gretchen@epa.gov)

For assistance with STORET/WQX, contact:

STORET Website	<a href="http://epa.gov/storet">http://epa.gov/storet</a>
STORET Helpdesk	1-800-424-9067 or <a href="mailto:STORET@epa.gov">STORET@epa.gov</a>