

**U.S. Environmental Protection Agency - Region 10
Indian Environmental General Assistance Program
FY19 Notice of Funding Availability**



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I. OVERVIEW

The U.S. Environmental Protection Agency, Region 10, Tribal Trust and Assistance Unit, is announcing the funding opportunity for Indian Environmental General Assistance Program (GAP) grant proposals from federally recognized tribal governments and intertribal consortia for work to be initiated in Federal Fiscal Year (FY) 19. EPA provides GAP financial and technical assistance to tribal governments and intertribal consortia to assist tribes in planning, developing, and establishing the capacity to implement federal environmental programs administered by the EPA and to assist in implementation of tribal solid and hazardous waste programs in accordance with applicable provisions of law, including the Solid Waste Disposal Act (commonly known as the Resource Conservation and Recovery Act, or RCRA). See the *Indian Environmental General Assistance Program Act of 1992* ([http://uscode.house.gov/view.xhtml?req=\(title:42%20section:4368b%20edition:prelim\)](http://uscode.house.gov/view.xhtml?req=(title:42%20section:4368b%20edition:prelim))). EPA administers this program in accordance with the statute, applicable federal regulations, including 40 CFR part 35, subpart B (<https://www.law.cornell.edu/cfr/text/40/part-35>), and national guidance, including the 2013 *Indian Environmental General Assistance Program Guidance on the Award and Management of General Assistance Agreements for Tribes and Intertribal Consortia* (<https://www.epa.gov/sites/production/files/2017-05/documents/2013-gap-guidance-final.pdf>). EPA's GAP Guidance provides a consistent national framework for building tribal environmental program capacity under GAP and is designed to improve the management of GAP resources.

As described in the GAP Guiding Principles, this support promotes tribal government efforts to develop core environmental program capacities (administrative, financial management, information management, environmental baseline needs assessment, public education/communication, legal, and technical/analytical) and baseline capacities for media-specific programs (e.g., ambient air quality, water quality, managing waste, and other EPA-administered statutory programs).

A. GUIDING PRINCIPLES

EPA will apply the following Guiding Principles in awarding GAP grants to tribes and intertribal consortia:

1. Ensure tribal governments have the opportunity to build the capacity to:
 - a. Implement federal environmental programs through EPA delegations, authorizations, and primacy designations (<https://www.epa.gov/tribal/tribal-assumption-federal-laws-treatment-state-tas>); and
 - b. Meaningfully participate and engage in environmental protection activities that inform, support, or enhance direct implementation under federal environmental statutes administered by EPA.
2. Promote tribal self-governance by working closely with tribes to:
 - a. Accomplish tribal environmental program goals in EPA-Tribal Environmental Plans (ETEPs) that reflect federal environmental program areas of need to protect human health and the environment;
 - b. Support tribes' development of strong core environmental program capacities for media-specific programs administered by EPA; and
 - c. Foster tribes' capacity to assume the authority to implement programs administered by EPA (e.g., Treatment as a State status or through Direct Implementation Tribal Cooperative Agreements).

3. Promote intergovernmental collaboration and cooperative federalism among EPA, tribes, states, and other partners, and focus EPA financial and technical assistance to protect human health and the environment.
4. Support implementation of established solid and hazardous waste regulatory programs in accordance with the purposes and requirements of applicable provisions of law, including the Solid Waste Disposal Act (commonly known as the Resource Conservation and Recovery Act).
5. Maintain strong national program management practices to produce compelling results that align with EPA's statutory authorities.

These Guiding Principles underscore GAP's role in fostering partnerships between EPA and federally recognized Indian tribes through collaboration and shared accountability. In addition, they clarify how activities funded under GAP will support EPA's priorities consistent with the Indian Environmental General Assistance Program Act of 1992, *EPA Policy for the Administration of Environmental Programs on Indian Reservations* (<https://www.epa.gov/sites/production/files/2015-04/documents/indian-policy-84.pdf>), *Indian Environmental General Assistance Program Guidance on the Award and Management of General Assistance Agreements for Tribes and Intertribal Consortia* (<https://www.epa.gov/sites/production/files/2017-05/documents/2013-gap-guidance-final.pdf>), and the FY 2018-2022 EPA Strategic Plan (<https://www.epa.gov/planandbudget/strategicplan>). EPA's management of GAP will continue to strive to support all federally recognized tribes that are building capacity to implement the full spectrum of environmental regulatory programs administered by EPA.

B. DUE DATES

Steps	Due Dates
1. Review the Notice of Funding Availability.	<ul style="list-style-type: none"> EPA issues the funding announcement in November 2017.
2. Submit a draft budget and work plan to your Project Officer. New applicants must also submit a narrative.	<ul style="list-style-type: none"> EPA invites GAP funding requests from \$75,000 to \$128,000. Draft budgets and work plans must be postmarked, hand-delivered, submitted in GAP Online, faxed, or emailed to EPA no later than Friday, January 19, 2018. Late proposals will not be accepted.
3. Obtain a DUNS Number if you do not have one.	<ul style="list-style-type: none"> Applicants must have a DUNS number before registering with Grants.gov: http://www.grants.gov/web/grants/applicants/organization-registration/step-1-obtain-duns-number.html.
4. Register with the System for Award Management (SAM).	<ul style="list-style-type: none"> The EBiz POC must renew your organization's SAM registration annually. EPA recommends registering by December 1, 2017. Register at http://www.grants.gov/web/grants/applicants/organization-registration/step-2-register-with-sam.html
5. Register in Grants.gov.	<ul style="list-style-type: none"> Check that the applicant's registration in Grants.gov is current and that the person submitting the funding request is a registered user. Register at

	http://www.grants.gov/web/grants/applicants/organization-registration.html . <ul style="list-style-type: none"> EPA recommends registering by February 1, 2018. Registration can take up to a month.
6. Submit consortia eligibility documentation.	<ul style="list-style-type: none"> Intertribal consortia resolutions (or other supporting documentation) from all GAP-eligible member tribes, authorizing the consortium to apply for and receive funding on their behalf, are due to EPA by March 16, 2018.
7. Enter your final application package into Grants.gov.	<ul style="list-style-type: none"> After negotiating your work plan and budget, your Project Officer will direct you to submit your application into Grants.gov. All applicable fields in each document must be filled in and all required application components submitted in the Grants.gov application. EPA expects applications to be submitted by the date applicants negotiate with their Project Officers. No GAP applications will be accepted after May 25, 2018. PPGs should also strive to submit applications by this date.
8. Enter final work plans and budgets into GAP Online.	<ul style="list-style-type: none"> Final work plans and budgets must be entered into GAP Online by September 28, 2018.
9. EPA issues FY19 GAP awards to tribes and intertribal consortia.	<ul style="list-style-type: none"> FY19 GAP awards will be made to tribes and intertribal consortia no later than September 28, 2018.
10. EPA hosts webinars for applicants.	<ul style="list-style-type: none"> EPA Region 10 will host four webinars to discuss the FY19 Notice of Funding Availability. (See the Highlights section.)

C. HIGHLIGHTS

- Requests for Additional Solid Waste Funding:** Provided that GAP funds are available in FY19, EPA will consider additional funding up to \$30,000 for solid waste activities per tribe or consortia that requests it. (See Section II.B.) Congress extended GAP funding for certain solid waste implementation activities through FY20, including solid waste/recycling collection, transportation, backhaul, and disposal services. ***In FY21, these activities will no longer be allowable under GAP.***
- EPA-Tribal Environmental Plans:** Tribes that have an ETEP must include a commitment to work with EPA to update the ETEP the year before it expires. If a tribe does not have a complete ETEP when it applies for FY19 GAP funding, EPA may negotiate a date with the tribe to finalize the ETEP. However, EPA also reserves the right to award funding only for work plan activities related to finalizing the ETEP. Applicants seeking GAP funding for the first time or after several years without GAP funding must include a commitment to work with EPA to develop an ETEP in the first year of their grant. (See Section IV.B.2.)
- 2019 Tribal Leaders Summit:** Annually, the Tribal Caucus of the EPA Region 10 Tribal Operations Committee hosts a region-wide Tribal Leaders Summit, typically in the

spring. Applicants whose tribal leaders and staff are interested in attending should include travel for this event in their FY19 GAP work plans and budgets.

- **Work Space:** Grants.gov now requires all applicants to submit their applications through Work Space. (See Attachment G, Grants.gov Instructions.)
- **SF-424A:** Examples of the SF-424A are available in Attachment H for PPG and GAP grantees. Please refer to these examples when completing your application.
- **Indirect Costs:** EPA is developing a new Indirect Cost Rate (ICR) policy that will supersede Grants Policy 12-01, Interim Approach for Indirect Cost Rates for EPA Tribal Grants. In the interim, applicants who would like to include indirect costs in their budget should provide a copy of their IDC rate proposal or approved rate for FY19 or use the de minimis 10% if the tribe is eligible. (See Section IV.C.)
- **Webinars.** EPA Region 10 will host four webinars to discuss the FY19 Notice of Funding Availability: *Funding Announcement Overview*, *Developing a Work Plan*, *Developing a Budget*, and *Forms and Tips*. Dates and registration information will be announced on the EPA Region 10 Tribal Environmental GAP Funding page, <https://www.epa.gov/tribal/region-10-tribal-environmental-gap-funding>, and an email announcement will be sent to tribal staff contacts.

D. Funding Priorities

Based on Region 10's GAP budget allocation, EPA will prioritize applicant funding in the following order:

1. **Individual Tribes.** The primary purpose of GAP grants is to build tribal capacity for developing and administering environmental protection programs. Therefore, providing GAP grants to individual tribal governments is our highest priority.
2. **Intertribal Consortia.** EPA will consider funding for intertribal consortia after it has funded individual tribes' proposals. Consortia work plans must meet the capacity-building needs of member tribes without duplicating individual tribal efforts.

II. AVAILABLE FUNDING

Last year, EPA Region 10 was allocated \$30,007,000 of the national GAP budget for tribes and intertribal consortia in Alaska, Idaho, Oregon and Washington. Region 10 currently has 237 tribes and 21 intertribal consortia with active GAP grants.

A. Funding Amounts

Grantees may request funding between \$75,000 and \$128,000 for FY19, depending on program need and ability to perform the work. Applicants are not guaranteed to be funded at their requested amount. (See Section V.) Applicants with high balances on their current grant are expected to request no-cost extensions or significantly lower levels of additional funding.

Region 10 will determine award amounts based on:

- the amount of GAP funding Region 10 receives;
- the number of tribes and intertribal consortia submitting applications;
- the grantee's level of unexpended GAP funds;
- whether proposed activities are eligible (see Section III); and
- whether proposed activities meet the review factors, including past performance (see Section V).

Tribes with large reservations may receive a higher level of funding. For Umatilla, Spokane, and Quinault, funding may be up to \$155,000. For Coeur d'Alene, Nez Perce, Shoshone Bannock, and Warm Springs, funding may be up to \$165,000. For Colville and Yakama, funding may be up to \$175,000.

B. Unmet Needs Requests for Solid Waste and Recovered Materials Collection, Transportation/Backhaul, and Disposal Services

The Consolidated Appropriations Act, 2016 provides authority for GAP to cover costs associated with trash/recycling collection, transportation/backhaul, and disposal services through FY 2020. Provided funding is available, Region 10 may award up to \$30,000 for solid waste and recovered materials collection, transportation/backhaul, and disposal services for each tribe or consortium request that meets the following qualifying criteria.

To qualify for this funding, *a tribe* must:

- have an Integrated Waste Management Plan in place (see EPA's *Developing Tribal Integrated Waste Management Plans* page, <https://www.epa.gov/tribal-lands/developing-tribal-integrated-waste-management-plans>);
- identify solid waste planning and capacity-building activities as a component in their work plan, and include the specific capacity indicators the tribe will address;
- identify solid waste implementation activities (i.e., equipment purchase, materials trash/recycling collection, transportation/backhaul, and/or disposal services) as an additional component in their FY19 work plans, and include the specific capacity indicators the tribe will address;
- include a separate budget; and
- include solid waste as a priority in their ETEP.

To qualify for this funding, *a consortium* must:

- identify solid waste planning and capacity-building activities as a component in their work plan and include the specific capacity indicators the consortium will address;
- identify solid waste implementation activities (i.e., materials trash/recycling collection, transportation/backhaul, disposal services) as an additional component in their FY19 work plan and include the specific capacity indicators the consortium will address; and
- include a separate budget.

In addition, applicants may not be on the high risk list.

EPA encourages applicants to consider the following solid waste resources when developing their work plans:

- **Attachment B** provides information on allowable and unallowable solid waste program implementation costs.
- **Attachment C** provides information on building a self-sustaining tribal solid waste program.
- **EPA's Solid Waste Program Budgeting for Alaska Tribal Communities (Costing Tool)** is designed to help Alaska villages estimate the costs of developing, implementing, and maintaining solid waste programs. The tool provides cost indexes tailored to different regions of Alaska and is posted at www.epa.gov/tribal/region-10-tribal-program.
- **The State of Alaska's Solid Waste Information Management System** contains landfill reports from the State of Alaska on community waste management practices and systems. EPA encourages tribes in Alaska that are developing a solid waste component related to landfills to visit <http://dec.alaska.gov/Applications/EH/SWIMS/Default.aspx> and to include specific tasks in their work plans that address landfill deficiencies.

C. Period of Performance

Tribes typically apply for new funding every year. However, current GAP recipients may apply for multi-year funding to reduce their administrative burden if they are completing proposed activities as scheduled, submitting progress reports on time, fulfilling close-out requirements, regularly drawing funds down, and meeting all other grant requirements. ***A separate work plan and budget must be included for each year of funding requested.*** Applicants should discuss this option with their EPA Project Officer before submitting a multi-year proposal.

All tribes and intertribal consortia that desire funding must reapply for a new grant at the end of their 4-year grant cycle.

III. ELIGIBILITY INFORMATION

A. Eligible Applicants

Indian tribal governments (tribes) and intertribal consortia are eligible to receive funds under this program (40 C.F.R. § 35.543). These terms are defined in 40 C.F.R. § 35.502 as follows:

An Indian tribal government (tribe), except as otherwise defined in statute or applicable program specific regulation, is any Indian tribe, band, nation, or other organized group or community, including any Alaska Native village, which is recognized as eligible by the U.S. Department of the Interior for the special services provided by the United States to Indians because of their status as Indians.

An intertribal consortium is a partnership between two or more tribes authorized by the governing bodies of those tribes to apply for and receive assistance under [GAP].

Intertribal Consortia

Funding for consortia will be considered after the needs of individual tribes are met.

Under EPA's tribal grant regulations, an intertribal consortium is eligible to receive GAP financial assistance when the consortium can adequately document compliance with the following requirements (40 C.F.R. § 35.504):

- A majority of its members are eligible to receive GAP grants;
- All member tribes that meet GAP eligibility requirements authorize the consortium to apply for and receive the award; and
- Adequate accounting controls are in place to ensure that only members that meet the eligibility requirements will benefit directly from the award and the consortium agrees to an award condition to that effect.

This means that a consortium may receive a GAP grant even if the consortium includes groups that are not federally recognized tribes, as long as the consortium meets the three regulatory requirements specified above. Authorization of the consortia to apply for and receive a GAP grant is required from all GAP-eligible member tribes. For purposes of determining intertribal consortia eligibility, a "GAP-eligible tribe" is any tribe that meets the definition of Indian tribal government (tribe) in 40 CFR 35.502.

With each new GAP grant application (i.e., at the beginning of each four-year grant cycle), an intertribal consortium must provide EPA with adequate documentation of (1) the existence of the partnership between eligible tribal governments; and (2) authorization by all GAP-eligible member tribes for the consortium to apply for and receive the new or supplemental GAP grant.

This documentation ensures clear communication between consortia and member tribes so that EPA is able to appropriately consider individual tribal needs and priorities when awarding GAP funds to intertribal consortia. For example, tribal authorization may be provided by a tribal council resolution or other written certification from a duly authorized representative of each GAP-eligible member tribe. Documentation is due to the EPA Project Officer by March 16. Applications that do not contain adequate documentation from all GAP-eligible tribes are incomplete.

In accordance with Guiding Principle #2, EPA will award GAP funds to help tribes accomplish their tribal environmental program development goals as outlined in their ETEPs. To further this principle, intertribal consortia are advised to describe how their grant proposals support the program development goals outlined in the ETEPs developed by their GAP-eligible member tribes.

B. Allowable Activities

GAP provides funding for activities that build the capacity of tribal governments to plan, develop, and establish environmental protection programs consistent with the federal laws that EPA implements. Tribes must first establish core environmental protection program capacities as provided under Appendix 1 of the 2013 GAP Guidance:

<http://www2.epa.gov/sites/production/files/2015-05/documents/gap-guidance-final.pdf>.

Following is a brief synopsis of allowable capacity-building and solid and hazardous waste program implementation activities:

Capacity-Building Activities: Tribal Environmental Program

Capacity building may include developing the appropriate administrative and legal infrastructure, establishing tribal technical capability, and planning and establishing an integrated tribal environmental management program to be implemented by a tribe with technical and financial assistance from other EPA program-specific grants. See the GAP Guidance, Appendix I: <http://www2.epa.gov/sites/production/files/2015-05/documents/gap-guidance-final.pdf>.

Capacity-Building Activities: Waste Management

For recommendations on developing solid waste management capacity under the 2013 GAP Guidance, see Attachment C.

Region 10 also encourages the development, periodic revision, and implementation of Integrated Waste Management Plans, which outline how a tribe will reduce, manage, and dispose of its solid waste. An effective integrated solid waste management system considers how to prevent, recycle, and manage solid waste in ways that most effectively protect human health and the environment. To learn more about Integrated Waste Management Plans, visit <https://www.epa.gov/tribal-lands/developing-tribal-integrated-waste-management-plans>.

Implementation Activities: Waste Management

EPA strongly encourages tribes to include work plan tasks that promote the development of a self-sustaining solid waste management program and to consider developing partnerships to increase cost-effectiveness.

Once a tribe has established appropriate solid and hazardous waste capacities, GAP funds may be used for the following implementation activities, listed below in order of priority (see Section E.4 of Appendix I of the 2013 GAP Guidance):

1. Program administration
2. Compliance and enforcement
3. Solid waste management, resource recovery, and resource conservation support
4. Cleanup and closure

See Attachment B, Attachment C, and the GAP Guidance, Appendix I, Section E.3: <http://www2.epa.gov/sites/production/files/2015-05/documents/gap-guidance-final.pdf>.

Allowable Solid Waste and Recovered Resource Program Implementation, Collection, Transportation, Backhaul and Disposal Costs under the Consolidated Appropriations Act, 2016

The Consolidated Appropriations Act states that EPA may provide tribes financial assistance under GAP for “solid waste and recovered materials collection, transportation, backhaul, and disposal services” through FY 2020. Tribes seeking GAP financial assistance for these unique activities should include a work plan commitment to identify (1) where the serviced materials came from (residential, institutional, or commercial sources); and (2) how much material was serviced (weight/volume estimate).

Applicants should review Attachment B, “Allowable Solid Waste and Recovered Resource Program Implementation, Collection, Transportation, Backhaul and Disposal Costs under the Consolidated Appropriations Act, 2016,” before seeking GAP funds for solid waste and recovered materials collection, transportation, backhaul, and disposal services. For more information about waste and recovered materials classifications, see <https://www.epa.gov/smm/advancing-sustainable-materials-management-facts-and-figures>.

C. System for Award Management (SAM)

For EPA to process grant awards or make payments to grant recipients, the tribe or consortium must provide a valid Data Universal Numbering System (DUNS) number and maintain an active SAM registration. SAM requirements apply to all federal funding.

SAM registration must be renewed at least annually. EPA recommends that tribes renew their SAM registration by December 1, 2017 to avoid a lapse in GAP funding. To register in SAM or update an existing registration, go to <https://www.sam.gov>. (Effective June 2017, users can no longer access SAM using Internet Explorer versions older than IE11. Applicants either need to upgrade to an Internet Explorer version of IE11 or higher or access SAM through another browser, such as Chrome, Firefox, or Safari.)

When submitting a grant application, tribes must use the name of the tribe exactly as it appears on BIA’s list of federally recognized tribes.

If the tribe’s SAM registration name is not exactly the same as the legal name on BIA’s list, the tribe should contact their local Procurement Technical Assistance Center (PTAC) as soon as possible. Changing a name can take several weeks. Find your local PTAC at <http://www.dla.mil/HQ/SmallBusiness/PTAC.aspx>. Alaska tribes may also call 1-800-478-7232.

IV. PROPOSAL REQUIREMENTS

All requirements must be met prior to receiving GAP funding.

Initial proposals, due to your EPA Project Officer by **January 19, 2018**, must include a:

- Narrative (required in the first year of a tribe’s four-year funding cycle)
- Draft work plan (required for all applicants)
- Draft detailed budget worksheet (required for all applicants)

Final applications, submitted into Grants.gov by the date assigned by your EPA Project Officer, must include the:

- Narrative (required in the first year of a tribe’s four-year funding cycle)
- Final work plan (required for all applicants)
- Final detailed budget worksheet (required for all applicants)
- Federal forms outlined in Attachment G of this announcement (required for all applicants)
- Indirect Cost Rate documentation. If indirect costs are included in the application, a copy of the letter to the Department of Interior (DOI)/National Business Center (NBC) (or other cognizant agency) proposing the FY19 rate or of the letter from DOI or other

cognizant agency stating the negotiated FY19 rate. The de minimis rate (10% or less) for eligible applicants does not require additional documentation.

A. Narrative

The narrative should include:

- a summary of the tribe's location, history, culture, membership, and other related information (i.e., is it compacting or self-governance, audit schedule, description of other programs the tribe administers, number of employees, description of personnel and financial policies and procedures, and any history of administrative or financial issues);
- a description of any high-priority environmental and human health issues that affect the tribe and any related environmental assessment or strategy efforts conducted to date;
- a description of tribal capacity-building efforts needed to address environmental and human health risks and the tribe's history with the GAP program (i.e., how many years the tribe has received GAP grants, accomplishments/goals achieved, a description of any challenges or corrective actions); and
- a list of other environmental funding sources/amounts (both federal and non-federal) that the tribe has managed or plans to pursue.

B. Work Plan

1. General Work Plan Requirements

Please submit draft work plans in the standardized template, provided in Attachment E, or directly in GAP Online. To access GAP Online, visit https://ofmext.epa.gov/GAP_Online.

Work plans must not duplicate prior efforts; they should demonstrate clear progress in building capacity or specify new focus areas. Duplicates of prior work plans will be rejected by the EPA Project Officer and the grant application may be denied.

Work plans must include the following elements (see Attachment E):

- **Components:** A description of each work plan component to be funded.
- **Capacity Indicators:** Measures of progress (entered in the "Measures" field in GAP Online). Appendix I of the GAP Guidance, <http://www2.epa.gov/sites/production/files/2015-05/documents/gap-guidance-final.pdf>, identifies Capacity Indicators for each environmental media or topic, such as air quality or water quality. Applicants must assign at least one Capacity Indicator to each work plan component. Capacity Indicators should be listed by number (e.g., "C.3.1"). Applicants that want to develop a capacity area not identified in Appendix I should contact their EPA Project Officer.
- **Personnel:** A listing of the staff positions responsible for each component.
- **Long-Term and Intermediate Outcomes:** Outcomes (environmental or public health results) associated with each work plan component. Outcomes are an expected change in situation, behavior, or knowledge. Long-term outcomes may not be achieved during the project period; intermediate outcomes include results that will be achieved during

this timeframe.

- **Estimated Work Years:** Estimated work years (Full-Time Equivalent or FTE = 2,080 hours or one work year)
- **Estimated Cost Per Component:** Estimated funding amount required for each work plan component. The costs for all components should add up to the total amount requested in the budget.
- **Commitments:** Tasks for each work plan component and a timeframe (end date) for completion. Do not use the end of the fiscal year as a completion date for all commitments.
- **Outputs and Deliverables:** An environmental activity, effort, and/or associated work product related to an environmental goal that will be produced during the project period. Outputs may be quantitative or qualitative but must be measurable. They may include items such as newsletters, photos, and trip reports and can be attached to quarterly progress reports in GAP Online.
- **EPA Roles and Responsibilities:** A description of EPA roles and responsibilities in accomplishing the work plan and a statement saying the applicant has developed this proposal under the Statutory Authority provided by the Indian Environmental General Assistance Program Act of 1992. (This language is included in the work plan template.)
- **Joint Performance Evaluation Process:** A performance evaluation process and reporting schedule consistent with 40 CFR § 35.515. (This language is at the end of the work plan template.)

EPA encourages applicants to review the optional **Proposal Review Checklist** at <https://www.epa.gov/tribal/region-10-tribal-environmental-gap-funding> before submitting their work plans and budgets to EPA. The checklist is intended to reduce errors in work plans and budgets and thereby reduce the time required for negotiations.

2. Mandatory Tasks

The following tasks are mandatory for all grantees:

- **Update or Complete an EPA-Tribal Environmental Plan.**

Consistent with the GAP Guidance, EPA will work with each tribe to develop and implement an EPA-Tribal Environmental Plan, which sets the stage for stronger environmental and human health protection in tribal communities. The purpose of an ETEP is to develop the complete picture of the particular environmental issues facing the tribe, establish a shared understanding of the issues the tribe will be working on, and have a shared understanding of those issues that EPA will address consistent with its responsibility to protect human health and the environment. ETEPs are instrumental for tribes and EPA to define mutual roles and responsibilities for environmental protection program implementation on tribal lands, and help prioritize the tribal work funded under GAP and work conducted by EPA in the tribal arena.

GAP work plans should direct funds toward developing environmental program capacities that support the long-term priorities and goals in the ETEP. (See GAP Guidance Section 4: “Developing EPA-Tribal Environmental Plans,” p. 13 of 22.) When applying for GAP financial assistance, tribes should describe how their proposals respond to the program development goals documented in their ETEP.

Tribes and EPA should jointly review the ETEP at least annually and update it as appropriate to reflect greater clarity on environmental program administration priorities over time, adjust performance expectations, or account for changing environmental and administrative conditions. As a result, tribes may include activities to update their ETEP in their work plan proposals.

Consistent with the ETEP completion schedule established pursuant to the GAP guidance, Section 4.4 (p. 19 of 22), EPA set a completion date of December 31, 2018, for tribes to apply for and receive GAP funds, including new, incremental, or supplemental funding. In accordance with this established schedule, the following guidance applies to any tribe that does not have a complete ETEP (i.e., that includes the four components outlined in the GAP Guidance, Section 4, p. 13 of 22) at the time of applying for GAP funding during Federal Fiscal Year 2019 and beyond:

- The EPA Regional Office may request approval from the director of EPA’s American Indian Environmental Office to modify its schedule and have a documented agreement for an ETEP completion date later than December 31, 2018. The tribe’s work plan should include a component to finalize the ETEP by the new agreed-upon date. Note: If an EPA regional office fails to establish an ETEP with a tribe in accordance with the approved schedule, EPA may consider the ETEP grant condition to be unmet and the GAP grant could be denied.
- EPA reserves the right to award new, incremental or supplemental funding only for work plan activities related to finalizing the ETEP.
- For any tribe seeking GAP funding for the first time or after several years without GAP funding that does not have an ETEP, EPA expects ETEP development to be included as a component of the tribe’s work plan.
- **Assess Administrative/Fiscal Policies and Procedures.** Tribes that do not conduct a single audit must review and assess the tribe’s financial, procurement, and property management policies and procedures to ensure that the tribe’s systems meet the requirements of 2 CFR Part 200. This assessment must be repeated whenever there are substantial changes to the tribe’s financial systems or **at least every four years**. EPA Project Officers can provide grantees with a questionnaire to use as a guide for performing this administrative self-assessment. Addressing deficiencies in the tribe’s administrative systems is an eligible activity under GAP.
- **Submit a Success Story.** Region 10 requires all grantees to submit a success story describing achievements or lessons learned at least once during a four-year GAP grant cycle and include it as a work plan task. The success story should be a one-page summary or video focused on a particular task, project, or highlight of work performed through the GAP grant. The success story should include:
 - before/after pictures, if appropriate
 - data (e.g., waste materials collected by weight, volume or category), if applicable

- a description of how the tribe planned and accomplished the activities
- a description of how the GAP funding affected behavior or led to a positive change in the environment or public health (as applicable)
- **Submit Quality Assurance Documentation.** If a tribe plans to conduct any environmental measurements, including sampling and data collection activities (i.e., baseline water quality) and/or use existing environmental data, the tribe must submit a Quality Assurance Project Plan to EPA. ***The QAPP must be approved by EPA before grantees can conduct environmental measurements.***

If environmental measurements or other data collection activities are in the work plan, applicants should include commitments to attend any necessary training, develop a QAPP, and submit it to their EPA Project Officer. Once approved by EPA, QAPPs are valid for 5 years unless changes in the work require earlier updates.

EPA requires grantees to demonstrate competency before conducting any activities that involve collecting, analyzing, or using environmental data. A term and condition will be included in any grants that involve collection of environmental data to ensure competency is addressed. For laboratory analysis, documentation could include an accreditation certificate, a quality manual, or performance testing results. For field sampling, documentation could include standard operating procedures, training documents, or a training protocol specified within the QAPP. Competency may need to be reassessed as a result of staff turnover.

For more information, see *EPA Requirements for Quality Assurance Project Plans* (https://www.epa.gov/sites/production/files/2016-06/documents/r5-final_0.pdf) and *Guidance for Quality Assurance Project Plans* (<https://www.epa.gov/sites/production/files/2015-06/documents/g5-final.pdf>).

- **Submit a Federal Financial Report (SF-425) each year.** Federal Financial Reports (SF-425) are required annually, unless the Terms and Conditions in your assistance agreement require them more frequently. Grantees must submit the SF-425 no later than 90 days after the end of the fiscal year. Final SF-425s (required for closeout) are due no later than 90 days after the grant has closed. Visit EPA's Forms and Reports page at <http://www2.epa.gov/financial/forms> for forms and instructions. Email the form to the Las Vegas Finance Center at LVFC-grants@epa.gov or mail it to USEPA LVFC, 4220 S. Maryland Pkwy Bldg. C, Suite 503, Las Vegas, NV 89119.

C. Detailed Budget

A detailed budget must be submitted for each year of funding requested. EPA has developed a recommended budget template, provided in Attachment F. ***Please note that the budget template includes a space on page 7 (under Total Budget) for estimated program income and planned use of funds.***

The GAP grant does not require cost sharing or matching funds.

- **Travel.** Travel costs must be included in the budget. They must be consistent with the capacity the tribe proposes to build, reasonable for the stated benefit, necessary to accomplish the work plan tasks, and allocable (authorized and beneficial) to the grant. Applicants must provide the types/purposes of travel, number of trips, planned

destinations, and number of travelers in the detailed budget. Tribal Council travel under the GAP grant must be described in the budget and pre-approved by EPA.

- **Indirect Cost Rate.** Applicants who want to include indirect costs as part of a proposed budget should submit a copy of the organization's approved Indirect Cost Rate Agreement for FY19 or the letter requesting a rate as part of the final application in Grants.gov, unless the applicant is eligible for and requesting a de minimis rate.
 - Applications must include a new proposed or final Indirect Cost Rate Agreement unless the applicant is eligible and using the de minimis rate.
 - Applications with Indirect Cost Rate Agreements that are more than three years old will not be accepted. If the rate has expired, applicants should propose a new rate to the National Business Center (or other cognizant agency) as soon as possible and before the application is submitted to Grants.gov. Applicants must submit a copy of the proposal with the Grants.gov application. The proposal should be based on the most recent audited financials.
 - Applicants using the de minimis rate must currently be using a de minimis rate or have never applied for an indirect cost rate previously.
 - EPA is developing a new Indirect Cost Rate policy. A draft will be available for review, comment, and tribal consultation later this fiscal year.
 - Grantees may not draw down EPA funds for indirect costs until EPA receives an approved rate from the applicant's cognizant agency. (This does not apply to the de minimis rate.)
- **Equipment Purchases.** Equipment is defined as tangible, non-expendable personal property having a useful life of more than one year and an acquisition cost of \$5,000 or more per unit, although a lower dollar amount threshold can be established by the tribe's policies and procedures. Any proposed equipment costs must be eligible, allocable, and allowable under GAP. Purchasing equipment for the purpose of conducting construction activities is not allowable unless EPA headquarters has reviewed and approved a specific project. Purchasing equipment for resource recovery, resource conservation, source separation, and other environmental activities may be allowable. ***ALL equipment purchases require prior approval by the EPA Project Officer and the EPA Grants and Interagency Agreement Unit.***

Applicants requesting equipment must provide the following information:

- a list of each equipment item with an estimated cost of \$5,000 or more per unit;
- the estimated cost of each item and how the tribe arrived at this estimate (e.g., website search, calls to vendors);
- a justification of need for each item (how the item will help accomplish work plan tasks) and the relevant work plan component or commitment number; and
- if applicable, an explanation of why it is more cost-effective to purchase rather than lease the item.

D. Submission Instructions: Draft Proposal

Current GAP grantees should direct questions and submit their draft proposal to their EPA Project Officer.

New applicants that have not received a GAP grant before may submit their proposal to Stacy Murphy, TTAU Unit Manager, US EPA, Region 10, 1200 Sixth Avenue, TTAU-202, Seattle, WA 98101-1128, murphy.stacy@epa.gov. General questions can be directed to Region 10's Tribal Trust and Assistance Unit at 1-800-424-4372.

E. Work Plan/Budget Negotiation

EPA Project Officers will contact applicants to negotiate revisions to work plans and budgets and arrange a timeframe for completing those revisions. Tribes are responsible for completing the negotiation process and responding to revision requests within the timeframes negotiated with their EPA Project Officer. EPA will send a letter of concern to the IGAP staff member's Tribal Council if the staff member does not respond to revision requests or make revisions after three documented requests.

Submitting an initial proposal does not guarantee that a grant will be awarded.

V. PROPOSAL REVIEW CRITERIA

A. Review Criteria

To qualify for funding in FY19, applicants must:

- be current with all reporting requirements (progress reporting for current GAP grants as well as closeout requirements for prior GAP grants);
- complete the commitments in their work plans, make regular drawdowns, and be responsive to EPA requests for information;
- have completed a success story during the previous four-year grant cycle (see Section IV.B.2); and
- have completed an ETEP or include a commitment to work with EPA to update an existing ETEP the year before it expires. If the applicant is new to GAP, the work plan must include a commitment to develop an ETEP.

GAP applications will also be reviewed to determine:

- **The extent to which the proposed work plan activities build the applicant's administrative and environmental program capacity.** Activities should focus on administrative capacity building and developing tribal environmental protection programs consistent with the GAP Act and guidance.
- **The feasibility and likely effectiveness of the proposed activities.** Work plans must include well-defined, achievable commitments, outputs, and outcomes (environmental results), and Capacity Indicators must be provided for each work plan component. While EPA recognizes that some activities will continue, most commitments in a proposed work plan must not be identical to the previous year's commitments. Work plans must demonstrate clear progress from one year to the next.
- **The extent to which the proposed budget is sufficient to accomplish the proposed project.** Proposed work plan costs must be necessary, allowable, allocable, reasonable, and sufficient to accomplish the proposed project.

- **The degree to which the work plan identifies the expected intermediate and long-term outcomes of the proposed project.** Work plans must identify expected improvements to environmental and/or human health conditions or change/improvement in behavior or knowledge.
- **The degree to which the proposed activities in the work plan support achieving the long-term goals identified in the ETEP** (for grantees with an ETEP in place).
- **Past performance.** Past performance is an important factor in EPA funding decisions. All applicants must demonstrate sound financial, administrative, and programmatic grant management capability. The following factors will be considered:
 - Timeliness and completeness of performance reports and closeout of the previous grant.
 - Whether there is sufficient progress under the current work plan and, if not, whether corrective actions are in place.
 - Whether there are duplicative activities in the proposed work plan and budget compared to earlier awards.
 - The amount of unexpended funds, frequency of drawdowns, and fiscal accountability.
 - Whether all information requested in this Notice of Funding Availability is included in the proposal.

Applicants that are out of compliance with the regulatory, programmatic, or administrative terms and conditions of their existing award may be denied funding, receive a reduced award, and/or be designated as a “high risk” grantee.

B. No-Cost Extensions

EPA may recommend that grantees with a high balance of unspent GAP funding from previous years request a no-cost extension or reduced award. A no-cost extension allows the grantee to continue working to complete approved work plan tasks for up to a year using funds from prior years. No-cost extensions are not an option if the grantee is in the last year of a four-year grant. **Extensions are not automatic** and must be requested by the grantee at least 10 calendar days before the end of the performance period specified in the award document. (2 CFR 200.308)

New funds require new work commitments; a no-cost extension allows time for a grantee to successfully complete the commitments in previously approved work plans. No-cost extensions do not limit the amount of funds that may be requested in the future, and they do not reflect poorly on a grantee’s future chances of receiving full funding.

VI. PERFORMANCE PARTNERSHIP GRANTS

Performance Partnership Grants (PPGs) are formed by incorporating at least two eligible EPA grants into a single grant agreement. PPGs help decrease administrative burdens and increase flexibility in how grant funds can be used. Tribes that receive two or more PPG-eligible EPA grants are encouraged to discuss the prospect of forming a PPG with their EPA Project Officer. See 40 CFR § 35.501 for a current list of the EPA programs eligible to be included in a PPG.

Tribes should engage EPA in PPG discussions **before** developing individual grant applications. EPA considers past grant performance when evaluating potential PPGs. Since multiple grants

are involved, PPG proposals and applications may take longer to develop than single grant proposals. PPG deadlines may vary depending on the type of grants involved; however, tribes should strive to complete final applications no later than **May 25, 2018**.

PPG Match Requirements

Some program funds included in a PPG have cost share requirements. Unless EPA approves a reduction in the required match amount (a waiver), the minimum cost share amount for a PPG is the sum of the non-federal cost share that is required under each of the environmental program grants combined in a PPG. That is, a tribe may overmatch one program component and under match another component.

Tribes may request a partial or full waiver of the match requirement if the tribe can demonstrate in writing that fulfilling the match requirement would impose undue hardship. The waiver request must be submitted to EPA before the new grant application is entered into Grants.gov as it is a key document supporting the applicant's budget. To request a waiver, provide the following information:

1. Estimated median household income within the last 2-3 years, or the last census, or poverty level statistics;
2. Unemployment rate, preferably with a comparison to the local county;
3. Other socio-economic information that demonstrates hardship in meeting a five (or more) percent match.

Email a letter requesting the match waiver to the project officer and address the letter to:

Paula vanHaagen
Grants Management Officer
U.S. EPA
1200 Sixth Ave., Suite 900, OMP-173
Seattle, WA 98101

If approved, the waiver would be effective for all programs included in the PPG with a match requirement and would last for the duration of the grant period.

VII. SUBMISSION INSTRUCTIONS

A. Project Officer Notification

After EPA Project Officers and grantees complete negotiations of GAP work plans and budgets, Project Officers will ask applicants to submit their full application package. Notification will include:

- the amount of tentatively approved funding;
- any final requests for revisions; and
- the due date by which the revised application package must be submitted in Grants.gov.

B. Grants.gov

Applications should be submitted by the date tribes negotiate with their Project Officers (sometime between **March 2 and May 25**). **No GAP applications will be accepted after May**

25, 2018. PPGs should also strive to submit applications by this date.

All applicants must submit their applications in Work Space. See Attachment G for Grants.gov application instructions.

- To apply for a stand-alone/categorical GAP grant, go to <https://www.grants.gov/view-opportunity.html?dpp=1&oppld=273808>. Choose CFDA Number 66.926 and select the package.
- To apply for a PPG, go to <https://www.grants.gov/view-opportunity.html?dpp=1&oppld=273448>. Choose CFDA Number 66.605 and select the package.

C. GAP Online

By **September 28, 2018**, all GAP recipients (except tribes with PPGs) must enter final revised approved work plans and budget attachments into GAP Online at https://ofmext.epa.gov/GAP_Online. Find the GAP Online User Guide at <http://www2.epa.gov/tribal/user-guides-indian-general-assistance-program-gap-online>.

VIII. AWARD ADMINISTRATION/RESOURCES

A. Applicable Agency Guidance and Regulations

GAP awards are subject to the following:

- EPA Indian Environmental General Assistance Program 2013 Guidance, <https://www.epa.gov/sites/production/files/2017-05/documents/2013-gap-guidance-final.pdf>;
- 2 CFR Part 200 “Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards”;
- 40 CFR Part 35, Subpart B “Environmental Program Grants for Tribes”; and
- administrative and programmatic terms and conditions of the grant award. ***The agreement is legally binding; applicants should carefully review and understand all grant award documents before accepting the grant.***

B. Confidentiality

Applicants must clearly mark information in their application that they consider confidential. EPA will make confidentiality decisions consistent with Agency regulations found at 40 CFR Part 2, Subpart B.