

GAP Guidance Evaluation: Discussions with Tribes and Intertribal Consortia During RTOC Meetings

Overview of GAP Guidance Evaluation

EPA's Office of International and Tribal Affairs is coordinating with EPA Regions and the National Tribal Caucus to gather input about how to improve the GAP Guidance and/or its implementation to better achieve the goals of the program and support tribal governments in the development of tribal environmental programs.

OITA's Objectives for the GAP Guidance:

1. Ensure consistent funding decisions for all grantees
2. Provide a framework for planning and building environmental program capacity so that the capacity building progress and achievements of grantees can be tracked and shared with relevant decision makers
3. Support tribes in assuming responsibility of EPA programs through capacity development (self-governance)
4. Guide use of GAP funds for solid and hazardous waste program implementation
5. Minimize administrative burden for Project Officers and grantees in developing and negotiating work plans

Suggested Agenda for RTOC Meeting Discussions (April – July)

I. Desired Outcomes of GAP Guidance Evaluation Discussions with RTOCs

- ✓ General Feedback: Hear range of tribal perspectives on how the Guidance helps or hinders the achievement of desired environmental protection outcomes
- ✓ Targeted Feedback: Gather suggestions for how the Guidance might be improved, drawing on specific examples of what's working and what's not working for grantees
- ✓ Develop a shared understanding of the goals of the GAP Guidance and this Evaluation

II. Discussion Questions

As active users of the GAP Guidance, RTOC members are a valuable resource for OITA to hear directly from the GAP grantee community on the specifics of how tribes use the Guidance, points where it presents challenges or needs clarification, and areas in which it has been helpful. OITA is eager to hear your ideas and suggestions based on your direct experience with the Guidance. As such, whenever possible, please draw on specific examples to help this Evaluation generate clear and actionable recommendations.

Q1: Specifically, how does the 2013 GAP Guidance support your tribe's needs for developing and submitting your GAP applications? Share examples of where the Guidance has been helpful and/or presented challenges.

Q2: What kinds of environmental program capacity development work are of interest to your tribe? What parts of that work, if any, do you feel are not covered by the current GAP Guidance?

Q3: What features of tribal environmental protection programs produce the greatest results in terms of managing pollution releases into the environment? More specifically, how can the GAP Guidance better support tribal capacity development for these program features?

Q4: One goal of developing the GAP capacity indicators was to measure the important outcomes achieved for the wide range of 500 GAP grantees and report those results out to EPA, political decision makers, and the public. Given the breadth and scope of the program, what are your suggestions for how EPA could most effectively measure and report on the important outcomes achieved through GAP funding? Does your tribe measure or track environmental outcomes from GAP? If so, what are those measures or what is most important to your tribal leadership and tribal community?

Q5: To what degree has your tribe used an ETEP as a way of communicating your tribe's priorities and goal-setting with EPA? How has the approach outlined in the GAP Guidance (i.e., ETEPs) been helpful or not helpful? How could joint planning be improved, especially over time?

Q6: What are your ideas for how the GAP Guidance could more efficiently and effectively support tribes in achieving their environmental program goals while also ensuring EPA is able to demonstrate overall program results?

III. Wrap-up/Next Steps

Background: Summary of Key Tribal Concerns with GAP Guidance (May 2013 to present)

This list provides a high-level summary of the most common concerns EPA has heard from GAP recipients over the past five years. It is not a comprehensive list. For additional discussion of the GAP Guidance, refer to *Indian Environmental General Assistance Program Frequently Asked Questions* (November 2016), available at <https://www.epa.gov/tribal/frequently-asked-questions-about-indian-environmental-general-assistance-program-gap>.

ETEPs: Some grantees do not find EPA-Tribal Environmental Plans (ETEPs) to be a valuable tool for advancing environmental protection in tribal communities. Some view the requirement to develop and implement an ETEP as a condition of the GAP grant to be burdensome and unreasonable.

Emphasis on Capacity Development: Some grantees have expressed concerns that the focus in the Guidance on measurable capacity building limits the availability of GAP funding for ongoing community education and outreach activities and other environmental program activities that are important to individual tribes. Some express that the Guidance places too much emphasis on each tribe progressing towards end-goals and too many limitations on activities deemed implementation.

Use of Pre-Determined Measurable Capacity Indicators: Some grantees would like EPA to eliminate the need for applicants to assign EPA-defined, measurable capacity indicators to their proposed work, or the need for EPA to approve applicant proposed measurable indicators. There is some sense among grantees that the use of indicators has unjustly limited the scope of GAP-eligible activities. Some have expressed the view that the GAP Guidance shifted the burden for national program accountability from EPA to the grantees.

Allowable Activities Related to Waste Program Implementation: Some grantees disagree with provisions in the GAP Guidance that clarified that GAP-funded solid and hazardous waste program implementation activities should be associated with tribal solid waste programs that are consistent with RCRA.

Use of GAP Online: Some grantees would like to eliminate the need to use GAP Online for GAP funds that are not administered through Performance Partnership Grants, noting that, in their experience, GAP Online can add administrative burden for grantees.

For more information about the GAP Guidance Evaluation, please feel free to contact Rebecca Roose, AIEO Senior Advisor, at roose.rebecca@epa.gov.