

U.S. Environmental Protection Agency Multipurpose Grant Guidance for Tribes

SUMMARY

The U.S. Environmental Protection Agency is issuing multipurpose State and Tribal Assistance Grants (STAG) to federally recognized Indian tribes (tribes) who are co-regulator partners. Multipurpose funds are intended to be used for high priority activities to complement co-regulator implementation activities funded under established federal environmental statutes. Co-regulator partners are tribes delegated certain federal regulatory authority through treatment in a similar manner to a state (TAS) and tribes approved for implementation activities through certain non-TAS approval provisions found in federal environmental statutes and regulations to operate environmental regulatory programs. A list of eligible tribes and programs is attached to this Guidance (see Attachment 1). EPA is awarding **\$3,062,100** to eligible tribes to be added to an existing or new Performance Partnership Grant (PPG) or as a standalone grant. This Guidance provides information on: eligibility, use of funding, grant mechanisms, processes for awarding funding, the allocation methodology used for distribution of funding, timelines, and terms for reporting under these grants.

This Guidance is for federally recognized tribes. Guidance for state and territorial agencies is issued separately.

AUTHORITY and FUNDING BACKGROUND

This grant funding is authorized by the 2018 Consolidated Appropriations Act (P.L. 115-141) and the 2019 Consolidated Appropriations Act (P.L. 116-6).

EPA will issue FY18 & FY19 Multipurpose Grant (MPG) program funds together under this Guidance. In FY 2018 Congress provided EPA with \$10,000,000 (\$9,772,000 after rescission) for the Multipurpose Grant (MPG) program.

In FY19, Congress provided an additional \$11,000,000 (\$10,642,000 after rescission) to EPA for the MPG program.

From a total amount of \$20,414,000 from FY18 and FY19 funds, EPA created an after-rescission 15% set-aside amount for tribes. Under this Guidance, the tribal MPG program funds available for award are \$3,062,100.

ELIGIBLE RECIPIENTS

The tribal set-aside funding is available to federally-recognized tribes that have received treatment in a similar manner to a state (TAS) regulatory program status and to tribes approved for implementation activities through certain non-TAS approval provisions found in federal environmental statutes and regulations to operate environmental regulatory programs. Table 1 below lists the environmental statute programs and the number of tribes eligible for funding under each program. This is the universe of 100 eligible programs. A full listing of the 74 tribes with their eligible programs is found in Attachment 1. Several tribes have more than one eligible program. Therefore, several tribes may be eligible to identify high priority activities for funding under more than one program. EPA anticipates prioritizing funding for programs that include an enforcement component.

Table 1: EPA Tribal TAS and other Tribal Approvals to Implement Regulatory Programs

Program	Number of Authorized Tribal Programs
CAA § 110 - Tribal Implementation Plan (TIP)	6
CAA § 111 - New Source Performance Standards (NSPS)	2
CAA § 112 – National Emissions Standards for Hazardous Air Pollutants (NESHAP)	2
CAA Title V - Operating Permit Program	4
CAA – Federal Air Rules for Reservations (FARR)	6
CAA – Class I Designations	6
CWA §§ 303(c) / 401 - Water Quality Standards Program (WQS)	62
FIFRA – Restricted Use Pesticide Program (RUP)	4
SDWA § 1413 - Public Water System Supervision (PWSS) Program	1
SDWA § 1425 - Underground Injection Control (UIC), Class II Wells	2
TSCA §§ 402, 404 - Lead Abatement	4
TSCA § 406 - Renovation, Repair, and Painting (RRP)	1
Total	100 programs / 74 tribes

ELIGIBLE ACTIVITIES

MPG funds are intended to be used for high priority activities to complement co-regulator implementation activities funded under established federal environmental statutes. Examples of eligible implementation activities under these programs include planning, development, operation, research, investigations, experiments, monitoring, assessment, training, surveys, inspections, compliance assistance, enforcement, process improvement, education and outreach, technical support, and

maintenance found within the environmental programs listed. Activities may also include joint efforts between the recipient and EPA, such as streamlining and other E-Enterprise projects.

All activities for which MPG funds are used must be implementation activities eligible to be funded under the respective federal environmental statutes. Conversely, activities that are ineligible for grant funding under the respective federal environmental statutes may not be conducted using MPG funds.

Tribes using MPG funds for any of the eligible programs must follow the applicable statutes, regulations, policies, and guidance associated with each program.

MATCH, COST-SHARE, AND MAINTENANCE OF EFFORT REQUIREMENTS

Tribes will not be required to provide a match, cost-share, or maintenance of effort requirement for MPG funds. Therefore, adding MPG funds to a PPG will not impact the PPG's existing cost-share requirement under 40 CFR 35.536.

GRANT MECHANISMS

The requirements of 2 CFR part 200 (OMB Uniform Grant Guidance) and 2 CFR part 1500 (EPA Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards) apply to this grant funding.

The following funding vehicles are available for MPG funds:

- Tribes with an existing PPG may add MPG funding to the PPG through a grant amendment.
- Tribes may combine MPG funds with one or more eligible grant(s) into a new PPG.
- Tribes may accept MPG funding as a standalone grant awarded under CFDA 66.204.

EPA encourages tribes to take full advantage of the reduced administrative burden and maximum flexibility offered by accepting MPG funds into PPGs.

Further, as required by EPA's Environmental Results Order (EPA Order 5700.7A1), workplans must link the MPG activities to EPA's strategic goals and objectives and include outcomes and outputs. The Regional POCs (listed below) may also assist with linking workplan activities to the EPA FY18-22 Strategic Plan.

PROCESS FOR AWARD

EPA will notify each eligible tribe of the potential for MPG funding with a request to accept or decline funding. EPA Regions will work with each eligible recipient who chooses to accept funding to negotiate a final award amount and assist in work plan development. See "TIMELINE" below.

FUNDING ALLOCATION

From the tribal set-aside, EPA will calculate regional allocations by the number of eligible tribal regulatory programs in each region, with an additional emphasis on eligible programs with an enforcement component. The total regional allocations will be used to generate individual tribal awards based upon workplan negotiations

TIMELINE

- **June 17-July 12, 2019:** Tribal Consultation period on proposed MPG Grant Guidance for Tribes.
- **September 5, 2019:** MPG Guidance for Tribes finalized and posted
- **September 15, 2019:** EPA sends a letter (via email) to eligible tribes, informing them of available funding, and requesting a response to accept or decline the funds.
- **October 1, 2019:** Tribes notify EPA of their intent to accept or decline MPG funds.
- **October 15, 2019:** EPA begins working with the individual tribal applicants.
- **November 1, 2019:** Tribes submit application through [grants.gov](https://www.grants.gov)
- **January 15, 2020:** EPA awards grants.

TERMS & CONDITIONS

There are no new terms and conditions for MPG grant funding. The typical grant terms and conditions associated with federal awards apply.

PERFORMANCE TRACKING

MPG funds must be managed in accordance with existing Federal and EPA-specific grant regulations and policies, including but not limited to: 40 CFR Part 35 Subparts A and B, 2 CFR Part 200, 2 CFR Part 1500, the Environmental Results Order, and GPI 12-06 Timely Award, Obligation, and Expenditure of EPA Grant Funds.

PROJECT PERIOD

Existing EPA grant policies limit project periods to no more than five years. EPA asks that tribes demonstrate the projects they've identified in their work plans are "of most value," as Congress directs, by drawing down the funds within two years. Use of the recipients' EPA-Tribal Environmental Agreement (ETEP) may be helpful in determining implementation activity priorities for MPG funds.

REGIONAL POINTS OF CONTACT

Tribes should direct questions about the MPG program to their regional official:

EPA Region	Regional Official	Phone Number	Email
R1	Mike Stover	(617) 918-1123	stover.michael@epa.gov
R2	Grant Jonathan	(212) 637-3843	jonathan.grant@epa.gov
R4	Becky Garnett	(404) 562-8420	garnett.becky@epa.gov
R5	Edward Pniak	(312) 886-0405	pniak.edward@epa.gov
R6	Randy Gee	(214) 665-8355	gee.randy@epa.gov
R7	Brandy Reed	(913) 551-7321	reed.brandy@epa.gov
R8	Mary Goldade	(303) 312-7024	goldade.mary@epa.gov
R9	Jason Brush	(415) 972-3483	brush.jason@epa.gov
R10	Stacy Murphy	(206) 553-2106	murphy.stacy@epa.gov

ATTACHMENT 1 – List of Federally Recognized Tribes with Programs Eligible for EPA Multipurpose Grants

Tribe	Program	Program	Program with Enforcement	Program with Enforcement	Program with Enforcement	Program with Enforcement
Assiniboine & Sioux Tribes of the Fort Peck Indian Reservation, MT	CWA- WQS	CAA-Class 1 Designation	SWDA-UIC Program			
Bad River Band of Lake Superior Tribe of Chippewa Indians	CWA- WQS					
Big Pine Paiute Tribe of the Owens Valley	CWA- WQS					
Bishop Paiute Tribe	CWA- WQS					
Blackfeet Tribe of the Blackfeet Indian Reservation of MT	CWA- WQS					
Cherokee Nation			TSCA-Lead Abatement			
Cheyenne River Sioux Tribe of the Cheyenne River Reservation	FIFRA-RUP					
Coeur D'Alene Tribe	CWA- WQS	CAA-FARR				
Confederated Salish & Kootenai Tribes of the Flathead Reservation	CWA- WQS	CAA-Class 1 Designation				
Confederated Tribes of the Chehalis Reservation	CWA- WQS					
Confederated Tribes of the Colville Reservation	CWA- WQS	CAA-FARR				
Confederated Tribes of the Goshute Reservation	CWA- WQS					
Confederated Tribes of the Umatilla Indian Reservation	CWA- WQS	CAA-FARR				
Confederated Tribes of the Warm Springs Reservation of Oregon	CWA- WQS					
Dry Creek Rancheria Band of Pomo Indians, California	CWA- WQS					
Eastern Band of Cherokee Indians	CWA- WQS					
Forest County Potawatomi Community, Wisconsin	CAA-Class 1 Designation					
Gila River Indian Community of the Gila River Indian Reservation, Arizona	CWA- WQS		CAA-TIP	CAA-Title V	CAA-NESHAP	CAA-NSPS
Havasupai Tribe of the Havasupai Reservation, Arizona	CWA- WQS					

Tribe	Program	Program	Program with Enforcement	Program with Enforcement	Program with Enforcement	Program with Enforcement
Hoop Valley Tribe, California	CWA- WQS					
Hopi Tribe of Arizona	CWA-WQS					
Hualapai Indian Tribe of the Hualapai Indian Reservation, Arizona	CWA-WQS					
Kalispel Indian Community of the Kalispel Reservation	CWA-WQS	CAA-Class 1 Designation				
Kletsel Dehe Band of Wintun Indians	CWA-WQS					
Lac du Flambeau Band of Lak Superior Chippewa Indians of the Lac du Flambeau Reservation of Wisconsin	CWA-WQS					
Lower Sioux Indian Community in the State of Minnesota			TSCA-Lead Abatement			
Lummi Tribe of the Lummi Reservation	CWA-WQS					
Makah Indian Tribe of the Makah Indian Reservation	CWA-WQS					
Mashantucket Pequot Indian Tribe			CAA-TIP	CAA-Title V		
Miccosukee Tribe of Indians	CWA-WQS					
Minnesota Chippewa Tribe - Bois Forte Band (Nett Lake)			TSCA-Lead Abatement	TSCA-RRP		
Minnesota Chippewa Tribe - Fond du Lac Band	CWA-WQS					
Minnesota Chippewa Tribe - Grand Portage Band	CWA-WQS					
Mohegan Tribe of Indians of Connecticut			CAA-TIP			
Morongo Band of Mission Indians, California	CWA-WQS					
Navajo Nation, Arizona, New Mexico & Utah	CWA-WQS	CAA-Title V	SDWA-PWSS Program	SDWA-UIC Program		
Nez Perce Tribe		CAA-FARR				
Northern Cheyenne Tribe of the Northern Cheyenne Indian Reservation, Montana	CWA-WQS	CAA-Class 1 Designation				
Ohkay Owingeh, New Mexico	CWA-WQS					
Pala Band of Mission Indians	CWA_ WQS					
Pawnee Nation of Oklahoma	CWA-WQS					

Tribe	Program	Program	Program with Enforcement	Program with Enforcement	Program with Enforcement	Program with Enforcement
Pechanga Band of Luiseno Mission Indians of the Pechanga Reservation, California	CAA-TIP					
Port Gamble S'Klallam Tribe	CWA-WQS					
Pueblo of Acoma, New Mexico	CWA-WQS					
Pueblo of Isleta, New Mexico	CWA-WQS					
Pueblo of Laguna, New Mexico	CWA-WQS					
Pueblo of Nambe, New Mexico	CWA-WQS					
Pueblo of Picuris, New Mexico	CWA-WQS					
Pueblo of Pojoaque, New Mexico	CWA-WQS					
Pueblo of Sandia, New Mexico	CWA-WQS					
Pueblo of Santa Ana, New Mexico	CWA-WQS					
Pueblo of Santa Clara, New Mexico	CWA-WQS					
Pueblo of Taos, New Mexico	CWA-WQS					
Pueblo of Tesuque, New Mexico	CWA-WQS					
Puyallup Tribe of the Puyallup Reservation	CWA-WQS					
Pyramid Lake Paiute Tribe of the Pyramid Lake Reservation, Nevada	CWA-WQS					
Quinault Indian Nation	CWA-WQS	CAA-FARR				
Rincon Band of Luiseno Mission Indians of the Rincon Reservation, California	CWA-WQS					
Rosebud Sioux Tribe of the Rosebud Indian Reservation	FIFRA-RUP					
Sac & Fox Tribe of the Mississippi in Iowa – Meskwaki Nation	CWA-WQS					
Saint Regis Mohawk Tribe	CWA-WQS		CAA-TIP			
Seminole Tribe of Florida	CWA-WQS					
Shoshone-Bannock Tribes of the Fort Hall Reservation	CWA-WQS	FIFRA-RUP				

Tribe	Program	Program	Program with Enforcement	Program with Enforcement	Program with Enforcement	Program with Enforcement
Sokaogon Chippewa Community, Wisconsin	CWA-WQS					
Southern Ute Indian Tribe	CWA-WQS		CAA-Title V	CAA-NESHAP	CAA-NSPS	
Spokane Tribe of the Spokane Reservation	CWA-WQS	CAA-Class 1 Designation				
Swinomish Indian Tribal Community	CWA-WQS	CAA-FARR	CAA-TIP			
Three Affiliated Tribes of the Fort Berthold Reservation		FIFRA-RUP				
Tulalip Tribes of Washington	CWA-WQS					
Twenty-Nine Palms Band of Mission Indians of California	CWA-WQS					
Upper Sioux Community, Minnesota			TSCA-Lead Abatement			
Ute Mountain Ute Tribe	CWA-WQS					
Walker River Paiute Tribe of the Walker River Reservation, Nevada	CWA-WQS					
White Mountain Apache Tribe of the Fort Apache Reservation, Arizona	CWA-WQS					

List current as of September 1, 2019