

EPA Region 6
Clean Water Act
(CWA)
§106/319

TAS Eligibility

- TAS = "Treatment as a State" or "Treatment in a Similar Manner as a State"
- Federal recognition
- Demonstrate substantial government duties
- Demonstrate legal authority or jurisdiction
- Demonstrate Capability

Federally Recognized as a Sovereign Tribe/Nation

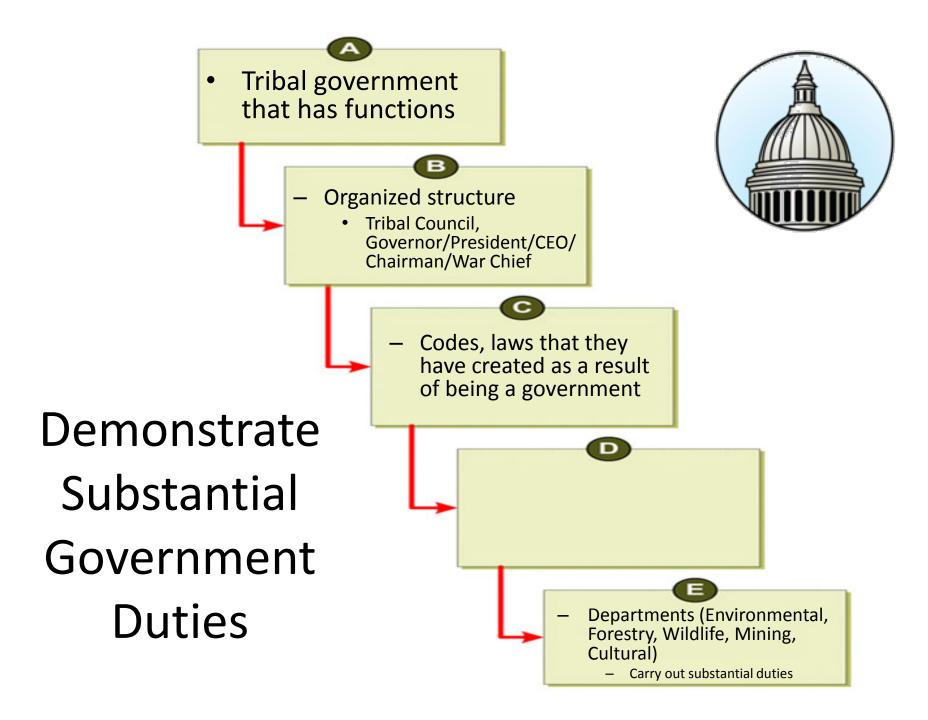


- Secretary of Interior
- Published in the Federal Register



Demonstrate Substantial Government Duties

- Tribal government that has functions
 - Organized structure
 - Tribal Council, Governor/President/CEO/Chairman/War Chief
 - Codes, laws that they have created as a result of being a government
 - Departments (Environmental, Forestry, Wildlife, Mining, Cultural)
 - Carry out substantial duties



Demonstrate Legal Authority or Jurisdiction

- Show that the tribe has Legal Authority in the form of
 - titles,
 - deeds,
 - legal boundaries approved by BIA,
 - trust documents,
 - treaties,
 - memoranda of agreement,
 - maps, including aerial maps
 - waterbody locations,
 - land grants,
 - other legal agreements,







Demonstrate Capability

- More subjective this requirement is at the programmatic level
- Show the tribe has capability to manage federal environmental programs. Mention areas in which you have implemented and reported on other programs.
- Show you have staffing capability



Demonstrate Capability

- Who, what are their qualifications (resume or biography), shows personnel can manage the program (working with federal government)
- Cooperative Assistance Agreement not a grant
- We have a trust responsibility to help you manage your precious water resources.



TAS Conclusion

- Finally, each program must demonstrate these four points in order.
 - Federal recognition
 - Demonstrate substantial government duties
 - Demonstrate legal authority or jurisdiction
 - Demonstrate Capability

TAS for 319

- *Assessment Report and Management Plan
 - Make a determination of where all tribal water bodies are located.
 - Make an assessment of where they are and/or the conditions of the waterbodies.
 - Then develop a 5-year management plan







Grant Management

- Application Review Process
- Project Management
- Financial Management
- Close-out process



Application Review Process

- Cooperative Agreement vs. Grant
- Region-specific



- Some just ask eligible tribes to send in workplans
- EPA opportunity to reflect national or regional priorities
- Your workplan must incorporate EPA's Strategic Plan
 - Example: Must submit data to STORET via WQX
- Must conform to guidance for the program



Application review process cont.

- Submit Workplan or proposal
- Workplan is reviewed by Region's programmatic team
- Once approved, application materials will be needed (see website)



Components of Funding Application

- SF 424A (signed by governor, president, or chairman) & SF 424B
- Lobbying certifications
- Contact list
- Can be accomplished online via Grants.gov,
 Regional Grants Management Office, or your
 Project Officer but check w/ Regional program
 staff for the preferred method

Components of Funding Application

- Application will need to be processed within a certain period so that the award can be made
- Grantee must comply with Terms and Conditions of an award
- Applications lead to awards, and the awards lead to dollars. The signed award allows you to draw down funds for your project as approved.
- Your award cannot be for more funds than you requested in the 424A.
- We do not extend project periods just so all monies can be expended.



Project Management "Getting the Work Done"

- Workplan Development And Implementation
 - Includes Goals, Objectives, Tasks, and Activities
 - Milestone and/or schedules
 - Project Budget
 - Reporting
 - Evaluation

Workplan Development and Implementation

- Identify Management Measures Or Practices To Be Implemented
- Includes Project Costs, Amount Of Award,
 Implementation Schedule, Milestones...

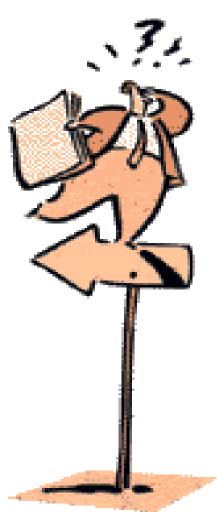
Incorporating EPA Strategic Plan and/or Regional

Priorities



Financial Management

- Reimbursement programs
- Drawdowns
- Financial Status Reports
- MBE/WBEs
- Financial Accountability



Close-Out

- Final Reporting
 - 90 days after expiration of project period to complete programmatic and financial reporting
 - Includes final MBE/WBE



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