June 1, 2022 Updated Guidance

We have revised the schedule for developing the FY 2023-2024 National Program Guidances (see page 4). This update replaces the March 11, 2022 Technical Guidance.

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OCFO TECHNICAL GUIDANCE FY 2023-2024 NATIONAL PROGRAM GUIDANCE

I. INTRODUCTION

This Office of the Chief Financial Officer's (OCFO) Technical Guidance for the FY 2023-2024 National Program Guidances (NPGs) supersedes OCFO's Technical Guidance for the FY 2022-2023 NPGs (issued in June 2020). The FY 2023-2024 NPGs will be issued in Spring 2022 and communicate program priorities, strategies, key activities, and measures. This schedule enables alignment of the NPGs with Administration priorities including environmental justice and equity, climate change and others in the FY 2022-2026 EPA Strategic Plan and FY 2023 Congressional Justification (CJ).

The NPGs are issued by EPA's five major national program offices—Air and Radiation; Water; Land and Emergency Management; Chemical Safety and Pollution Prevention; Enforcement and Compliance Assurance—along with the Office of Congressional and Intergovernmental Relations (OCIR), and the Office of International and Tribal Affairs (OITA). The NPG process is designed to maximize engagement and transparency.

In lieu of FY 2022-2023 NPGs, NPMs will use regular channels over Summer 2021 to communicate their program priorities related to the FY 2022 CJ and other initiatives to regions, states, tribes, and territories to inform FY 2022 grant work planning.

New this year, the FY 2023-2024 NPGs include an important change regarding the identification of tribal work. The OITA's FY 2023-2024 NPG will reference tribal work in each of the other NPGs, including priorities, strategies/activities, and flexibilities available to carry out the national program's tribal work. In this way, OITA's NPG will serve as a primary resource for tribes. In addition, each program's NPG will include a section focused on tribal work.

II. MAJOR ELEMENTS OF THE FY 2023-2024 NATIONAL PROGRAM GUIDANCE PROCESS

A. Early Engagement with States, Tribes, and Territories (June – October 2021)

FY 2023-2024 NPG development begins now with early engagement with states, tribes,

and territories on the most important priorities for protecting human health and the environment, including the priorities identified in the FY 2022 CJ.

NPMs will lead early engagement focused on state, tribal, territorial, and media-specific associations, the National Tribal Caucus, tribal partnership groups, and other relevant organizations to inform development of the NPGs.

Early Engagement Summary: By November 12, 2021, each NPM will submit to OCFO (Beth Burchard and Kathryn (Blair) Budd) their Summary of Early Engagement for posting on the National Program Guidance website. NPMs will use the Summary of Early Engagement Template.

B. Consultation and Coordination with Federally Recognized Tribes

OCFO plans to notify federally recognized tribes in January 2022 that the Agency is available for consultation on the FY 2023-2024 NPGs through the end of the external comment period (scheduled to end April 8. See Section V: Key Milestones). Additional information about consultation and coordination with tribes can be found on EPA's Tribal Consultation Opportunities website.

C. Alignment of National Program Guidances and Grant Work Planning

In developing the NPGs and grant guidances, program offices should highlight the use of Performance Partnership Agreements (PPAs) and Performance Partnership Grants (PPGs) as vehicles for increasing financial and programmatic flexibilities for states, tribes, and territories to achieve our mission of protecting human health and the environment. NPMs will clearly identify their PPG-eligible grants to inform work planning by states, tribes, and territories.

National programs also should highlight the use of EPA Tribal Environmental Plans (ETEPs) to better understand and address shared environmental priorities of EPA and tribes and use that understanding to guide EPA actions and decision-making.

Additionally, it is important for national programs, headquarters, and regional offices to incorporate the Administration's priorities of ensuring environmental justice and tackling climate change into the development of grant guidances and work plans. Work plans and guidance should also incorporate relevant feedback from the early engagement process. The Summaries of Early Engagement (available November 2021 on the National Program Guidance website) provide an easy reference for this purpose.

Compliance with Grants Policies: NPGs and grant guidances should comply with the Office of Grants and Debarment's (OGD) policies and guidance (found in the <u>OGD Policy Library</u>). All competitive grant solicitations and all grant workplans (competitive and noncompetitive) must address current EPA priorities and comply with <u>EPA Order</u> 5700.7A1 EPA's Policy for Environmental Results under EPA Assistance Agreements,

which requires a description of how the work under the assistance agreement links to the <u>EPA Strategic Plan</u>. In addition, programs and regions should include appropriate metric requirements in the grant criteria and workplan.

D. FY 2023 National Program Guidance Measures

Programs and regions will review annual performance goals (budget measures) in the FY 2022 CJ and FY 2023 OMB Submission, and current measures in FY 2020-2021 NPGs. These measures help us assess progress toward planned results in protecting human health and the environment, consistent with the FY 2023 CJ. These measures also are considered in developing activities and measures in grant work plans.

III. FORMAT AND CONTENT OF DRAFT AND FINAL GUIDANCES

The Section 508-compliant <u>Format and Content Template</u> is available on the <u>National Program</u> <u>Guidance SharePoint Site</u> and provides instructions for developing FY 2023-2024 NPGs.

IV. REVIEWS

A. Internal Agency Review

Prior to the external comment period, OCFO will post draft FY 2023-2024 NPGs for internal review on the <u>National Program Guidance SharePoint Site</u>. Comments should be submitted using the <u>Comments Template</u> posted on the SharePoint site.

B. External Review

The draft FY 2023-2024 NPGs will be available on the <u>National Program Guidance</u> <u>website</u> for a 6-week external comment period. Comments should be submitted using the Comments Template that will be posted on the <u>National Program Guidance website</u>.

 During the comment period, programs will hold national teleconference or video calls with states and territories, and equivalent outreach to tribes to discuss key changes and to provide an overview of the process for commenting on the draft FY 2023-2024 NPGs.

C. Response to Comments

Programs will use the Section 508-compliant <u>Response to Comments Template</u> to respond to comments by providing a brief explanation of how comments were addressed in the final FY 2023-2024 NPGs. The Response to Comment documents will be posted on EPA's <u>National Program Guidance website</u> with the final NPGs.

V. KEY MILESTONES – Revised May 25, 2022

The following table contains the revised timeline for developing the FY 2023-2024 National Program Guidances.

Target Date	National Program Guidance Development
June – October 2021	Programs solicited input from states and Tribes on joint priority-setting to inform development of the NPGs
November 2021	Summaries of early engagement posted on NPG website
March 28, 2022	Programs submitted draft FY 2023-2024 NPGs to OCFO for internal review
March 30	OCFO notified Tribes of: (1) the opportunity to request consultation with the programs on their draft NPGs, concurrent with the 6-week comment period; and (2) the details of an informational teleconference for Tribes during the consultation and comment period
March 29 – April 11	Internal agency review
May 26	Programs submit revised drafts to OCFO for external review
June 1	 OCFO sends second notification to Tribes with updated schedule for consultation period and new date for informational teleconference for Tribes (June 16) OCFO posts draft guidances to NPG website
June 2 – July 14	 External Comment and Concurrent Tribal Consultation Periods (6 weeks): Comments sent to appropriate Program and OCFO contacts State/ECOS/Program conference calls National informational teleconference with Tribes (June 16, 2022)
August 19	Programs submit Response to Comments and final NPGs to OCFO
August 26	OCFO posts final guidances to NPG website

VI. KEY CONTACTS

Key contacts for the NPGs are located on the <u>National Program Guidance website</u>.