

**U.S. Environmental Protection Agency - Region 10
Indian Environmental General Assistance Program
FY21 Notice of Funding Availability**



November 14, 2019

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I. OVERVIEW

The U.S. Environmental Protection Agency, Region 10, is announcing the opportunity for federally recognized tribes and intertribal consortia to apply for an Indian Environmental General Assistance Program (GAP) grant for Federal Fiscal Year (FY) 2021. 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 that are consistent with applicable provisions of law, including the Solid Waste Disposal Act (commonly known as the Resource Conservation and Recovery Act, or RCRA). EPA administers this program in accordance with the *Indian Environmental General Assistance Program Act of 1992*.

As described in the GAP Guiding Principles (<https://www.epa.gov/sites/production/files/2018-11/documents/gap-guiding-principles-memo-09-19-17.pdf>), this financial 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 more effective partnerships 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 solid and hazardous waste 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. See the GAP Guiding Principles Memo, Attachment A.

B. DUE DATES

Steps	Details
1. Review the Notice of Funding Availability.	<ul style="list-style-type: none"> • EPA issues the Notice of Funding Availability in November 2019.
2. Submit budget(s) and a work plan (and narrative if applicable) to your Project Officer. All applicants must submit a narrative once every four years.	<ul style="list-style-type: none"> • EPA invites GAP funding requests from \$75,000 to \$125,000. • Budgets and work plans (and narratives if applicable) must be postmarked, hand-delivered, faxed or emailed to EPA or submitted in the new version of GAP Online no later than Friday, January 17, 2020. • If requesting indirect costs in your budget, submit a copy of your approved indirect cost rate, proposal for a new rate, or an exception request. • PPG applicants wanting a match waiver must submit match waiver requests with their proposals.
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/Entity Administrator must renew your organization's SAM registration annually. Register or renew at http://www.grants.gov/web/grants/applicants/organization-registration/step-2-register-with-sam.html • Reminder: Tribes registering in SAM need to submit a notarized letter appointing their Authorized Entity Administrator.

5. Register in Grants.gov.	<ul style="list-style-type: none"> Register or check that the applicant registration in Grants.gov is current and that the person who will be submitting the funding request is an Authorized Organization Representative. Register at http://www.grants.gov/web/grants/applicants/organization-registration.html EPA recommends registering by February 1, 2020. Registration can take up to a month.
6. Submit consortia eligibility documentation <u>once every four years</u> .	<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 30, 2020.
7. Enter the application package into Grants.gov.	<ul style="list-style-type: none"> After negotiating the work plan and budget, your Project Officer will ask you to submit the application package in Grants.gov. See Attachment F. EPA expects applications to be submitted by the date applicants negotiate with their Project Officers. All GAP applications must be entered into Grants.gov by May 22, 2020. PPG applicants should also strive to submit applications by this date.
8. EPA issues FY21 GAP awards to tribes and intertribal consortia.	<ul style="list-style-type: none"> EPA expects FY21 GAP awards will be made to tribes and intertribal consortia by September 30, 2020.
9. EPA hosts webinars for applicants.	<ul style="list-style-type: none"> EPA Region 10 will host a variety of webinars related to the FY21 Notice of Funding Availability. Dates will be announced on our GAP funding page.

C. HIGHLIGHTS

- **Solid Waste Management Plans (NEW!):** A tribe seeking funding for solid waste and recovered materials collection, transportation/backhaul, or disposal services (solid waste implementation) should have an Integrated Solid Waste Management Plan in place. If a plan is not in place, the tribe may add a workplan commitment to develop one. See page 8.
- **Waste Reporting (NEW!):** A tribe seeking financial assistance for solid waste implementation activities should include a work plan commitment to identify where the serviced materials came from and what type of materials were serviced. See page 8.
- **Forms (REMINDER!):** All applicants must include the following forms when submitting applications in Grants.gov: SF-424, SF-424A, SF-424B, EPA Form 4700-4, and EPA Key Contacts Form. These forms are saved in Workspace in Grants.gov and can be accessed, edited, and used for your FY21 GAP application submission. See Attachment F. Examples of the SF-424 and SF-424A are available in Attachments G and H for PPG and GAP applicants. Please refer to these examples when completing your application.
- **Tribal Leaders Summit:** The Tribal Caucus of the EPA Region 10 Tribal Operations Committee (RTOC) will host a regional Tribal Environmental Leaders Summit March 6-8, 2020, in Anchorage, AK. We anticipate TELS will also be held in 2021. Applicants whose tribal leaders and environmental staff are interested in attending in 2021 should include

travel for this event in their FY21 GAP work plans and budgets. Details will be posted at <http://region10rtoc.net/tribal-leaders-summit/>.

- **Webinars:** EPA Region 10 will host two webinars associated with this announcement. Details will be provided on the EPA Region 10 Tribal Environmental GAP Funding page, <https://www.epa.gov/tribal/region-10-tribal-environmental-gap-funding> and through the AK Info Box.
 - **FY21 Notice of Funding Availability – Overview**, November 2019
 - **FY21 Notice of Funding Availability – Tips and Forms**, December 2019

We highly recommend reviewing the following webinar recordings before preparing your application:

- **Grants.gov**, February 2019: <https://www.epa.gov/grants/grantsgov-informational-session-tribes>
- **EPA's New Indirect Cost Rate Policy**, Dec. 10, 2018: <http://region10rtoc.net/webinars/>
- **Developing a GAP Budget**, Dec. 6, 2017: <http://region10rtoc.net/webinars/>
- **Developing a GAP Work Plan**, Nov. 29, 2017: <http://region10rtoc.net/webinars/>

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 their member tribes without duplicating members' efforts.

II. AVAILABLE FUNDING

A. Funding Amounts

Last year, EPA Region 10 was allocated \$29,463,000 of the national GAP budget for tribes and intertribal consortia in Alaska, Idaho, Oregon and Washington. The actual amount of GAP funding available in Region 10 for FY21 will be determined after EPA receives its full FY20 budget from Congress.

Applicants may request funding between \$75,000 and \$125,000 for FY21, depending on program need and ability to perform the work. Applicants are not guaranteed to be funded at the requested amount. (See Section V.) Applicants with high balances on the current grant are expected to work with their Project Officer to request no-cost extensions or 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 applicant'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 \$150,000. For Coeur d'Alene, Nez Perce, Shoshone Bannock, and Warm Springs, funding may be up to \$160,000. For Colville and Yakama, funding may be up to \$170,000.

B. Period of Performance

Tribes typically apply for new funding every year. However, current GAP and PPG recipients are eligible for multi-year funding if they are completing proposed activities as scheduled, submitting progress reports on time, fulfilling closeout 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.

Who is your Authorized Representative?

On the **Key Contacts Form**, the "Authorized Representative" means the person responsible for the overall operation of a facility or an operational unit, e.g., the plant manager, superintendent or person of equivalent responsibility. (40 CFR § 260.10). For a tribe, this person is typically the Board President or First Chief.

This is different from the AOR, or "Authorized Organization Representative," who is the person authorized to submit the application in **Grants.gov**. Typically, the AOR is the Tribal Administrator or Environmental Coordinator.

On the SF-424, "Authorized Representative" means the AOR who submits the application into Grants.gov.

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 consortium 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 funding.

This documentation ensures clear communication so that EPA can 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 30. Applications that do not contain adequate documentation from all GAP-eligible tribes are incomplete.

As provided in 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, **proposals from intertribal consortia must describe in their work plans how their work plan activities will support the environmental priorities of the GAP-eligible tribes they serve.**

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. In developing work plans, tribes should refer to the core environmental protection program capacities provided in Appendix 1 of the 2013 GAP Guidance: <http://www2.epa.gov/sites/production/files/2015-05/documents/gap-guidance-final.pdf>. EPA also provides tribes financial assistance under GAP for solid waste and recovered materials collection, transportation, backhaul, and disposal services.

Following is a brief summary 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 and hazardous waste management capacity, see Appendix I of the GAP Guidance.

Region 10 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 and hazardous waste. An effective integrated solid waste management system considers how to prevent, recycle, and manage solid and hazardous 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 and hazardous 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

The following criteria apply if the applicant seeks funding for solid waste and recovered materials collection, transportation/backhaul, or disposal services:

- **Solid Waste Management Plans:** A tribe should have an Integrated Solid Waste Management Plan in place. If a plan is not in place, the tribe may add a workplan commitment to develop one. EPA Tribal Coordinators are available to connect tribes with technical resources and assist with developing a reasonable timeline for completing the plan.
- **Consortia:** A consortium's work plan should support implementation activities related to member tribes' integrated solid waste management plans.
- **Waste Reporting:** A tribe seeking financial assistance for solid waste and recovered materials collection, transportation, backhaul, and disposal activities should include a work plan commitment to identify (1) where the serviced materials came from (residential, institutional, or commercial sources), and (2) what type of materials were serviced (municipal solid waste, recovered materials, or mixed waste).¹

EPA encourages applicants to consider the resources on the following page when developing work plans with a solid waste component. To learn about allowable solid waste activities, visit https://www.epa.gov/sites/production/files/2016-08/documents/solid_hazardous_waste_allowable_unallowable_activies_gap_v2_0.pdf.

¹ Municipal solid waste is trash from homes, schools, hospitals, businesses, and industry. Mixed waste includes any waste types with different properties—residential, industrial/commercial, hazardous, and/or radioactive waste. Recovered materials are those that are diverted from the waste stream for reuse or recycling.

Solid Waste Resources

- *Advancing Sustainable Materials Management: Facts and Figures:*
<https://www.epa.gov/smm/advancing-sustainable-materials-management-facts-and-figures>
- *Allowable and Unallowable Solid Waste and Program Implementation Costs:*
https://www.epa.gov/sites/production/files/2016-08/documents/solid_hazardous_waste_allowable_unallowable_activies_gap_v2_0.pdf
- *Building a Self-Sustaining Tribal Solid Waste Program:*
<https://www.epa.gov/sites/production/files/2017-10/documents/r10-gap-attachment-c-self-sustaining-programs.pdf>
- *Building Solid Waste, Hazardous Waste, and Underground Storage Tank Capacities:* See Appendix I, Section E.3, of the GAP Guidance: <http://www2.epa.gov/sites/production/files/2015-05/documents/gap-guidance-final.pdf>
- *Developing Tribal Integrated Waste Management Plans:* <https://www.epa.gov/tribal-lands/developing-tribal-integrated-waste-management-plans>
- *Landfill reports from the State of Alaska's Solid Waste Information Management System:*
<http://dec.alaska.gov/Applications/EH/SWIMS/Default.aspx>
- *A Manager's Roadmap for Funding Sustainable Solid Waste Programs in Rural Alaska:*
<https://www.epa.gov/sites/production/files/2016-06/documents/ak-tribal-solid-waste-managers-roadmap-01272016.pdf>
- *Solid Waste Program Budgeting for Alaska Tribal Communities:*
<https://www.epa.gov/sites/production/files/2016-10/documents/ak-tribal-solid-waste-costing-tool.pdf>

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 and entities registering in SAM must submit a notarized letter appointing an authorized entity administrator. Entities with an existing SAM registration that have not submitted a notarized letter must do so. To register in SAM or update an existing registration, go to <https://www.sam.gov>.

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 include the following items:

Initial Proposals (Submit to EPA Project Officer or Tribal Trust and Assistance Branch Manager)		
Who	What	When
All Applicants	<ul style="list-style-type: none"> Draft budget (or budgets if a multi-year proposal) One draft work plan (or work plans if a multi-year proposal) A narrative if FY21 is the start of a new four-year grant cycle (see Section IV.A) 	January 17, 2020
All Applicants Using an Indirect Rate	<ul style="list-style-type: none"> A current indirect cost rate letter of approval or the proposal to the agency requesting a rate or a copy of the exception submitted to EPA (see Section IV.C) 	
PPGs	<ul style="list-style-type: none"> Letter requesting a match waiver if desired (see Section VI) 	

Current GAP/PPG recipients should direct questions and submit their proposal to their EPA Project Officer.

New applicants that have not received a GAP grant before may submit their proposal to Stacy Murphy, TTAB Manager, US EPA, Region 10, 1200 Sixth Avenue, Suite 155 (TTAB-122), Seattle, WA 98101-1128, murphy.stacy@epa.gov. General questions can be directed to Region 10's Tribal Trust and Assistance Branch at 1-800-424-4372.

A. Narrative

The narrative is required at the beginning of each four-year grant period. See Attachment C for narrative templates for tribes and intertribal consortia.

The narrative should include:

- A summary of the tribe or consortium'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); and
- A list of other environmental funding sources/amounts (both federal and non-federal) that the tribe or consortium has managed or plans to pursue.

B. Work Plan

1. General Work Plan Requirements

Please submit work plans in the standardized template, provided in Attachment D.

Work plans must not duplicate prior efforts; they should demonstrate clear progress in building capacity or specify new focus areas. Exact duplicates of prior work plans will be rejected by the EPA Project Officer. **However, EPA acknowledges that some activities (e.g., baseline sampling, solid/hazardous waste implementation activities) must be repeated to provide meaningful data or to conduct activities such as solid waste transportation or operations and maintenance.**

Work plans must include the following elements, which are described in the **Work Plan Template Instructions**:

- Components
- Capacity Indicators
- Personnel
- Long-Term and Intermediate Outcomes
- Estimated Work Years
- Estimated Cost Per Component
- Commitments
- Outputs and Deliverables
- EPA Roles and Responsibilities
- Joint Performance Evaluation

2. Mandatory Tasks

The following tasks are mandatory for all applicants:

Update or Complete an EPA-Tribal Environmental Plan

In accordance with the GAP Guidance, tribes seeking GAP financial assistance are required to develop and implement an EPA-Tribal Environmental Plan. The purpose of an ETEP is to develop a complete picture of the environmental issues facing the tribe and establish a shared understanding of the issues the tribe will be working on and of the issues that EPA will address. ETEPs are instrumental for tribes and EPA to define mutual roles and responsibilities for environmental protection program implementation on tribal lands and help prioritize tribal work funded under GAP.

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

Tools!

Proposal Review Checklist

EPA encourages applicants to use the optional proposal review checklist 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. See Attachment B.

FTE & Component Cost Calculator

See EPA Region 10's Tools page for an Excel spreadsheet designed to help applicants easily calculate estimated work years and cost per component:

<https://www.epa.gov/tribal/region-10-tribal-environmental-gap-tools>

needed to reflect changes in environmental program administration priorities, 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.

Beginning in Federal Fiscal Year 2019, a tribe that does not have an ETEP in place that includes the four components outlined in Section 4 of the GAP Guidance (p. 13 of 22) may only apply for and receive GAP funds, including incremental funding, if (a) the EPA Regional Office and the EPA American Indian Environmental Office have agreed upon an ETEP completion date that is later than December 31, 2018, and (b) the tribe's work plan includes a commitment to finalize the ETEP by the agreed upon date.

For any tribe without a complete ETEP at the time of applying for incremental funding during FY19 and beyond, EPA reserves the right to award incremental 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 part of the tribe's application.

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 grant recipients 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 Quality Assurance Documentation

If a tribe plans to conduct any environmental measurements, including sampling and data collection activities and/or use existing environmental data, applicants should include commitments to attend any necessary training, develop a Quality Assurance Project Plan (QAPP), and submit it to their EPA Project Officer. **The QAPP must be approved by EPA before grant recipients can conduct environmental measurements.** EPA requires grant recipients to demonstrate competency before conducting any activities that involve collecting, analyzing, or using environmental data. Once approved by EPA, QAPPs are valid for 5 years unless changes in the work require earlier updates.

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.

C. Detailed Budget

A detailed budget must be submitted for each year of funding requested. See Attachment E for a sample budget template. The GAP grant does not require cost sharing or matching funds.

Indirect Cost Rate

If your tribe uses an indirect cost rate, please review EPA's new indirect cost policy, guidance, and restrictions, available at <https://www.epa.gov/grants/rain-2018-g02>. In summary:

- Before drawing down EPA funds for indirect costs and/or using unrecovered indirect costs for cost-sharing, recipients must have an approved rate and an EPA-approved budget that includes an indirect cost rate.
- The policy defines different approved rate types and includes regulatory exception opportunities that can increase recipient options but also **require EPA approval**. The options include:
 - Use of the 10% de minimis rate even if a recipient has had an IDC rate in the past;
 - Continued use of fixed rates with carry-forward dates for up to four years past the expiration date; and
 - Providing exceptions if a recipient has been out of compliance with the indirect cost rate requirements in 2 CFR Part 200 before the effective date of the policy.
- Applicants may budget for indirect costs in their application if they provide proof that an indirect cost rate proposal has been submitted to their cognizant agency, or if applicants have submitted a request for a regulatory exception. **However, it is unallowable to draw down EPA funds for indirect costs until the indirect cost rate or regulatory exception has been approved.**

Budget Template

Last year, several applicants had difficulty manipulating the budget form. If you have an older version of the template you prefer, you may use that version. If there isn't a space for program income on page 7, you may add anticipated program income and how you intend to use those funds by hand.

If you would like to use the newer template, please be sure Adobe Reader is installed on your computer and Adobe Reader is selected as the default system for viewing .pdf documents.

Requesting an Exception for an Indirect Cost Rate

Email your request to OGDwaivers@epa.gov and copy [Peggy Johnson](mailto:Peggy.Johnson@epa.gov) (Johnson.PeggyD@epa.gov) by **January 17, 2020**. Please also copy your EPA Project Officer. Find instructions on what to include in your request under "How to Request a Regulatory Exception to Continue to Use an Expiring/Expired Fixed Rate with Carry-Forward" at <https://www.epa.gov/sites/production/files/2018-08/documents/indirect-cost-policy-guidance-for-recipients-of-epa-assistance-agreements.pdf>.

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. ***ALL equipment purchases require prior approval by the EPA Project Officer and the EPA Grants and Interagency Agreements Branch.***

D. 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 responding to revision requests within the timeframes negotiated with their EPA Project Officer. EPA will contact the GAP staff member's manager or 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 FY21, *all applicants* must:

- have active/updated DUNS, SAM, and Grants.gov registrations;
- have a single or program-specific audit in compliance with 2 CFR Part 200 if the applicant spends \$750,000 or more in federal awards annually;
- have completed an ETEP or included a commitment to complete an ETEP in FY21 (tribes only); and
- have included all information requested in this Notice of Funding Availability in the proposal.

To qualify for funding in FY21, *current grant recipients* must:

- be current with all reporting requirements (progress reporting for current GAP/PPG grants, closeout requirements for prior GAP/PPG grants, and annual Federal Financial Reports);
- be making satisfactory progress (completing workplan commitments, outputs, and deliverables) and if not, have a corrective action plan in place;
- be making regular drawdowns per the terms and conditions of the grant agreement and not have an excessive balance of unexpended funds;
- have completed an ETEP (required for tribes but not for consortia);
- have new, non-duplicative activities in the proposed work plan and budget compared to earlier awards; and
- be responsive to EPA requests, including responding to emails and phone calls in a timely manner.

Grant recipients with a history of performance issues should submit a statement describing those issues and how they have been resolved.

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

GAP applications will also be reviewed to determine:

- Do the proposed work plan activities build the applicant’s administrative and environmental program capacity consistent with the GAP Act, GAP Guidance, and GAP Guiding Principles?
- Do the proposed activities include well-defined, achievable commitments, outputs, and outcomes (environmental results)?
- Is the proposed budget sufficient to accomplish the proposed project? Proposed costs must be necessary, allowable, allocable, reasonable, and sufficient to accomplish the proposed project.
- Does the work plan identify the expected intermediate and long-term outcomes of the proposed project? Work plans must identify expected changes in human health or the environment, or in the behavior or knowledge of community members.
- Do the proposed activities support achieving the priorities identified in the ETEP?
- Has the applicant included all information requested in this Notice of Funding Availability in the proposal?

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 grant recipient 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 applicant is in the last year of a four-year GAP grant (but may be an option for PPGs). **Extensions are not automatic** and must be requested by the applicant 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 grant recipient 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 negatively on a grant recipient’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. 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 their applications no later than **May 22, 2020**.

PPG Match Requirements

Some program funds included in a PPG have cost share requirements. In the first year of a new PPG, the tribal match will be 5% for any program grants with a match requirement.

After two years, the Regional Administrator must determine through objective assessment whether the Tribe or the members of an Intertribal Consortium meet socio-economic indicators that demonstrate the ability of the Tribe or the Intertribal Consortium to provide a cost share up to 10% for any programs in the PPG with a match requirement of 10% or greater.

A Tribe may request a waiver to reduce or eliminate the match requirement if the tribe can demonstrate in writing that fulfilling the requirement would impose undue hardship. The tribe must submit supporting socio-economic documentation in the letter that could include:

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.

If a tribe wants to continue with the reduced match, the tribe must submit a letter requesting the reduced match be continued. Supporting documentation is not required. The re-evaluated match will then hold for the duration of the current PPG.

To request a match waiver, email a letter to your project officer by **January 17**, along with your work plans and budget(s). Address the letter to:

Peggy Johnson
 Grants Management Officer
 U.S. EPA
 1200 Sixth Ave., Suite 155, 17-C04
 Seattle, WA 98101

The letter must be signed by the Tribal Council or an Authorized Representative designated by the Council.

PPG Match Waiver Requirements		
Year One	5%	To request a waiver, submit a letter with your initial work plan and budget demonstrating that fulfilling the match requirement would impose undue hardship. The letter must be signed by the Tribal Council or an Authorized Representative.
Year Two	5%	
Years Three and Beyond	10%	

VII. SUBMISSION INSTRUCTIONS

A. Project Officer Notification

After applicants have submitted their initial proposals, they will enter into negotiations with their EPA Project Officer on their work plans and budgets. Once negotiations are complete, Project Officers will ask applicants to submit their full application package in Grants.gov. Notification will include:

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

B. Grants.gov

All applicants must submit their applications in Work Space in Grants.gov. Applications should be submitted by the date tribes negotiate with their Project Officers (sometime between **March 6 and May 22**). **All GAP applications must be entered into Grants.gov by May 22, 2020.** **Tribes and consortia applying for PPGs should also strive to submit applications by this date.**

Applications submitted to EPA in Grants.gov must include the following elements. Please see Attachment F for Grants.gov submission instructions.

GAP/PPG Application Requirements (Submit in Grants.gov)		
Who	What	When
All Applicants	<ul style="list-style-type: none">• Application for Federal Assistance (SF-424)• Budget Information for Non-Construction Programs (SF-424A)• EPA Key Contacts Form• Pre-award Compliance Review (EPA Form 4700-4)• Grants.gov Lobbying Form (first year only)• Assurances for Non-Construction Programs (SF-424B)	By date negotiated between the applicant and the EPA Project Officer
All Applicants Using an Indirect Cost Rate	<ul style="list-style-type: none">• A current indirect cost rate letter of approval or the proposal to the agency requesting a rate or a copy of the exceptions request submitted to EPA	

PLEASE NOTE!

Once you successfully submit your application in Grants.gov, you will receive two email messages within 48 hours. The first email will confirm receipt of your application by the Grants.gov system, and the second will indicate that the application has been validated by the system. Please forward these messages to your Project Officer.

Once your application has been submitted and transmitted to EPA, do not submit any additional documents in Grants.gov, even if your application contains errors. Duplicate copies create problems in the award system and may delay application processing. Please work with your Project Officer to correct your application if needed.

C. Progress Reporting

In years past, EPA has required GAP grantees to upload their approved work plans and budgets in GAP Online by September 30. GAP grant recipients may enter their final FY21 work plans and upload final budgets in GO3 (the new version of GAP Online) if they wish. To access GO3, visit <https://ofmext.epa.gov/apex/gap/f?p=101:101:4318269286603>.

Alternatively, grantees may submit progress reports directly to their Project Officer via email. Several options are available for paper reporting:

- To access an optional Region 10 quarterly report template, visit <https://www.epa.gov/tribal/region-10-tribal-environmental-gap-tools>.
- To access ANTHC's quarterly report template, visit <https://anthc.org/what-we-do/community-environment-and-health/tribal-capacity-and-training/> and click on the IGAP tab.
- Grantees may use a template that their Project Officer provides or develop one of their own if it meets grant requirements.

D. 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.