

**U.S. Environmental Protection Agency - Region 10
Indian Environmental General Assistance Program
FY22 Funding Availability**



October 14, 2020

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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) 2022. 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). See Section II.B. for a discussion of allowable activities under the GAP grant.

Applicants may request funding between \$75,000 and \$125,000 for FY22, depending on program need and existing balances.

Tribes with large reservations may request 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.

Applicants are not guaranteed to be funded at the requested amount. Applicants with high balances on a current grant are expected to work with their Tribal Coordinator 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; and
- whether proposed activities meet the review factors, including past performance and whether the applicant is current on all reporting requirements.

See Section IV for details.

High Balances

EPA recommends that grantees with a high balance of unspent GAP funding from previous years contact their Tribal Coordinator to discuss whether a no-cost extension or reduced award would be appropriate.

TIMELINE

| Steps | Details |
|--|--|
| 1. Review the Notice of Funding Availability. | <ul style="list-style-type: none"> EPA issues the Notice of Funding Availability in October 2020. |
| 2. Submit budget(s) and work plan(s) to your Tribal Coordinator. | <ul style="list-style-type: none"> EPA invites GAP funding requests up to \$125,000. Budgets and work plans must be emailed to EPA or submitted in GAP Online (GO3) no later than Friday, January 29, 2021. Applicants are encouraged to submit proposals earlier. 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 by January 29. PPG applicants wanting a match waiver must submit match waiver requests with their proposals by January 29. COVID-19: Applicants who cannot meet the January 29 deadline because of COVID 19 impacts may email an extension request to their EPA Tribal Coordinator no later than January 18 describing their situation and to establish a submission date. If you wish to request an extension, please discuss this option with your EPA Tribal Coordinator no later than January 18. |
| 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"> Register or renew your organization's SAM registration at http://www.grants.gov/web/grants/applicants/organization-registration/step-2-register-with-sam.html. Tribes initially registering in SAM need to submit a notarized letter appointing their Authorized Entity Administrator. The Procurement Technical Assistance Center (PTAC) is available to assist tribes with SAM registration. See Section VI.B for details. |
| 5. Register in Grants.gov. | <ul style="list-style-type: none"> Register at http://www.grants.gov/web/grants/applicants/organization-registration.html. <i>EPA strongly recommends that tribes check that their registration in Grants.gov, including the designated eBusiness Point of Contact, is current and that the person who will be submitting the funding request has an Authorized Organization Representative account. This will be essential to submitting your application in Grants.gov.</i> |
| 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, 2021. This requirement applies only to consortia applying for a new grant – that is, the first year of the four-year funding cycle. |

| | |
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| 7. Enter the application package in Grants.gov. | <ul style="list-style-type: none"> • After negotiating the work plan and budget, your Tribal Coordinator 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 Tribal Coordinators. • All GAP applications must be entered into Grants.gov no later than Friday, May 21, 2021. PPG applicants should also strive to submit applications by this date. • Grants.gov can assist tribes with technical issues. See Attachment F for details. |
| 8. EPA issues FY22 GAP awards to tribes and intertribal consortia. | <ul style="list-style-type: none"> • EPA expects FY22 GAP awards will be made to eligible applicants by September 30, 2021. |
| 9. EPA hosts webinars for applicants. | <ul style="list-style-type: none"> • EPA Region 10 will host one or more webinars related to the FY22 Notice of Funding Availability. Dates will be announced on the Region 10 Tribal Programs website: https://www.epa.gov/r10-tribal. |

HIGHLIGHTS

- **Narrative (NEW):** EPA Region 10 no longer requires a narrative, although applicants may submit a narrative if they wish. See Attachment C for an optional narrative template.
- **Budget Template (NEW!):** EPA Region 10 has updated the GAP budget template in Adobe to make it easier to use. Grantees will need Adobe Reader to use this template. (Alternatively, grantees may use the budget template in Excel if they wish.) See Attachment E for both budget templates.
- **Assessment of Administrative/Fiscal Policies and Procedures (NEW!):** EPA Region 10 encourages, but no longer requires, tribes that do not conduct a single audit to review and assess the tribe's financial, procurement, and property management policies and procedures to ensure that its systems meet the requirements of 2 CFR Part 200. EPA Tribal Coordinators can provide grant recipients with a questionnaire to use as a guide for performing this administrative self-assessment on request.
- **Period of Performance:** Tribes are encouraged to request multi-year funding if they are meeting all grant requirements. See Section I.C for details.
- **Tribal Leaders Summit:** The Tribal Caucus of the EPA Region 10 Tribal Operations Committee (RTOC) will host a regional Tribal Environmental Leaders Summit in 2022. Applicants whose tribal leaders and environmental staff are interested in attending may wish to include travel for this event in their FY22 GAP work plans and budgets. Details will be posted at <http://region10rtoc.net/tribal-leaders-summit/>.
- **Webinars:** EPA Region 10 will host one or more webinars associated with this announcement. Details will be shared on the EPA Region 10 Region 10 Tribal Programs website, <https://www.epa.gov/r10-tribal>, and in the Tribal Newsletter and the AK Info Box.

We highly recommend that new applicants review the first three webinar recordings before submitting their draft proposal and the fourth webinar before submitting their final application:

1. **Developing a GAP Budget**, Dec. 6, 2017: <http://region10rtoc.net/webinars/>
 2. **Developing a GAP Work Plan**, Nov. 29, 2017: <http://region10rtoc.net/webinars/>
 3. **EPA's New Indirect Cost Rate Policy**, Dec. 10, 2018: <http://region10rtoc.net/webinars/>
 4. **Grants.gov Informational Session for Tribes**, February 2019: <https://www.epa.gov/grants/grantsgov-informational-session-tribes>
- **Forms (REMINDER!):** All applicants must include the following forms when submitting applications in Grants.gov: SF-424, SF-424A, Preaward Compliance Review, EPA Form 4700-4, and EPA Key Contacts Form. New applicants (those entering the first year of their four-year funding cycle) applying for greater than \$100,000 must also submit a Certification Regarding Lobbying, EPA Form 6600-06.
 - These forms are saved in Workspace in Grants.gov and can be accessed, edited, and used for your FY22 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.
 - **Solid Waste Implementation (REMINDER):** 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 work plan commitment to develop one. A tribe seeking financial assistance for solid waste implementation activities should also include a work plan commitment to identify where the serviced materials came from and the type of materials serviced. See Section II.B for details.

REVIEW CRITERIA

To qualify for funding in FY22, *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 funds annually;
- have completed an EPA-Tribal Environmental Plan (ETEP) or included a commitment to complete an ETEP in FY22 (tribes only); and
- have included all information requested in this Notice of Funding Availability in the proposal.

To qualify for funding in FY22, *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
- respond to EPA emails and phone calls in a timely manner.

See Section IV for details.

HOW TO APPLY

Tribes should submit a draft proposal to their EPA Tribal Coordinator by Friday, January 29, 2021. The Tribal Coordinator will contact the tribe to schedule a time to negotiate the proposal. When negotiations are complete, the Tribal Coordinator will provide a date for the tribe to submit their final, approved application in Grants.gov.

Initial proposals include the following items:

| Initial Proposals (Submit to EPA Tribal Coordinator 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) • Draft work plan (or work plans if a multi-year proposal) <p>See Section III for details.</p> | January 29, 2021 |
| All Applicants Using an Indirect Rate | <ul style="list-style-type: none"> • A copy of the current indirect cost rate letter of approval or a copy of the proposal to the agency requesting a rate or a copy of the exception submitted to EPA. <p>See Section III.C for details.</p> | |
| PPGs | <ul style="list-style-type: none"> • Letter requesting a match waiver if desired <p>See Section V for details.</p> | |

Final applications submitted in Grants.gov must include the following elements. See Attachment F for Grants.gov submission instructions.

| GAP/PPG Application Requirements (Submit in Grants.gov) | | |
|--|---|---|
| Who | What | When |
| All Applicants | Application for Federal Assistance (SF-424) <ul style="list-style-type: none"> • Budget Information for Non-Construction Programs (SF-424A) • EPA Key Contacts Form • Pre-award Compliance Review (EPA Form 4700-4) • Certification Regarding Lobbying (EPA Form 6600-06) – due in the first year of the four-year grant cycle if the grant exceeds \$100,000 See Attachment F for details. | By date negotiated between the applicant and the EPA Tribal Coordinator |
| All Applicants Using an Indirect Cost Rate | <ul style="list-style-type: none"> • A copy of the current indirect cost rate letter of approval or a copy of the proposal to the agency requesting a rate or a copy of the exceptions request submitted to EPA See Section IV.C for details. | |

Please review the following pages for detailed information on applying for a GAP grant. If you have questions after reviewing this material, contact your EPA Tribal Coordinator:

<https://www.epa.gov/r10-tribal/forms/contact-us-about-tribal-programs-pacific-northwest-and-alaska#coordinators>

I. INTRODUCTION

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. 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.

C. Period of Performance

Tribes are encouraged to work with their Tribal Coordinator to seek 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 Tribal Coordinator before submitting a multi-year proposal.

II. 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.

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 that EPA can consider individual tribal needs and priorities when awarding GAP funds to intertribal consortia. 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 should be provided to the EPA Tribal Coordinator by March 30. Consortia that may not meet the March 30 deadline should work with their Tribal Coordinator to establish a submission date.** Applications that do not contain adequate documentation from all GAP-eligible tribes are incomplete and will not be considered for funding.

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 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:

- **Integrated Waste Management Plans:** A tribe should have an Integrated Waste Management Plan in place. If a plan is not in place, the tribe must add a workplan commitment to develop one. EPA Tribal Coordinators can connect tribes with technical resources and assist with developing a 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

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.

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

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>

III. PROPOSAL REQUIREMENTS

All requirements must be met prior to receiving GAP funding.

Current GAP/PPG recipients should direct questions and submit their proposal to their EPA Tribal Coordinator. New applicants that have not received a GAP grant before may email their proposal to Stacy Murphy, TTAB Manager, US EPA, Region 10, murphy.stacy@epa.gov. General questions can be directed to any [Region 10 Tribal Coordinator](#).

A. Work Plan

1. General Work Plan Requirements

Applicants must submit a work plan detailing their proposed activities. Work plans must not duplicate prior efforts; they should demonstrate progress in building capacity or specify new focus areas. Exact duplicates of prior work plans will be rejected by the EPA Tribal Coordinator.

See Attachment D for an optional work plan template and work plan template instructions. This template is not required, but all work plans must include the following elements:

- Components
- Capacity indicators
- Personnel
- Long-term and intermediate outcomes
- The tribal priority in the ETEP each work plan component relates to
- Estimated work years
- Estimated cost per component
- Commitments
- Outputs and deliverables
- EPA roles and responsibilities
- Joint performance evaluation
- Statutory authority

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

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/r10-tribal/region-10-indian-environmental-general-assistance-program-gap#budget>.

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 needed to reflect changes in environmental program administration priorities, adjust performance expectations, or account for changing environmental and administrative conditions. Tribes may include activities to update their ETEP in their work plan proposals.

For any tribe seeking GAP funding for the first time or after several years without GAP funding that does not have an ETEP, ETEP development must be included as part of the tribe's application.

A tribe with an existing grant that does not have an ETEP in place may only apply for and receive GAP funds if: (a) the EPA Regional Office and the EPA American Indian Environmental Office have agreed upon an ETEP completion date, and (b) the tribe's work plan includes a commitment to finalize the ETEP by the agreed-upon date. EPA reserves the right to award funding only for work plan activities related to finalizing the ETEP.

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 Tribal Coordinator. ***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 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.

Progress Reporting

Grantees must submit progress reports throughout the year. GAP grant recipients may enter their progress reports in GO3 (<https://ofmext.epa.gov/apex/gap/f?p=101:101:4318269286603>) if they wish. Alternatively, they may submit progress reports as attachments directly to their Tribal Coordinator by email. Several options are available for electronic reporting:

- To access optional Region 10 quarterly report templates, 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 GAP tab.
- Grantees may use a template that their Tribal Coordinator provides or develop one of their own if it meets grant requirements.

C. Detailed Budget

A detailed budget must be submitted for each year of funding requested. 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.**

Requesting an Exception for an Indirect Cost Rate

Email your request to OGDwaivers@epa.gov and copy [Peggy Johnson \(Johnson.PeggyD@epa.gov\)](mailto:Johnson.PeggyD@epa.gov) by **Friday, January 29, 2021**. *Please also copy your EPA Tribal Coordinator.* 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 Tribal Coordinator and the EPA Grants and Interagency Agreements Branch.***

D. Work Plan/Budget Negotiation

EPA Tribal Coordinators 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 Tribal Coordinator. EPA will contact the GAP staff member’s supervisor 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.

IV. REVIEW CRITERIA

A. Review Criteria

GAP applications will 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?

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) and be making satisfactory progress (completing workplan commitments, outputs, and deliverables).

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.”

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 project period. (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.

V. 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 21, 2021**.

PPG Match Requirements

Some program funds included in a PPG have cost share requirements. In the first two years 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 Tribal Coordinator by **Friday, January 29**, 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 Requirements | | |
|------------------------|--|---|
| Years One and Two | 5% maximum cost share for any programs requiring a match | 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. |
| Years Three and Beyond | 10% maximum cost share for any programs requiring a 10% match or greater | |

VI. SUBMISSION INSTRUCTIONS

A. Tribal Coordinator Notification

After applicants have submitted their initial proposals, they will enter into negotiations with their EPA Tribal Coordinator on their work plans and budgets. Once negotiations are complete, Tribal Coordinators 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. 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 initially 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>. For assistance with SAM registration, contact your local PTAC at <http://www.dla.mil/HQ/SmallBusiness/PTAC.aspx>. Alaska tribes may also call 1-800-478-7232.

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 PTAC as soon as possible. Changing a name can take several weeks.***

C. Grants.gov

All applicants must submit their applications in Work Space in Grants.gov by the date they negotiate with their Tribal Coordinators. **All GAP applications must be entered into**

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**; there may be multiple AORs in an organization, each with an individual Grants.gov account. Typically, an AOR is the Tribal Administrator or Environmental Coordinator.

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

Grants.gov no later than May 21, 2021. Tribes and consortia applying for PPGs should also strive to submit applications by this date.

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 Tribal Coordinator.**

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 Tribal Coordinator to correct your application if needed.

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.