Agenda

• Welcome and Logistics
• Purpose of Today’s Call
• Overview of Consultation Process
• Review of the Current Allocation Process
• Proposed Changes to the National Allocation Process
• What happens after the consultation?
• Questions
Purpose

• Office of Inspector General (OIG) recommendations from 2008
  • prior progress,
  • environmental capacity needs, and
  • long-term goals
• Are we meeting our NPM responsibilities to ensure appropriate and efficient management of GAP funds?
• Consultation to receive early input last summer/fall
• Current consultation opportunity: Proposed changes to the national GAP allocation
Overview of Tribal Consultation Process

• April 4 – August 2 (120-day Consultation)
• Tribal governments may request government-to-government consultation
• Today’s informational call
• Additional national discussion opportunities:
  • May 23, 2022
  • July 13, 2022
• Consortia informational call, June 16, 2022
• Regional Tribal Operations Committee (RTOC) and Tribal Partnership Group (TPG) discussions
Review of Current National GAP Allocation

AIEO receives the appropriation from Congress.

National AIEO set-asides, if any, determined and reserved.

Allocations to regions are determined as $110,000 x # of federally recognized tribes in region.

Remaining balance, if any, is divided equally by # of GAP recipients and added to regional allocation.

Regions distribute the funds based on regional specific criteria.

EPA staff are not paid by GAP.
Questions from EPA last Summer/Fall

Should EPA’s revised allocation continue to be based primarily on the number of federally recognized tribes in a region regardless of whether the tribe applies for funding?

How might EPA’s revised allocation consider the environmental capacity needs of individual tribes?

Should EPA consider different funding amounts for tribes that have different environmental capacity goals?

Should EPA establish a set aside for tribal service delivery activities (transportation, collection, disposal, and backhaul)?

What criteria should EPA consider when including consortia in the allocation given their unique role?

Are there other examples of allocation criteria from other federal agencies that EPA should consider?
What we heard

• GAP is vital to Tribal environmental programs
• Importance of reliable, consistent GAP funding
• Increase in current national allocation/Tribe ($110K)
• Fund only Tribes that apply for GAP
• EPA should consider environmental needs and Tribal priorities, not demographic data
• EPA should not establish a set aside for Tribal service delivery activities
• Intertribal consortia should not be included in the national allocation
• Consider 638 approach
• No change, slow down
• Comment Summary
GAP Allocation

• Step 1 – AIEO Set Aside (will include assisting Tribes who may have reduction in environmental program funding as result of changes to allocation methodology)
• Step 2 – Determine Regional Allocation based on total appropriation minus set-aside, divided by number of Tribes receiving GAP
  • Will work with regions to confirm accuracy of count
  • Universe of potentially eligible Tribes defined by BIA listing in Federal Register and BIA Tribal Priority Allocation (FY21 count = 583 tribes)
• Step 3 – Distribute Regional Allocation by adding per Tribe allocation in Step 2 and any regional portion of set aside in Step 1
Congressional Appropriation • $66.250M

National GAP Set Aside • $66.250M - $250,000 = $66M

Number of FR Tribes eligible to receive GAP • $110,000 x 583 = $64.130M

Remaining / GAP recipients • $66M - $64.130M = $1.9M

Remaining / GAP recipients • $1.9M / 513 = $3,600

Awards to Tribes, Intertribal consortia, Regional priorities

Current Allocation Process
Proposed New Allocation Process

Congressional Appropriation • $66.250M

National GAP Set Aside • $66.250M - $250,000 = $66M

Divide Remaining by number of Tribes who receive GAP • $66M/513 = 128,655

Regional Allocation

Awards to Tribes, Intertribal consortia, Regional priorities
<table>
<thead>
<tr>
<th>Region</th>
<th>Current Distribution (FY21 Budget)</th>
<th>FY 21 Budget and New Approach</th>
<th>% Change from FY21 Actual</th>
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</thead>
<tbody>
<tr>
<td>R1</td>
<td>$1,129,000</td>
<td>1,029,240 (-99,760)</td>
<td>-9%</td>
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<tr>
<td>R2</td>
<td>$909,000</td>
<td>1,029,240 (+120,240)</td>
<td>+13%</td>
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<tr>
<td>R3</td>
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<td>643,275 (-34,725)</td>
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<td>R4</td>
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<td>771,930 (+89,930)</td>
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<td>4,502,924 (+524,924)</td>
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<tr>
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<td>R10</td>
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<td>29,076,023 (-1,556,977)</td>
<td>-5%</td>
</tr>
</tbody>
</table>
• Deliberation of Tribal input and internal drafting of revised Guidance allocation
• Tribal Consultation on revised allocation
  • April 2022 – August 2022
  • Aligns with consultation on revised GAP Guidance
• Final Guidance and new Allocation effective October 1, 2022
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