Tribal Competitive 319 Grant FY2026 Notice of Funding Opportunity (NOFO)
Frequently Asked Questions

EPA's FY2026 Tribal Competitive Section 319 Grant Notice of Funding Opportunity (EPA-OW-OWOW-26-01) is available on the Tribal Nonpoint Source website. Applications under this announcement are due on **November 9, 2026**.

Questions about the FY2026 Notice of Funding Opportunity are due by **October 23, 2026.** You may submit questions to tribal319grants@epa.gov. The questions and answers below pertain to the FY2026 Notice of Funding Opportunity and includes Frequently Asked Questions received in previous years.

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General Questions about the NOFO

1. Are there any changes to the FY2026 Notice of Funding Opportunity, compared to previous years?

As in previous years, the funding available through the FY2026 NOFO is primarily intended to support implementation of NPS best management practices (BMPs) to manage sources of NPS pollution. Applicants may also include other eligible activities that support implementation work (e.g., watershed planning, water quality monitoring), but an application should be primarily focused on implementing BMPs that will directly protect or restore water quality.

Applicants will notice the following two changes from previous NOFOs:

- **The project cap in the FY2026 NOFO has been increased from $125,000 to $175,000. Applicants may now request a maximum of $175,000.**
- The FY2026 NOFO format has been updated. The format of the document is now a standardized NOFO template from the EPA Office of Grants and Debarment (OGD). The new template aimed to streamline and simplify the document and the readability of funding announcements.

Beyond the project cap increase and formatting changes, the FY2026 NOFO does NOT include substantive changes from the FY2025 NOFO. Please note the table below highlights significant changes between the FY2023 and FY2024 NOFOs. The scoring criteria updates are still in use in the FY2026 NOFO.

The table below shows a comparison of FY2023 scoring criteria (left column) and the revised scoring criteria, effective starting in FY2024 (right column). See the NOFO for additional details.

FY2023 Evaluation Scoring Criteria (OLD – No Longer Used)	**FY2026 Evaluation Scoring Criteria (CURRENT)**

A. Subcategories of NPS pollution *(10 points)*	**i. Project Location** *(15 points total)* • Project Site Description *(5 points)* • Waterbody Description *(5 points)* • Watershed Description *(5 points)*
B. Water quality problems/threats *(10 points)*	**ii. NPS Pollution Problem** *(10 points total)* • NPS Pollution Subcategories *(5 points)* • Water Quality Problems/Threats *(5 points)*
C. *(30 points total)* • **Project goals & objectives** *(5 points)* • **Work plan components** *(10 points)* • **Description of BMPs & other project activities** *(10 points)* • **Project location** *(5 points)*	**iii. Project Goals & Environmental Results** (*15 points total)* • Project Goals *(6 points)* • Environmental Outputs & Outcomes *(6 points)* • Progress Tracking Plan *(3 points)*
D. *(10 points total)* • **Link between workplan components and NPS pollution subcategories** *(5 points)* • **Water quality benefits** *(5 points)*	**iv. Project Workplan** *(25 points total*) • Project Workplan Details *(15 points)* • Roles & Responsibilities *(5 points)* • Milestone Schedule *(5 points)*
E. Watershed approach *(10 points)*	**v. BMP Technical Merit** *(20 points total)* • BMP justification to address NPS problem *(10 points)* • Potential Future Environmental Conditions *(5 points)* • Operation & Maintenance Plan *(5 points)*
F. *(10 points total)* • **Environmental results** (*3 points)* • **Measuring and tracking progress** *(4 points)* • **Past performance** *(3 points)*	**vi. Project Budget** *(10 points)*
G. *(10 points total)* • **Project Budget** *(8 points)* • **Spending Approach** *(2 points)*	**vii. Past Performance** *(5 points)*
H. Milestone schedule *(5 points)*	
I. Roles & responsibilities *(5 points)*	

2. How many applications does EPA typically receive under this NOFO? How many applications are typically selected for award?

In the past few years EPA has typically received between 30 and 40 applications under this NOFO. The number of applications selected for award is dependent on the amount of Section 319 grant funding available each year. In recent years, EPA has awarded approximately $3 million for competitive Tribal 319 grants, which equates to approximately 30 projects (assuming a federal award of $125,000 per project). **With the recent project cap increase to $175,000, EPA is anticipating awarding 20 – 25 projects under this announcement.**

In FY2026, a portion of funding (approximately 5 projects) will be reserved for Tribal competitive grant applicants that have not been awarded competitive grants in the past 5 years. These projects will still be scored alongside all other applications for completeness and technical soundness and will need to receive sufficient scoring to be accepted. A list of Tribes that are eligible for this funding will be posted on our website: https://www.epa.gov/nps/current-Tribal-ss319-grant-information#COmp

3. Can our Tribe apply for more than one competitive 319 grant?

No, each Tribe may only submit one application under this opportunity. However, there are cases in which applicants will develop proposal work plans that include more than one proposed activity, particularly if requesting the maximum $127,000 in federal funds. For example, an applicant may propose to install livestock fencing to remove animal access to a waterbody, as well as propose to use funding to install an alternative watering system for the livestock. These activities do not necessarily need to be in the exact same geographic location, but it should be clear from the application how each activity addresses an NPS pollution problem.

4. Can a Tribe apply for both a base 319 grant and a competitive 319 grant in the same year?

Yes, Tribes eligible for CWA section 319 grant funds may apply for both base and competitive funds in the same year.

5. If we currently have an NPS Assessment Report in review, can we receive a 319 competitive grant?

A Tribe must have an initial 319 plan approved before being eligible for this funding. An initial plan is accepted through the Treatment-as-a-State (TAS) process. Additional information on Section 319 TAS can be found on the Tribal NPS Overview page. The deadline to apply for TAS for this program is the second Friday in October.

A Tribe may apply for funds while their program documents are being updated; and it is recommended that any proposed project be included in an approved NPS Management plan.

6. Is there a page limit and/or formatting requirements for competitive 319 grant applications?

Yes, there is a page limit on applications. Section 4.B of the FY2026 NOFO "*establishes a 15-page, single-spaced Project Narrative page limit. Applicants are advised that readability is of paramount importance and should take precedence in application format, including selecting a legible font type and size for use in the application".*

Additional pages beyond the 15-page limit will not be considered. Supporting materials, such as letters of support from potential partners, annotated resumes, data graphs, site photos, diagrams of BMPs, and maps of the project location are not included within the Project Narrative page limit.

7. How should applicants format their application to address each of the ranking criteria and stay within the 15-page limit?

As in past years, the FY2026 NOFO indicates that "**The Project Narrative must include a cover page and items i – vii below [Section 4.B]**. It is recommended that you identify within your Project Narrative each individual ranking criterion in Section 6.B that you are addressing."

8. What qualifies as "supporting materials" not counted against the 15-page limit?

The FY2026 NOFO does not include a full list of supporting materials, but instead provides several examples of items that qualify as supporting materials, including: "…*letters of support from potential partners, annotated resumes, data graphs, site photos, diagrams of BMPs, and maps of project*

location." Please note that items explicitly required under the evaluation scoring criteria (see parts i – viii under NOFO Section 4.B) do not qualify as supporting materials and will be counted towards the 15-page page limit. For example, tables outlining the proposed project work plan (required under evaluation criterion iv), project budget (criterion vi), and project schedule (criterion iv) are counted towards the 15-page Project Narrative page limit.

9. Can supporting documents be included in the same document as the 15-page Project Narrative?

Yes, you may include supporting materials in the same Word document as the Project Narrative application work plan. Given the 15-page limit for the project narrative (not including Supporting Materials), please be sure to clearly indicate where the Supporting Materials section begins. **Do not include full copies of your Tribal Assessment Report or Management Plan.** You may include excerpts of these documents if they directly pertain to the proposed project.

As stated in Section 4.B of the FY2026 NOFO, *"Supporting materials, such as letters of support from potential partners, annotated resumes, data graphs, site photos, diagrams of BMPs, and maps of the project location are not included within the Project Narrative page limit and should be submitted using the Other Attachments Form. Financial hardship waiver letters and quality assurance/quality control information is not included in the Project Narrative page limit and should be submitted using the Other Attachments form."*

10. Under the "Past Performance" evaluation criterion (Criterion "vii"), what information are applicants expected to provide about federally-funded assistance agreements their organization performed within the last five years?

As stated in the FY2026 NOFO (Section 4.B.vii and Section 6.B.vii), applicants should include a list of federally-funded assistance agreements (assistance agreements include federal grants and cooperative agreements but not federal contracts) that your organization performed within the last five years (no more than five agreements) for similar scopes of work to the proposed project (i.e. primarily BMP implementation) including how you documented and/or reported on whether you were making progress towards achieving the expected results (e.g., outputs and outcomes) under those agreements.

Please note that under this criterion, reviewers <u>are not</u> looking for a list of deliverables achieved under each agreement. Instead, they are looking for a **short description for each agreement listed of how you documented and/or reported during the project period** (e.g., through quarterly progress reports and coordination with your EPA Project Officer to address and resolve problems).

The NOFO specifies that applicants should provide "no more than 5 agreements". If an applicant does not have any relevant or available information on agreements (federal grants and cooperative agreements but not federal contracts), you must indicate this in the application and you will receive a neutral score for this evaluation criterion.

11. Under the "Past Performance" evaluation criterion (Criterion "vii"), should we include other funding sources like state grants or other funding that would tie into the proposed project?

Specifically for the Past Performance evaluation criterion, we are looking for details on "federally-funded assistance agreements" only.

If you do not have any federally-funded assistance agreements to list, an explicit statement about having no previous federal award will allow the reviewers to give half points for this criterion.

If there is other funding sources that would support a related part of the proposed project, this should be listed in the budget section.

12. Under the "Past Performance" evaluation criterion (Criterion "vii"), what does "similar scopes of work to the proposed project" mean?

The goal of this criterion is to get a sense for how an applicant will be able to manage grants that involve on-the-ground implementation. Any grant that includes BMP implementation and management would be considered similar in scope to the common BMPs proposed under this grant.

13. Under the "Project Goals and Environmental Results" evaluation criterion (Criterion "iii"), the criterion asks for a link to priorities in the Tribal nonpoint source management program (NPSMP) plan. How specific does our Tribal NPSMP plan need to be for this connection?

The connection can be somewhat general and does not need to specifically identify or discuss in detail the BMP that is being proposed. Specifically, it is most important that the category of NPS pollution is covered in the applicants NPSMP plan and that the area is identified as a priority.

14. We are in the process of updating our Tribal Nonpoint Source Management program plan. Are we eligible to apply for the grant this year or do we need to wait until our updated plan is approved by EPA?

If you are eligible to receive a base grant in a given year, you are eligible to apply for the competitive grant. EPA does not consider there to be a gap in eligibility between one plan being approved and working on an update. Applicants can reference draft NPSMP plans when discussing the connection between the proposed project and the Tribal NPSMP plan.

15. The NOFO for the Tribal 319 grant makes mention of required documents, including a number of forms. Where can one find these forms?

The forms are available on grants.gov and you will be prompted to fill them out in the grants.gov workspace as you prepare to submit your application. You can either fill them out live, online or you can download them and upload them individually.

Here is the grants.gov landing page about forms: https://grants.gov/forms

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Questions about eligible activities

16. The NOFO indicates that the primary focus of proposed projects must be on best management practice (BMP) implementation. The following questions relate to BMP implementation.

a. What is a best management practice (BMP)?

As defined in EPA's *National Management Measures* guidance documents (available here: https://www.epa.gov/nps/nonpoint-source-pollution-technical-guidance-and-tools), BMPs refer to a practice or combination of practices that are determined to be the most effective and practicable (including technological, economic, and institutional considerations) means of controlling point and nonpoint pollutants at levels compatible with economic and environmental quality goals. BMPs can be either structural (e.g., livestock exclusion fencing, streambank shaping and planting to stabilize and reduce erosion) or nonstructural (e.g., grazing or nutrient management practices).

b. Where can I find a list of structural and nonstructural BMPs eligible under the FY2026 competitive Tribal 319 grant NOFO?

The FY2026 competitive Tribal 319 grant NOFO does not include a comprehensive list of all BMPs eligible for funding but see Section 3.A for some examples. You should refer to your NPS program documents for more information about which BMPs may be best suited for a given project location. Your Tribe's ***NPS assessment report*** should describe your NPS program's process for identifying the BMPs needed to control each NPS pollution (sub)category identified in your NPS assessment report. Additionally, your Tribe's ***NPS management program plan*** should outline actions to be taken over a five-year period to address the problems identified in the assessment report, including specific information on the BMPs to be used.

Many Tribes use state or federal tools and resources, such as Internet databases or publications, to identify the kinds of BMPs that will address or prevent the NPS issues identified in their waters. Examples include:

- EPA's *National Management Measure* technical guidance documents provide technical information, including BMP types, on managing NPS pollution from different sources (Agriculture, Urban Areas, Forestry, Marinas and Recreational Boating, Hydromodification, wetlands/riparian areas).
- The U.S. Department of Agriculture's Field Office Technical Guide (FOTG) includes state-specific information about NRCS conservation practices, including practice definitions and design standards.

c. The NOFO indicates that the primary focus of projects should be on BMP implementation, but that the application can also include "other eligible project activities" like NPS education and outreach, project monitoring, training for staff, and watershed-based plan development. What does this mean?

The FY2026 competitive Tribal 319 grant funding is primarily targeted to support implementation of BMPs that will directly result in the protection or restoration of water quality. As stated in Section 3.A of the FY2026 NOFO, "This NOFO aims to fund implementation of best management practices and measures that have been outlined in Tribal NPS Management Program Plans to address NPS pollution sources that have been identified in a Tribe's Assessment Report." However, other project activities that support BMP implementation, including assessment and watershed planning, can be a part of a competitive grant application work plan. While there is no cap on the portion of the federal competitive grant that may be used for these other project activities (but note that a maximum of 25 percent of the federal portion of the competitive grant can be used to develop or continue work on a watershed-based plan), the primary focus of the application work plan should be on BMP implementation.

17. Can competitive 319 grant funding be used to purchase land?

With few exceptions, such as purchasing a conservation easement, land purchases are ineligible under Section 319(h) grant funding. At a minimum, the applicant would need to demonstrate in their application how protection of land is consistent with the Tribe's NPS management program plan and how it would result in restoration of NPS-impaired waters or protect waters from NPS pollution.

18. Can competitive 319 grant funding be used to address a NPS pollution problem/threat associated with septic systems?

Yes, Section 319 funds may be used to address NPS pollution water quality problems or threats associated with septic systems. In past years, competitive 319 grant funding has been awarded to conduct septic system inventories, educate the community about proper septic system maintenance, perform pump outs of septic systems, and assist in repairing/replacing septic systems identified as failing and contributing to water pollution. All proposed activities must be consistent with and address a NPS pollution priority identified in the Tribe's NPS assessment report and NPS management program plan. As described in the FY2026 NOFO, funding available is primarily targeted to support on-the-ground implementation of best management practices and measures that have been outlined in Tribal NPS Management Program Plans to address NPS pollution sources that have been identified in a Tribe's Assessment Report. Your application should demonstrate how the proposed activities will reduce or eliminate the NPS pollution sources contributing to the water quality problem/threat, as evaluated under ranking criterion (ii).

19.Can competitive 319 grant funding be used on wastewater infrastructure?

Specific eligibility on wastewater infrastructure will depend on the situation – but in general, supporting installation or removal of wastewater infrastructure is not eligible under the CWA Section 319 program. There are some specific cases that may be eligible such as assessments for

failing septics or targeted repairs (see question above). Applicants interested in learning more about these topics should contact their regional coordinator or the national Tribal NPS coordinator.

20. Is improving forest health by fuel reduction an eligible activity under the Competitive 319 grant?

Yes, wildfire management activities may be eligible under the Section 319 grant program. Wildfire can result in significant increases in runoff and erosion, which can negatively impact water quality in the streams, rivers, and lakes within a watershed. Reducing the risk of high-intensity fires may result in lower erosion rates following wildfires. As described in the FY2026 NOFO, competitive 319 grant applications should describe how/what significant water quality benefits will be achieved as a result of the project(s) through addressing water quality problems or threats. All proposed activities must be consistent with and address a NPS pollution priority identified in the Tribe's NPS assessment report and NPS management program plan.

Please see EPA's National Management Measures to Control Nonpoint Source Pollution from Forestry for more information on fire management activities as they relate to nonpoint source pollution.

21. If the stormwater from a parking lot of a Tribal Casino/Trading Post (or any other Tribal business) is negatively affecting the water quality of the river located within the reservation, is treating that stormwater an eligible activity under the competitive 319 grant?

Yes – addressing NPS pollution associated with stormwater runoff from buildings, parking lots, etc. is an eligible activity under the competitive 319 grant. The FY2026 NOFO mentions both low impact development and stormwater management practices as examples of the types of best management practices that may be implemented under a competitive 319 grant.

22. Can competitive funding be used to pay for camera inspection of the sewer lines suspected of contributing to a fecal coliform bacteria pollutant problem in a waterbody on the Reservation?

If inspecting the sewer lines for potential contributions to a water quality problem is part of a broader project to help target efforts to manage NPS pollution, it would be eligible under the Section 319 grant program. However, *work to repair sewer lines is an ineligible activity*.

Note that the FY2026 competitive Tribal 319 grant funding is primarily targeted to support implementation of best management practices (BMPs) that will directly result in the protection or restoration of water quality. As stated in Section 3 of the FY2026 NOFO, "This NOFO aims to fund implementation of best management practices and measures that have been outlined in Tribal NPS Management Program Plans to address NPS pollution sources that have been identified in a Tribe's Assessment Report." However, other project activities that support BMP implementation, including assessment and watershed planning, can be a part of a competitive grant application work plan. While there is no cap on the portion of the federal competitive grant that may be used for these other project activities (but note that a maximum of 25 percent of the federal portion of the competitive grant can be used to develop or continue work

on a watershed-based plan), the primary focus of the application work plan should be on BMP implementation.

23. Would an application to work with an engineer to design new crossings as four priority road stream crossing sites, as identified in the Tribe's NPS program plan, be eligible under this announcement? The construction of these crossings would not be a deliverable under the 319 grant, but we do have plans to implement all the designs by the end of [the following year] using another funding source.

Through the FY2026 NOFO, as in previous years, EPA is specifically soliciting projects that are primarily aimed at implementing on-the-ground NPS projects (i.e., implementing BMPs). The funding available through this NOFO is primarily targeted to support on-the-ground implementation of nine element watershed-based plans and watershed projects to control sources of NPS pollution through the implementation of BMPs. In addition, eligible implementation activities like assessment and planning can be part of a competitive application. However, if an application includes planning or other eligible implementation activities, the applicant should also include NPS BMP implementation as part of the application.

So, while engineering designs of the road crossing improvements could be part of a competitive grant application, the proposed work would also have to involve using federal 319 funds for an on-the-ground implementation project. The ranking criteria that reviewers use to evaluate applications are primarily focused on how a project implemented during the grant period (typically 2-3 years) will result in water quality benefits.

24. Are gray water diversion projects eligible under CWA section 319 grants?

In general, grey water diversion projects are not eligible under the CWA Section 319 grant program, as they are aimed at diverting wastewater rather than addressing sources of NPS pollution.

Previous Tribal competitive 319 grants have addressed stormwater runoff, for example by installing rain gardens, permeable pavement and other green infrastructure/low impact development practices to reduce pollutant loadings from developed areas (e.g., parking lots, buildings). These projects differ from grey water diversion in that they are address runoff pollution, rather than diverting wastewater.

25. Can we use competitive 319 funds to install solar powered water pumps to direct high nutrient drainage water from agricultural croplands to treatment wetlands?

Yes, 319 grant funding can be used for drainage water management systems to manage NPS pollution associated with agricultural lands. Your proposed project to "install solar powered water pumps for drainage of high nutrient return flows to the treatment wetlands" is an eligible activity under CWA Section 319 grants.

26. If another party (e.g., a developer) was willing to cover part of the cost of a BMP, is that something we would need to state in the proposal? Is only paying for a portion of the project not considered as competitive?

Yes – information about other funding sources contributing to the project should be mentioned in your application, particularly if those other funds are being used alongside competitive 319 funds to install a project. In this case, you would want to indicate that these other funds have been secured at the time you submit your competitive grant application. Again, this demonstrates to reviewers that the project is ready to proceed if awarded.

27. I have a question about doing a project in phases. The best way I know how to ask it is to provide an example. Our Tribe would like to install a green roof on a new building. The total cost is $250K. We would propose to fund the green roof in the following way. Assuming our Tribe is funded in all 3 years, would the following project be allowable under the competitive grant?

- *Year 1: Tribe requests 100k over a 3-year period (with plans to do the actual project in year 3)*
- *Year 2: Tribe requests 100k over a 2-year period*
- *Year 3: Tribe requests 50k over a 1 year period; starting and finishing the project in this year with a total of $250k*

In the example you provide, it sounds like the construction of the green roof would occur in Year 3 and would be contingent upon the Tribe successfully obtaining a competitive grant in each of the three years (i.e., the roof, with a cost of $250K, could not be installed if you are unsuccessful in any of the three years).

A project structured this way is unlikely to be funded under the competition. Reviewers are assessing the readiness to proceed of each application during evaluation. Since there would be uncertainty about whether the project could be completed under Year 3, contingent on obtaining the full funding amount, the project you describe does not demonstrate a readiness to proceed. Additionally, per EPA's grant policy, only in very limited cases can changes be made to a project after being selected via a national competition. This would create an issue if you were unsuccessful in year 2 or 3 and had to modify the work plan to change the project.
For these reasons, any multi-phase projects need to have discrete parts that can be implemented without being contingent on future funding.

28. Are there specific thresholds for water quality that need to be achieved through a competitive Tribal 319 grant? (e.g., is a water quality goal to support fish health scored differently than a water quality goal to support human use?)

No, EPA does not specify thresholds for water quality that need to be achieved through a competitive Tribal 319 grant. As described in the FY2026 NOFO, applications should include *"a description of how the proposed project addresses NPS issue(s) within the watershed"* These water quality benefits, including, for example, specific designated uses (e.g., aquatic life, human use) to be protected or restored, may vary depending on the proposed project.

Each application will be evaluated based upon the extent and quality to which it describes how and what significant water quality benefits will be achieved as a result of the project and how it addresses the water quality problems or threats either through restoring NPS-impaired waters or protecting waters from NPS pollution.

29. Page 9 of the NOFO includes "NPS ordinance development" in the list of examples of other eligible project activities. Can you please provide more detail on what this activity includes?

"NPS ordinance development" could include Tribal staff time spent researching and drafting an environmental code/ordinance to submit to Tribal government leaders to consider enacting to address NPS pollution. Since this work doesn't directly result in protecting/restoring water quality (e.g., there's no assurance Tribal government will enact the new ordinance), it should not be the primary focus of your competitive 319 grant application. Your application should focus primarily on proposed BMP work but may include some staff time spent developing NPS-related ordinances.

These are not Tribal-specific, but here are some examples of NPS-related ordinances to address urban runoff: https://www.epa.gov/nps/urban-runoff-model-ordinances-prevent-and-control-nonpoint-source-pollution.

30. Is installation of catchment systems in storm drains an eligible project under the Tribal 319 Competitive Grant program?

Yes, this would be an eligible project under Section 319 grants, as long as the work is not directly required under a municipal separate storm sewer system (MS4) federal NPDES permit.

31. In the NOFO it says that 25% of a competitive grant can be used towards developing a watershed-based plan. Does that refer just to a nine-element watershed plan or could we potentially use funding to work with a consultant to assist in developing a watershed-based assessment report and a watershed based management plan?

You do need to be working on a 9-element watershed-based plan if the competitive grant is paying for the work.

That said, as long as the application has a primary focus on BMP implementation, it can also include other eligible activities "…like assessment and planning." Past awarded competitive grants have supported activities like watershed surveys, NPS monitoring, and similar work. So, you could include work on watershed-based assessment report/management plan in your application. Keep in mind is that your proposed work, including the BMP implementation and any other assessment/planning work, is evaluated based on the ranking criteria in the NOFO.

32. Can we request funding for follow-up work at previous 319 worksites to remove new/previously missed invasive plant growth (salt cedar) along with replanting more willows for biological control and burning any debris left from previous projects would be allowable…Many of the sites have willows in some areas from previous planting efforts but the areas that the willows did not take are becoming infested with salt cedar again, we see it as an important step in the process to return to such areas while salt cedar is still young and remove them before they can become established again.

Yes, conducting follow-up invasive plant management and native replanting in areas previously addressed by 319 competitive grants are eligible activities under this announcement. Please note the following:

- Your proposed work should address a NPS pollution priority identified in the Tribe's NPS management program plan.
- While you previously received 319 funding to address these areas, your application will be evaluated, in part, on your description of the water quality benefits that will be achieved as a result of the new proposed work. Be sure your application addresses the ranking criteria in Section 6 of the NOFO.

33. Can water quantity issues be addressed by a project?

Yes, there are a variety of BMPs that can support water conservation and/or increasing hydrologic connection. Examples include riparian floodplain reconnection or large woody debris installation. See FAQ #10 for additional information on eligible activities and BMPs.

34. How does tracking progress under criteria iii.c different than milestone schedule in iv.c?

We are looking for you to present a statement on how your environmental outputs and outcomes will be tracked over the life of the project and grant, including some information on metrics of success. An example of this would be that there will be grant tracking and reporting quarterly, and that there is a plan to monitor the desired results when the project is finished.

In the milestone schedule, we are looking for highly detailed information on your implementation timeline. This will be information related to when each task will be taking place for the project to proceed.

35. Does NEPA impact these projects?

All Section 319 grants are exempt from NEPA review per CWA §511(c)(1) which states that the only EPA actions under the CWA subject to the NEPA requirements for "major federal action significantly affecting the quality of the human environment" are new source permits and grants for the construction of publicly owned treatment works. Section 319 grants do not fit within either category and are therefore not subject to NEPA requirements.

36. Can costs for permits (state, local) be included in this application?

Yes, you may include details and funding related to applying for and obtaining work permits in this application.

37. Can CWA 319 competitive funding be used for acquiring proper lab certification and equipment or supplies for an in-house lab? Purposes for the use of this lab would be to analyze nonpoint source pollutions, such as E. coli, near waterways impacted by agriculture and cattle.

Obtaining lab certifications and purchasing lab equipment would be eligible, but with a few considerations:

- The EPA has specific guidance on supplies and equipment limits expressed in the Best Practice Guide for Procuring Services, Supplies, and Equipment Under EPA Assistance Agreements. I have summarized the Supplies and Equipment passages below.
- Training for lab equipment may also be eligible for the competition, but the applicant should remember that training is also an eligible use of base grant funds.

Importantly, the applicants should also remember that reviewers are primarily looking for implementation work in these applications. Somewhat related to this is the 25% cap on planning costs and a 10% cap on administrative costs. They should be mindful of how much of the federal request is for equipment and training and how the reviewers may consider those costs compared to any other components of the application.

Supplies are defined in 2 CFR 200.1 as tangible personal property other than equipment with a per-item acquisition cost of $10,000 or less. 1. Electronic devices including laptops, personal computers, tablets, and cell phones with a per- item acquisition cost of less than $10,000 may be classified as supplies unless the recipient's or subrecipient's property management systems classify these items differently. Recipients and subrecipient's may define such items as equipment to ensure they are tracked in their inventory systems.

Equipment is defined at 2 CFR 200.1 as tangible, non-expendable, personal property having a useful life of more than one year and an acquisition cost of $10,000 or more per unit, although the recipient or subrecipient may establish a lower dollar amount threshold, through its written policies and procedures. This category includes only equipment the recipient or subrecipient proposes to purchase as a direct cost. Equipment also includes accessories and services included with the purchase price necessary for the equipment to be operational.

38. Is work with beavers eligible under this grant? What about relocating beavers or receiving relocated beavers?

BMPs related to beavers are generally eligible under this grant program and have been funded previously. For example all the following have been previously funded: beaver trapping and relocating, post-relocation dam dismantling, beaver deceivers, culvert clean-outs related to beaver debris, and beaver dam analogs.

Questions about project location

39. Can Tribes use competitive 319 grant funding to implement a NPS project that is not on the Tribe's reservation?

Yes, as described in Section 2.A of the FY2026 NOFO, *"CWA section 319 grant funds awarded under this competition may be awarded to Tribes for use outside the reservation only if they support activities that are related to waters within a reservation and are consistent with the applicant's nonpoint source assessment report and management program. These activities may include either those relating to sources upstream of a waterway entering the reservation, or activities downstream of reservation waters."*

40. We are considering a riparian planting project to support a larger instream restoration and floodplain reconnection project. The project has mixed ownership, but a large portion is managed by the U.S. Forest Service. Would planting on these federal lands be eligible for funding?

They will likely be eligible – the key is that there is a connection to 319 eligible waters (upstream or downstream of the reservation / trust land). If the land is connected to 319 eligible waters, mixed ownership is generally not a problem. For private lands, we usually look for access permissions / agreements to be included in the application. For other federal land, it might be helpful to have a letter of support / coordination from the forest supervisor or whoever you are working with at the Forest Service in the area.

41. The NOFO states that "All applications must include activities that are related to waters within a reservation or they will be rejected." Does "waters within a reservation" apply to ALL lands held in trust? Or, only formal reservations?

"Reservation waters" includes those waters on trust lands held in trust by the federal government. As stated in Section I-6 of the *Handbook for Developing and Managing Tribal Nonpoint Source Pollution Programs Under Section 319 of the Clean Water Act*, Tribal NPS program activities should *"pertain to the management and protection of reservation water resources (which includes water resources of Tribal trust lands even if those lands have not been designated formally as reservations)."* Additionally, as stated in Clean Water Act Section 518(e)(2), waters on trust lands held in trust by a state or private party for an Indian Tribe may be considered to be part of "reservation waters" if, for example, these trust lands are within the borders of an Indian reservation. Tribes should contact EPA for more information about eligibility pertaining to "reservation waters."

Applicants may use section 319 funds to perform eligible activities outside a reservation if: (1) the activity pertains to the management and protection of waters within a reservation; and (2) just as for on-reservation activities, the Tribe meets all other applicable requirements.

Please note that one of the threshold criteria described in the 2026 NOFO (see Section 2.A) requires that for applicants proposing any project work, such as NPS BMP implementation activities

or monitoring, that will occur off-reservation, *"…the applicant must assess and indicate in their application whether land access/permission is required, and if so must demonstrate in the application that any necessary access agreements have been obtained from the land owner(s) by the time of application submission."*

42. Are waters on allotted lands classified differently from reservation waters for the purpose of this grant program?

"Reservation waters" may include waters on allotted lands. As stated in Clean Water Act Section 518(e)(2), *"the functions to be exercised by the Indian Tribe pertain to the management and protection of water resources which are held by an Indian Tribe, held by the United States in trust for Indians, held by a member of an Indian Tribe if such property interest is subject to a trust restriction on alienation, or otherwise within the borders of an Indian reservation…"*

If the allotted land is held by the Indian Tribe and subject to "trust restriction on alienation" (as described above), waters on these lands may be considered part of the Tribe's reservation waters. Or, if the allotted land is held by a non-Indian member but within the borders of an Indian reservation, waters on these lands may be considered part of the Tribe's reservation waters. Tribes should contact EPA for more information about eligibility pertaining to "reservation waters."

43. Does the applicant need to obtain landowner permission for proposed work that will occur on reservation fee land?

Yes, the applicant must obtain necessary access agreements for any off-reservation work to be completed as part of the proposed work plan. This includes work on land that the Tribe does not own. As stated in Section 2.A of the FY2026 NOFO, "If any project work, such as NPS BMP implementation activities or monitoring, is to occur off-reservation the applicant must assess and indicate in their application whether land access/permission is required, and if so must demonstrate in the application that any necessary access agreements have been obtained from the land owner(s) by the time of application submission."

44. The FY2026 NOFO requires that applicants obtain any necessary "access agreements" for proposed work that will occur off-reservation, and to demonstrate in their application that "any necessary access agreements have been obtained from the land owner(s) by the time of application submission." What is an access agreement? Is it just to access the land to determine if there are suitable BMP sites and/or design the BMP? Or is it actually a cost-share agreement where the landowner is committing to the installation of the BMP?

Per the FY2026 NOFO, EPA wants to be sure the proposed work can move forward as planned, if selected for award. To this end, we ask that the applicant obtain permission from the landowner for any work (water quality monitoring, BMP implementation) that will take place on land that the Tribe does not own. A letter of support from the land owner would suffice and can be included in the application package.

45. The FY2026 NOFO requires that applicants obtain any necessary "access agreements" for proposed work that will occur off-reservation, and to demonstrate in their application that "any necessary access agreements have been obtained from the land owner(s) by the time of application submission." Can the access agreement be between another entity, such as a local Soil and Water Conservation District, and a landowner, or does it have to between the Tribe and the landowner?

Since the Tribe is the entity applying for the 319 grant and responsible for implementing the work, if selected for award, the landowner should have signed off on the specific scope of work to be implemented on their land with 319 dollars.

Grant-related Questions

46. What is the cost-share requirement for a competitive Tribal 319 grant? Is the cost-share/cost-share requirement reduced if my Tribe qualifies for a hardship waiver or includes the competitive grant funds in a Performance Partnership Grant (PPG)?

As described in the FY2026 NOFO, the cost-share requirement is 40 percent of the total project costs (e.g., for a maximum federal request of $175,000, a 40% non-federal cost-share would equal $116,667, representing 40% of the total project cost of $291,667). As stated in the FY2026 NOFO, EPA may reduce the cost share/cost-share requirement to as low as 10 percent of total project costs if the applicant *"can demonstrate in writing to the satisfaction of the Regional Administrator that fiscal circumstances within the Tribe or within each Tribe that is a member of the intertribal consortium are constrained to such an extent that fulfilling the cost share/cost-share requirement would impose undue hardship (see 40 CFR 35.635)."*

As described in the FY2026 NOFO, if a Tribe or intertribal consortium includes the funds for a grant awarded under this solicitation in an approved Performance Partnership Grant (PPG), there is no cost-share requirement.

47. If a Tribe is selected for a competitive 319 grant when will funding be available?

EPA anticipates that awards will be announced in February/March 2027. The start date for awards will be negotiated between the applicant and the EPA Region as part of the final grant award package. Competitive 319 funds are typically awarded to Tribes at the same time as base 319 grants.

You should plan to begin work on the competitive grant project no earlier than summer 2027. While we expect to announce the awarded projects in winter/spring 2027, it typically takes a few months to finalize the award package with your EPA project officer.

48. What is the allowed project period length for a competitive 319 grant award?

Tribal competitive 319 grant project periods typically range from 1 to 3 years. Pending EPA regional project officer approval, Tribal competitive 319 grant project periods may extend up to a maximum of five years. The project period depends in part on whether the funds will be added to a Performance Partnership Grant (PPG). If competitive 319 grant funds are added to a PPG, the proposed project under this grant announcement must have a project period that is within the PPG project period. It cannot be longer than the PPG project period.

49. What costs are included in 10% cap on "Administrative Costs"?

As stated in Section 2.A of the FY2026 NOFO, *"Pursuant to CWA section 319(h)(12), administrative costs in the form of salaries, overhead, or indirect costs for services provided and charged against activities and programs carried out with the grant shall not exceed 10 percent of the grant award (federal share and Tribal cost share or cost-share)."* For example, this cap may apply to administrative staff time supporting general environmental department tasks, Tribal council member time spent reviewing grant documents, etc. Administrative costs that exceed the 10% cap may be paid by sources other than the federal funds and required Tribal cost-share/cost-share. The limitation on administrative costs does not apply when competitive Tribal 319 grant funds are included in a Performance Partnership Grant (PPG). While the indirect cost rate, as set by the US Department of Interior, is separate from the administrative costs cap, administrative costs may include direct and/or indirect costs.

50. Does the 10% cap on administrative costs apply to the non-federal cost-share?

Yes, the 10% cap on administrative costs applies to both the federal funds, as well as the non-federal cost-share. Under the grant regulations at 2 CFR 200.306(b) cost share must be allowable, which includes conforming to the limitations in the award. In this case, that would include the limitation on administrative costs.

51. How does the 10% administrative cost cap apply to grants in PPGs?

If awards made under this grant announcement are put into a PPG, the 10% administrative cost cap is waived.

52. To whom should the Hardship Waiver request be addressed?

The cost share waiver request should be addressed to the EPA Regional Administrator, as the EPA Regional offices are responsible for evaluating these requests. If applicable, you must include the waiver request as part of your application package.

53. Can we include indirect costs in our proposed budget?

Yes – you may include indirect cost in your application budget. The indirect cost rate should be that set by the US Department of Interior. If your budget does include an indirect cost, you must include the negotiated indirect cost rate agreement document as an attachment. See EPA's *Indirect Cost Guidance for Recipients of EPA Assistance Agreements* policy for additional information: https://www.epa.gov/grants/rain-2018-g02.

54. Can our Tribe use unclaimed indirect costs to meet the cost-share requirement? By unclaimed, we mean that we would not charge the grant for indirect cost and would use that portion of the 319 grant funds to directly fund project activities to meet the cost-share requirement.

Yes – per section 6.5 of the EPA's Indirect Cost Policy for Recipients of EPA Assistance Agreements and 2 CFR 200.306(c), "recipients with approved negotiated IDC rates may use unrecovered IDCs, including IDCs attributable to cost-sharing, to meet a required or voluntary cost-share with prior EPA approval." Please include your plan to use unrecovered IDC as cost-share in the budget section of your competitive application. Page 7-8 of EPA's IDC policy guidance has more information about this.

55. Can we include a video (e.g., aerial drone footage that shows the proposed project area) as part of our Grants.gov application package?

Please see the Grants.gov FAQs page, which advises applicants to keep their entire application package to less than 200 MB. See here: https://www.grants.gov/web/grants/applicants/applicant-faqs.html#attachments. You can contact Grants.gov support desk for additional questions about individual file uploads. You might also consider putting the video on a YouTube channel or other web-streaming site, and include a link to the video in your application. This is considered supplemental material and will not be scored directly but may support your application package.

56. Can work completed prior to the Tribal 319 grant start date be used to meet the non-federal cost-share requirement?

No. The non-federal cost-share must occur during the project period of the grant award.

57. Can we use income generated from the sale of soil removed as part of a stream restoration project towards the overall project costs?

The Tribe should document the program income – how it will be generated and how it will be used, i.e., to expand, support or sustain the project, used to finance the non-Federal share or deducted from the total allowable cost. Put another way, the recipient must inform the project officer where the funds are going. Examples of program income include: registration fees collected, income from the sale of products produced under a grant, and rental fees generated from equipment purchased with assistance funds.

58. If a Tribe has a shovel ready project and will use the grant to fund construction and a contractor but the project begins before fall of [application year] can the Tribe be reimbursed for what has been done?

This question is related to pre-award costs. These are costs that are incurred prior to the official award by the Grants office. The pre-award costs have to be within the project/budget period. The Tribe should also be given this disclaimer - All costs incurred before EPA makes the award are at the recipient's risk. EPA is under no obligation to reimburse such costs if for any reason the recipient does not receive a Federal award or if the Federal award is less than anticipated and inadequate to cover such costs.

You can reference the Interim Budget Guidance (https://www.epa.gov/sites/default/files/2019-05/documents/applicant-budget-development-guidance.pdf) says:

"C. Pre-Award Costs: 1.) The allowability of pre-award costs are governed by 2 CFR 200.458 and 2 CFR 1500.9 unless a program specific regulation (e.g. 40 CFR 35.6275(b) for Superfund Cooperative Agreements or 40 CFR 35.4100 for Technical Assistance Grants) prohibits or restricts the allowability of pre-award costs. 2.) EPA defines pre-award costs as costs incurred prior to the award date, but on or after the start date of the Budget period and Period of performance as defined in 2 CFR 200.1. Under EPA's interpretation of 2 CFR 200.308(e)(1) and 2 CFR 1500.9, all eligible costs must be incurred during the budget/ performance period as defined by the start and end date shown on the grant award to receive EPA approval. This interpretation is implemented in a grant-specific Term and Condition entitled "Pre-award Costs" which will be included in all awards when the recipient has incurred EPA approved costs prior to award. 3.) The budget/project periods must be consistent with that shown in section 17 of the Standard Form 424 (SF-424), Recipient Workplan, and EPA Notice of award.

59. Are there options for hands-on trainings related to the NOFO and the application process?

Every year the program hosts informational webinars that walk through the NOFO in detail and give best practices for preparing applications. Beyond that, applicants interested in this type of training should reach out to their regional coordinators to arrange a training like this **outside of the competition period.** In-depth trainings are likely to be more available outside of the competition period due to the level of detail that may be discussed per the EPA competition policy.

Other avenues for this type of training may be the National Nonpoint Source Training workshop or other Tribal Clean Water act or water quality trainings.

60. If we are interested to work with another Tribe on our project – say to relocate beavers – what is the best way to show that there would be partnership?

Detailing this in the project narrative would be sufficient. This could be considered partner coordination information or could be detailed in the roles and responsibilities section. It is optional to include a letter of support or agreement from the other Tribe (this would be considered supplemental information and not counted against the 15-page limit).

61. Does the 40% non-federal match requirement allow in-kind match (staff time value, labor, etc.) to make up the 40%?

Cost share is only required if a Tribe is not putting these funds into a PPG. If it will be a stand-alone grant, it is possible that you may qualify for a 10% cost-share waiver if you have submitted a hardship waiver to EPA. In-kind services are allowable, as long as the financial support for those services are non-federal sources.

Per the 319 Tribal guidelines: *Section 319(h)(3) of the CWA requires that the cost share/match for NPS grants is 40 percent of the total project cost. In general, as required in 40 CFR 31.24, the cost*

share/match Page 9 of 31 requirement can be satisfied by any of the following: allowable costs incurred by the grantee, subgrantee, or a cost-type contractor, including those allowable costs borne by non-Federal grants; by cash donations from non-Federal third parties; or by the value of third party in-kind contributions.

62.