

**FY2012 GRANT FUNDING ANNOUNCEMENT
INDIAN ENVIRONMENTAL GENERAL ASSISTANCE PROGRAM**

I. OVERVIEW

The U.S. Environmental Protection Agency (EPA), Region 9, is requesting Indian Environmental General Assistance Program (GAP) grant proposals from federally recognized tribal governments and intertribal consortia for FY2013 work plan program development activities. The goal of the GAP is to assist tribes in developing the capacity to plan and establish environmental protection programs and to develop and implement solid and hazardous waste programs in accordance with their individual needs. The Catalog of Federal Domestic Assistance Number for the GAP is 66.926.

Important Dates

Grant Funding Announcement posted to Tribal Program Website **Oct. 31, 2011**
Tribal Proposals must be submitted in GAP Online by **Dec. 14, 2011**
Guidance Letters with approved funding amounts and **Mar. 16, 2012**
workplan comments sent to tribes
Full Applications with Revised Work plans deadline is.....**Apr. 18, 2012***
or as stated in the Region 9 Guidance Letter
Grant awards will be made by **Sept. 30, 2012**

Funding is jeopardized if materials are received after the due dates.

*Written notice of approved funding amounts and application due dates may be extended, pending R9's receipt of a final GAP funding allocation from EPA Headquarters Office.

IMPORTANT INFORMATION

- **Supplemental Projects.** Please submit supplemental GAP projects with the original GAP proposal. Examples of supplemental projects are dump closures, asset protection activities, and one time capital expenditures. Please contact your project officer for more information.
- **Video Conferencing and One Time Equipment Purchases.** [Attachment I](#) includes a description of video conferencing. For equipment purchases, please review the new attachment and complete the forms necessary in order to purchase equipment.
- **Draft GAP Guidebook.** EPA is in the process of developing a *Guidebook for Building Tribal Environmental Capacity* (GAP Guidebook) to assist tribes as they develop their capacity to implement environmental programs, and has invited tribes to consult on the draft Guidebook. The purpose of the draft Guidebook is to provide a framework for achieving tribal capacity; require regions to negotiate environmental plans with tribes that would be linked to GAP work plans and measure progress; and revise the distribution of GAP funding to emphasize prior progress, environmental capacity needs, and long-term goals. A copy of the draft Guidebook, along with information on consultation and how to provide comments is available online at <http://www.epa.gov/tribal/pdf/2011-0801-guidebook-working-draft.pdf> Please review the draft Guidebook carefully, as it may have implications for your program once it is finalized.

II. BACKGROUND AND PROGRAM DESCRIPTION

In 1992, Congress passed the Indian Environmental General Assistance Program Act which authorizes the EPA to provide General Assistance Program (GAP) grants to tribal governments and intertribal consortia for planning, developing, and establishing environmental protection programs in Indian Country, and developing and implementing solid and hazardous waste programs on tribal lands. The goal of this program is to assist tribes in developing the capacity to manage their own environmental protection programs and to develop and implement solid and hazardous waste programs in accordance with their individual needs. This grant notification includes several GAP funding opportunities including:

- General Assistance Program Grants
- Performance Partnership Grants are referenced in Section IV
- Fall 2013 Annual EPA/Tribal Conference co-sponsorship request
- Tribal Travel Fund Grant availability

The GAP program is currently exempt from competition under sections 6(c) 1 and 2 of EPA's Policy for Competition of Assistance Agreements (EPA Order 5700.5A1). While funds for exempt programs may be competed if deemed practicable, the American Indian Environmental Office has determined that competition for the GAP is not consistent with the Congressional intent to provide a clear and stable source of base funding for program development and capacity building across Indian country consistent with the primary statutory purpose of the program.

III. FUNDING AMOUNT AVAILABLE

Last year, EPA Region 9 received \$15,840,000 of new GAP funding for 147 eligible tribes and intertribal consortia in Arizona, California and Nevada. Our objective is to provide funding for new GAP grantees and to continue to support capacity building efforts for existing grantees. Award amounts will depend on the following:

- the amount of GAP funding Region 9 receives in FY 2012;
- the number of tribes and tribal consortia submitting applications;
- how well each proposal meets the review factors; and
- past performance (see page six for more detail).

Funding is not guaranteed for every applicant.

New grantees will receive \$75,000 to support their first year of GAP activities. Amendments to existing grants may be in any amount, although most awards will range from \$75,000 to \$120,000 per year. *Requests for more than \$120,000 will be considered if needs are sufficiently justified and funding is available.* GAP grant project periods may not exceed four years. At the end of a four-year grant period, tribes and intertribal consortia may apply for a new GAP grant to continue environmental capacity building activities.

Cost Sharing or Matching: Grantees are not required to provide matching funds for this program.

IV. ELIGIBILITY

1. Eligible Recipients:

Federally-recognized Indian tribes and intertribal consortia are eligible to receive funds under this program. An intertribal consortium is defined as a partnership between two or more tribes authorized by the governing bodies of those tribes to apply for and receive assistance under GAP.

An intertribal consortium is eligible to receive GAP grants if the consortium can adequately document compliance with the following requirements:

- A majority of its member tribes meet the eligibility requirements for GAP grants;
- All member tribes that meet the eligibility requirements authorize the consortium to apply for and receive the grant; and
- Only those member tribes that meet the eligibility requirements will benefit directly from the grant project and the consortium agrees to a grant condition to that effect.

2. Environmental Results in Grant Workplans:

EPA's grant practices and procedures have been under heightened scrutiny from Congress, the Government Accountability Office and EPA's Office of Inspector General. This scrutiny has centered on grantee selection, oversight, accountability and environmental results. Work plan components and commitments should not duplicate prior efforts, but should demonstrate clear progress over time or specify new focus areas.

Each Tribe must include the following in their GAP work plan:

- A description of the tribe's environmental program capacity-building efforts;
- Well-defined outputs, deliverables and, to the maximum extent practical, well-defined environmental outcomes.

3. Eligible Activities (See [Attachment A](#) and [Attachment B](#)):

A sample list of eligible GAP activities is provided in [Attachment A](#). A brief synopsis of capacity-building activities and solid and hazardous waste implementation activities is provided below.

Capacity-Building Activities: GAP funding can only be used for activities that build tribal capacity to develop and manage environmental protection programs and support the implementation of solid and hazardous waste management activities. **See [Attachment A](#) for examples of environmental program capacity-building activities.**

Capacity-building through this program may include developing appropriate administrative grant management) and environmental legal infrastructures, establishing tribal environmental technical capability, and developing integrated tribal environmental management programs that can be implemented with other funding sources, such as program-specific EPA grants. Except for solid waste or hazardous waste implementation activities, GAP funds cannot be used to implement any other types of environmental programs, such as watershed restoration.

Solid and Hazardous Waste Activities: GAP funds can be used to develop and implement tribal solid and hazardous waste programs. **For additional examples of eligible solid and hazardous waste activities, please see [Attachment A](#).**

- Development of activities may include the development of integrated solid waste management plans (ISWMPs), development of solid waste codes/ordinances, development of solid waste collection and management programs including the development of recycling, composting, or household hazardous waste collection programs, participating in a solid waste "Peer Match," program, and the development of solid or hazardous waste enforcement programs.

- Implementation of solid and hazardous waste activities may include (but is not limited to) feasibility studies for new collection systems including the construction of transfer stations or recycling facilities; removal of junk automobiles, scrap metal and/or used tires; planning and conducting household hazardous waste cleanup days; establishing recycling collection areas; inspecting facilities, and cleaning up high priority open dumps.
- Priority may be given to those dump sites that pose a greater threat to human health and the environment. **Any proposed dump closure requested for GAP funding must include the submission of each dump's GPS coordinates and site name in the GAP proposal.**
- Ongoing operation and maintenance (OandM) of solid waste collection programs (i.e. garbage, recycling, brush cleanup, etc.) is unallowable.

Please Note:

It is **required** that an Integrated Solid Waste Management Plan (ISWMP) be developed and approved by the tribe's governing body prior to, or along with, the implementation of solid waste activities.

Priority may be given to projects that focus on ISWMP development and/or open dump closures based on the Agency's 2011-2016 Strategic Plan measures.

Solid waste implementation projects that involve ground disturbing, precedent setting, or highly controversial activities may be subject to National Environmental Policy Act (NEPA) compliance. When NEPA compliance is warranted, GAP work plans must contain appropriate compliance activities (e.g., review of project impacts).

V. PROPOSAL PROCESS

1. Proposal Content and Timeline

The use of GAP Online is mandatory for FY2013 proposal work plans. **Complete GAP proposals must be created and submitted in GAP Online by December 14, 2011.** Please use this link to access GAP online: http://iaspub.epa.gov/GAP_Online/index.jsp. User names and passwords have been distributed to tribes. If you do not have your user name and password, or if you have trouble entering data into GAP Online, please call your project officer. For more information regarding GAP online, please see [Attachment G](#).

Grant proposals should be 15 pages or less, and should not include formal applications (SF-424). Proposals must contain the following information:

Narrative Discussion (include as an attachment in GAP Online):

- Tribes that have utilized GAP funding in the past must include a short summary (one to two paragraphs) of capacity building progress made under previous GAP grants.
- All applicants must describe the new tribal capacity building efforts needed, and any high-priority environmental and human health issues that affect the tribe.
- Describe where the environmental staff is placed within the tribal organizational structure. (An organization chart is an acceptable format).
- List other funding sources (both federal and non-federal) that the tribe has been granted or plans to pursue to develop and implement environmental programs.
- Current recipients must provide a status of their cumulative expenditures and current unexpended balance for the existing GAP grant, as of September 30, 2011.

Work Plan (developed directly in GAP Online): *General Work Plan Requirements* – GAP work plans **must** contain the following elements (see detailed description of these terms in [Attachment C](#). The mandatory format is shown in [Attachment D](#)):

- A description of each work plan *component* to be funded;
- Estimated *work years* and *funding amounts* for each work plan component;
- The work plan *commitments* for each work plan component, and a *timeframe* for their completion;
- The expected *outputs* (and deliverables) for each commitment;
- *Outcomes* (environmental results) associated with each work plan component;
- Descriptions of tribal and EPA *roles and responsibilities* in carrying out the work plan commitments; and
- A description of the process for *jointly evaluating and reporting* progress and accomplishments under the work plan.

*Region 9 One-Time **Mandatory** Tasks:*

These tasks should not be repeated annually unless there have been substantial changes to the tribe's financial systems or the Environmental Plan becomes out of date. *Guidance documents, templates, and samples are available from your project officer.*

- *Environmental Inventory:* Identify the Tribe's actual or potential environmental or human health issues.
- *Environmental Plan:* After an inventory is complete, develop and implement a tribal environmental plan to address tribal environmental issues and priorities. This plan should be used as a guide for the development of the tribal environmental program and future work plan activities.
- *Administrative/Fiscal Assessment:* Review and assess the tribe's financial, procurement and property management procedures to insure that the tribe's systems meet the requirements of 40 CFR Part 31 and Cost Principles under 2 CFR Part 225 (formerly

OMB Circular A-87). Corrections to deficiencies found in the tribe's administrative systems are eligible activities under the GAP.

Two-Year Work Plans: Current recipients whose grants expire in 2014 or later are strongly encouraged to submit two-year work plans and budgets. If funding is available, two-year work plans will be funded. A separate work plan and budget must be included for each year.

Supplemental Priority Activities, Capital Expenditures, etc.: Tribes that would like to request funding for special tasks (e.g., to conduct an initial water resources assessment, or clean up open dumps, abandoned autos or household hazardous waste) or special capital expenditures (e.g., video conferencing equipment, solid waste/recycling program equipment or vehicle purchase) should submit a supplement to their base work plans and budgets. If sufficient GAP funds are available after basic tribal program needs have been met, the EPA may fund additional priority tasks or capital expenditures. GAP review criteria will be used to determine priorities for funding supplemental activities or purchases.

Budget Breakdown (include as an attachment in GAP Online): Include a separate budget breakdown (a sample can be found in [Attachment F](#); alternately, a fillable pdf-based budget template is available for download and use in GAP Online) for each year of the work plan or for any supplemental priority activities. All proposed costs must be itemized.

Indirect Costs (IDC):

For fixed carry forward Tribal IDC rates:

- EPA will allow IDC costs to be funded for grants when indirect cost rates have been approved within the preceding three fiscal years. When IDC rates are not current at the time of grant award, a term and condition will be used to require the Tribe to notify EPA and refund any overfunded amounts.
- For circumstances in which the most current IDC rate is more than three years old, EPA may allow the Tribe to be funded for IDCs using a nominal rate (10%) applied to salaries and wages.
- Tribes may also use a Provisional/Final IDC rate that is approved in an existing grant with the Department of the Interior (DOI). The Tribe must provide a copy of a grant agreement with DOI that covers the same time frame to EPA during the funding negotiation to be eligible to use the approved rate in the DOI grant as the approved rate for the future EPA grant.

For Tribes with provisional/final IDC rates:

- If the IDC rate is not up-to-date at the time of grant award, EPA will allow a special rate of 10% of direct salaries and wages.
- If an indirect cost rate agreement is subsequently negotiated before or during the grant period that results in additional indirect costs being allocable to the grant, the negotiated rate may be used if funds are available and budget amendments are approved by EPA.
- If an indirect cost rate agreement has not been reached by the end of the grant period, the special rate will be used for the period.

Government Endorsement (include as an attachment in GAP Online):

- *Individual tribal governments* must include a tribal resolution or tribal government endorsement (e.g., a tribal leader signature on a cover letter) of the proposal.
- *Intertribal consortia* must include resolutions or other written certifications from each tribal government that will benefit from the proposed grant. Resolutions or certifications should clearly demonstrate that consortium members authorize the application.

2. Proposal Review Factors

GAP proposals and funding amounts will be reviewed based on the following factors:

- Completeness of proposals based on the information requested in this grant notification, eligible GAP activities and EPA's priorities;
- Description of tribal environmental program capacity building needs and environmental or health risks (existing or potential);
- The clarity, complexity, and scale of work plan activities, including well-defined commitments, outputs and outcomes (environmental results);
- Past performance under EPA grants, including fiscal accountability, amount of unexpended funds, quality and timeliness of quarterly progress reports and the ability to complete work plan activities on time. It is in the best interests of tribes and the GAP program that all funds awarded are expended according to the approved work plan and budget and drawn down as soon as costs are incurred. As the federal budgets become tighter, Congress is looking closely at unspent grant balances. Grantees that have large balances with no reasonable expectation of spending the funds by the end of the grant period will receive reduced awards in FY2013.
- Likelihood of completing proposed activities, considering past performance and available resources.

3. Funding Priorities

Priority 1: Individual Tribes

The primary purpose of GAP is to build tribal capacity for developing and administering environmental protection programs, and it is EPA policy to work with tribes on a government-to-government basis. Therefore, providing GAP grants to individual tribal governments is our highest priority.

Priority 2: Programs/Projects for The Benefit of Other Tribes and/or Existing Intertribal Consortia

Activities that Benefit Multiple Tribes: This includes grants to individual tribes for activities that benefit multiple (or all) tribes in the Region. Such activities might include conducting training courses, holding conferences or RTOC meetings, and providing travel funds to other tribes to attend environmental training and meetings. We place this priority directly under the ranking for individual tribes and equal to that of existing intertribal consortia that perform similar functions.

Existing Intertribal Consortia: Funding for consortia will be considered after the needs of individual tribes are met. Consortia work plans should meet the needs of tribes without duplicating individual tribal efforts. Work plans that directly build tribal environmental capacity will be prioritized for funding.

Priority 3: New Intertribal Consortia

The overall amount of funding available to individual tribes and existing intertribal consortia is reduced each time a new intertribal consortium is funded. Funding new intertribal consortia will be our third priority.

4. Funding Decision Notifications/EPA Guidance Letters:

After EPA reviews grant proposals and makes preliminary funding decisions, project officers will notify tribes in writing of the status of each proposal. Letters will include the following guidance:

- The amount of tentatively approved funding a tribe should apply for;
- The date by which the final grant application and work plan must be postmarked;
- Any suggestions and/or requests for work plan or budget revisions; and
- Instructions for obtaining application kits and mailing completed applications.

VI. FINAL APPLICATION PROCESS

1. Final Applications and Work Plans

Full applications and revised work plans (including narrative) must be postmarked no later than **April 18, 2012, or as stated in the Guidance Letter**. Full applications must include the federal Standard Form 424, a copy of the work plan (including narrative) printed from GAP Online if not part of a PPG, and budget that reflect any changes requested by project officers during the proposal process. Final work plans and budgets must also be submitted into GAP Online by the due date. Applications submitted prior to the stated due date are encouraged.

By April 18, 2012, or the date stated in the Guidance Letter, mail the original and one copy of your final application and work plan to the address below:

Grants Management Office (MTS-7)

U.S. EPA, Region 9
75 Hawthorne Street
San Francisco, CA 94105

Application kits (including instructions) are available through the internet at <http://www.epa.gov/region09/funding/applying.html>. If you require a hard-copy application kit, please contact an EPA Grants Assistant at 415-972-3723.

A Dunn and Bradstreet Data Universal Numbering System (DUNS) number must be included in every Federal grant application. There is only one DUNS number per tribe. Please include your tribal DUNS number in the appropriate field. A DUNS number can be obtained by calling 1-866-705-5711, or via the internet at <http://eupdate.dnb.com/requestoptions.html>.

2. Grant Award

EPA will review final GAP applications and will request final revisions or additional information if necessary. Approved grant awards are generally made no later than September 30, 2012.

VII. PERFORMANCE PARTNERSHIP GRANTS

Performance Partnership Grants (PPGs) are grants formed by incorporating at least two eligible EPA grants into a single grant. PPGs help decrease administrative burdens and increase flexibility in how grant funds can be used. Tribes that receive two or more EPA grants may discuss the prospect of forming a PPG with their GAP project officer and other project officers that would be involved. There are 18 EPA programs eligible to be included in a PPG. Your project officer can provide you this list.

Tribes should engage the EPA in PPG discussions **before** developing individual grant applications. Past grant performance is one factor EPA considers when evaluating potential PPGs. Since multiple grants are involved, PPG proposals and applications can take longer to develop than single grant proposals. Tribes or tribal consortia should strive to complete final PPG applications by **April 18, 2012** or sooner, unless directed otherwise by EPA project officers. Although PPG application deadlines may depend on the type of grants involved, the PPG application process will be similar to the standard GAP grant process.

VIII. AWARD ADMINISTRATION

Regulations governing the award and administration of environmental program grants for tribes, including the GAP can be found at 40 CFR Part 31 and 40 CFR Part 35, Subpart B.

Quarterly reports are required: Tribes must report actual accomplishments for each work plan

commitment in their quarterly reports. Cumulative expenditure reports must also be provided on a quarterly basis. Please refer to [Attachment C](#) (GAP Work plan Information and Quarterly Progress Reporting) for further information about reporting requirements.

Federal Financial Report (SF425): Interim FFRs are required annually (see your grant agreement terms and conditions) and a Final FFR must be submitted within 90 days after the grant expires.

Dispute procedures can be found at 40 CFR Part 31.70.

Confidentiality: Applicants must clearly mark information they consider confidential, and EPA will make confidentiality decisions in accordance with Agency Regulations found at 40 CFR, Part 2, Subpart B.

EPA Responsibilities and Review of Grantee Performance is described in [Attachment C](#) (items f and g, GAP Work Plan Information and Quarterly Progress Reporting).

IX. AGENCY CONTACTS

For additional information or clarification, please contact your GAP Project Officer ([Attachment J](#)), or:

Pamela Overman at (415) 972-3781 or Overman.Pamela@epa.gov
Veronica Swann at (415) 972-3699 or Swann.Veronica@epa.gov