



U.S. Environmental Protection Agency  
Pacific Southwest / Region 9



Serving Arizona, California, Hawaii, Nevada, the Pacific Islands and 148 Tribes

Land Division  
Tribal Section • November/December 2017

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## U.S. EPA Pacific Southwest Tribal Section Newsletter

### Upcoming Opportunities

#### Volkswagen Settlement & U.S. EPA Tribal Funding to Reduce Diesel Emissions

Two independent but related funding opportunities for defined projects that reduce emissions from diesel engines are now open: the Volkswagen (VW) Clean Air Act settlement environmental mitigation trust fund (\$55 million) and the U.S. EPA Clean Diesel Tribal Program (\$1.5 million). Eligible actions include scrapping medium- or heavy-duty diesel engines, vehicles or equipment, such as buses; trucks; marine engines; locomotives; agricultural and construction equipment; forklifts; and electric generators, among others. These old engines must be replaced with cleaner ones, such as: newer diesel engines, alternative fuels and electric power sources (i.e., natural gas, fuel cells or batteries). Downsizing or replacing a diesel generator with an electric battery storage system and installing electric vehicle charging supply equipment may be eligible. The first round of VW tribal settlement funds is available until **January 2, 2018**, with a total of six to 10 years of available funds. EPA's Clean Diesel Tribal Funding Request for Proposals is due January 18, 2018; the following deadline is September 1, 2018. For more information: [EPA's Clean Diesel Tribal Grants](#) and [VW Clean Air Act Civil Settlement](#). VW Tribal technical assistance is provided by the [Institute for Tribal Environmental Professionals \(ITEP\)](#).

#### VW Tribal Environmental Mitigation Trust

The VW Clean Air Act settlement includes a \$2.7 billion environmental mitigation trust fund, including \$55 million to U.S. federally recognized tribes and intertribal consortiums (i.e., beneficiaries), which will fund defined projects that reduce nitrogen oxide (NOx) emissions from diesel engines. Eligible mitigation actions include projects to reduce emissions by scrapping old medium- or heavy-duty diesel engines, vehicles or equipment, such as: Class 4-8 school, shuttle and transit buses; Class 4-8 freight and drayage trucks; marine engines; switcher locomotives; agricultural and construction equipment; forklifts; and generators providing electricity, among others. These old engines or equipment must be replaced with cleaner technologies, which may include: newer diesel engines, clean alternative fuel or electric power sources (i.e., natural gas, batteries or fuel cells), or shore-side idle reduction technologies. In addition, up to 15% of the allocated trust funds may be used to install and maintain new light-duty electric vehicle supply equipment (i.e., electric vehicle charging stations).

The Institute for Tribal Environmental Professionals (ITEP), which oversees the VW Settlement Tribal Work Group, will provide technical assistance to tribes. Each participating tribal beneficiary will receive a specific allocation of funds from the total \$55 million that can be used for any of the listed eligible mitigation actions over six to ten years. For the first round of funds, approximately one sixth of the total available funds may be available to tribes. **Tribes have until January 2, 2018 to file their beneficial certification form.** If tribes miss this deadline, they may file their funding request by September 1 of each year of the trust. The next deadline of September 1, 2018.

## **EPA Clean Diesel Tribal Grant Funding**

The EPA's DERA Clean Diesel Tribal Grant Program will provide approximately \$1.5 million to tribes to reduce diesel emissions under a competitive Request for Proposals (RFP), which is currently open until **January 18, 2018**. The types of diesel emission reduction activities are similar to the VW Tribal Settlement Eligible Mitigation Action (EMA)'s Options 1-9 listed above, yet includes different types of activities and funding amounts. Under the VW settlement's defined list of ten EMAs, tribes may choose #10, the "DERA Option" to obtain trust funds to undertake activities listed under EPA's DERA Clean Diesel Tribal Program RFP. This option allows tribal beneficiaries to use VW trust funds for their match under their DERA tribal grants. In addition, the types of projects that are eligible and EPA funding amounts greatly differ between EMA Options 1-9 and 10 DERA Option. For example, funding for downsizing or replacing a diesel generator currently used as a primary source of electricity with an electric battery storage system is only eligible under EMA 10 DERA Option.

### **For more information:**

#### **VW Clean Air Act Civil Settlement:**

- **IITEP VW Tribal Website** – including monthly webinars for tribes

#### **VW DERA Option EPA Website:**

- **VW Tribal DERA Key Documents**
- **EPA DERA Clean Diesel Tribal Grants**
- **Sign-up to receive email updates** on EPA's clean diesel funding

## **EPA Publishes Final FY 2018 Exchange Network Grant Solicitation Notice**

The FY 2018 National Environmental Information Exchange Network Grant Program Solicitation Notice is now available at **[www.epa.gov/exchangenetwork/exchange-network-grant-program](http://www.epa.gov/exchangenetwork/exchange-network-grant-program)**. **Applications are due to EPA by January 26, 2018.**

The primary outcome expected from Exchange Network (EN) assistance agreements is improved access to, and exchange of, high-quality environmental data from public and private sector sources. With this outcome in mind, applications should demonstrate support for and results toward EN program priorities.

In FY 2018, EPA expects to award about \$6 million for 20-25 assistance agreements for EN projects. Most awards will be in the \$50,000 to \$300,000 range. Awards for an individual assistance agreement cannot exceed \$200,000. EPA may make a limited number of awards to collaborative, partnership assistance agreements. Budgets for these projects cannot exceed \$400,000. The exact number of assistance agreements will depend on the final amount of EPA's appropriation for the EN grant program, the number of applications submitted to EPA by the application deadline, the amounts of proposed budgets, and the outcome of application reviews.

EPA only accepts project proposals for EN assistance agreements submitted electronically through Grants.gov, unless applicants have a waiver. EPA anticipates that it will announce selection decisions in June 2018, and tentatively plans to issue awards by July 31, 2018.

For more information, please contact EPA's **Salena Reynolds** at **[reynolds.salena@epa.gov](mailto:reynolds.salena@epa.gov)** or **(202) 566-0466**.

## **EPA Releases RCRAInfo v5.5**

A new schema for the Resource Conservation and Recovery Act (RCRA) data flow has been released – RCRAInfo v5.5. Partners use the Exchange Network to submit data to EPA's RCRAInfo system, the national program management and inventory system for hazardous waste handlers.

This version addresses new handler fields associated with the New Generator Rule that came out in June 2017 as well as the Compliance, Monitoring and Enforcement changes for the V6 RCRAInfo application.

RCRA data flow for v5.4 will still be supported.

**Contact:** Jimmy Yin, U.S. Environmental Protection Agency, (703) 347.0273, [yin.jianchu@epa.gov](mailto:yin.jianchu@epa.gov)

### **Hazardous Waste Sites Subject to RCRA C**

Hazardous waste sites subject to the Resource Conservation and Recovery Act, subtitle C (RCRA C) may be able to electronically update their ID numbers. In June 2018, EPA will also offer an option for electronic manifesting of hazardous waste shipments. Region 9 **requests your assistance** in verifying that hazardous waste sites on tribal lands are accurately recorded. To find which sites in your area are subject to RCRA C, please go to [echo.epa.gov](http://echo.epa.gov) and use the public advanced search filters to find sites in your area.

On 10/25/2017, the search returned 9,598 Facilities within 10 miles of ECHO tribal boundaries, and just 149 facilities found inside of ECHO tribal boundaries. Additionally, there are 90+ records of California-based tribes listed in the state database that do not show up on ECHO.

To search the California database, please go to [hwts.dtsc.ca.gov/report\\_search.cfm?id=5](http://hwts.dtsc.ca.gov/report_search.cfm?id=5). Over 90 California sites on tribal land were assigned an ID number beginning with "IRC." These will need to be updated to appear in the ECHO reports. Sites are encouraged to re-register using the online notification form at [rcrainfo.epa.gov/rcrainfoprod](http://rcrainfo.epa.gov/rcrainfoprod). When they register, they should include their "IRC" number in the comments.

For more information, please contact [janes.elizabeth@epa.gov](mailto:janes.elizabeth@epa.gov).

### **United States Department of Agriculture Rural Development Water and Environmental Programs**

USDA Rural Development offers a variety of **loan and grant programs** to help improve rural water and wastewater systems in rural communities with populations of 10,000 or less. Applications are accepted year-round through our new online application system, **RD Apply**, or by contacting a staff member.

Last year, we helped 32,000 people across the state improve their drinking water and wastewater infrastructure by investing \$54 million in 14 projects. This year it could be your community!

Whether you need to build, expand or renovate your system, we have funds available now in our [\*\*Water and Waste Disposal Loan and Grant Program\*\*](#).

#### Program Highlights

- Projects must be in a rural area with a population of 10,000 or less
- Applicants may be public bodies, nonprofits or federally-recognized tribes
- Low-interest loans and grants available
- Applications can be submitted through our online system, [\*\*RD Apply\*\*](#)

Contact [\*\*our team\*\*](#) to learn more.

### **The Institute for Tribal Environmental Professionals – Host sites needed for air quality interns**

The Institute for Tribal Environmental Professionals – Environmental Education Outreach Program at Northern Arizona University in Flagstaff, Arizona is seeking air quality-focused offices and programs to host a college student for an 8-week summer internship. Tribal environmental offices, EPA offices, and other tribal environmental organizations are encouraged to apply. Please feel free to pass the announcement on to anyone who may be interested in applying as a host site. Projects **MUST** focus on addressing air quality issues in tribal communities.

For detailed information on the internship and requirements, see the attached flyer or visit our internship web-site: [www7.nau.edu/itep/main/eeop/Internships/](http://www7.nau.edu/itep/main/eeop/Internships/)

Submit your application by: **January 19, 2018**

## **Department of Energy Announces Intent to Issue New Funding Opportunity for Tribal Energy Infrastructure Development**

On **November 13, 2017**, during the U.S. Department of Energy's (DOE) Office of Indian Energy Program Review, Carole Plowfield, Acting Director for the Office of Indian Energy announced a notice of intent to issue a funding opportunity announcement (FOA) entitled "Energy Infrastructure Deployment on Tribal Lands" later this year.

Through the planned FOA, the Office of Indian Energy intends to solicit applications from Indian Tribes (including Alaska Native Regional Corporations and Village Corporations) and Tribal Energy Resource Development Organizations to promote Indian tribal energy development, efficiency, and use, including:

- Installing energy efficiency measures and/or energy generating system(s) for tribal buildings;
- Deploying community-scale energy generating system(s) on tribal lands; or
- Installing energy system(s) for autonomous operation to power a single or multiple essential tribal loads for a short period of time during an emergency situation or for long-term tribal community resilience.

DOE envisions awarding multiple financial assistance awards in the form of grants. Under the planned FOA and as required by statute, a 50% cost share of the total project costs is required and must come from non-federal sources, unless otherwise allowed by law.

The FOA will build on efforts by DOE's Office of Energy Efficiency and Renewable Energy (EERE) Tribal Energy Program, and the authorities granted to DOE's Office of Indian Energy under the Energy Policy Act of 2005, to accelerate the deployment of energy infrastructure on tribal lands. Between 2002 and 2017, DOE invested nearly \$78 million in 250 tribal energy projects implemented across the contiguous 48 states and in Alaska, through funding provided by the EERE Tribal Energy Program and DOE's Office of Indian Energy. These projects, valued at over \$150 million, are leveraged by over \$73 million in recipient cost share. See the Office of Indian Energy [website](#) for a map and summaries of these competitively funded projects. For more information, see [past funding opportunities](#).

Download the [Notice of Intent \(DE-FOA-0001846\)](#). For more information on the Office of Indian Energy, visit their [website](#) and see the [brochure](#).

## **Grants.gov Update**

**Beginning January 1, 2018 all grant applicants must use Workspace to submit applications through Grants.gov.** EPA's Office of Grants and Debarment is hosting a [Grants.gov-led webinar session](#) that will provide training and a demonstration on Workspace. **No registration is required.** EPA will be recording the sessions for those who cannot attend and will post them on the training website listed below.

See [www.epa.gov/grants/epa-grantsgov-workspace-training-grant-applicants-and-recipients](http://www.epa.gov/grants/epa-grantsgov-workspace-training-grant-applicants-and-recipients) for additional details about the webinar and for the latest information.

## Previous Announcements

### Two New Online Courses Available from NAU and ITEP

Northern Arizona University (NAU) and the Institute for Tribal Environmental Professionals (ITEP) offer tribally-focused professional development training to new and seasoned professionals through interactive online courses. Upon completion, participants will receive a certificate equivalent to the continuing education units (CEUs) identified for each course. Visit [itep.scholarlms.com/catalog/](http://itep.scholarlms.com/catalog/) to view available courses. Newly available online courses include:

- **Tribal Strategic Planning: Developing Your EPA-Tribal Environmental Plan**
- **Partnerships and Community Outreach** provides tribal environmental professionals with tribal-specific tools and resources to engage their community and other stakeholders in the development and implementation of their tribal work plans. Registration for this online course is \$150. This course carries 0.5 continuing education units (CEUs) and requires approximately five hours of total learning time.

#### *Why is ITEP charging for these online courses and others are free?*

ITEP offers both free and for-fee courses, which are determined by current funding sources. The online courses described above are for-fee and have paid instructors to ensure your individual questions are answered in a timely manner. Free courses, listed below, have been developed with federal grant funding and are facilitated by ITEP staff that work with volunteer subject matter experts to field questions.

Contacts: **Natasha** and **Jen**, Online Course Facilitators, Institute for Tribal Environmental Professionals, [Professional@nau.edu](mailto:Professional@nau.edu); [Natasha.Fulton@nau.edu](mailto:Natasha.Fulton@nau.edu), (928) 523-0673; [Jennifer.Williams@nau.edu](mailto:Jennifer.Williams@nau.edu); (907) 250-3826

#### *FYI: Databases of Tribal Codes and Ordinances*

EPA has received inquiries asking if EPA maintains a database of tribal codes and ordinances for use when developing your tribal environmental department's legal capacity. EPA does not maintain such a database at this time. However, EPA Region 9's Tribal Section is aware of several educational institutions that do maintain these resources (links below).

**National Indian Law Library (NILL):** [www.narf.org/nill/triballaw/index.html](http://www.narf.org/nill/triballaw/index.html)

**Tribal Institute:** [www.tribal-institute.org/lists/codes.htm](http://www.tribal-institute.org/lists/codes.htm)

**Universities:** [lib.law.washington.edu/content/guides/indian](http://lib.law.washington.edu/content/guides/indian)

- [lawlibguides.lclark.edu/c.php?g=139883&p=916746#s-lg-box-2739354](http://lawlibguides.lclark.edu/c.php?g=139883&p=916746#s-lg-box-2739354)
- [thorpe.ou.edu/](http://thorpe.ou.edu/)
- <http://guides.ou.edu/c.php?g=113878&p=739846>

### Smithsonian Tribal Scholar Fellowships

Next Deadline is February 1: The Native American Awards Community Scholar falls within the Native American Awards Program, which supports applicants who are formally or informally affiliated with a Native American community or tribe, to visit the Smithsonian Institution to undertake projects on a Native American subject and utilize the Native American resources of the Smithsonian. One of the goals of the program is for the community scholars to take the knowledge they gain through their research and share it with their community. View opportunity at: [www.smithsonianofi.com/fellowship-opportunities/native-american-community-scholars-awards/](http://www.smithsonianofi.com/fellowship-opportunities/native-american-community-scholars-awards/).