



## **U.S. Environmental Protection Agency, Region 9**

### **Indian Environmental General Assistance Program (GAP)**

### **FY 2017 Funding Announcement Covering the GAP Grant Cycle for 2017 - 2018 (FY18)**

**Due December 01, 2016**

Late proposals and late applications may not be funded. Applicants whose proposals or applications were late in the 2016 grant application cycle, and are again late in the 2017 grant application cycle will not be funded.

Grant Applications in Grants.gov will be due no earlier than **February 23, 2017**. A specific due date will be provided in each recipient's Guidance Letter.

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**U.S. EPA REGION 9 FY17 GRANT FUNDING ANNOUNCEMENT  
INDIAN ENVIRONMENTAL GENERAL ASSISTANCE  
PROGRAM**

**IMPORTANT INFORMATION**

**PLEASE NOTE:** Late proposals and late applications may not be funded. Applicants whose proposals or applications were late in the 2016 grant application cycle, and are again late in the 2017 grant application cycle will not be funded.

**REVISED! GAP Project Officer Contact List:** Please note the updated Tribal Section GAP Project Officer Contact List (Attachment B).

**IMPORTANT!** An **EPA/Tribal Environmental Plan** is required to receive funding for Fiscal Year 2018 and beyond. If an ETEP is still not completed by that time, no additional funding will be awarded.

**IMPORTANT DATES**

<b>Funding Announcement</b> posted to Tribal Section Website	<b>October 6, 2016</b>
<b>Grant Proposals</b> must be submitted in GAP Online* by	<b>December 1, 2016</b>
<b>Guidance Letters</b> with approved funding amounts and work plan comments mailed to applicants <u>beginning on:</u>	<b>January 19, 2017</b>
<b>Full Applications with Revised Work plans</b> are due in Grants.gov on or after: (or as stated in the Region 9 Guidance Letter)	<b>February 23, 2017</b>
<b>Grant Awards</b> will be made not later than	<b>September 30, 2017</b>

\*Applicants with Performance Partnership Grants are not required to submit their proposals into GAP Online; these applicants should contact their Project Officer for more information.

**INDIAN ENVIRONMENTAL GENERAL ASSISTANCE PROGRAM FUNDING**

**I. OVERVIEW**

The U.S. Environmental Protection Agency (EPA), Region 9, is announcing the funding opportunity for Indian Environmental General Assistance Program (GAP) grant proposals for federally recognized tribal governments and eligible intertribal consortia for FY2018. The goal of the GAP is to assist tribes in developing the capacity to administer environmental regulatory programs consistent with the federal laws implemented by the EPA, provide EPA technical assistance to Indian tribal governments and intertribal consortia in developing multimedia programs to address environmental issues on Indian lands, and to develop and implement solid and hazardous waste programs in accordance with the Solid Waste Disposal Act.

The Catalog of Federal Domestic Assistance Number for the GAP is 66.926.  
The Catalog of Federal Domestic Assistance Number for PPGs is 66.605.

This grant notification includes GAP funding opportunities including:

- General Assistance Program Grants, and
- Performance Partnership Grants which include GAP Funding, as referenced in Section IV.

## II. BACKGROUND AND PROGRAM DESCRIPTION

In 1992, Congress passed the Indian Environmental General Assistance Program Act authorizing the EPA to provide General Assistance Program grants to tribal governments and eligible intertribal consortia for planning, developing, and establishing environmental protection programs consistent with other applicable provisions of law providing for enforcement of such laws by Indian tribes and Indian lands, and developing and implementing solid and hazardous waste programs for Indian lands.

The May 15, 2013 Guidance on the Award and Management of General Assistance Agreements (Guidance) describes how the U.S. Environmental Protection Agency (EPA or Agency) administers the Indian Environmental General Assistance Program (GAP) Act of 1992 (42 U.S.C. §4368b). In conjunction with the information provided in Appendix I, "Guidebook for Building Tribal Environmental Program Capacity," this Guidance provides a consistent national framework for building tribal environmental program capacity under GAP and is designed to improve the management of GAP resources.

The GAP program is exempt from competition under sections 6(c) 1 and 2 of EPA's Policy for Competition of Assistance Agreements (EPA Order 5700.5A1).

## III. FUNDING AVAILABILITY

In FY2016, EPA Region 9 received \$16,249,000 of new GAP funding. Similar funding is expected this year for the 148 eligible tribes and six eligible 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 2017 for FY2018 work plans;
- the number of tribes and tribal consortia submitting on-time applications;
- how well each proposal meets the review factors; and
- past performance (see page 8 for more detail).

**Funding is not guaranteed for every applicant. Late proposals and late applications may not be funded. Applicants whose proposals or applications were late in the 2016 grant application cycle, and are again late in the 2017 grant application cycle will not be funded.**

**Core Program Capacity:** 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.

**Supplemental Projects:** Tribes and consortia with unmet needs that are fundable under the new GAP Guidance may submit a supplemental request with a separate work plan component and budget column, in addition to the core work plan and budget. Please review the GAP Guidance for allowable activities. If sufficient GAP funds are available after core needs have been met, EPA may fund additional priority tasks or equipment purchases.

More than one special project per applicant may be considered if funds allow. For example, **open dump clean-ups** are required to be submitted as supplemental projects, as are **vehicle purchase requests**. A separate work plan component and budget column must be developed for each supplemental project. Multiple proposals from the same applicant must be ranked in order of importance. Requests for supplemental funding are limited to the project years included in the application. Proposed project activities must include a description of expected human health and environmental benefits.

GAP review criteria (see Section VI) will be used to determine priorities for funding supplemental activities or purchases. **Additionally, applicants MUST clearly articulate the need for the project, describe how the project will address the need, and demonstrate how the tribe will complete the project within the fiscal year.**

Equipment Purchases. Equipment is defined as tangible, non-expendable, personal property having a useful life of more than one year and an acquisition cost of \$5,000 or more (per unit), although a lower dollar amount threshold can be established by the applicant. Federal threshold will be used for approval purposes. Any proposed equipment costs must be eligible, allocable and allowable under GAP. **ALL equipment purchases require prior approval of the EPA Project Officer and the EPA Grants and Interagency Agreement Unit.** Applicants requesting equipment must address the following requirements:

- List of each equipment item.
- Estimated cost of each item.
- Justification of need for each item (how item will help accomplish work plan tasks).
- Lease versus purchase analysis, if applicable (2 CFR Part 200.318 (d)).
- Indication of the method of procurement to be followed (e.g., small purchase, sealed bid, competitive or sole source, per 2 CFR Part 200.320).
- Price and cost analysis (40 CFR 31.36(f)).
- Requested disposition of the equipment and justification (2 CFR Part 200.313).
- Reviewed Tribal Policies and Procedures (2 CFR Part 200.302).
- Plan to maintain records/inventory for equipment (2 CFR 200.313(d)(2)).

An Equipment Purchase Analysis form can be found in **Attachment G**.

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

#### **IV. ELIGIBILITY**

##### **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.

### **Using Indicators of Tribal Environmental Program Capacity**

Tribal governments have tribe-specific priorities. Tribes will identify program areas to focus on with respect to building environmental protection program capacity. In addition, each tribal government determines how far down the path of program development it wants to proceed (e.g., all the way to program implementation or in between core program capacity and development of some of the media-specific program capacities).

There is not just one pathway to follow for building environmental program capacity, and as such there are many indicators that can be used to assess and measure progress in the capacity building process. When identifying fundable GAP activities (commitments), the program capacity building indicators in Appendix 1 of the GAP Guidance are a helpful resource because they provide specific examples of milestones that GAP-funded activities, or a combination of activities, could support toward building environmental program capacity, consistent with EPA's environmental protection programs. These indicators offer a non-exclusive menu of choices organized by category of environmental program development; they need not all be selected. Please include indicators in your proposed work plan by placing them at the component level, in the measures section.

## **V. PROPOSAL PROCESS**

**GAP Online** is an internet-based tool for developing, reviewing, and finalizing GAP work plans and progress reports. All tribes who receive a standalone GAP grant are required to use GAP Online to develop their work plans. The tool can be accessed at the following link: [https://ofmext.epa.gov/GAP\\_Online/index.jsp](https://ofmext.epa.gov/GAP_Online/index.jsp)

User names and passwords have been distributed to tribes. Applicants needing assistance with a username, password, or system navigation should contact the appropriate project officer.

### **Proposal Content and Timeline**

**Complete GAP proposals must be created and submitted in GAP Online by December 1<sup>st</sup>, 2016**

*GAP proposals should not include formal application materials (such as the SF-424). Proposals must contain:*

- 1. Narrative Discussion** (should not exceed five pages unless special circumstances warrant and must be uploaded in the "Attachment" section 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. (Providing an organization chart is acceptable);
  - 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; and
  - Current recipients must provide a status of their cumulative expenditures and current unexpended balance for the existing GAP grant, as of September 30, 2016.
  
- 2. Work Plan** (developed directly in GAP Online):

*Work Plan Requirements – GAP work plans **must** contain the following elements: (see also **Attachment D**):*

  - A description of each work plan *component* to be funded;
  - Estimated *work years* and *funding amounts* for each work plan component (must correlate to budget);
  - The work plan *commitments* for each work plan component, and a *timeframe* for their completion;

- The expected *outputs* (and deliverables) for each commitment;
- The expected *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.

**Capacity Indicators:** Under the new Guidance, grantees must identify one or more capacity indicators for each component of your work plan. An extensive (though not exclusive) list of capacity indicators can be found in Appendix 1 of the GAP Guidance. Capacity Indicators are designed to: help identify and measure the status of tribal environmental program capacity; help tribes as they plan for program capacity development under GAP; provide examples of “road-maps” for building a tribal environmental program; and, help tribes and EPA identify both short-term and long-term goals and activities.

Applicants should identify capacity indicators as described in Appendix 1 of the GAP Guidance, and list those indicators in the work plan in the “measures” section. Capacity indicators should be listed by number (e.g. “C.3.1”), as designated in Appendix 1 of the GAP Guidance, as well as spelled out in full. Note that the indicators in Appendix 1 are a non-exclusive menu of choices. If an applicant wants to develop a capacity area not identified in Appendix 1, please consult your Project Officer. Where capacities are being developed in areas not described in Appendix 1, the work plan must adequately identify and describe the applicable indicators of capacity.

**Two-Year Work Plans:** Current recipients, whose four-year GAP grant expires in 2019 or later, are strongly encouraged to submit two-year work plans and budgets, which will be funded by the Region when possible. A separate work plan and budget must be included for each year.

**Region 9 Mandatory Tasks:** The following activities must be completed by each GAP applicant at least once, and should be repeated as specified in the end of year joint evaluation. For example, if 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 the applicant’s Project Officer:

- *Baseline Needs Assessment (formerly the Environmental Inventory)*: Identify the Tribe’s actual or potential environmental or human health issues. The baseline needs assessment is not meant to be such an extensive data collection effort, but rather a primary step to prioritize general environmental issues. ***Please see Appendix II of the GAP Guidance for an example of steps to conduct a Baseline Needs Assessment.***
- *Tribal Environmental Plan (TEP)*: After a Baseline Environmental Assessment is complete or updated, the tribe will use it to develop a TEP to address tribal environmental issues and priorities. This plan is a strategic planning document that guides the development of the tribal environmental program and future work plan activities. TEPs must reflect the intermediate and long-term goals of the tribe for building environmental program capacities; capacity indicators that are related to accomplishing the goals identified in the TEPs must be included in approved GAP work plans; and EPA and the tribe will measure progress under the GAP work plan and the progress being made toward accomplishing the long-term goals in the TEPs. The TEPs are intended to be living, usable documents for both tribes and EPA as environmental partners to use in planning and guiding our work and should be reviewed annually and updated as appropriate. The TEP is part of the EPA-Tribal Environmental Plan (ETEP) that is described in the GAP Guidance. ***Please see Section 4.0 of the GAP Guidance for specific information on the purpose, format, components and use of an EPA-Tribal Environmental Plan. See Appendix III for a sample GAP work plan component for this task.***

- **Administrative/Fiscal Assessment**: Review and assess the tribe's Policies and Procedures to ensure that the tribe's systems meet the requirements of Cost Principles under 2 CFR Part 200 Subpart E. Corrections to deficiencies found in the tribe's administrative systems may be eligible activities under the GAP.

**3. Budget Breakdown** (include as an attachment in GAP Online): Include a separate budget breakdown for each year of the work plan or for any supplemental priority activities. All proposed costs must be itemized. For proposed salary increases, please provide verify that the increase is due to a tribal government policy (e.g., cost of living, promotion) or Tribal Council Action (such as a resolution) to support the increases.

A sample Budget Breakdown can be found in **Attachment F** (Sample Budget Detail). Alternately, a fillable pdf-based budget template is available *for* download and use in GAP Online.

**4. 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 is a member of the consortia. Resolutions or certifications should clearly demonstrate that all consortium members support the consortia's proposed work plan and budget.

**5. Indirect Cost Rate** (include as an attachment in GAP Online):

**A. When should a Tribe have an Indirect Cost Rate agreement?**

- a. **2 CFR 200 Appendix VII to part 200 section D.1.c-d**: Each Indian tribal government desiring reimbursement of indirect costs must submit its indirect cost proposal to the Department of the Interior (or its cognizant agency for indirect costs, if that cognizant agency is not DOI). Indirect cost proposals must be developed (and, when required, submitted) within six months after the close of the governmental unit's fiscal year, unless an exception is approved by the cognizant agency for indirect costs.

**B. Can a Tribe draw down/be reimbursed for Indirect Costs if their Indirect Cost Rate agreement is expired?**

- a. A Tribe may be eligible to draw down indirect costs on an expired rate agreement under the following circumstances:
  - i. The Tribe has applied and been granted an extension to their Indirect Cost rate agreement per 2 CFR 200.414.g ([http://www.ecfr.gov/cgi-bin/retrieveECFR?gp=1&SID=de4a272ef23360f7db2adc01a513d172&ty=HTML&h=L&mc=true&n=pt2.1.200&r=PART#se2.1.200\\_1414](http://www.ecfr.gov/cgi-bin/retrieveECFR?gp=1&SID=de4a272ef23360f7db2adc01a513d172&ty=HTML&h=L&mc=true&n=pt2.1.200&r=PART#se2.1.200_1414)), or
  - ii. The Tribe provides a copy of a grant agreement with Department of Interior showing the indirect cost rate that covers the same project periods as the EPA grant.

**C. Can a Tribe request for Indirect Costs if they never had an Indirect Cost Rate agreement?**

- a. In accordance with 2 CFR 200.414f ([http://www.ecfr.gov/cgi-bin/retrieveECFR?gp=1&SID=de4a272ef23360f7db2adc01a513d172&ty=HTML&h=L&mc=true&n=pt2.1.200&r=PART#se2.1.200\\_1414](http://www.ecfr.gov/cgi-bin/retrieveECFR?gp=1&SID=de4a272ef23360f7db2adc01a513d172&ty=HTML&h=L&mc=true&n=pt2.1.200&r=PART#se2.1.200_1414)), a Tribe who **never** had an approved rate may charge a de minimis rate of 10%:



## **D. Can a Tribe budget for Indirect Costs in their grant applications without a current Indirect Cost Rate agreement?**

- a. Recipients may budget for indirect costs when applying for EPA grants using the last rate that was approved by the cognizant agency within the preceding 36 months from the start date of the award. However, the recipient is not allowed to draw down funds for any indirect costs until they get either another approved negotiated rate or meet the requirements outlined under question 2 of this guidance.

For updates to EPA's Indirect Cost Rate Policy, please contact your assigned Grants Specialist.

## **VI. PROPOSAL REVIEW PROCESS**

### **1. Proposal Review Factors**

GAP proposals and funding amounts are based on the following factors (See GAP Guidance Section 6):

- Completeness of proposals based on the information requested in this grant notification;
- The extent to which the proposed activities reflect the purpose of GAP (i.e., development of tribal environmental protection program capacities, consistent with EPA statutory programs);
- 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);
- Feasibility and likelihood of completing proposed activities, considering the budget, personnel and available resources;
- The degree to which the proposed activities in the work plan support achieving the long-term goals identified in the negotiated EPA-Tribal Environmental Plan or other Tribal long-range planning document;
- Past performance under EPA grants, including fiscal accountability, amount of unexpended funds, quality and timeliness of 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. 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 FY2018.

### **2. 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 that Benefit 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.

### **3. Notification of Funding Decision: 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 submitted in GAP online and Grants.gov;
- Any suggestions and/or requests for **work plan or budget revisions**; and
- Instructions for applying for EPA grants through **grants.gov**.

## **VII. FINAL APPLICATION PROCESS**

### **Final Applications and Work Plans**

Full applications and revised work plans (including narrative) must be submitted **by the due date supplied to each applicant in the Guidance Letter**; due dates will not be earlier than **February 23, 2017**. Full applications must include forms and certifications as detailed in the Guidance Letter (including Standard Form 424) and a copy of the work plan (including narrative) 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 and Grants.gov by the due date. Applications submitted prior to the stated due date are encouraged. Work plans that do not include the requested revisions may be in jeopardy. Instructions on the submission process will be provided in the Guidance Letter.

### **Grant Award**

EPA will review final GAP applications and may request final revisions or additional information if necessary. Approved grant awards will generally be made not later than **September 30, 2017**.

## **VIII. PERFORMANCE PARTNERSHIP GRANTS**

PPGs allow eligible tribes and Intertribal Consortia to combine at least two environmental program grants into a single grant in order to improve environmental performance, increase programmatic flexibility, achieve administrative savings (like reduction in cost share), and strengthen the partnerships between the tribe and EPA. There are over 15 EPA grant programs eligible for inclusion in a PPG. Tribes receiving two or more EPA grants may discuss the prospect of forming a PPG with their grant project officers **before** developing individual grant applications.

Past grant performance is one factor EPA considers when evaluating PPG requests. Since multiple grants are involved, PPG proposals and applications can take longer to develop than single grant proposals. Tribes or intertribal consortia should strive to complete final PPG applications by **March 30, 2017** 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. However, tribes that apply for a PPG are not required to develop work plans in GAP Online. A Sample PPG work plan template can be found in **Attachment E**.

## IX. AWARD ADMINISTRATION

**Regulations** governing the award and administration of environmental program grants for tribes, including the GAP can be found at 2 CFR Part 200

([http://www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title02/2cfr200\\_main\\_02.tpl](http://www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title02/2cfr200_main_02.tpl))

and 40 CFR Part 35, Subpart B

(<http://www.ecfr.gov/cgi-bin/text-idx?rgn=div5&node=40:1.0.1.2.32>).

It should also be noted that EPA reserves the right to impose additional terms and conditions that must be met to maintain compliance with the award. Recipients are expected to read and comply with these additional requirements in order to maintain sufficient and satisfactory progress with their award.

**Quarterly expenditure and progress reports are standard requirements:** Tribes must report actual accomplishments for each work plan commitment in their reports. Cumulative expenditure reports must also be provided in the reports. Please refer to the Term and Condition in your GAP Award and **Attachment D** (GAP Work Plan Information and Progress Reporting) for further information about reporting requirements. Tribes are strongly encouraged to use GAP Online for developing their progress reports.

**Federal Financial Report (SF425):** A final FFR must be submitted within 90 days of grant expiration. Interim FFRs are required annually, as described in your GAP award terms and conditions.

**Disputes** between EPA and recipients regarding the administration of the award will be addressed as stipulated in 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.

## X. AGENCY CONTACTS

For additional information or clarification, please contact your GAP Project Officer (found in **Attachment B**), or:

Timothy Wilhite at (530) 841-4577 or [Wilhite.Timothy@epa.gov](mailto:Wilhite.Timothy@epa.gov)

Veronica Swann at (415) 972-3699 or [Swann.Veronica@epa.gov](mailto:Swann.Veronica@epa.gov)

## SAMPLE GENERAL ASSISTANCE PROGRAM ACTIVITIES

The following are examples of activities grantees may want to include in GAP proposals. Eligible activities are not restricted to the samples provided here. Preferred activities will vary from tribe to tribe, depending on specific tribal circumstances and priorities.

### *Quality Assurance Project Plans:*

Tribes are required to develop Quality Assurance Project Plans (QAPPs) that meet with the EPA's approval prior to collecting environmental measurements, such as sampling or analyzing soil, water, or air. GAP funding can be used to develop QAPPs.

### *Baseline Environmental Sampling:*

Tribes can use GAP funding to develop baseline (i.e., "initial") environmental information. For instance, tribes can use GAP funds for initial sampling and analysis of surface water conditions. Although collecting baseline environmental information can take from one to several years depending on specific circumstances, GAP funds cannot be used to support ongoing environmental monitoring programs.

### *Program-Specific Capacity-Building:*

GAP funds can be used to develop specific environmental protection programs (e.g., tribal water quality monitoring programs). This could include developing program-specific grant applications (e.g., clean water act grants), fulfilling prerequisites for being eligible for such grants, obtaining necessary technical skills, etc. Although implementation of most environmental protection programs is not allowable under the GAP, tribes can use GAP funds to plan and establish a variety of programs. After receiving GAP grant resources to build core program capacities, tribes that have successfully developed capacity in a given area can continue to receive GAP funding to expand, enhance, or evolve their capacity.

### *GAP Program Activities for Climate Change*

The GAP program supports Tribal efforts in planning, program development and intergovernmental partnerships to address climate change. The Guidance on the Award and Management of General Assistance Agreements for Tribes and Intertribal Consortia, Appendix I, Section C 2 Establishing an Air Quality Program (page 16 of 42) identifies the following climate change planning work:

- C.3.14 Tribe has developed a climate change vulnerability/risk assessment.
- C.3.15 Tribe has developed a climate change preparedness/adaptation program (e.g., zoning rules and regulations; tax incentives; building codes/design standards; utility rates/fee setting; public safety rules and regulations; outreach and education; emergency management powers).
- C.3.17 Tribe has established energy efficiency policies and program(s) (e.g., building design standards/codes, ENERGY STAR initiatives for government operations and tribal housing).
- C.3.20 Tribe has established intergovernmental partnerships with federal, state, local, and tribal governments to address air quality issues, including climate change, and radiation hazards (e.g., memoranda of understanding, interagency agreements).

For developing a vulnerability assessment or an adaptation plan, potential resources include:

<https://toolkit.climate.gov/>

<https://www.epa.gov/climatechange/adapting-climate-change>

<https://www.epa.gov/cre/being-prepared-climate-change-workbook-developing-risk-based-adaptation-plans>

*GAP Program Activities for Tribal Green Building*

The Tribal Green Building Toolkit, developed by EPA and the Tribal Green Building Codes Workgroup, provides information on how tribes can implement green building codes, policies, and practices that meet tribal environmental, cultural and economic priorities.

<https://www.epa.gov/green-building-tools-tribes>

*GAP Program Activities from the GAP Guidance*

<https://www.epa.gov/sites/production/files/2015-05/documents/gap-guidance-final.pdf>

**Building Core Environmental Protection Program Capacities**

*For sample Core Environmental Protection Program Capacity building activities which may be funded under GAP, including sample indicators, please see **Section B** of the Guidebook.*

**Establishing Core Administrative Capacities:** *Please see **Section B.2** of the Guidebook.*

**Establishing Core Financial Management Capacities:** *Please see **Section B.3** of the Guidebook.*

**Establishing Core Information Management Capacities:** *Please see **Section B.4** of the Guidebook.*

**Establishing a Baseline Needs Assessment:** *Please see **Section B.5** of the Guidebook.*

**Establishing Core Public Participation, Community Involvement, Education, and Communication Capacities:** *Please see **Section B.6** of the Guidebook.*

**Establishing Core Legal Capacities:** *Please see **Section B.7** of the Guidebook.*

**Establishing Core Technical and Analytical Capacities:** *Please see **Section B.8** of the Guidebook.*

**Building Tribal Ambient and Indoor Air Quality Program Capacities**

*For sample Ambient and Indoor Air Quality Program Capacities building activities which may be funded under GAP, including sample indicators, please see **Section C** of the Guidebook.*

**Establishing Tribal Air Quality Programs:** *Please see **Section C.2** of the Guidebook.*

**Indicators of Air Quality Program Capacity:** *Please see **Section C.3** of the Guidebook.*

**Building Tribal Water Quality Program Capacities**

*For sample Water Quality Program Capacity building activities which may be funded under GAP, including sample indicators, please see **Section D** of the Guidebook.*

**Establishing Tribal Water Quality Programs:** *Please see **Section D.2** of the Guidebook.*

**Indicators of Water Quality Program Capacity:** *Please see **Section D.3** of the Guidebook.*

**Framework for Tribal Water Program Strategic Planning and Development:** *Please see **Appendix IV** of the Guidebook.*

### **Building Solid Waste, Hazardous Waste, and Underground Storage Tank Capacities**

EPA's tribal solid waste priority is the promotion of sustainable waste management programs through the development and implementation of Integrated Waste Management Plans (IWMPs). Development of IWMPs will be prioritized ahead of any implementation work that is proposed if a tribe does not have a plan in place. For a roadmap on developing Solid Waste capacity under the new GAP Guidance, please review **Attachment C** of this announcement.

**Planning, Developing, and Establishing Tribal Waste Management and Underground Storage Tank Program Capacity:** *Please see **Section E.2** of the Guidebook.*

**Indicators of Tribal Waste Management and UST Program Capacity:** *Please see **Section E.3** of the Guidebook.*

**Tribal Waste Management and UST Program Implementation:** *Please see **Section E.4** of the Guidebook.*

### **Building Tribal Contaminated Site Remediation & Emergency Response Capacities**

**Establishing Tribal Programs Related to CERCLA, EPCRA, and Brownfields:** *Please see **Section F.2** of the Guidebook.*

**Indicators of Tribal Emergency Response and Remediation Program Capacity:** *Please see **Section F.3** of the Guidebook.*

### **Building Tribal Chemical Safety and Pollution Prevention Program Capacities**

*For activities eligible for funding under EPA programs that support Tribal capacity development and/or implementation of chemical safety and pollution prevention please see **Section G.2** of the Guidebook.*

**U.S. EPA, Region 9 Tribal Section Project Officer List**

updated 6/14/2016

**Arizona Tribes**

Ak-Chin	KF
Colorado River Indian Tribes	DC
Fort McDowell	KF
Fort Mojave	DC
Gila River	MB
Havasupai	VS
Hopi	PO
Hualapai	VS
Kaibab	PO
Navajo Nation	PO
Pasqua Yaqui	AB
Salt River	MB
San Carlos	PO
San Juan S. Paiute	PO
Tohono O'odham	PO
Tonto Apache	VS
White Mountain	PO
Yavapai Apache	VS
Yavapai Prescott	VS

**California Tribes**

Cloverdale	DC*
Cocopah	AB
Cold Springs	WC*
Colusa	GP
Cortina	KF
Coyote Valley	GP*
Cuyapaipe	AB
Dry Creek	KF
Elem	RM
Elk Valley	MB
Enterprise	DC
Fort Bidwell	TW
Ft Independence	DW
Graton	KF
Greenville	DC
Grindstone	DC
Guidiville	VS*
Hoopa	TW
Hopland	KF
Inaja & Cosmit	AB
Ione	GP
Jackson	GP
Jamul	AB
Karuk	TW
Kashia	KF
La Jolla	PO
La Posta	AB
Lone Pine	DW
Los Coyotes	DC*
Lower Lake	VS
Lytton	DC*
Manchester	VS*
Manzanita	AB
Mechoopda	DC
Mesa Grande	DC*
Middletown	RM
Mooretown	DC
Morongo	WC*
Northfork	TW*
Pala	AM
Paskenta	DC
Pauma	AM
Pechanga	AM
Picayune	WC*
Pinoleville	TW*
Pit River	TW

**California Tribes**

Potter Valley	GP*
Quartz Valley	TW
Quechan	AB
Ramona	AM
Redding	DC
Redwood Valley	KF*
Resighini	TW
Rincon	PO
Robinson	RM
Round Valley	PO*
San Manuel	AM
San Pasqual	PO
Santa Rosa Rancheria	PO*
Santa Rosa Reservation	WC*
Santa Ynez	RM
Santa Ysabel	MB*
Scotts Valley	RM
Sherwood Valley	TW*
Shingle Springs	GP
Soboba	AM*
Susanville	DC
Sycuan	AB*
Table Mountain	DW*
Tejon Tribe	RM
Timbisha	DW
Tolowa Dee-ni' Nation	MB
Torres Martinez	WC
Trinidad	MB
Tule River	RM*
Tuolumne	MB*
29 Palms	WC
Upper Lake	RM
Viejas	AB
Wilton	GP
Wiyot	MB
Yocha DeHe	KF
Yurok	TW

**Nevada Tribes**

Battle Mountain Band	AM
Duck Valley	GP
Duckwater	WC
Elko Band	AM
Ely	WC
Fallon	VS
Fort McDermitt	GP
Goshute	WC
Las Vegas	PO
Lovelock	VS
Moapa	PO
Pyramid Lake	VS*
Reno Sparks	VS
South Fork Band	AM
Summit Lake	VS
Te-Moak Tribe	AM
Walker River	VS
Washoe	AM*
Wells Band	AM
Winnemucca	VS
Yerington	VS
Yomba	WC

**California Tribes**

Agua Caliente	WC
Alturas	TW
Auburn	GP
Augustine	WC
Barona	AB
Bear River	MB
Benton	DW
Berry Creek	DC
Big Lagoon	MB
Big Pine	DW
Big Sandy	GP*
Big Valley	RM
Bishop	DW
Blue Lake	MB
Bridgeport	DW
Buena Vista	GP
CA Valley Miwok	GP
Cabazon	WC
Cahto	DW*
Cahuilla	DW*
Campo	AB
Capitan Grande	AB
Cedarville	TW
Chemehuevi	DC
Chicken Ranch	DC*

**Consortia**

ITCA	DW*
ITCN	GP
Klamath Basin Coalition	TW
NAEPC	AB
Owens Valley	DW
Upper Snake River	GP

**Tribal Section Roster**

**AB:** Alheli Banos 619-235-4767  
**AM:** Angela Mendiola 415-972-3284  
**DC:** Destinee Cooper 415-972-3790  
**DW:** Damian Willson 415-972-3453  
**GP:** Gilbert Pasqua 415-972-3788  
**KF:** Anna "Kate" Fenimore 415-972-3418  
**MB:** Michelle Baker 415-972-3206  
**PO:** Pam Overman 415-972-3781  
**RM:** Ruben Mojica Hernandez 415-972-3268  
**TW:** Tim Wilhite 530-841-4577  
**VS:** Veronica Swann 415-972-3699  
**WC:** Willard Chin 415-972-3797

*\*temporarily assigned*

**Manager:** Laura Ebbert 415-947-3561  
**Admin:** Kimberli Smith 415-972-3778

## Planning, Developing, Establishing, and Implementing Tribal Waste Management Capacity

Tribal environmental departments develop waste management program capacity through a range of planning and development activities. Please see **Section E.3** of the [GAP Guidebook](#) for a non-exclusive list of tribal environmental protection program capacity indicators that EPA will use to evaluate progress under GAP.

**EPA's main tribal solid waste priority is the promotion of sustainable waste management programs through the development and implementation of Integrated Waste Management Plans (IWMPs).**

Development of IWMPs will be prioritized ahead of any implementation work that is proposed if a tribe does not have a plan in place.

Tribes may use GAP funds for any activity identified in an approved work plan designed to establish an applicable capacity indicator, and tribes may choose which capacities apply to their own situations. The list of capacity indicators is meant to be a non-exclusive list, but Tribal Environmental programs will need to establish suggested capacities to move into Solid Waste implementation activities consistent with the Solid Waste Disposal Act.

Section E.4. of the GAP Guidance states that once a Tribe has established the appropriate capacities (listed under **Section E.3.** in the [GAP Guidebook](#)), GAP funds can be used for the following implementation activities in order of priority: (a) program administration; (b) compliance and enforcement; (c) solid waste management, resource recovery, and resource conservation support; and (d) cleanup and closure.

(Refer to [Attachment I](#) for a list of example allowable/unallowable tribal waste program implementation activities).

**If a tribe does propose cleanup and closure activities in their GAP work plan**, it must have either (1) established capacity under the following indicators (as described in the [GAP Guidebook](#)) E.3.5, E.3.6, E.3.7, E.3.8, E.3.17, and E.3.18 or (2) be “substantially pursuing tangible elements” of a program. Please look in the [GAP Guidebook](#) and consult your Project Officer for more specifics. **If a tribe has not developed, or is not “substantially pursuing” the listed capacities, EPA will not prioritize providing financial assistance via GAP funds, for cleanup and closure activities UNLESS the open or unauthorized dump presents an imminent or substantial endangerment to human health or the environment.**

The Consolidated Appropriations Act, 2016 (Public Law No: 114-113) states that EPA may provide tribes financial assistance under GAP for, “solid waste and recovered materials collection, transportation, backhaul, and disposal services” through Fiscal Year 2020. GAP funded assistance agreements with these unique activities will contain special terms and conditions requiring the recipient to report information about the project, such as where the materials came from (residential, institutional, or commercial) and how much material was handled (tonnage estimate). This information will provide tribes, EPA, and other federal agencies basic information about GAP funded solid waste and recovered materials service delivery activities under this unique program. Applicants should work with their assigned Project Officer to clarify how these terms and conditions will be met.



## GAP Work Plan Information and Progress Reporting

An approvable work plan must contain Components with Commitments. Definitions and examples are below.

**Components:** Components are program capacity categories for which a broad level of work can be accomplished. Keep the title of your components short. The title should read like a major theme or chapter in a book. Components should be broad enough to capture all of the subsequent commitments that it will include.

Examples of Component titles include: *Solid Waste, Water Quality, and Baseline Needs Assessment.*

Components contain several fields: Description, Outcomes, Measures and Capacity Indicators, Estimated Work Years and Component Cost. These are described below.

**Description:** Use this section to describe the work that will be completed in the component. Descriptions should be simple, and short. This is not the section to describe the commitments or outcomes

**Outcomes: Long-term & Intermediate:** These are the environmental results, effects, or consequences that will occur from carrying out an environmental program or activity that is related to an environmental or programmatic goal or objective.

- Long-term Outcome: An outcome that will be accomplished over several years.
- Intermediate Outcome: An outcome that will be realized within the year.

Examples include: Achievement of operator certification (Change in Knowledge), Reduction in number of new open dumps (Changes in Behavior), and Reductions in exposure to waterborne pollutants (Changes in Public Health).

**Measures & Capacity Indicators:** A measure is a statement that describes how the tribe will define success of the component. Capacity Indicators provide a pathway for defining and tracking tribal capacity building progress. Refer to the GAP Guidebook for a full menu on capacity indicators Appendix I of the Guidebook offers a non-exclusive menu of potential indicators; other indicators of capacity may be identified in the GAP workplan or Tribal Environmental Plan.

Steps to identify or develop an indicator:

- Review the Guidance to ensure the activity is GAP-eligible.
- Contact your project officer to confirm your findings.
- If you are proposing a custom indicator, review the Guidebook to determine that a custom indicator is not already covered by an existing indicator in the Guidebook.
- Submit for EPA review and approval.

**Estimated Work Years and Component Cost:** The estimated work years and funding amount needed to complete activities under each work plan component.

A work year is equivalent to 2,080 hours. Work year estimates are usually expressed as percentages (e.g., 0.1 or 10%) of a work year that each staff person is expected to devote to the grant component (or individual tasks). A summation of work years for each work plan component should match the total personnel work years shown on GAP budget pages.

## Sample Component

Component #1: Water Quality	
<b>Description</b>	By conducting an environmental inventory, we can identify the water resources on our reservation that may need protection levels."
<b>Long-Term Outcome</b>	Tribe has identified its water resources and associated environmental and human health issues
<b>Measures</b>	<b>Indicator D.3.5:</b> Tribe has identified its water resources and associated environmental and human health issues (including inventories of regulated entities, discharge points requiring NPDES permits; facilities requiring Spill Prevention, Control and Countermeasure (SPCC) plans; sensitive ecosystems)
<b>Intermediate Outcomes</b>	Inventories of regulated entities, discharge points requiring NPDES permits; facilities requiring Spill Prevention, Control and Countermeasure (SPCC) plans; sensitive ecosystem
<b>Estimated Component Cost</b>	\$10,000
<b>Estimated Work Years (FTE)</b>	0.25

**Commitments:** These are the specific environmental activities or effort needed to achieve the outputs and outcomes associated with each work plan component. They provide the “step-by-step” information that describes how the work will be accomplished. They also support the component cost and associated work years.

### Commitment Development Guide

<b>Description</b>	List what work will be done under this commitment. Here is where you answer: <b>What</b> will be done <b>How</b> it will be done <b>Why</b> it will be done <b>Where</b> it will be done
<b>Estimated to Cost</b>	List <b>how much</b> this work is estimated to cost.
<b>End Date</b>	List <b>when</b> the work is estimated to be completed.
<b>Positions</b>	List <b>who</b> will do the work
<b>Outputs and Deliverables</b>	List <b>how</b> you will document that this commitment has been completed.  An <b>output/deliverable</b> is an <b>environmental activity or effort</b> and <b>associated work products</b> related to the environmental goal or objective that will be produced or provided over a period of time or by a specified date. Must be measurable.

**Reporting:** The progress reports should include updates on each commitment – including hold-ups, accomplishments, and the associated outputs/deliverables. Include the same level of detail as you would in the commitment description. For each commitment, please include *what* was done, *why* it was done, *where* it was done, *who* did the work, *how* much time it took and *when* it took place. Describe what the outcome was – outputs/deliverables. Make sure to include expenditure reports.

Optional PPG Work Plan

Attachment E

Tribe X PPG Work Plan for 10/01/2017 – 09/30/2018; Grant Bg-99999-0

GAP ACTIVITIES				
<b>GAP Component 1: Program Administration</b>				
<i>Environmental Results:</i>				
<i>Indicators:</i>				
<i>Estimated Component Cost: \$10,500      Estimated Component Work Years:</i>				
	<b>Commitments/Activities (and time-frames)</b>	<b>Cost Estimate</b>	<b>End Date</b>	<b>Outputs and Deliverables</b>
1.1				
CWA 106 ACTIVITIES				
<b>CWA 106 Component 1: Program Administration</b>				
<i>Environmental Results:</i>				
<i>Estimated Component Cost: 12,000      Estimated Component Work Years:</i>				
2.1				
<b>CWA 106 Component 2: Outreach and Education</b>				
<i>Environmental Results:</i>				
<i>Estimated Component Cost: 12,000      Estimated Component Work Years:</i>				
2.1				
CWA 319 ACTIVITIES				
<b>CWA 319 Component 1: Stormproof Supply Creek Road System</b>				
<i>Environmental Results:</i>				
<i>Estimated Component Cost: 12,000      Estimated Component Work Years:</i>				
3.1				
3.2				

**SAMPLE BUDGET DETAIL**

This sample budget is not representative of a GAP budget, but rather intended to demonstrate how a recipient might use the template provided at <http://www.epa.gov/region9/funding/applying.html> to develop a meaningful GAP budget.

You can also use the template provided on GAP Online:

[https://ofmext.epa.gov/GAP\\_Online/IGAP\\_FY2011\\_Detailed%20Budget%20Worksheet.pdf](https://ofmext.epa.gov/GAP_Online/IGAP_FY2011_Detailed%20Budget%20Worksheet.pdf)

*The detail for each object class category must be provided. Formats may vary, but all information below should be included in your application.*

**a. PERSONNEL**

POSITION	NUMBER	SALARY	WORK YEARS	AMOUNT
Environmental Director	1	\$50,000	1	\$50,000
Environmental Assistant	1	10,000	.50	5,000
Environmental Technician	1	20,000	0.50	10,000
<b>a. Personnel Total</b>				\$65,000

**b. FRINGE BENEFITS**

BASE (personnel)	\$65,000
RATE	21%
<b>b. FRINGE BENEFITS TOTAL</b>	\$13,650

**c. TRAVEL – List trips planned, destination, dates, and the amounts per trip. Please separate local travel and out-of-state travel.**

TRAVEL EXPENSES	AMOUNT
OUT-OF-STATE TRAVEL	
Las Vegas, NV (1 Person)	\$1,000
San Francisco, CA (1 People)	\$3,000
LOCAL TRAVEL	\$1,000

**Explanation:**

-Trips are scheduled to attend the American Water Works Conference, Regional Tribal Operations Committee (RTOC), Tribal Lands Forum

*Out of State Travel* - \$4,000

*Local Travel* - \$1,000

Based on an estimate for mileage (\$.20/mile), \$45/day maximum lodging, and \$20/day maximum for meals. Travel total = \$5,000

**c. TRAVEL TOTAL: \$5,000**

**d. EQUIPMENT:** Tangible, non-expendable, personal property having a useful life of more than one year and an acquisition cost of \$5,000 or more per unit. Applicant's definition of equipment may be used provided the definition at least includes all items previously defined above.

ITEM	NUMBER	COST PER UNIT	TOTAL
Recycling Dumpster for Earth Day	1	5,000	\$10,000

<b>d. EQUIPMENT TOTAL</b>			<b>\$10,000</b>
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**e. SUPPLIES**

ITEM	NUMBER	COST PER UNIT	TOTAL
Office Supplies (post-its, pen, paper)	Multiple	Various	\$1,100
Software for Computers (MS Office)	3	\$387.50	1,550
Computer	1	Various	\$1,800
<b>e. SUPPLIES TOTAL</b>			<b>\$2,650</b>

**f. CONTRACTUAL** [List each planned contract separately, type of service to be procured, proposed procurement method (i.e. small purchase, sealed bids, competitive proposals) and the estimated cost]

ITEM	PROCUREMENT METHOD	TOTAL
Env. Engineer - Consultant	Competitive Proposals	\$24,100
<b>f. CONTRACTUAL TOTAL</b>		<b>\$24,100</b>

**g. CONSTRUCTION (N/A)**

**h. OTHER**

ITEM	NUMBER	COST PER UNIT	TOTAL
Repairs – Vehicle Maintenance			3,500
Phone –			1,200
<b>h. OTHER TOTAL</b>			<b>\$4,700</b>
<b>i. TOTAL DIRECT COSTS</b>			<b>\$131,000</b>
<b>j. INDIRECT COSTS*</b>	<b>Base= Personnel and Fringe Benefits BASE</b> <b>\$31,000 x RATE 25% = \$67,119</b>		
<b>k. TOTAL PROPOSED COSTS</b>			<b>\$163,775</b>
<b>FEDERAL FUNDS REQUESTED</b>			<b>\$163,775</b>

## Equipment Request Form

### Equipment (i.e. GIS, vehicle, trash compactor, etc) Purchase Analysis

I. General questions to be answered for any equipment purchase at any time:

- a. Please submit justification for the use of the equipment. This should explain how the equipment will be used to carry out specific workplan tasks or used for environmental program capacity building needs. (GAP allowability)

For vehicle requests, please provide an estimate of expected annual vehicle mileage.

- b. Please submit an analysis completed under the tribe's procedures for the alternatives of renting, leasing, splitting costs with another program and purchasing (new vs. used). These must be evaluated to find the most cost effective option. Please submit a cost estimate for each alternative for obtaining the equipment. (GAP reasonableness).

Part of this analysis should be an explanation of how upkeep and maintenance will be funded. This includes such costs as insurance, gas, and registration for vehicles and similar costs for other equipment like software upgrades, etc.

- c. Has the tribe previously purchased this or similar equipment with GAP funds? (GAP eligibility)  
If so:

1. When was the last item purchased?
2. Current mileage of the vehicle (if a vehicle)?
3. Is the item/vehicle still in use? If so, where will the item/vehicle go if replaced?
4. Reason for replacing the previous GAP funded item/vehicle?

II. If the equipment is requested during the grant award:

Please present a side by side comparison of the existing (current FY) vs new budget categories. This should clearly show which budget categories are being reduced and which ones are being increased. If the equipment purchase modifies any tasks, please send in a revised workplan as well. (GAP budget revision)

III. Federal Surplus Personal Property Donation Program (aka GSAXcess or Federal Excess)

Tribes are encouraged to explore the possibility of finding used equipment under this program. The program allows certain organizations, including tribes, to obtain personal property the federal government no longer needs. Everything from vehicles, boats, and office furniture is available in the system. As funding becomes limited, the Federal Excess is a great way to obtain some of the equipment and supplies tribal environmental programs need. For more information or to sign-up, please visit: <http://www.gsa.gov/portal/content/100733>.

# Equipment Purchase Analysis Form | General Assistance Program

U.S. EPA Region 9  
**VEHICLE ANALYSIS**

**Instructions:** Please answer each question as it pertains to your request.

Once all relevant sections have been completed, please submit it electronically to your GAP Project Officer. Failure to complete one or more of these sections may result in a delay or denial of your request. In general, all requests must be approved by the Tribal Section prior to the purchase of equipment.

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**Name of Grantee:**

**Date of Request**

**Grant Year for Use of Equipment**

**Assistance Agreement Type**

Cooperative Agreement  
Performance Partnership Grant

**Reason for Equipment Purchase (select all that apply)**

First-time request and purchase under GAP  
Replacement of failed equipment due to exceedance of asset life  
Additional equipment needed to supplement existing equipment  
Other

**Analysis of Costs, Cost-sharing, and Budget**

1. Will you cost share the equipment with one or more programs? If yes, please identify which programs will participate (i.e. CWA 106 and GAP), and how much each program will contribute.
2. Please identify your cost-share methodology.
3. Please describe (send additional documentation if needed to support your analysis of alternatives to purchasing a vehicle (i.e. Leasing, Renting, Federal Excess Program)

**VEHICLE INFORMATION**

NEW, Additional, or Replacement Vehicle?

New

Additional

Replacement

**Reason for Purchase (*please ensure that this reason is tied back to your GAP Work Plan*):**

**How many miles will be traveled annually?**

**What type of vehicle:**

Car

SUV

Hybrid Car

Other

**REPLACEMENT VEHICLE**

**Current mileage:**

**Year original vehicle was purchased by EPA:**

**Is vehicle inoperable?**

YES

NO

**If vehicle is inoperable, please explain:**



**Allowable Solid Waste and Recovered Resource Program Implementation,  
Collection, Transportation, Backhaul and Disposal Costs under the  
Consolidated Appropriations Act, 2016**

August 9, 2016

The tables below present lists of example allowable and unallowable tribal solid waste program implementation activities through Fiscal Year 2020 based on the FY 2016 Consolidated Appropriations Act. This table is a resource for Indian Environmental General Assistance Program (GAP) project officers and grantees negotiating solid waste program implementation work plan components and commitments. This table expires on September 30, 2020 unless a replacement table is established prior to that date. Please work with your regional EPA GAP project officer to verify you are using the most up-to-date version.

As with all funding decisions under GAP, project officers are encouraged to work with grantees to consider if the costs of delivering governmental solid waste and recovered materials services are reasonable and consistent with the recipient’s documented program development goals.

<b>Allowable Solid Waste Implementation Activities Under GAP</b>	
<b>Description</b>	<b>Examples</b>
<b>E.4(a) Tribal Waste Management Program Administration</b>	
Program administration generally includes all administrative oversight functions to ensure proper program implementation (e.g., financial management, human resources management, program performance evaluation, scheduling).	Personnel costs for tribal environmental department management and administrative staff who oversee/coordinate waste management programs and workers, including recycling and other source separation projects. Costs associated with <i>oversight of work</i> performed by transfer station, source separation facility and landfill operators are allowable (scheduling, performance reviews, training requirements, program evaluation, tracking revenues/expenditures, administering fee collection system, managing contractors, administering records retention systems, etc.). Common positions funded under this provision include: Administrator; Supervisor; Manager; Coordinator.
<b>E.4(b) Tribal Compliance and Enforcement Programs</b>	
GAP may fund solid waste program implementation activities associated with tribal waste management laws, codes, and/or regulations, such as compliance assurance (including inspections) and enforcement consistent with the extent of their authorities.	Investigating incidents of unauthorized trash disposal violating specific provisions of a tribal waste management law, code, or regulation. Inspecting landfills, transfer stations, recycling centers, or other waste management facility to ensure compliance with tribally promulgated facility design and operating procedures requirements. Inspecting transportation activities to ensure compliance with tribally promulgated requirements. Reviewing compliance reports and records from tribally regulated entities. Inspecting regulated businesses that may have recycling, composting, or other source separation/resource recovery compliance requirements established under tribal law, code, or regulation. Providing compliance assistance to regulated businesses. Issuing violation notices. Following up on citizen complaints related to potential violations of tribal waste management laws, codes, or regulations. Preparing and submitting enforcement orders to tribal courts for subsequent judicial action.
GAP may fund tribes to support compliance with federal requirements, including: (1) compliance assurance (including inspections) under tribal authority at non-hazardous waste disposal facilities to help verify that such facilities are in compliance with 40 C.F.R. Part 257 and/or Part 258;	Conducting inspections and providing compliance assistance to non-hazardous waste disposal facilities and providing results of such inspections to appropriate EPA personnel. (For tribal solid and hazardous waste programs, implementing capacities established under GAP Guidance Section B.7, <i>Establishing Core Legal Capacities</i> , are allowable.)

## Allowable Solid Waste Implementation Activities Under GAP

Description	Examples
(2) compliance assistance and inspections to help verify that hazardous waste generators are in compliance with 40 C.F.R. Parts 261 and/or 262;	Conducting inspections and providing compliance assistance to hazardous waste facilities and providing results of such inspections to appropriate EPA personnel.
or (3) compliance assurance (including inspections) to help verify that hazardous waste transporters are in compliance with 49 C.F.R. Parts 172, 173, 178, and 179.	Conducting inspections and providing compliance assistance to hazardous waste transporters and providing results of such inspections to appropriate EPA personnel.
In accordance with a tribally approved Integrated Waste Management Plan (IWMP), tribes may also use GAP funds to conduct community outreach and education programs on solid waste, hazardous waste, source reduction and diversion, and USTs.	Activities to assess community knowledge and interest in source reduction, resource recovery, alternatives for managing household hazardous waste, recycling, composting, and the use of green materials in construction and to promote the use of integrated waste management/resource recovery systems and requirements (e.g., if a tribe establishes a waste diversion goal, anti-littering code, open burning ban, construction and demolition debris management requirements, or systems for collecting mercury containing light bulbs, e-waste, or other source separation programs, GAP may fund education and outreach activities designed to achieve these program objectives). Community cleanup events (including those directed towards the collection of household hazardous waste, e-waste, white goods, etc.) and roadside cleanup events that are designed to inform community members of proper waste management practices, to promote waste reduction/source separation, and influence waste disposal practices. Activities to provide the public with information on environmental compliance requirements, a regulated entity's compliance status, and any history of formal and informal enforcement actions taken to address noncompliance. (For tribal solid and hazardous waste programs, the implementation of capacities established under GAP Guidance Section B.6, <i>Establishing Core Public Participation, Community Involvement, Education, and Communication Capacities</i> , are allowable.)
<b>E.4(c) Activities to Support Solid Waste Management, Resource Recovery, and Resource Conservation</b>	
Facility planning and feasibility studies	Costs associated with determining appropriate size, location, design characteristics, and estimated operating costs for potential solid waste management and/or disposal facilities (e.g., transfer stations, recycling centers, other source separation/ resource recovery facilities).
Expert consultation	Contracting for professional services required to plan and design solid waste management and/or disposal facilities.
Surveys and analysis of market needs	Costs associated with conducting waste stream analysis and potential options for disposition of recovered resources; includes economic modeling of recovered resource markets. Survey and analysis of recovered resource market is necessary to make sure that the prices that could be charged for recovered materials are realistic.
Marketing of recovered resources	Costs associated with establishing voluntary or contractual arrangements with public or private sector organizations willing to accept recovered resources.
Technology assessments	Costs associated with assessing appropriate technologies for recovering resources (separators, compact sorters, crushers, bailers, etc.).
Legal expenses	Costs associated with obtaining legal assistance in designing/reviewing contracts, intergovernmental agreements, tribal laws/codes/regulations, or other legal documents.

## Allowable Solid Waste Implementation Activities Under GAP

Description	Examples
Construction feasibility studies	Costs associated with designing appropriate construction plans, including whether the project is viable, identifying feasible options, and developing a business/operating plan.
Source separation projects (activities that are part of a sustainable waste management program designed to increase waste source reduction, recycling, composting, and sustainable materials management)	Source separation supplies and equipment (regulations governing the use, management, and disposition of equipment acquired under a grant are found at 40 CFR 31.32). Activities to provide technical assistance and education to schools, businesses, and other organizations to promote adoption of waste minimization activities in accordance with an IWMP. Conducting voluntary “community clean up events” (typically co-sponsored with schools, businesses, or other organizations) to promote awareness, knowledge, and behavioral changes in accordance with an IWMP.
Fiscal or economic investigations or studies.	Waste management facility economic viability analysis, including costs associated with establishing and implementing an effective pay-for-service system, pay-as-you-throw system, or other fee-collection or cost recovery system.
The purchase, repair, upgrade, and replacement of resource recovery, resource conservation, and source separation <b>supplies and equipment</b> .	<p>Repair, upgrade, and replacement of source separation/ resource recovery supplies and equipment (e.g., vehicles, scales, crushers, shredders, sheds, fencing, containers/bins, and signage). Allowable costs do not extend to regular trash collection program supplies and equipment.</p> <p>Repair, upgrade, and replacement of resource recovery, resource conservation, and source separation supplies and equipment are not the same as routine maintenance, which is a prohibited cost (see below).</p>
The construction, repair, upgrade, and replacement of resource recovery, resource conservation, and source separation <b>facilities</b> .	Recycling centers, compost facilities, household hazardous waste collection facilities, bulk waste/appliance/electronic waste collection facilities, used oil collection stations, source separation elements of a transfer station, and other similar facilities. Due to the general prohibition on use of GAP funds for construction, Section 1.4 of the GAP Guidance establishes a requirement to receive approval from the AIEO Director for all construction activities.
Leading circuit rider, train the trainer, and peer-match programs.	Providing technical assistance to other tribes working to establish effective solid waste management programs.
<b>E.4(d) Cleanup and Closure Activities</b>	
A wide range of cleanup activities are deemed eligible under GAP; see subsections E.4(d)(i), E.4(d)(ii), and E.4(d)(iii) for specific requirements. If funded, cleanup and closure work should include documentation on the amount of waste removed/recycled, the types of wastes removed, and the disposition of the waste. Applicable solid waste regulatory standards for classification of disposal facilities and practices found at 40 C.F.R. Part 257 apply. Cleanup activities must also comply with all applicable closure and post closure criteria found at 40 CFR Part 258.	Abandoned waste removals; abandoned vehicle removals; open dump cleanups and closures. Some cleanup activities may require terms and conditions to ensure proper handling of hazardous waste, including but not limited to practices for packaging, temporary storage, and manifest forms used for identifying the quantity, composition, and the origin, routing, and destination of hazardous waste during its transportation from the point of generation to the point of disposal, treatment, or storage. In accordance with the GAP Guidance, Section E.4(d), AIEO Director approval is required prior to funding cleanup activities (page 31 of 42).

**Allowable Solid Waste Implementation Activities  
Under the FY 2016 Consolidated Appropriations Act**

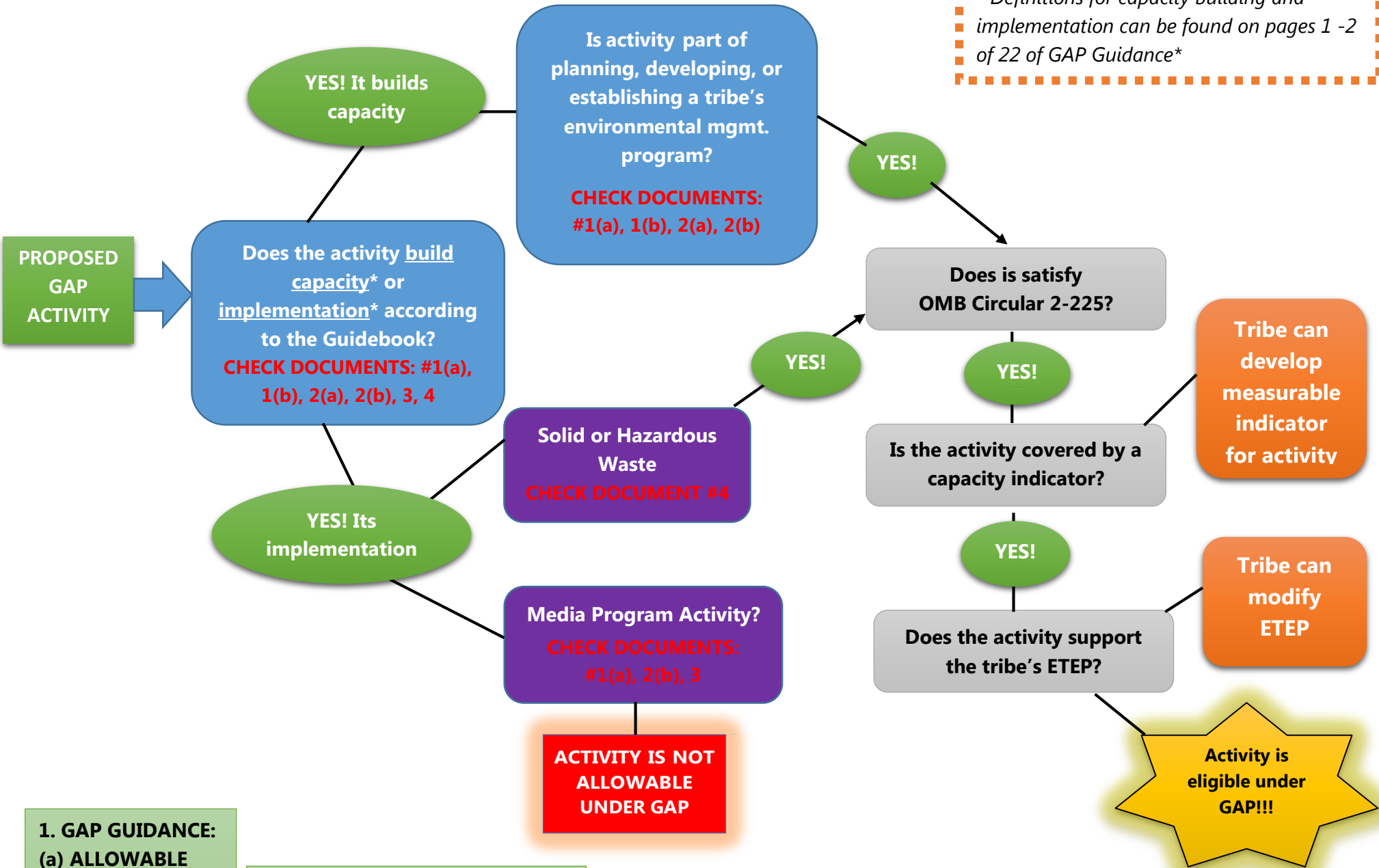
Description	Examples
Collection, transportation, storage, backhaul, and disposal of solid waste and/or recovered resources (recyclables, compost, e-waste, bulk waste, construction debris, light bulbs, batteries, household hazardous waste, etc.).	Door-to-door collection; retrieval of materials from collection stations; transporting materials to waste management and recovered materials processing facilities (such as a tribal transfer station or recycling center); transporting materials to disposal facilities (such as a landfill or incinerator); disposal fees.
Equipment, vehicle, and facility operations and maintenance (including fuel).	Salaries and wages for drivers, technicians, operators, or other workers responsible for conducting facility and service delivery operations (trash/recycling collectors, separators, environmental sanitation engineers, etc.); Staffing costs for crushing cans, baling paper, boxing light bulbs, securing/handling of household hazardous waste, sweeping/cleaning the facility, weighing materials, operating equipment, and driving trucks or other vehicles; and routine scheduled maintenance for vehicles and equipment.
Subsidies for the price of recovered resources.	Payments to incentivize increased participation in the source separation and recovered resource market.
The repair, upgrade, and replacement of municipal solid waste supplies and equipment.	Repairing, upgrading, and replacing regular trash collection program supplies and equipment.
The construction, repair, upgrade, and replacement of municipal solid waste facilities.	Constructing, repairing, upgrading, and replacing regular trash collection program facilities. Due to the general prohibition on use of GAP funds for construction, Section 1.4 of the GAP Guidance establishes a requirement to receive approval from the AIEO Director for all construction activities.

**Unallowable Solid Waste Activities Under GAP**

Description	Examples
The following <b>unallowable activities</b> fall outside the scope of programs authorized under GAP. Consistent with the authority to fund tribal solid waste program implementation under GAP, EPA applies statutory allowances and prohibitions under the Solid Waste Disposal Act, also known as the Resource Conservation and Recovery Act (RCRA), to GAP funding decisions. In addition, “general costs of government services normally provided to the general public” are prohibited by 2 C.F.R. §225, Appendix B(19)(a)(5): “Cost Principles for State, Local, and Indian Tribal Governments.”	
Acquisition of land or interest in land.	GAP and RCRA do not authorize payments for the acquisition or interest in land.
Other general government expenses described at 2 C.F.R. §225, Appendix B(19)(a)(5): “Cost Principles for State, Local, and Indian Tribal Governments.”	(1) Salaries and expenses of the chief executive of federally-recognized Indian tribal government; (2) Salaries and other expenses of a tribal council; (3) Costs of the judiciary branch of a government; (4) Costs of prosecutorial activities; and (5) Costs of other general types of government services normally provided to the general public.

# Region 9 Indian Environmental General Assistance Program Allowable Activity Decision Tree

\* Definitions for capacity building and implementation can be found on pages 1 -2 of 22 of GAP Guidance\*



1. GAP GUIDANCE:  
(a) ALLOWABLE ACTIVITIES  
(b) RESTRICTIONS  
(c) TEST DRIVES

2. GAP GUIDANCE APPENDICES:  
(a) CAPACITY INDICATORS  
(b) WATER ACTIVITIES

3. GAP FAQs

4. GAP SOLID WASTE SUPPLEMENTAL GUIDANCE

5. 44 NTC Questions to AIEO