

GRANTS WORKGROUP ACTION ITEMS
REGIONAL TRIBAL OPERATIONS COMMITTEE

April 13, 2010
EPA REGION 9

	REQUESTED BY	TASK	WHO	WHEN	STATUS
Grants Workgroup					
1	Arizona	Request for consistent grant funding and provide adequate turn around time frames so that tribes can apply for available grants. Clarification: By consistent this means maintaining funding levels. Is there some way to estimate, so we can project for the future? Grant notification should be given with sufficient time. This was not program-specific, this is overarching.	Grant Workgroup Leads	Complete	There are no specific follow-up items; this can be taken as a recommendation, but EPA can't guarantee consistent funding levels. EPA will try to give 30 days plus 5 days mailing time per previous Grant Workgroup action item. Project officers can email grant guidance documents at the same time they are mailed, and this should be encouraged.
2	Arizona	Request for exploring alternatives in regards to having a tribal resolution for each grant a tribe applies for. For example, possibly have one tribal resolution that could apply to all grants applied for in a one year period; or perhaps submitting a final tribal resolution only when a tribe has been selected for a grant or cooperative agreement. Clarification: Is some program is requiring a formal resolution for an application? No, this is an internal Tribal issue.	Roman Orona, Tribal Lead	Complete	EPA does not require a formal resolution with each grant application.
3	So. CA.	February RTOC Grants Action Item: Request to have names of Department who review grant applications. EPA was supposed to develop a summary for a general process for grant reviews. New Request: Develop policies for reviewing grants for staff that are on temporary detail. Staff reviewing grants must have experience in the media that	Pamela Overman, Tribal Program Office	Complete Complete	See separate chart. New Request: All EPA grants are managed by "certified" EPA project officers. The certification course is mandatory and equates to a 5-day classroom training. Content focuses generally on EPA grant regulations and policies. Certified project officers are required to take a recertification course once

		they are reviewing.			every three years. This course equates to a 1-day classroom training. If recertification is not completed on time, project officers lose their certification status and must retake the complete 5-day course. New and temporary project officers must also be “certified” and are mentored by experienced staff in the same program.
4		<p>February RTOC Grants Action Item: Where is GAP online funding coming from? New Action request: How much money has been spent on GAP online? Is there going to be new software for GAP Online for PPG’s? If states are not required to use GAP Online then why are Tribes being required to use GAP Online?</p>	Jean Gamache, Tribal Program Office	Complete Complete	<p>See February action item response: “GAP online funding is provided from HQ, AIEO contract funds, and not from GAP program grant funding.”</p> <p>New Request: All funding for GAP Online is taken from AIEO's internal operating budget. None of the funding for GAP Online comes from GAP grant funds or other funds intended to support Tribes' programs.</p> <p>GAP Online directly supports EPA's ability to meet the requirements for increased accountability from both Congress, who appropriates the programs funds, and the Office of Management and Budget who monitors the efficiency and effectiveness with which those funds are used. Most importantly, the program supports the ability of EPA and Tribal governments to have a nationally consistent and accessible line of communication on both what tribes intend to achieve with GAP funds, and what progress is being made towards those goals.</p> <p>AIEO is working with Regions and Tribes to pilot the use of GAP Online for managing PPGs. The pilot will help identify how the current system would need to be modified to be useful for Tribes. 29 Palms and</p>

					<p>Susanville Rancheria have graciously agreed to pilot this effort.</p> <p>If you have questions please contact Rodges Ankrah in the American Indian Environmental Office at (202) 564-0280.</p> <p>Tribes can also direct GAP Online questions to the tribal GAP Online representative Mike DeSpain at 530-899-8922, or mdespain@mechoopda-nsn.gov</p>
5		<p>February RTOC Grants Action Item: Request that when filling out applications fill-able forms for all forms. Action request: This has been an action item almost a year and all forms have still not been updated. All OMB forms/application forms need to be fill-able and tested.</p>	<p>Susan Chiu, (415) 972-3674 or Danielle Carr (415) 972-3871, Grants Management Office Chiu.susan@epa.gov Carr.daneille@epa.gov</p>	Complete	<p>Update provided at April RTOC.</p> <p>Susan: HQ and R9, as recently as last week updated websites, Danielle Carr handles application forms accessibility, she checked the new website; EPA computers are allowing us to fill, save, and print forms. If tribes have difficulties, please contact Susan Chiu or Danielle Carr directly. If there is a need to purchase a specific version of Acrobat to utilize these forms, you can talk with your Project Officer.</p>
6		<p>February RTOC Grants Action Item: Request that EPA schedule 2nd conference call on DBE Rule training to all of R9 Tribal Grant Recipients. Action request: Training at 29 Palms was not clear. DBE will be a federal requirement by 2011 for reporting purposes.</p>	<p>Joe Ochab, EPA DBE Lead</p>	Complete	<p>See February action items. Training given at NPETE training classes, on NPETE website: http://petetribal.org/ and through webinars. NPETE is also requesting a session at the 2010 Annual Tribal Conference.</p>
7		<p>Action request: Inconsistent funding of tasks for solid waste implementation? i.e., When a project task is denied funding EPA needs to show how it is not eligible in the guidelines instead of just verbally denying it with no reason Clarification: Is this a specific program? GAP. Specific Tribe? Southern CA item, follow-up with Syndi. Roman Orona – requesting more open communication.</p>	<p>Roman Orona, Syndi Smallwood</p>	In Process	<p>Clarification of action item is needed.</p>

8		<p>Action request: When 4 year grant cycle changes over, guidelines for GAP need to be reviewed.</p> <p>Clarification: What is action item? Please follow up with Erica Helms-Schenk or Syndi Smallwood, SoCal Environmental Managers.</p>	Erica Helms-Schenk, Syndi Smallwood, Roman Orona	In Process	Clarification is needed to identify the specific action item.
9		<p>Action request: What criteria does EPA use to grant GAP or other funds to consortiums?</p> <p>Clarification: Do consortia get funding ahead of or after tribes? What criteria does EPA use to continue funding consortia when member tribes also receive the same grant funds? Across the board (not a specific program).</p> <p>Add Number 12: 12. Are Consortia being cut at the same time as tribes are being cut?</p>	Pamela Overman, Tribal Program Office, Water Division, Air Division	Complete	<p>*Follow-up: Eligibility for a Tribal Consortium to receive grant funds is addressed in the statutes and/or regulations. For GAP, 106, and AIR: 106 funds one consortium; GAP funds four consortia; Air does not fund any Consortium.</p> <p>(See end of document.)</p>
10		<p>Action request: Why don't all grant notices go out at the same time?</p> <p>Clarification: If we did all notices at the same time, you might have 10 proposals due on the same date. Is that the desired outcome? (This also refers to the 30 day lead time.)</p>		Complete	This question was answered in #1, and verbally at this meeting. If you need an extension for a grant due date, work with the individual program's project officer or manager.
11		<p>Action request: At the October grant meeting we were told that there isn't a specific grant committee, however since then a few Tribes have been contacted by EPA temp staff saying they are on the grant committee. Tasks and funding have been omitted from grants without talking to the Environmental Director to get clarification or without allowing them to explain the task or input an alternate task. EPA needs to talk with Environmental Directors about cutting tasks before they are cut.</p> <p>Clarification: From SoCal. Open communication, looking for explanations when items are not funded.</p>	Syndi Smallwood, Roman Orona, Pamela Overman	In Process	Follow up with Syndi Smallwood is needed. Clarification is needed to identify the specific action item.

12	Tribal Caucus	(Consortia question)	See Number 9	N/A	Combined with Number 9.
13	Tribal Caucus	Updated contact list for MBE/WBE from EPA.		Complete	Joe Ochab, R9 MBE Coordinator (415) 972-3761
14	Samuel Elizondo	Is GAP online working if not can it be put back into pot. <ul style="list-style-type: none"> Questions for follow-up: Is GAP on-line working? Is it saving time for Project Officers? Funding spent for the program (this doesn't come from the "grant pot")? Some data and facts on the system, and information on how other Regions are doing with GAP on-line. 	Laura Mayo, Tribal Program Office	In Process	Laura Mayo will work with Mike DeSpain on this, and with Samuel for clarification.
15	<p>Report out from the Grants Council representatives at each RTOC: Don Bay provided the following update: There is a Federal Register notice out; if you want to comment on it, you have until Tuesday 4/19/10 – “guidance for reporting and use of information concerning recipient integrity and performance”. If you have any civil or criminal activity relating to grants, it will add an administrative condition that will require work for EPA and the grantee. Don gave Susan Chiu copies of the Federal Register Notice. On the Grants Council conference call, Margaret Cook didn't get the notice, and wasn't on, but Don was on the call. Folks introduced themselves and discussed the draft charter, Don Bay brought up the need for transparency; there was a lot of discussion about PPGs. Other Regions have trouble with PPGs in terms of program managers wanting things during a certain time period. Don Bay stressed that it is all related to your grant negotiations when you set up your PPG and get everything in your PPG scope of work. Next call will be in July. Questions:</p> <ol style="list-style-type: none"> We've been told our air program can't be part of PPG. Is that correct? A: Is it 103? Correct, it can't be in a PPG. Only Air 105 can be in a PPG. Don will send information from grants group to Corn to share with everyone. In the future, this report will be made in the Tribal Caucus. 				

* **Action Item #9:** Additional background information regarding funding Tribal Consortia is below. Program-specific Guidance regarding Tribal Consortia might also apply.

Title 40: Protection of Environment

[PART 35—STATE AND LOCAL ASSISTANCE](#)

[Subpart B—Environmental Program Grants for Tribes](#)

[General—All Grants](#)

§ 35.502 Definitions of terms.

Intertribal Consortium or Consortia. A partnership between two or more Tribes that is authorized by the governing bodies of those Tribes to apply for and receive assistance under one or more of the programs listed in §35.501.

35.501 Environmental programs covered by the subpart.

“(a) The requirements in this subpart apply to all grants awarded for the following programs....” (See regulation for list of programs.)

§ 35.504 Eligibility of an Intertribal Consortium.

(a) An Intertribal Consortium is eligible to receive grants under the authorities listed in §35.501 only if the Consortium demonstrates that all members of the Consortium meet the eligibility requirements for the grant and authorize the Consortium to apply for and receive assistance in accordance with paragraph (c) of this section, except as provided in paragraph (b) of this section.

(b) An Intertribal Consortium is eligible to receive a grant under the Indian Environmental General Assistance Program Act, in accordance with §35.540, if the Consortium demonstrates that:

(1) A majority of its members meets the eligibility requirements for the grant;

(2) All members that meet the eligibility requirements authorize the Consortium to apply for and receive assistance; and

(3) It has adequate accounting controls to ensure that only members that meet the eligibility requirements will benefit directly from the grant project and will receive and manage grant funds, and the Consortium agrees to a grant condition to that effect.

(c) An Intertribal Consortium must submit to EPA adequate documentation of:

(1) The existence of the partnership between Indian Tribal governments, and

(2) Authorization of the Consortium by all its members (or in the case of the General Assistance Program, all members that meet the eligibility requirements for a General Assistance Program grant) to apply for and receive the grant(s) for which the Consortium has applied.

§ 35.512 Factors considered in determining award amount.

(a) After approving an application under §35.511, the Regional Administrator will consider such factors as the amount of funds available for award to Indian Tribes and Intertribal Consortia, the extent to which the proposed work plan is consistent with EPA guidance and mutually agreed upon priorities, and the anticipated cost of the work plan relative to the proposed work plan components to determine the amount of funds to be awarded.

(b) If the Regional Administrator finds that the requested level of funding is not justified, the Regional Administrator will attempt to negotiate a resolution of the issues with the applicant before determining the award amount.