



United States Environmental Protection Agency Region 4 Atlanta,
Georgia

Notice of Availability of Tribal Program Funding

FY2026

Indian General Assistance Program (GAP)

Tribal Response/Brownfields Section 128(a)

Clean Air Act Section 103/105 Project Funding

Clean Water Act Section 106 Program

Clean Water Act (NPS) Section 319(h)

Tribal Water Infrastructure Programs

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IMPORTANT DATES FOR FY2026 AWARDS

Milestone	Program					
	<i>GAP</i>	<i>Brownfields</i>	<i>CWA 106</i>	<i>CAA 103 & 105</i>	<i>Tribal Water Infrastructure</i>	<i>NPS</i>
Announcement distributed to Tribes	11/1/25	9/30/25	11/1/25	11/1/25	11/1/25	11/1/25
Proposed Work Plans due to EPA	4/17/26	12/12/25	4/17/26	4/17/26	(Proposal Due Only) 1/16/26	4/17/26
Funding Decision Notification to Tribes	5/15/26	5/15/26	5/15/26	5/15/26	4/12/25	5/15/26
Final Work Plan/Signed Applications to R4	6/19/26	6/19/26	6/19/26	6/19/26	6/19/26	6/19/26
Award Issued by	10/1/26	10/1/26	10/1/26	10/1/26	10/1/26	10/1/26

INTRODUCTION

Federally-recognized Indian Tribes and intertribal consortia within EPA Region 4 are eligible to receive funds listed in this Notice of Funds Availability (NOFA). These funds are exempt from competition under EPA Grants Competition Policy (EPA Order 5700.5A1), Sections 6(b)(2) and 6(c)(6).

The purpose of this document is to provide information on available funding and requirements for receiving and using the funds available to Tribes and consortia. For competitive grant opportunities, please contact the appropriate individual in the list below. Additional information is also available for open announcements at www.grants.gov or EPA's grant webpage at <https://www.epa.gov/grants>.

Performance Partnership Grants (PPG) may be beneficial for grantees, and a request from any entity to include funds from two or more eligible programs may be placed in a PPG (Attachment 1, PPG Eligible Grants). For more information, see the Best Practices Guide for Tribal PPGs at <https://www.epa.gov/system/files/documents/2022-12/Tribal%20PPG%20BPG.pdf> or contact appropriate Region 4 program staff. For Tribes submitting separate work plans for each programmatic area, each work plan should be submitted to the appropriate program office for review and comment with a copy to the PPG Project Officer (PO). Tribes choosing to submit a consolidated PPG work plan should submit

the work plan to the PPG PO. All workplans should include reference to the current EPA Strategic Plan goals and objectives.

The final initial application and work plan should be submitted via www.grants.gov for new grants, or via e-mail to the PO for continuations. See Attachment 2 for application submission instructions and Attachment 3 for indirect cost (IDC) eligibility. Pursuant to the EPA Office of Grants and Debarment (OGD) Policy Notice PN-2018-G12, “Establishment of Requirement of Full Application with Initial Submission,” recipients must submit a full application with an initial application, as defined in Grants Policy Issuances, GPI-14-01, “Electronic Submission of Initial Grant Applications.” This includes submittal of all documents required under OGD’s “Full Applications Guidance.” See Attachment 3 for a list of required assurances, which should also include a copy of the most recently approved IDC proposal (rate) and updated data competency documentation (when required).

Tribes may include additional projects or work in proposed work plans that could be completed in the grant project and budget period that may be in excess of current funding allocations. The reason for extra “wish list” projects/activities is to ensure timely award of all funding without increased Tribal burden of submitting supplemental applications. Multi-year work plans for multi-year awards will also decrease the need for additional applications for future years. Region 4 encourages flexible grants management practices consistent with the [Tribal Grants Streamlining Policy](#), as updated.

TRIBAL PROGRAM/GRANT CONTACTS		
GAP/PPG	Leslie Grill	404-562-9648
Clean Water Act Section 106	Joel Hansel Jennifer Shadle	404-562-9274 or 404-562-9436
Clean Air Act Section 103 & 105	Donnette Sturdivant	404-562-9431
Tribal Water Infrastructure	Erskine Benjamin	404-562-9771
Brownfields (CERCLA 128(a))	Aditi Chakravarty	404-562-9515
NPS (CWA 319)	Leah Mehl-Laituri	404-562-9226
UST/LUST	Daniel Stout	404-562-8142
PPG Project Officer	Leslie Grill	404-562-9648
Grant Specialist	Laura Fowler	404-562-8427

INDIAN ENVIRONMENTAL GENERAL ASSISTANCE PROGRAM (GAP)

EPA Region 4 will utilize the Nationwide GAP NOFA found here:

BROWNFIELDS REVITALIZATION AND ENVIRONMENTAL RESTORATION ACT of 2001

CERCLA Section 128(a) Brownfields Response Program Development

EPA HQ issues annual Funding Guidance for States and Tribes each year; the current guidance is available at <https://www.epa.gov/system/files/documents/2025-09/fy26-128a-guidance.pdf>. Funding requests and draft work plan must be submitted to the Region by December 12, 2025. All requests from states and Tribes are forwarded to EPA HQ to develop, with input from the Region, a proposed funding decision based on a more detailed understanding of needs and budgets. EPA HQ is expected to finalize funding allocations by Spring 2026. Region 4 anticipates notifying Tribes of approved funding and work plans based on the budget allocation decision by May 2026.

Section 128(a) of CERCLA, as amended by the Brownfields Law, authorizes funding of up to \$50 million annually to establish and enhance state and tribal response programs. The EPA anticipates additional 128(a) funding from the Infrastructure Investment and Jobs Act, for a combined total of over \$100 million in available funds in FY26. However, the 128(a) program receives more requests than funding available; hence the national allocation process.

Region 4 is providing the following guidelines for Tribes to supplement the national guidance. Read the national guidelines carefully. It will describe the four (4) elements a tribal response program must establish and maintain. This is not a project grant, so the funding may not be a good fit for single purpose needs. Instead, it is intended to create a program under tribal authority to respond to sites under the Tribe's jurisdiction, especially Brownfields, but also may include emergency responses to spills of petroleum and hazardous substances, and other properties impacted by hazardous waste.

Tribal response activities under this program may include, but are not limited to:

- Enacting ordinances,
- Adopting cleanup standards,
- Developing Standard Operating Procedures (SOPs) that embody tribal response requirements and/or data quality assurance standards,
- Providing training or conducting contingency planning to ensure that other tribal departments (e.g. fire, police) are prepared for hazardous waste emergency response, or
- Developing the ability to oversee and direct remediation either by other tribal departments or third parties.

Highways, railroads, and pipelines crossing tribal lands, former industrial use sites, and mine-scarred lands could be focal points in contemplating this program. Brownfield sites can include buildings uninhabitable due to mold or asbestos, leaking underground or above-ground storage tanks, meth labs, and a variety of other sites of concern. Additionally, if a Tribe is acquiring

previously used land, those parcels may need to be screened for the presence of environmental contaminants.

A Tribe can choose to develop tribal staff skills to respond to environmental incidents or conduct environmental response actions, or they can direct their own environmental consultants or those of a third party. In contemplating the development of this program, remember that the goal is not to be the inspector for another program area, but to ensure that such inspectors or facility operators know the tribal standards, requirements or SOPs. Conducting an assessment and/or cleanup of sites may be an eligible activity but would be considered a lower funding priority to building the program as discussed above. These activities would typically need to have an associated capacity building element, such as SOP development, as an intended purpose. Keep in mind that Tribes are also eligible to apply for competitive assessment, cleanup, revolving loan fund, and job training grants offered by EPA.

Drawing a line between a response program and a preventative program can be less clear. In general, the response program cannot fund preventative type activities. For example, EPA does not fund development of Spill Prevention Containment and Countermeasures (SPCC) plans, because that is a preventative activity as are the inspections of the facilities, but EPA funds materials for cleanup, clean up SOPs, and responders training. The Program can also fund working with the facility operators to ensure that they know the tribal response expectations. For other questions about activities and eligibility, please contact Sara Janovitz, Region 4 Redevelopment and Chemicals Branch Manager.

Once Region 4 approves work plans, Tribes will submit Brownfields or PPG applications. This should occur by late May or early June. *See* Attachment 3 for requirements and procedures for submitting applications through grants.gov.

Small Community Technical Assistance Grants

Section 128(a)(1)(B)(ii)(III) of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), as amended, authorizes a noncompetitive \$1.5 million technical assistance grant (Section 128(a) TAG) program to assist small communities, Indian Tribes, rural areas, or disadvantaged areas to carry out CERCLA section 104(k)(7) (by providing training, research, and technical assistance to individuals and organizations, as appropriate, to facilitate the inventory of brownfields sites, site assessments, remediation of brownfield sites, community involvement, or site preparation).

These funds may not be placed in Performance Partnership Grants. There are statutory definitions of communities eligible to receive funding on behalf of a state or Tribe. A recipient can define community as a census track:

- Disadvantaged Area – The term “disadvantaged area” means a community with an annual median household income that is less than 80 percent of the statewide annual median household income, as determined by the President based on the latest available decennial census, and/or

- Small Community – the term “small community” means a community with a population of not more than 15,000 individuals, as determined by the President based on the latest available decennial census.

States and Tribes with active CERCLA 128(a) grants requesting funds in FY26 are eligible to submit up to three Section 128(a) TAGs of \$20,000 each to assist a small community, Tribe, or disadvantaged areas. If more than one Section 128(a) TAG is requested, each \$20,000 grant should be used to assist a different eligible beneficiary or different project. The funding will be awarded as part of the FY26 CERCLA 128(a) funding grant. Requests for CERCLA 128(a) TAG funding are due March 6, 2026. Requests will be considered based on the following:

- readiness of the recipient and community to complete the project within a year of award,
- the recipient is in good standing with their current CERCLA 128(a) grant,
- has documented support from the community benefiting from this grant, and
- adequately responds to the criteria listed below.

Requests should be no more than three pages in length. Information to include in the request:

- the amount of funding requested,
- a description of the target community and how they meet the statutory definition of disadvantaged area or small community,
- a description of the proposed project, including a description of key activities, and how it will further brownfields reuse,
- the expected outcomes and timeline to complete the project,
- how/who will be conducting the activities (e.g., state, Tribe, contractor)
- if additional resources are necessary to complete the project, please explain how you will secure them,
- an explanation of why existing state and tribal funding is inadequate to complete the proposed project,
- and demonstrate that the community supports the state or Tribe receiving the grant.

CLEAN WATER ACT SECTION 106

General Funding and Award Information

EPA Region 4 is requesting the submission of FY2026 Clean Water Act (CWA) Section 106 work plans and final applications by the dates in the chart on pg. 1. EPA expects the 106 work plans to clearly state tasks to be accomplished under the grant award and to include expected outputs and outcomes in accordance with EPA Order 5700.7, Environmental Results under EPA Assistance Agreements, effective January 1, 2005.

In addition, the tasks in the work plan must support goals outlined in EPA's Strategic Plan 2026-2030 (Plan), which defines specific environmental and public health improvements to be accomplished. The Plan can be located at the link on the following page on the EPA website: <https://www.epa.gov/planandbudget/strategicplan>. The [Final Office of Water's National Water Program Guidance](#) and Final FY23- FY24 [Section 106 Supplemental Grant Guidance to States, Interstate Agencies, and Tribes](#) (supplement to the Section 106 Grant Guidance) are available for your reference in developing work plan tasks.

FY2026 work plans should focus on the development of long-term strategy for developing and implementing water quality programs. The work plan tasks should emphasize monitoring as a high priority and place special emphasis on finalizing or implementing the tribal monitoring strategy. The strategy should include: (1) goals and objectives, (2) a sampling plan, (3) quality assurance/quality control measures (QA/QC), and (4) data management/assessment. Please review EPA's guidance on monitoring and assessing water quality located at <https://www.epa.gov/water-pollution-control-section-106-grants> and Final Guidance on Awards of Grants to Indian Tribes under Section 106 of the Clean Water Act for 2007 and beyond at <https://www.epa.gov/sites/production/files/2014-09/documents/final-tribal-guidance.pdf>.

Region 4 will utilize the Final R4 Tribal Funding and Project Selection Guidelines, which was approved through tribal consultation in 2016 and 2019, to determine tribal allocations. If you need a copy of the current Guidelines, please contact either Joel Hansel or Jennifer Shadle. The FY2026 Region 4 allotment is unknown at this time, but the Region is presently assuming that the funding level will be comparable to previous annual tribal allocations. For funds to be awarded prior to September 30, 2026, tribal submittals must comply with the dates on the chart at the bottom of pg. 1 of this Notice. Tribes are required to provide matching funds or expenditures of a minimum of 5% of the total 106 funds (federal and Tribal contributions) if not in a PPG.

Example Calculating 5% match:

$\$80,000 \text{ (federal programs amount for match requirement)} \times .95 = \$84,211 - \$80,000 = \$4,211$
(contribution for grantee program match requirement).

Work Plan Proposal and Application Submission Information

The Catalog of Federal Domestic Assistance (CFDA) Number for CWA 106 is 66.419 (66.605 for PPG). Tribes should use the same work plan format as submitted for the FY2024 approved work plans. A draft work plan and application may be submitted for review to Joel Hansel and Jennifer Shadle.

Pursuant to the EPA Office of Grants and Debarment Policy Notice PN-2018-G12, “Establishment of Requirement of Full Application with Initial Submission,” recipients must submit a full application with an initial application, as defined in Grants Policy Issuances, GPI-14-01, “Electronic Submission of Initial Grant Applications.” This includes submittal of all documents required under OGD’s “[Full Applications Guidance](#).” EPA Region 4 recommends including the recently approved IDC proposal (rate) and updated data competency documentation (when required). Additionally, the updating or creation of a Quality Assurance Project Plan (QAPP) is required as a part of the work plan since environmentally related measurements are taken as part of these grants. All QAPPs are required to be updated every 5 years at a minimum. *See* Attachment 2 for grants.gov submittal instructions for new grants or annual supplemental funding requests.

Administration Information

Regulations governing the award and administration of environmental program grants for Tribes, including 40 C.F.R. Part 35, Subpart B found at <https://www.law.cornell.edu/cfr/text/40/part-35/subpart-B>.

Final Financial Reports (FFRs) and the final report must be submitted within 120 days after budget/project period expires.

Progress Reports must be submitted within 30 days of the end of the reporting period.

Dispute procedures can be found at 2 C.F.R. §§ 200.341 and 1500.12-19 (Subpart E).

CLEAN AIR ACT SECTIONS 103 AND 105

Funding Opportunity Description

The U.S. Environmental Protection Agency's responsibility to Tribes includes support in developing infrastructure, administrative and technical capacity to manage environmental programs in Indian Country. §105 of the Clean Air Act (CAA) authorizes assistance to air pollution control agencies (as defined in section 302(b) of the Act) to administer programs for the prevention and control of air pollution or implementation of national air quality standards. A match of up to 40% is required for a CAA §105 grant. Tribes that have established eligibility to be treated in the same manner as a state (TAS) qualify for a reduced match of 5% to 10%. Tribes with CAA §105 grants in a Performance Partnership Grant do not require a match. Reference the Catalog of Federal Domestic Assistance 66.001 for further guidance on this grant authority. Associated program regulations are found in 40 C.F.R. parts 35, 50, 51, 52, 58, 60, 61, 62 and 81.

Section 103 of the CAA authorizes assistance to air pollution control agencies (as defined in section 302(b) of the Act) for limited duration projects (no more than seven years) to conduct "research, investigations, experiments, demonstrations, surveys and studies relating to the causes, effects (including health and welfare effects), extent prevention, and control of air pollution." There is no match requirement for CAA §103 grants and these grants are not eligible for inclusion in a PPG according to 40 C.F.R. Part 35.501. Reference the Catalog of Federal Domestic Assistance 66.038 for further guidance on this grant authority.

The CAA §103 and §105 grants are non-competitive grant programs and are exempt from the EPA Grants Competition Policy (the EPA Order 5700.5A1). Successful applicants will receive assistance in either the form of a Cooperative Agreement or a Grant Agreement. All applicants must demonstrate sound financial, administrative, and programmatic management capability. For current or previous recipients, this includes: (1) timeliness and completeness of reports; (2) sufficient progress under the current work plan; (3) absence of unnecessary duplicative activities in proposed work plan and budget; (4) maintaining an acceptable account balance and minimizing unliquidated obligations (ULOs); (5) timely notification of problems, delays, or adverse conditions that may impact the completion of workplan objectives; and (6) responsiveness to Project Officer inquiries or requests for information.

To ease the administrative burden for Tribes and the EPA, applicants are encouraged to submit proposals with a multiyear grant project and budget period and work plan for up to three years. By negotiating a multi-year grant with EPA, additional funding can be awarded for the subsequent year or years within the approved grant project and budget period without requiring the recipient to submit another grant application. For Tribes that elect to submit a multi-year proposal and intend to include CAA §105 funds in a PPG, EPA asks that all of the other funding sources also include a multi-year project and budget period. Please note that certifications and IDC rate documentation are still required annually. The federal grant regulations, also known as the Uniform Grant Guidance, is located at 2 C.F.R. Part 200, along with EPA's rule at 2 C.F.R. Part 1500. For more information on the grant regulations, go to: <https://www.eC.F.R..gov/>.

(EPA) Region 4 is requesting the submission of FY2026 Clean Air Act (CAA) Section 103 and 105 final applications and work plans by the dates in the chart on pg. 1. EPA expects the work plans to clearly state tasks to be accomplished under the grant award and to include expected outputs and outcomes in accordance with EPA Order 5700.7, Environmental Results under EPA Assistance Agreements, effective January 1, 2005.

In addition, the tasks in the work plan must support goals outlined in EPA's 5 Pillars, specifically Pillar 1: Clean Air, Land, and Water for Every American. –

Eligible Program Activities

Examples of activities eligible for funding under the CAA §103 include but are not limited to:

- (1) Conducting an ambient air quality assessment or emissions inventory;
- (2) Monitoring ambient air quality;
- (3) Conducting community education and outreach activities on air pollution issues;
- (4) Participating in local, regional and national air quality initiatives;
- (5) Creating a tribal air ordinance; and
- (6) Establishing a permitting program, etc.

Examples of activities eligible for funding under the CAA Section 105 include but are not limited to:

- (1) Implementing¹ programs for the prevention and control of air pollution; and
- (2) Implementing² programs for the national primary and secondary ambient air quality standards.

Examples of activities not eligible for funding include:

- (1) Activities not related to air pollution, its prevention and control;
- (2) Remediation activities related to indoor air quality problems; and
- (3) Data collection **without** an EPA-approved Quality Assurance Project Plan.

Draft Workplan Proposal Submission

The work plan proposal package should be submitted based on the schedule on pg. 1 of this document and consist of the following elements:

1. Work Plan

- a. Header: project title, project manager name, total project cost (including EPA funds and other sources), type of grant application: 1) Section 103 or 105; and 2) new application or continuation (e.g., extension of the grant project and budget period).

¹ Note that the term “implementing” means any activity related to the planning, developing, establishing, carrying out, improving, or maintaining of such programs.

² See note 1, *supra*.

- b. Problem Statement/Background Information: Provide a well-supported statement or needs assessment of the problem to be addressed which demonstrates the reason your Tribe should receive funding support.
- c. Objectives: Objectives should be specific, measurable, and clearly describe how they are related to and lead to the project goals and expected environmental outcomes (e.g., environmental results). Objectives should also be linked to the environmental outcomes (e.g., “public” benefits to be obtained).
- d. Commitments: Outline in detail the necessary tasks and activities that will be conducted to achieve an output (*i.e.*, tangible work product) or an outcome (*i.e.*, environmental impact). Describe why you have chosen these activities to obtain the desired environmental results. The tasks and activities should be realistic and achievable within the budget and project period of the grant.
- e. Specific Outputs for Environmental Results: Outputs mean the specific deliverables of an environmental activity, effort, and/or associated work products related to an environmental goal or objective that will be developed over a period of time or by a specified date. Outputs may be quantitative or qualitative but must be measurable during an assistance agreement funding period.
- f. Desirable Environmental Outcomes: This means the result, effect or consequence that will occur from carrying out an environmental activity that is related to an environmental or programmatic goal or objective. Outcomes may be environmental, behavioral, health-related or programmatic in nature, must be quantitative, and may not necessarily be achievable within an assistance agreement funding period.
- g. Target Dates & Milestones: Include an estimated timeline or schedule of expected target dates and milestones to achieve specific tasks and accomplishments during the budget and project period. Time frames need to be for a calendar date.
- h. Performance Measures: Provide some detailed explanation/criteria of how the progress and results of the project shall be evaluated (through quantitative means, if possible). Evaluation should occur during as well as after the project activities are conducted to make sure appropriate adjustments can be made along the way, if necessary.

The Section 103 or Section 105 draft workplan proposal and budget justification sheet should be submitted by email to R4TribalAir@epa.gov. If additional time is needed to adhere to the schedule on pg. 1, please inform EPA using the aforementioned email address.

Budget Requirements

Budget planning requires preparation of a Budget Justification Worksheet. The Budget Justification Worksheet must be included along with your work plan proposal. A copy of this form is located at the end of this document as Attachment 6.

Application Submission and Review Procedures

After work plan negotiations are complete, Tribal applicants are encouraged to work on finalizing their work plan and budget justification documents in response to EPA comments prior to submitting the grant application package through Grants.gov. While the proposed awards schedule on pg. 1 of this document provides timeframes to meet, circumstances may arise where additional time is needed to complete the work plan negotiation process. During such times, EPA will work with the Tribe to ensure a mutual process in facilitating the timely award of the grant.

Grant Application Submission Instructions: Application packages for a new grant must be submitted to Grants.gov at <http://www.grants.gov/web/grants/applicants/download-application-package.html>. In grants.gov, please enter the Funding Opportunity Number: EPA-CEP-01 to access the grant packages. For the CAA Section 103 grant application package, select CFDA 66.038, and for the CAA Section 105, select CFDA 66.001. For application packages that request an extension of the grant project and budget period and additional funding, submit your package by email to R4TribalAir@epa.gov. See Attachment 3 for information on required assurances and administrative forms needed in your application package.

EPA Review Criteria: The following will be considered in determining the amount of funds to award each applicant:

1. Completeness of proposal;
2. Timeliness of the submission of the proposal documents;
3. Relevance to the goals of the Clean Air Act;
4. Reasonableness of proposed costs;
5. Past performance (timeliness and completeness) in reporting and evaluation if applicable;
6. Amount of unliquidated obligations (e.g., carryover funds) expected on the current grant, as applicable;
7. Final budget allocation received by Region 4 under the CAA grant authority; and
8. Adherence to requirements for closing out previous grants and submitting required financial reports.

Post Award Administration

Award Notice: Funded Tribes will receive a grant award signed by the EPA Region 4 Award Official. The Tribe has three calendar weeks from the EPA grant award (or amendment) mailing date to accept the award by either: (1) drawing down funds within the 21 days; or (2) not filing

a notice of disagreement with the terms and conditions specified in the award within 21 days. The grant award will specify the budget and project period dates which represents the allowable time period for performing the activities under the award.

Reporting and Evaluation Requirements: For Tribes who are building capacity to establish a tribal air program, EPA requires the submittal of quarterly progress reports. As the grantee demonstrates programmatic and administrative capability to implement the air program over time, a semi-annual or annual reporting schedule may be negotiated with EPA. Quarterly progress reports are due 30 days after the end of the quarter. Reports must document the progress in performing the commitments listed in the work plan and the reports must describe any problems with completing the commitments and the recipient's plan for resolving the problems. The reports must comply with the regulations listed in 2 C.F.R. § 200.328 for CAA 103 grants and 40 C.F.R. § 35.515 for CAA 105 grants.

Reports must include the following information:

1. A comparison of actual accomplishments with the anticipated outputs/outcomes specified in the assistance agreement work plan;
2. The reasons for slippage if established outputs/outcomes were not met; and
3. Additional pertinent information, including, when appropriate, analysis and information of cost overruns or high unit costs.

The assigned Tribal Program Officer will continue to have informal discussions with you about the progress made under your CAA grant. It is essential that complete progress reports be submitted in a timely manner and include the required information.

Federal Financial Reports (FFRs): FFRs (SF-425) are required and must be submitted within 90 days of the end of the project period. However, some grantees may be required or may negotiate to submit FFRs more frequently. To obtain a copy of the form, see EPA website: <http://www2.epa.gov/financial/forms>.

Quality Assurance: If the proposed project/program involves environmentally related measurements or data generation, the updating or creation of a Quality Assurance Project Plan (QAPP) is required as a part of the work plan.

Data Submission: After having an approved QAPP, collected data must be submitted to EPA's Air Quality System (AQS) within 30 days after the end of the quarter in which the data was collected.

Other: Please note that award terms and conditions can be specific to each award and may contain more requirements than listed in this document. Please read the administrative and programmatic award conditions carefully and contact your project officer if you have questions regarding the requirements in your grant award.

TRIBAL WATER INFRASTRUCTURE PROGRAMS

OVERVIEW

The Water Division outlines available Tribal water infrastructure funding that will tentatively be awarded in Fiscal Year 2026 and addresses the requirements for submitting a timely and complete proposal to the Drinking Water Technical Assistance Section for funding consideration. It is organized into three major sections: Infrastructure Investment and Jobs Act (IIJA) programs, annually appropriated water infrastructure programs, proposal submission requirements, and regional contact information.

PROGRAMATIC FUNDS AVAILABLE IN FY26

Tribal Water Infrastructure Grant Programs	≤ FY24	FY25	FY26 (Estimated)	Total Available Funding
DWIG-TSA – Base		\$295,000	\$345,000	\$640,000
DWIG-TSA – Supplemental		\$254,000 ^α	\$645,000	\$899,000
DWIG-TSA Program – Emerging Contaminants		\$384,000	\$387,000	\$771,000
DWIG-TSA Lead Service Line (LSL) Replacement	\$3,242,000	\$680,000 ^δ	\$700,000	\$4,622,000
Emerging Contaminants in Small & Disadvantaged Communities (EC SDC) Tribal Drinking Water Grant Program	\$466,000	\$467,000	\$467,000	\$1,400,000
Water Infrastructure Improvements for the Nation (WIIN) Act, Section 2104, Small, Underserved, Disadvantaged Communities (SUDC) Tribal Drinking Water Grant Program	\$76,000	\$37,000	\$37,000	\$150,000
WIIN Act, Section 2105, Reducing Lead in Drinking Water Grant Program	<i>Please contact the Region 4 Tribal Water Infrastructure Programs Coordinator for more information on WIIN 2105 non-competitive funding opportunities.</i>			
Clean Water Indian Set-Aside (CWISA) – Base	<i>The Region 4 Tribal Water Infrastructure Programs Coordinator will contact your Tribe if there is a qualifying wastewater project that the Region has agreed to fund.</i>			
CWISA – Supplemental				
CWISA – Emerging Contaminants (EC)	\$8,000	\$6,000	\$4,000	\$18,000
Total Funding Available	\$3,792,000	\$2,123,000	\$2,585,000	\$8,500,000

^α – Unallocated FY25 funds from original allotment

^δ – FY25 funds are estimated, not finalized yet

Programs in **blue** are funded through the **Infrastructure Investment and Jobs Act (IIJA)**

I. FUNDING OPPORTUNITY DESCRIPTIONS

INFRASTRUCTURE INVESTMENT AND ELIGIBLE ACTIVITIES (IIJA) PROGRAMS

In Fiscal Year 2022, the Infrastructure Investment and Jobs Act (IIJA) of 2021 was signed into law, authorizing the EPA to fund water infrastructure projects under existing and new programs. Region 4 IIJA allocations to Tribal communities will be administered through two of the Agency's existing water infrastructure programs as appropriate: Drinking Water Infrastructure Grant – Tribal Set-Aside (DWIG-TSA) and Clean Water Indian Set Aside (CWISA). The information in this section is organized as follows:

IIJA Drinking Water Programs

The IIJA authorizes the EPA to fund drinking water infrastructure projects for Tribal communities throughout Region 4 using four programs:

- **DWIG-TSA Supplemental Program**
- **DWIG-TSA Emerging Contaminants Program**
- **DWIG-TSA Lead Service Line (LSL) Replacement Program**
- **Emerging Contaminants in Small & Disadvantaged Communities Tribal Drinking Water Program**

Tribal Water Infrastructure Grant Programs	≤ FY24	FY25	FY26 (Estimated)	Total Available Funding
DWIG-TSA – Supplemental		\$254,000 ^α	\$645,000	\$899,000
DWIG-TSA Program – Emerging Contaminants		\$384,000	\$387,000	\$771,000
DWIG-TSA Lead Service Line (LSL) Replacement	\$3,242,000	\$680,000 ^δ	\$700,000	\$4,622,000
Emerging Contaminants in Small & Disadvantaged Communities (EC SDC) Tribal Drinking Water Grant Program	\$466,000	\$467,000	\$467,000	\$1,400,000
Total	\$3,708,000	\$1,785,000	\$2,199,000	\$7,692,000

^α – Unallocated FY25 funds from original allotment

^δ – FY24 funds are estimated, not finalized yet

Drinking Water Infrastructure Grant-Tribal Set-Aside – Supplemental Program (DWIG-TSA – Supp)

The DWIG-TSA Supplemental Program will provide additional funding for projects that are eligible under the DWIG-TSA Program. For FY2026, approximately \$899,000 is tentatively available under this supplemental program for planning, design, and/or construction of drinking water projects. For more information on eligible activities and project categories under the DWIG-TSA, please see **Annually Appropriated Drinking Water Infrastructure Programs**.

Drinking Water Infrastructure Grant Tribal Set-Aside Emerging Contaminants Program

The DWIG-TSA Emerging Contaminants program will provide funding for emerging contaminants projects. For FY2026, \$387,000 is estimated to be tentatively available for planning, design, and/or construction of drinking water projects that address one or more emerging contaminants. Emerging contaminants are defined as “newly identified or reemerging manufactured or naturally occurring physical, chemical, biological, radiological, or nuclear materials that may cause adverse effects to human health or the environment and do not currently have a national primary drinking water regulation.”⁴ On April 10, 2024, the EPA announced the [final National Primary Drinking Water Regulation \(NPDWR\) for six per- and polyfluoroalkyl substances \(PFAS\)](#). Region 4 will prioritize funding under this Emerging Contaminants program for eligible projects that address PFAS concerns, followed by other emerging contaminants that are listed on any of the EPA’s [Contaminant Candidate Lists](#). Eligible activities include monitoring for PFAS and/or other emerging contaminants, identification/selection of appropriate treatment technologies, pilot testing, installation of drinking water infrastructure to reduce or eliminate PFAS and/or other emerging contaminants, etc.

Drinking Water Infrastructure Grant Tribal Set-Aside Lead Service Line Replacement Program

The DWIG-TSA LSL Replacement Program will provide funding for the identification and/or replacement of LSLs for eligible Tribal public water systems. FY25 allotments have not been confirmed yet. In spite of that fact, funds will be made available for planning, design, and/or construction of drinking water projects that address LSLs.

Beyond the service line inventory, broader activities *directly related to the full replacement of lead service lines* **and** *eligible under the DWIG-TSA program* that may be funded include, but are not limited to the following:

- Planning activities such as environmental assessments, preliminary engineering reports, certain permits, etc.
- Design activities, such as the development of project plans and budgets
- Construction activities such as mobilization and demobilization of contracted or Tribal equipment, installation of full replacement service lines, other installation work (e.g., curb stops, curb stop boxes, other service line appurtenances), removal work (e.g., lead service lines, lead or galvanized goosenecks, pigtails, connectors, curb stops, curb stop boxes, other service line appurtenances, etc.), and other eligible activities.

Emerging Contaminants in Small & Disadvantaged Communities Tribal Drinking Water Grant Program

The Emerging Contaminants in Small & Disadvantaged Communities Tribal Drinking Water Grant Program is designed to reduce PFAS contamination of drinking water supplies in communities facing disproportionate impacts. For FY2026, \$467,000 is estimated to be available for planning, testing, and remediation of PFAS and other emerging contaminants in drinking and source water for small or disadvantaged communities. In addition, combined previous fiscal year funds totaling \$933,000 will remain available for award until further notice. Regarding the [new PFAS Rule](#) that was mentioned previously, Tribes in Region 4 that are seeking to utilize these funds must conduct activities related to PFAS and/or emerging contaminant identification and reduction to address small and disadvantaged communities as defined below:

“(c)(2)(B) with a population of less than 10,000 individuals that the Administrator determines does not have the capacity to incur debt sufficient to finance a project or activity under subsection (b).”⁵

With respect to public water systems, program funds may be used to address PFAS and/or other emerging contaminants in communities served by Tribally owned public water systems or non-Tribally owned public water systems that serve residents belonging to a federally recognized Tribe. Moreover, program funds may also be used to support communities that are not currently served by any public water system. Under no circumstances may funds be used to support federally owned or for-profit public water systems. Usage of these funds to help benefit private wells can only come from FY24 funds, by order of Congress.

As for eligible activities, the program may fund monitoring (not related to compliance), planning for the identification/selection of appropriate treatment technologies, installation of eligible drinking water infrastructure to reduce or eliminate PFAS and/or emerging contaminants, etc.

Key Priorities/Other Helpful Considerations

IIJA-Only Drinking Water Programs	Primary Priorities	Other Priorities
Drinking Water Infrastructure Grant Tribal Set-Aside	Health-based and/or treatment technique violations, maximum contaminant level violations, action level exceedances; water	Water system security; water loss studies; water system administration

Supplemental	system deficiencies as part of a National Primary Drinking Water Regulation exemption; drinking water outage; risk of failure to major treatment/distribution infrastructure; first-time drinking water service (exceptions apply); operational efficiencies and operator training/certification for compliance	facility improvements; interconnections; other considerations
Drinking Water Infrastructure Grant Tribal Set-Aside Emerging Contaminants	PFAS	Other emerging contaminants on any of EPA's five CCLs
Drinking Water Infrastructure Grant Tribal Set-Aside LSL Replacement	Service line inventories, identification of LSLs, and full replacements of known residential LSLs	Planning to address replacements of known commercial LSLs
Emerging Contaminants in Small & Disadvantaged Communities Tribal Drinking Water Grant	PFAS and small/disadvantaged Tribal communities	Other emerging contaminants on any of EPA's five CCLs and small/disadvantaged Tribal communities

Another important consideration is that there is no cost-share requirement for any drinking water project that is funded under this section. A cost share, or matching funds, is an amount of eligible funds that a recipient must contribute to satisfy statutory requirements as part of an assistance agreement. Although programs under this section do not require a statutory cost share, the program does enforce cost sharing when one or more projects provide beneficial use to commercial populations or otherwise meet commercial interests. If your project will not wholly serve Tribal residents, please provide the appropriate water use data from all populations in the affected project area to Region 4 for an appropriate cost share determination.

IIJA – Wastewater Programs

Tribal Water Infrastructure Grant Programs	≤ FY24	FY25	FY26 (Estimated)	Total Available Funding
CWISA – Supplemental	The Region 4 Tribal Water Infrastructure Programs Coordinator will contact your Tribe if there is a qualifying wastewater project that the Region has agreed to fund.			
CWISA – Emerging Contaminants (EC)	\$8,000	\$6,000	\$4,000	\$18,000

Total Funding Available	\$8,000	\$6,000	\$4,000	\$18,000
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^α – Allotment is assigned to Nashville Indian Health Service until Regions 1, 2, 3, 4, and 6 agree on the distribution of funds.

^γ – FY23 funds are estimated, not finalized yet

The IJA authorizes the EPA to fund wastewater infrastructure projects for Tribal communities throughout Region 4 using two programs:

- **CWISA Supplemental Program**
- **CWISA Emerging Contaminants Program**

Clean Water Indian Set-Aside Supplemental Program

The CWISA Supplemental program will provide additional funding for projects that are eligible under the CWISA Program. The CWISA program does not accept proposals directly from Tribes; therefore, the CWISA Supplemental program will also not accept proposals in this manner. As a reminder, CWISA funds are allocated to each IHS area office. Each IHS area office comprises EPA regions that are within each IHS area jurisdiction. Region 4 is located within IHS's Nashville Area and is comprised of four other regions: Region 1, Region 2, Region 3, and Region 6. Therefore, wastewater funds received for CWISA must be negotiated with other regions for projects that are **solely** on Nashville's IHS SDS lists (included or excluded). The Region is generally notified of the wastewater allocation for Nashville's Area in the early to late spring of each year. For more information on the SDS submission process and eligible projects under the CWISA, please see **Annually Appropriated Wastewater Infrastructure Program**.

Clean Water Indian Set-Aside Emerging Contaminants Program

The CWISA Emerging Contaminants program will provide funding for emerging contaminants projects related to wastewater projects selected from Nashville IHS's SDS Lists or submitted to the Region through funding availability notices such as this one. According to the EPA, a CWSRF emerging contaminant is defined as follows: "substance or microorganism, including manufactured or naturally occurring physical, chemical, biological, radiological, or nuclear material, which is known or anticipated in the environment, which may pose newly identified or re-emerging risks to human health, aquatic life, or to the environment." For FY2026, the Region estimates that \$4,000 will be made available for award under this program. In addition, allotments from FY2022 – FY2025 totaling \$14,000 remain available for award at this time. Region 4 will consider any wastewater project that clearly establishes a high-priority need to address one or other emerging contaminants, including PFAS. Region 4 will prioritize funding under this program for eligible projects that address PFAS concerns, followed by other emerging contaminants that are listed on any of the EPA's [Contaminant Candidate Lists](#).

As for eligible activities, these may include monitoring such as the purchase of monitoring or laboratory analysis equipment, monitoring to characterize stormwater or wastewater to

inform an engineering report and the identification/selection of the appropriate treatment technology, monitoring of wastewater influent/effluent/sludge to determine the fate of emerging contaminants or to inform the identification/selection of the appropriate treatment technology, etc.

ANNUALLY APPROPRIATED DRINKING WATER PROGRAMS

Annually Appropriated Drinking Water Infrastructure Program	≤ FY24	FY25 (Estimated)	FY26 (Estimated)	Total Annually Appropriated DW Program Funding
WIIN Act, Section 2104 – Small & Disadvantaged Communities Tribal Drinking Water Grant	\$76,000	\$37,000	\$37,000	\$150,000
WIIN Act, Section 2105 – Reducing Lead in Drinking Grant Program	<i>Please contact Region 4 Tribal Water Infrastructure Programs Coordinator for more information on WIIN 2105 non-competitive funding opportunities.</i>			
DWIG-TSA Set-Aside Base		\$295,000	\$345,000	\$640,000
Total	\$76,000	\$332,000	\$382,000	\$790,000

Water Infrastructure Improvements for the Nation Act, Section 2104 – Small & Disadvantaged Communities Tribal Drinking Water Grant Program

The WIIN Act, Section 2104 – Small & Disadvantaged Communities Tribal Drinking Water Grant Program, is designed to assist small and disadvantaged communities in Indian Country to meet SDWA requirements. For FY2026, the Region may make one or more awards totaling an estimated \$150,000 using FY2022-2026 funds. Tribes in Region 4 that are seeking to utilize these funds must direct water infrastructure activities to communities as defined below:

“(c)(2)(B) with a population of less than 10,000 individuals that the Administrator determines does not have the capacity to incur debt sufficient to finance a project or activity under subsection (b).”¹⁰

Also, program funds may be used to address PFAS and/or other emerging contaminants in communities served by Tribally owned public water systems or non-Tribally owned public water systems that serve residents belonging to a federally recognized Tribe. Moreover, program funds may also be used to support communities that are not currently served by any public water system. Funds may not be used to support federally owned or for-profit public water systems.

Eligible activities under this program include, but are not limited to, the following:

- technical assistance to increase technical, managerial, and financial (TMF) capacity,

- training for system staff and board members on the importance of TMF capacity and how to achieve compliance,
- on-site visits to systems experiencing compliance challenges
- water or energy audits
- completion of an engineering feasibility study to highlight operational areas of improvement,
- operator certification training,
- completion of environmental reviews,
- preparation of consumer confidence reports,
- developing cost estimates for project planning,
- rate evaluations and project development
- drafting source water protection ordinances
- financial assistance for planning and design of infrastructure improvements
- treatment,
- transmission and distribution,
- storage,
- water system consolidation, and/or household water quality testing (including unregulated contaminants), etc.

Drinking Water Infrastructure Grant Tribal Set-Aside Program

The DWIG-TSA Program is designed to fund the planning, design, and/or construction of eligible drinking water infrastructure activities in Indian Country. For Fiscal Year 2026, Region 4 will tentatively make one or more awards totaling \$790,000. **Tribal priority points will only apply to this program.** For more information on this priority, please see **Tribal Priority Points**. Moreover, eligible activities include planning, design, and/or construction of eligible drinking water infrastructure including feasibility studies, pilot testing, development of a preliminary engineering report, development of project plans and budgets, construction of drinking water treatment plants, treatment systems such as reverse osmosis, distribution such as water supply lines, storage such as ground or elevated finished water storage tanks, water meter installation/replacement, booster pump stations, certain source water projects such as installation of a new well, equipment purchases such as pumps and generators, and other projects.

Tribal Priority Points

Historically, this funding has been rotated among the six eligible Tribes in Region 4. This desire was formally expressed in a letter to the Drinking Water Section dated October 2000 and further expressed in Resolution 1001.029 from the United South and Eastern Tribes (USET) Incorporated Board of Governors and as executed on February 1, 2001. In 2015, a new system was established in consultation with Tribes to rank all proposed projects, with priority placed on maintaining the historic rotation process and addressing the most significant health-based needs. Included in the ranking are Tribal Priority Points assigned to the length of time since the last award was made to

each Tribe. The prioritization process is intended to ensure all Tribes are supported by this grant program. The table below provides the Tribal Prioritization Schedule to establish the assignment of priority points to proposals submitted by a given Tribe during their Fiscal Year of Priority:

Tribe	Fiscal Year of Priority
Mississippi Band of Choctaw Indians	2026
Poarch Band of Creek Indians	2027
Seminole Tribe of Florida	2028
Catawba Indian Nation	2029
Eastern Band of Cherokee Indians	2030
Miccosukee Tribe of Indians of Florida	2031

Due to the establishment of new drinking water and wastewater infrastructure programs under the IIJA, the Region 4 Tribal Prioritization Schedule will apply points only to those proposals submitted for funding requests under the Annually Appropriated Infrastructure Programs. Given that Region 4 does not accept proposals for wastewater needs (excluding emerging contaminant wastewater projects), this means that priority points will only be applied to projects submitted for funding consideration under the DWIG-TSA program. Priority points **will not** be applied to proposals submitted under any other programs.

Threshold Requirements

To assist in the project selection process, the national DWIG-TSA guidelines established three threshold requirements that must be met by a water system serving a Tribe before award:

- Technical, managerial, and financial capacity;
- Compliance with the SDWA; and
- Project readiness.

Region 4 will use the most recent sanitary survey information to determine if the three capacity threshold requirements have been met. If the most recent survey does not contain all the required information, Region 4 will request additional information to affirm one or more of the above capacity requirements. As for compliance with the SDWA, Region 4 will review the most recent Enforcement Targeting Tool (ETT) to determine the ETT score for applicable PWSs that would be served in the proposal. Lastly, a preliminary engineering report (PER) is required for all projects except for those with limited scopes of work.

PROJECT CATEGORIES

The DWIG-TSA Program can only fund public water system projects that the EPA determines will meet the SDWA priorities for funding. These include projects that address the most serious health risks, facilitate compliance with the National Primary Drinking Water Regulations (NPDWR), and address those systems most in need (on a household basis).

Additionally, the WIIN Act of 2016 further expanded the program's eligible activities by allowing funds to be used to support training and operator certification for operators of PWSs that serve Indian Tribes. Eligible project categories should consider, either directly or in a phased manner, the following:

- Address a current NPDWR health-based violation (MCL) or treatment technique violation (TT)
- Address a current MCL or action level exceedance(s)
- Address a system deficiency as part of an approved NPDWR exemption
- Address drinking water outages or limited supply needed for human consumption
- Reduce the risk of failure of major treatment or distribution system components
- Provide the first service to homes that lack access to safe drinking water (limited circumstances)
- Provide operational efficiencies to reduce operational and maintenance costs
- Provide training and operator certification to achieve and maintain PWS compliance.

Under Section 1452 (a)(2) of the SDWA, the following projects are ineligible for funding:

- Monitoring
- Operation and maintenance
- Projects intended primarily for future growth
- Land acquisition (unless the land is integral to the project and is from a willing seller (Section 1452(k)(1)(A)(i)).

ANNUALLY APPROPRIATED WASTEWATER PROGRAMS

Clean Water Indian Set Aside Program

The CWISA Program provides funding for wastewater infrastructure to Indian Tribes and Alaska Native Villages. The program's primary goal is to protect public health and the environment on Tribal lands by increasing access to basic sanitation facilities for Tribal residents. This program addresses EPA's Strategic Goal 5: Ensure Clean and Safe Water for All Communities, Objective 5.1: Ensure Safe Drinking Water and Reliable Water Infrastructure, and contains one measure by which the CWISA Program is evaluated:

Number of American Indian and Alaska Native homes provided access to basic sanitation in coordination with other federal agencies (cumulative). (Measure # WQ-24)

The CWISA Program is administered by EPA Region 4 and receives annually up to 2% of the CWSRF appropriation or \$30,000,000, whichever is greater. The Tribes notify IHS regarding their basic sanitation needs. The definition of access to basic sanitation is related to the deficiency level (DL) of the Tribal homes within an IHS Area community as assigned by the IHS. An initial DL (IDL) is assigned by IHS for each project that is developed, and it ranges between 1

and 5, with DL 5 being the greatest deficiency to access. Each Tribal wastewater project is evaluated, scored, and ranked by IHS within the SDS list. The SDS list is submitted to Congress annually for budget planning. The EPA obtains a snapshot of the SDS list by January of each year and utilizes it to identify potential projects for CWISA funding.

Any Indian Tribe, band, group, or community recognized by the Bureau of Indian Affairs is eligible for funding through the CWISA Program unless they have been deemed ineligible to receive federal funds by the EPA or another agency or department of the federal government. The CWA states that grants shall serve federally recognized Tribes.

TRIBAL ALLOCATION

The Tribes are notified by the Region 4 CWISA Tribal Coordinator once the SDS list is finalized and approved by Region 4 and IHS to either apply for a direct grant with EPA or request that IHS complete the project through an IA.

INDIAN HEALTH SERVICE'S SANITATION DEFICIENCY SYSTEM (SDS) TIMELINE

The table below provides a general timeframe for submitting wastewater needs to the IHS SDS and for obtaining CWISA Program funds. The set of activities in yellow should happen in the fiscal year preceding the activities in blue, which occur in the following fiscal year. For exact dates or more information, please contact Mr. Christopher Johnson, EPA Region 4 CWISA Program Coordinator, at Johnson.Christopher01@epa.gov or 404-562-8337. For general information, visit- <https://www.epa.gov/small-and-rural-wastewater-systems/clean-water-indian-set-aside-program>.

Timeframe for CWISA Project Identification and Project Selection	
Date	Milestone
February – May	Tribes identify sanitation needs to IHS Area offices.
June	Deadline for submission of Tribal needs to Nashville Area IHS.
June – July	Nashville Area IHS reviews and ranks projects submitted to the Sanitation Deficiency System (SDS).
August – November	IHS Headquarters reviews IHS Area office SDS project submissions.

December	Final SDS lists are made available to EPA HQs and Regional CWISA Program coordinators.
February – April	In Region 4, project consultations must occur with Regions 1, 2, 3, and 6 before project(s) can be selected.
April – May	EPA Region 4 CWISA Program Coordinator notifies Tribe(s) that have been selected for funding and requests funding applications.
May – June	Selected Tribe(s) submit funding applications to the EPA for an assistance agreement, excluding an IA. (For IAs, no application is required from the Tribe.)
July – September	Region 4 makes award(s) to the Tribe(s) for work to begin by October 1.

II. PROPOSAL SUBMISSION REQUIREMENTS

All proposals submitted to Region 4 must adhere to the requirements contained within this section to be considered complete and actionable. Failure to include these components may delay the review of one or more proposals submitted for funding consideration. Finally, proposals must be submitted by the deadline contained in this section to be considered for funding.

PROPOSAL COMPONENTS

The following components are required by each proposal submitted by the Tribe:

- **Identify funding requests by the program.** Each proposal must highlight the program for which it seeks funding consideration and the corresponding funding amount that is being requested. For example, the table would be considered an acceptable response to this required component:

Projects Submitted for Funding Consideration – FY2026					
Programs	Project #1	Project #2	Project #3	Project #4	Totals
DWIG-TSA	\$50,000			\$600,000	\$650,000
DWIG-TSA Supplemental			\$250,000	\$300,000	\$550,000
DWIG-TSA Emerging Contaminants	\$75,000		\$50,000	\$100,000	\$225,000
DWIG-TSA LSL Replacement	\$100,000		\$75,000	\$150,000	\$325,000

CWISA Emerging Contaminants		\$350,000			\$350,000
Total	\$225,000	\$350,000	\$375,000	\$1,150,000	\$2,100,000

- **(2) Identify the scope of work being sought within each program.** Each proposal must identify the scope of work that is being proposed within each project. For example, the following would be considered an acceptable response to this required component:
 - DWIG-TSA (P – Planning, D – Design, C – Construction)
 - DWIG-TSA Supplemental (C)
 - DWIG-TSA LSL Replacement (P)
 - DWIG-TSA Emerging Contaminants (P)
 - CWISA Emerging Contaminants (D, C)
 -
- **(3) Identify Tribal priority for IJJA-only projects.** Each proposal must clearly state the Tribe’s priority for projects submitted under IJJA-only programs. Tribes should pay close attention to projects in which multiple funding is being requested under both IJJA-only and annually appropriated programs. For example, the table below would be considered an acceptable response to this required component:

Projects Submitted for Funding Consideration – FY2026					
Programs	<i>Project #1</i>	<i>Project #2</i>	<i>Project #3</i>	<i>Project #4</i>	Totals
DWIG-TSA	\$50,000			\$600,000	\$650,000
DWIG-TSA Supplemental			\$250,000	\$300,000	\$550,000
DWIG-TSA Emerging Contaminants	\$75,000		\$50,000	\$100,000	\$225,000
DWIG-TSA LSL Replacement	\$100,000		\$75,000	\$150,000	\$325,000
CWISA Emerging Contaminants		\$350,000			\$350,000
Total	\$225,000	\$350,000	\$375,000	\$1,150,000	\$2,100,000
Tribal Priority	1st	3rd	4th	2nd	

The Tribal project priority should also make clear the order of priority. If the intent is to fund projects in descending order from 1 to 4, then please ensure that the proposal is clear in this direction to Region 4.

- **(4) Submit a cover letter from the Tribal Leader that includes the following components:**
 - A brief description of the project(s) to be funded,
 - Justification for the need for the project(s),
 - Approximate funding requested,

- The preference for the potential award to be processed as a direct grant to the Tribe or an IA with IHS.
- **(5) Submit a preliminary engineering report.** A preliminary engineering report is required for any project in which activities ***other than*** planning are being requested for funding consideration.
- **(6) Complete a Capacity Checklist.** A capacity review will be conducted by Region 4 as a part of the proposal submission. The most recent sanitary survey will be used to determine the system's capacity.
- **(7) Identify priorities addressed by each project per proposal.** Each proposal must highlight whether its projects address a primary priority or other priorities. For example, the table below would be considered an acceptable response to this requirement:

Projects Submitted for Funding Consideration – FY2026				
Programs	<i>Project #1 Priority Focus</i>	<i>Project #2 Priority Focus</i>	<i>Project #3 Priority Focus</i>	<i>Project #4 Priority Focus</i>
DWIG-TSA	Primary	Primary	Primary	Other
DWIG-TSA Supplemental	Other	Other	Primary	Other
DWIG-TSA Emerging Contaminants	Primary	Other	Other	NA
DWIG-TSA LSL Replacement	NA	Primary	NA	NA
Small & Disadvantaged Communities Tribal Drinking Water Grant	NA	NA	NA	NA
CWISA Emerging Contaminants	Other	Other	Other	Other

PROPOSAL SUBMISSION PROCESS

Email Submission

Submit your proposal via email. Please email it to Johnson.Christophehr01@epa.gov. The date of your submission will be based on the timestamp shown in the email submitted to this account.

Please note: If email submission is not available to your Tribe, please submit an email to Johnson.Christopher01@epa.gov to request a waiver from these options. The waiver must

identify compelling reasons that Region 4 should consider in granting submission via mail. If successful, mail submissions **must be postmarked** by the early or final proposal submission deadlines posted within this NOFA.

III. TIMELINE AND EXPECTATIONS

PROPOSAL STEPS AND DEADLINES

Milestone	Deadline
Step 1: Proposals Must be Submitted	January 16, 2026
Step 2: Region 4 Reviews Proposals	March 6, 2026
Step 3: Region 4 Notifies Tentatively Selected Recipients	March 23, 2026
Step 4: Recipient Grant Applications Due in Grants.gov	April 28, 2026
Step 5: Region 4 Conducts Pre-Award Processing	July 1, 2026
Step 6: Recipient Receives Notice of Award	October 1, 2026

GRANT APPLICATION TYPES

Once the Tribe has been tentatively selected, there may be **two** (2) options available to receive a direct grant.

Apply for a New Grant Award (New Grant Application)

- If desired, Tribes should expect to complete the grant application via grants.gov by the deadline provided in the Notice of Tentative Award.
 - **Please note:** Failure to submit a full and complete application by the deadline will result in the funds being made available to the next highest-ranking project(s), and/or funds may be swept by EPA Headquarters and reallocated to another region for funding Tribal water infrastructure.
- Tribes should expect to complete additional documents and submit those to Region 4 by the deadline. These additional documents will include, but are not limited to, the following:
 - DWIG-TSA Supplemental Workplan
 - DWIG-TSA Supplemental Workplan Information
 - Other grant documents
- Tribes should expect to negotiate and/or re-negotiate workplans if one or more activities require clarification.
- Tribes should expect to negotiate and/or re-negotiate budgets if one or more costs require clarification.

- Tribes should expect to submit additional information as needed.

Apply for an Amendment to an Existing Award (Supplemental Application)

- If desired, Tribes should expect to submit a completed grant application to their Technical Officer and Project Officer by the deadline provided in the Notice of Tentative Award.
- Supplemental applications may only be submitted if the following circumstances exist:
 - The Tribe has a direct grant that is eligible to be amended
 - The grant must not have expired
 - The grant must not have a project duration that has exceeded the limitation set forth by applicable statutes and Agency policies.
 - The Tribe is requesting to add supplemental funds to an existing grant from an eligible Tribal Water Infrastructure Program.
 - Only non-IIJA Tribal Water Infrastructure programs are eligible to add to an existing grant award.
 - Please work with your Tribe's respective Technical Officer if you have any questions.

GRANT REVIEW & INTERAGENCY AGREEMENT POLICIES

Tribes may elect to receive their tentative funding award as a direct grant or an IA. The following policies will be enforced for both assistance agreements:

- **Grant Review Policy:** If a Tribe requests a grant, then the Water Division will conduct a grant performance review to ensure that the applicant is currently meeting the terms and conditions of active grant awards and/or has met those terms and conditions of previous grants within at least the last two years. The program will make one of three decisions: approve, conditionally approve, or deny. Conditional approvals may be granted depending on the nature of the issues found and whether they can be corrected. If conditional approval is granted, the Tribe should expect to comply with all stipulations before receiving its final award. Failure to comply may result in a delay of the award.
- **Interagency Agreement Restrictions:** A Tribe must not have a compact designation with the Indian Health Service to request an IA. If the Tribe has a compact, it must enter into a "buy-back" agreement with IHS for services, either in part or in whole. If the Tribe is unable to secure such an agreement with IHS, then the Tribe may request a grant.

IV. REGIONAL CONTACT INFORMATION

If you have questions about your proposal or to obtain copies of any policies/guidance discussed in this

NOFA, please contact Mr. Christopher Johnson, Region 4 Tribal Water Infrastructure Programs Coordinator, via email at Johnson.Christopher01@epa.gov or call 404-562-8337; or you can contact your Tribe's technical Officer, found in the table below.

Tribe	Technical Officer (TO)
Poarch Band of Creek Indians	Christopher Johnson Johnson.Christopher01@epa.gov
Eastern Band of Cherokee Indians	
Catawba Indian Nation	Janine Morris Morris.Janine@epa.gov
United South & Eastern Tribes (Tennessee - Consortia)	Andreana Madera-Martorell maderamartorell.andreana@epa.gov
Mississippi Band of Choctaw Indians	LeAnn Nguyen nguyen.leann@epa.gov
Seminole Tribe of Florida	Helen Keevy keevy.helen@epa.gov
Miccosukee Tribe of Indians of Florida	

NON-POINT SOURCE PROGRAM

General Information

On January 6, 2011, the Clean Water Act (CWA) 319 national guidelines were updated and finalized for the Tribal 319 program. These guidelines were established for eligible Tribes receiving base grant funding under Section 319 and 518 of the Clean Water Act.

Background

During FY2025, Region 4 awarded \$310,00 in base grants to the six federally recognized Tribes in Region 4 to address high-priority activities aimed at producing improved water quality. EPA looks forward to continuing to work with Tribes to implement successful projects addressing the extensive nonpoint source (NPS) control needs throughout Indian country. There is continuing recognition that Indian Tribes need financial support to implement NPS programs that address critical water quality concerns on tribal lands. EPA will continue to work closely with the Tribes to assist them in developing and implementing effective tribal NPS pollution programs.

Section 319 of the CWA authorizes EPA to award grants to eligible Tribes for the purpose of assisting them in implementing approved NPS management programs developed pursuant to section 319(b). The primary goal of the NPS management program is to control NPS pollution through implementation of management measures and practices to reduce pollutant loadings resulting from each category or subcategory of NPSs identified in the Tribe's NPS assessment report developed pursuant to section 319(a). Section 319 base funds may be used for a range of activities that implement the Tribe's approved NPS management program, including, but not limited to the following: hiring a program coordinator; conducting NPS education programs; providing training and authorized travel to attend training; updating the NPS management program; developing watershed-based plans; NPS ordinance development; springs protection; low impact development projects/storm water management; livestock exclusion fencing; septic system rehabilitation; public outreach; and coordination with other environmental programs (tribal, EPA, other federal agency programs, etc.).

EPA strongly encourages Tribes to use Section 319 funding for the development and/or implementation of watershed-based plans to protect unimpaired waters and restore NPS-impaired waters.

Overview of Clean Water Act Section 319 Base Grants to Indian Tribes

Environmental Results

EPA has developed guidelines for awarding CWA Section 319 base grants to Indian Tribes. These guidelines apply to Section 319 base grants awarded from funds appropriated by Congress in FY2011 and in subsequent years.

Grants awarded under these guidelines will advance the protection and improvement of the Agency's Strategic Plan (see <https://www.epa.gov/planandbudget/strategicplan>). consistent with EPA Order 5700.7, Environmental Results under EPA Assistance Agreements (see www.epa.gov/ogd/grants/award/5700.7.pdf), it is anticipated that grants awarded under these guidelines will be expected to accomplish various environmental outcomes as described below. All proposed work plans must include specific statements describing the environmental results of the proposed project in terms of well-defined outputs and, to the maximum extent practicable, well-defined outcomes that demonstrate how the project will contribute to the overall protection and improvement of water quality.

Environmental outputs (or deliverables) refer to an environmental activity, effort, and/or associated work product related to an environmental goal or objective, that will be produced or provided over a period or by a specified date. Outputs may be quantitative or qualitative but must be measurable during an assistance agreement funding period. Examples of environmental outputs anticipated because of Section 319 grant awards may include but are not limited to: a watershed-based plan, progress reports, or several on-the-ground management measures or practices installed or implemented during the project period.

Environmental outcomes mean the result, effect, or consequence that will occur from carrying out an environmental program or activity that is related to an environmental or programmatic goal or objective. Outcomes may be environmental, behavioral, health-related, or programmatic in nature, must be quantitative, and may not necessarily be achieved within an assistance agreement funding period. Examples of environmental outcomes anticipated because of Section 319 grants to be awarded may include but are not limited to: an increased number of NPS-impaired waterbodies that have been partially or fully restored to meet water quality standards or other water quality-based goals established by the Tribes; and/or an increased number of waterbodies that have been protected from NPS pollution.

Revised Tribal Section 319 Grant Allocation Formula, Effective FY23

Since FY02, EPA has awarded Tribal CWA Section 319 grants via a two-part allocation formula, comprised of: (1) non-competitive base grants of \$30,000 (for Tribes with less than 1,000 square miles of Tribal land area, defined as all lands held in trust by the federal government) or \$50,000 (> 1,000 sq mi) per year and (2) competitive grants to support on-the-ground NPS projects, which are selected via a national competition. In FY22, EPA increased Tribal CWA Section 319 base grant funding levels to \$36,000 and \$60,000.

As a part of EPA's engagement with the NPS community in FY22 and FY23 to advance equity in the national NPS program, Tribal CWA Section 319 grantees identified inadequate CWA Section 319 base grant funding levels as the greatest barrier to building and sustaining effective NPS management programs.

Tribal 319 Grant Allocation Formula Revision Process

EPA conducted a Tribal consultation and coordination process with federally recognized Tribes from March 29 to December 23, 2022, on potential EPA actions to increase Tribal capacity to

maintain and expand Tribal NPS programs. As a part of this process, EPA requested Tribal input on potential changes to the Tribal CWA Section 319 grant allocation formula.

Effective FY23, EPA awarded Tribal CWA Section 319 base grants according to the table below. The revised base grant allocation formula outlined in [Achieving Greater Equity in the Nonpoint Source Program Through FY23 Section 319 Grant Allocations \(pdf\)](#) (499.69 KB, March 2023) replaces the formula within the current Tribal guidelines. EPA anticipates revising the Tribal CWA Section 319 base grant guidelines in FY24 to reflect the revised formula.

Total Tribal Land Area (square miles)	# Tribal CWA Section 319 Grantees in FY23	Base Grant Funding Amount
0 – 2 <i>i.e., Less than 2 sq mi</i>	66	\$45,000
2 – 50 <i>i.e., Equal to or greater than 2 sq mi AND less than 50 sq mi</i>	69	\$50,000
50 – 500 <i>i.e., Equal to or greater than 50 sq mi AND less than 500 sq mi</i>	44	\$55,000
500+ <i>i.e., Equal to or greater than 500 sq mi</i>	31	\$70,000

Eligibility and Match Requirements

Eligible Applicant

To be eligible for NPS base grants, a Region 4 Tribe must: (1) be federally recognized; (2) have an approved NPS assessment report in accordance with CWA section 319(a); (3) have an approved NPS management program in accordance with CWA section 319(b); and (4) have treatment in a similar manner as a state (TAS) status in accordance with CWA section 518(e).

Eligible Activities

Section 319 base funds may be used for a range of activities that implement the Tribe's approved NPS management program, including: hiring a program coordinator; conducting NPS education programs; providing training and authorized travel to attend training; updating the NPS management program; developing watershed-based plans; and implementing, alone or in conjunction with other agencies or other funding sources, watershed-based plans, and on-the-ground watershed projects. In general, base funding should not be used for general assessment activities (e.g., monitoring the general status of reservation waters, which may be supported with CWA Section 106 funding). EPA encourages Tribes to use Section 319 funding and explore the use of other funding such as CWA Section 106 funding, to support project-specific water quality

monitoring, data management, data analysis, assessment activities, and the development of watershed-based plans.

Cost Share/Match

Performance Partnership Grants (PPG) enable Tribes to combine funds from more than one environmental program grant into a single grant award. Tribes seeking to incorporate their section 319 base grant funds into a PPG must apply for Section 319 base funding following the program's specific requirements to qualify to put grants into a PPG. If the Tribe includes the section 319 grant as a part of an approved PPG, the cost share/match requirement is waived. Please see Recipient/Applicant Information Notice (RAIN) 2022-G01 for more information on the match waiver: <https://www.epa.gov/grants/rain-2022-g01>. If the Tribe does not or cannot include the section 319 base grant as part of an approved PPG or chooses to withdraw the section 319 grant from their PPG, the Tribe must then contact the EPA Regional Tribal Coordinator for further instructions.

Content and Form of Application Submission for Base Grants

Please note that only the proposed work plan and budget, including all the components outlined in the section immediately below, need to be included in the initial application for base grants.

To apply for Section 319 base grants, you must submit a proposed work plan and budget via electronic submission ONLY at: <http://www.grants.gov/>. The specific content and form of the proposed work plan for the award of Section 319 base grants is as follows:

1. Proposed Work Plan

Tribes must submit a work plan to receive base funding. All work plans must be consistent with the Tribe's approved NPS management program and conform to legal requirements that are applicable to all environmental program grants awarded to Tribes (see 40 C.F.R. 35.507 and 35.515) as well as the grant requirements which specifically apply to NPS management grants (see 40 C.F.R. 35.638). As provided in those regulations, and in accordance with EPA Order 5700.7, *Environmental Results under EPA Assistance Agreements*, all work plans must include:

- a. Description of each significant category of NPS activity to be addressed;
- b. Work plan components, including cost estimate for each work plan component;
- c. Work plan commitments for each work plan component, including anticipated environmental outputs and outcomes (as required by EPA Order 5700.7) and the applicant's plan for tracking and measuring its progress towards achieving the expected outputs and outcomes;
- d. Total grant budget breakdown;
- e. Estimated work years for each work plan component;
- f. Roles and responsibilities of the recipient and EPA in carrying out the work plan commitments; and
- g. Reporting schedule and a description of the performance evaluation process that will be used that accounts for: (i) a discussion of accomplishments as measured against work

plan commitments and anticipated environmental outputs and outcomes; (ii) a discussion of the cumulative effectiveness of the work performed under all work plan components; (iii) a discussion of existing and potential problem areas; and (iv) suggestions for improvement, including, where feasible, schedules for making improvements.

2. Work Plan to Develop a Watershed-Based Plan

If a Tribe submits a work plan to develop a watershed-based plan, it must include a commitment to incorporate the nine components of a watershed-based plan.

3. Work Plan to Implement a Watershed-Based Plan

If a Tribe submits a work plan to implement a watershed-based plan, it must be accompanied by a statement that the Region finds that the watershed-based plan to be implemented includes the nine components of a watershed-based plan.

Submission Date and Time for Proposed Work Plans for Base Grants

Application submission due date for the FY26 grant cycle is April 17, 2026. Pursuant to the EPA Office of Grants and Debarment Policy Notice PN-2018-G12, “Establishment of Requirement of Full Application with Initial Submission,” recipients must submit a full application with an initial application, as defined in Grants Policy Issuances GPI-14-01, “Electronic Submission of Initial Grant Applications.” This includes submittal of all documents required under OGD’s “Full Applications Guidance.” A list of required assurances, which should also include a copy of the most recently approved IDC proposal (rate) and updated data competency documentation (when required).

This will also be posted on the tribal NPS website: www.epa.gov/nps/tribal. The EPA Regional Tribal NPS Program Coordinator will review the proposed work plan and budget for base funding and, where appropriate, recommend improvements to the plan by a specified date determined by the Region. The Tribe must submit a final work plan and budget by a specified date determined by the Region, as outlined in the chart on p 1. The Region will determine the due date for final grant applications.

General 319 Grant Requirements

Grant Requirements

A listing and description of general EPA regulations applicable to the award of assistance agreements may be viewed at <https://www.epa.gov/grants/epa-grants-overview-applicants-and-recipients>. All applicable legal requirements including, but not limited to, EPA’s regulations on environmental program grants for Tribes (*see* 40 C.F.R. §§ 35.500 to 35.735) and regulations specific to NPS grants for Tribes (*see* 40 C.F.R. §§ 35.630 to 35.638) apply to all Section 319 grants.

Non-Tribal Lands

The following discussion explains the extent to which Section 319 grants may be awarded to Tribes for use outside the reservation. We discuss two types of off-reservation activities: (1) activities that are related to waters within a reservation, such as those relating to sources upstream of a waterway entering the reservation; and (2) activities that are unrelated to waters of a reservation. As discussed below, the first type of these activities may be eligible; the second is not.

1. Activities That Are Related to Waters Within a Reservation

Section 518(e) of the CWA provides that EPA may treat an Indian Tribe as a State for purposes of Section 319 of the CWA if, among other things, "the functions to be exercised by the Indian Tribe pertain to the management and protection of water resources which are . . . within the borders of an Indian reservation" See 33 U.S.C. § 1377(e)(2). EPA already awards grants to Tribes under section 106 of the CWA for activities performed outside of a reservation (on condition that the Tribe obtains any necessary access agreements and coordinates with the State, as appropriate) that pertain to reservation waters, such as evaluating impacts of upstream waters on water resources within a reservation. Similarly, EPA has awarded section 106 grants to States to conduct monitoring outside of State borders. EPA has concluded that grants awarded to an Indian Tribe pursuant to Section 319 may similarly be used to perform eligible Section 319 activities outside of a reservation if: (1) the activity pertains to the management and protection of waters within a reservation; and (2) just as for on-reservation activities, the Tribe meets all other applicable requirements.

2. Activities That Are Unrelated to Waters of a Reservation

As discussed above, EPA is authorized to award Section 319 grants to Tribes to perform eligible Section 319 activities if the activities pertain to the management and protection of waters within a reservation and the Tribe meets all other applicable requirements. In contrast, EPA is not authorized to award Section 319 grants for activities that do not pertain to waters of a reservation. For off-reservation areas, including "usual and accustomed" hunting, fishing, and gathering places, EPA must determine whether the activities pertain to waters of a reservation prior to awarding a grant.

Administrative Costs

Pursuant to CWA Section 319(h)(12), administrative costs in the form of salaries, overhead, or indirect costs for services provided and charged against activities and programs carried out with the grant shall not exceed 10 percent of the grant award. The costs of implementing enforcement and regulatory activities, education, training, technical assistance, demonstration projects, and technology transfer are not subject to this limitation. It is common for work plans to include many of the above-stated exceptions to administrative costs. For example, most BMPs implemented by Tribes are considered demonstration projects and would fall under the administrative cost exemption. Note that indirect cost rates are set by Department of Interior for the Tribe and are independent of indirect costs mentioned in CWA.

Satisfactory Progress

For a Tribe that received section 319 funds in the preceding fiscal year, Section 319(h)(8) of the CWA requires that the Region determine whether the Tribe made “satisfactory progress” during the previous fiscal year in meeting the schedule of activities specified in its approved NPS management program. The Region will base this determination on an examination of tribal activities, reports, reviews, and other documents and discussions with the Tribe in the previous year. Regions must include in each Section 319 base grant award package (or in a separate document, such as the grant-issuance cover letter, that is signed by the same EPA official who signs the grant), a written determination that the Tribe has made satisfactory progress during the previous fiscal year in meeting the schedule of milestones specified in its NPS management program. The Regions must include brief explanations that support their determinations.

Operation and Maintenance

Each section 319 grant must contain a condition requiring that the Tribe assure that any management practices implemented for the project be properly operated and maintained for the intended purposes during its life span. Operation includes the administration, management, and performance of non-maintenance actions needed to keep the completed practice safe and functioning as intended. Maintenance includes work to prevent deterioration of the practice, repairing damage, or replacement of the practice to its original condition if one or more components fail. Management practices and projects that are damaged or destroyed due to a natural disaster (*e.g.*, earthquakes, storm events, floods, etc.) or events beyond the control of the grantee are exempt from this condition.

The condition must require the Tribe to assure that any sub recipient of Section 319 funds similarly include the same condition in the sub award. Additionally, such condition must reserve the right of EPA and the Tribe, respectively, to conduct periodic inspections during the life span of the project to ensure that operation and maintenance are occurring, and shall state that, if it is determined that participants are not operating and maintaining practices in an appropriate manner, EPA or the Tribe, respectively, will request a refund for the project supported by the grant.

The life span of a project will be determined on a case-by-case basis, tailored to the types of practices expected to be funded in a particular project, and should be specified in the grant condition. For assistance in determining the appropriate life span of the project, Tribes may wish to examine other programs implementing similar practices, such as the U.S. Department of Agriculture’s conservation programs. For example, for conservation practices, it may be appropriate to construct the life span consistent with the life span for similar conservation practices as determined by the Commodity Credit Corporation (pursuant to the implementation of the Environmental Quality Incentives Program). Following the approach used in many Federal funding programs, practices will generally be operated and maintained for a period of at least 5 to 10 years.

Reporting

As provided in 40 C.F.R. §§ 31.40, 31.41, 35.507, 35.515, and 35.638, all Section 319 grants must include a set of reporting requirements and a process for evaluating performance. Some of these requirements have been explicitly incorporated into the required work plan components that all Tribes must include to receive Section 319 grant funding.

The work plan components required for Section 319 funding, specifically those relating to work plan commitments and timeframes for their accomplishment, facilitate the management and oversight of tribal grants by providing specific activities and outputs by which progress can be monitored. The performance evaluation process and reporting schedule (both work plan components) also establish a formal process by which accomplishments can be measured. Additionally, the satisfactory progress determination (for Tribes that received Section 319 funding in the preceding fiscal year) helps ensure that Tribes are making progress in achieving the goals in their NPS management programs.

Regions will ensure that the required evaluations are performed according to the negotiated schedule (at least annually) and that copies of the performance evaluation reports are placed in the official files and provided to the recipient.

For additional information on building a nonpoint source program and the guidelines on base funding, you may contact Leah Mehl-Laituri via email at Mehllaituri.leah@epa.gov

Attachment 1

EPA PPG Eligible Grants

Congress determined the individual environmental program grants that were initially eligible for the PPG program when it authorized the program in 1996. In 2004, the Administrator added three grants to the list of PPG-eligible grants. Below is a list of grants eligible for inclusion in PPGs.

- General Assistance Program (GAP) – The Indian Environmental General Assistance Program Act of 1992
- Air Pollution Control – CAA Sec. 105
- Indoor Radon Grants – TSCA Sec. 306
- Water Pollution Control – CWA Sec. 106
- Nonpoint Source Management – CWA Sec. 319(h)
- Wetlands Development Grants Program – CWA Sec. 104(b)(3)
- Water Quality Cooperative Agreements – CWA Sec. 104(b)(3)
- Public Water System Supervision – SDWA Sec. 1443(a)
- Underground Water Source Protection – SDWA Sec. 1443(b)
- Hazardous Waste Management – SWDA Sec. 3011(a)
- State and Tribal Response (Brownfields) – CERCLA Sec. 128(a) (but excluding Small Community Technical Assistance Grants under CERCLA Section 128(a)(1)(B)(ii)(III))
- State Underground Storage Tanks – SWDA Sec. 2007(f)(2)
- Pesticides Cooperative Enforcement – FIFRA Sec. 23(a)(1)
- Pesticide Applicator Certification and Training – FIFRA Sec. 23(a)(2)
- Pesticide Program Implementation – FIFRA Sec. 23(a)(1)
- Lead-Based Paint Program – TSCA Sec. 404(g)
- Toxic Substances Compliance Monitoring – TSCA Sec. 28
- Environmental Information Exchange Network – EPA Appropriations Acts
- Pollution Prevention State Grants – PPA Sec. 6605

Attachment 2

Grants.gov Noncompetitive Application Submittal for Region 4 Tribes

EPA Region 4 is negotiating Tribal work plan(s) under the Performance Partnership Grants (PPGs) and separate program grants. New applications must be submitted to www.grants.gov by the dates provided by EPA project officers in this Notice of Availability of Tribal Program Funding or by email when draft work plans are approved. Supplemental applications may be submitted via e-mail to the Project Officer.

This attachment provides information on grants.gov submittal for non-competitive Tribal grants. Tribes needing additional information on submission may contact regional program project officers listed on pg. 2 of this Notice.

Grants.gov Requirements

In order to submit applications using Grants.gov, grantees must be registered with Grants.gov. Registration can take up to four weeks. Active SAM.gov registration is required to register with Grants.gov. More information is available at: <https://grants.gov/applicants/applicant-registration/>. See additional resources at the end of these instructions also.

Applications submitted through Grants.gov are electronically signed. The registration and account creation with Grants.gov with E-Biz POC approval, establishes an Authorized Organization Representative (AOR). When you submit the application through Grants.gov, the name of your AOR on file will be inserted into the signature line of the application. **Applicants must register the individual who is able to make legally binding commitments for the applicant organization as the Authorized Organization Representative (AOR).**

Application Submission Instructions for Tribal Grantees – Noncompetitive grants:

1. To access the grant application package in grants.gov, go to:
<https://www.grants.gov/applicants/search-for-opportunity-package>
2. Enter **EPA-CEP-01** (for PPGs with CFDA 66.001-66.605) or **EPA-CEP-02** (for CFDA 66.700-66.931, GAP) into the Funding Opportunity Number field as shown below. Leave the Opportunity Package ID field blank and click on the “**Search**” button.

Funding Opportunity Number:

Opportunity Package ID:

Search

- Then select “**Apply**” for the opportunity package based on the appropriate CFDA Number. An example is provided below:

OPPORTUNITY PACKAGE(S) CURRENTLY AVAILABLE FOR THIS FUNDING OPPORTUNITY:						
CFDA	Competition ID	Competition Title	Opportunity Package ID	Opening Date	Closing Date	Actions
66.001			PKG00213703		10/04/2020	Preview Apply
66.032	Section 105 Grant		PKG00214049		10/04/2020	Preview Apply
66.034			PKG00214050		10/04/2020	Preview Apply
66.038	Section 103 Grant		PKG00214051		10/04/2020	Preview Apply

Other CFDA numbers applicable to Tribes include: PPGs 66.605; GAP 66.926 (EPA-CEP-02); CWA 106 66.419; CWA 319 66.460; and Tribal Response 66.817.

- Enter your username and password to access your application package. If you do not have a username and password, you need to register as a new user in grants.gov.

HOME LEARN GRANTS SEARCH GRANTS APPLICANTS GRANTORS SYSTEM-TO-SYSTEM FORMS OUTREACH SUP

GRANTS.GOV > Login

LOGIN [Register as a New User »](#)

Select Account Type:

APPLICANT GRANTOR EBIZ POC

Applicant Login

Login below for additional Applicant features. To track your application without logging in, visit the [Track My Application](#) page. If you do not have a Username and Password, please [Register as a New User](#).

USERNAME:

PASSWORD:

(Case Sensitive)

LOGIN

[Change My Password](#)
[I Forgot My Username](#)
[I Forgot My Password/Unlock My Account](#)

- Next you will see a page similar to the one shown below and it should include all the necessary grant application and administrative forms including: SF 424 [Application]; SF 424A [Application Budget Pages]; Budget Justification Worksheet (aka, Object Class Categories Worksheets, See Attachment 6); EPA Form 4700-4 [Preaward Compliance Review Report]; and EPA Form 5700-54 [Key Contacts]. In addition, also include these documents as part of your

application package: your current negotiated Indirect Cost (IDC) Rate Agreement and workplan. Note that all Tribes are exempt from the certification regarding lobbying (SF6600-06) and disclosure of lobbying activities (SF-LLL) per Title 31 USC 1352 and 40 CFR 34.110. However, if any EPA funds are used for lobbying, the Tribe must submit a Lobbying Disclosure form to the Region when the grant is closed. Also note that effective October 1, 2018, all applicants are required to submit a full application package, complete with all forms necessary for award, with their initial grant application package. Since Workspace in Grants.gov allows applicants to copy and reuse forms, the bundling of grant application assurances/certifications has been discontinued.

MANAGE WORKSPACE

PA-DD-G20 - PKG00038528
Clinical and Epidemiological Research on Chronic Disease in the Caribbean (R01)
Test - KV

Application Filing Name: Chronic Research [Edit Name]
Workspace ID: WS00003491
AOR Status: Active
Workspace Owner: Steve Rogers

Workspace Status: New
Last Submitted Date: ---
SAM Expiration Date: Jan 01, 2020

Opening Date: Oct 08, 2017
Closing Date: Oct 08, 2025
DUNS: 00000000000001

Workspace Actions:

Preview Application Forms Check Application Sign and Submit Delete

Application Package Forms - Users are encouraged to follow [antivirus best practices](#) when Downloading Instructions and Forms: Download Instructions »

Include in Package	Form Name (Click to Preview)	Requirement	Form Status	Last Updated Date/Time	Locked By	Actions
<input checked="" type="checkbox"/>	SF424 (R & R) [V2.0]	Mandatory	---	---	---	Lock Download Upload Reuse Webform
<input checked="" type="checkbox"/>	Budget Information for Construction Programs (SF-424C) [V2.0]	Mandatory	---	---	---	Lock Download Upload Reuse Webform
<input checked="" type="checkbox"/>	R & R Subaward Budget Attachment(s) Form 5 YR 30 ATT [V1.4] MANAGE SUBFORMS: 0	Mandatory	---	---	---	Lock Download Upload Reuse Webform
<input checked="" type="checkbox"/>	Research and Related Senior/Key Person Profile (Expanded) [V2.0]	Mandatory	---	---	---	Lock Download Upload Reuse Webform
<input type="checkbox"/>	PHS 398 Career Development Award Supplemental Form [V3.0]	Optional	---	---	---	Lock Download Upload Reuse Webform

6. You may upload the pdf version of the various grant application and/or administrative forms as mentioned in the previous step to *Workspace*. Once you complete the forms in *Workspace* and upload them to *Workspace*, these forms can be re-used during the next grant cycle.
7. Submit your application package through *Workspace* by selecting the “Sign and Submit” button which will then ask you to put in your password as shown below.

PA-DD-G20 - PKG00038528
Clinical and Epidemiological Research on Chronic Disease in the Caribbean (R01)
Test - KV

Application Filing Name: Chronic Research [Edit Name]
Workspace ID: WS00003491
AOR Status: Active
Workspace Owner: Steve Rogers

Workspace Status: In Progress
Last Submitted Date: ---
SAM Expiration Date: Jan 01, 2020

Opening Date: Oct
Closing Date: Oct
DUNS: 000

FORMS PARTICIPANTS ACTIVITY DETAILS

Workspace Actions:

Application Package Forms - Users are encouraged to

Include In Package

Form Name (Click to Preview)	Requirement	Form Status	Last Updated Date/Time	Locked By	Actions
SF424 (R & R) [V2.0]	Mandatory	Passed	Oct 10, 2017 02:21:47 PM EDT	---	Lock Download Upload Reuse

Sign and Submit

If you want to submit the application package, enter your password and click the 'Sign and Submit' button below to complete the process.

*Password: [password field]

Sign and Submit Cancel

Download Instructions

- To track the status of your application package in Workspace, select the Details tab (as circled below):

MANAGE WORKSPACE

Created Forms Passed Complete and Notify AOR Submit Agency Received

PA-DD-G20 - PKG00038528
Clinical and Epidemiological Research on Chronic Disease in the Caribbean (R01)
Test - KV

Application Filing Name: Chronic Research [Edit Name]
Workspace ID: WS00003491
AOR Status: Active
Workspace Owner: Steve Rogers

Workspace Status: In Progress
Last Submitted Date: Oct 10, 2017
SAM Expiration Date: Jan 01, 2020

Opening Date: Oct 08, 2017
Closing Date: Oct 08, 2025
DUNS: 00000000000001

FORMS PARTICIPANTS ACTIVITY DETAILS GRANTOR IMAGE PREVIEW GRANTOR VALIDATION

Workspace Activity: Export Detailed Data

1-25 of 37 Records

Applicant Grants.gov Support:

Visit the Grants.gov Applicant Resource page here: <https://www.grants.gov/applicants> for information on Applicant Training, Adobe Compatibility, Applicant FAQs, etc.
For technical assistance with grant application submissions, please call or email the Grants.gov Contact Center by phone at 1-800-518-4726 or by email at support@grants.gov.
The Grants.gov Contact Center is open 24 hours a day, 7 days a week at <https://www.grants.gov/support>.

Attachment 3

DRAFT Procedures:³ Region 4 Indirect Cost Rate Information for Tribal Governments

Per Grants Policy Issuance (GPI) 18-02, Tribal Governments must have a current (not expired) IDC rate approved and an EPA-approved budget that includes IDCs prior to drawing down EPA funds for indirect costs (IDCs). IDC drawdowns must comply with the approved indirect rate effective during the period which the rate is applied. Tribes must provide a copy of their most recently Negotiated IDC Rate Agreement (NICRA) with their grant application package.

The Department of the Interior (DOI) is the cognizant federal agency for all Tribal governments, therefore, DOI is responsible for negotiating IDC rates with Tribes on behalf of the entire federal government. Proposed rates submitted to DOI for approval do not qualify as current IDC rates, so Tribes cannot draw down IDCs until their proposed rate is approved by DOI. However, EPA will allow a Tribe that has submitted a current IDC proposal to DOI for approval to include IDCs in their award budget using their proposed rate, subject to adjustment once their IDC rate is approved by DOI. To use a proposed rate for IDC budgeting, the Tribe must provide documentation from DOI verifying a current proposal was submitted by the Tribe for approval. Expired indirect cost rates cannot be used by Tribes to budget for IDCs or to draw down IDCs. If a Tribe does not have a current approved IDC rate, Region 4 can provide Tribes with the following options:

1. If the Tribe's most recent expired rate is a fixed rate with carryforward, the Tribe can request a regulatory exception from EPA to allow them to continue using their expired rate on EPA awards. Tribes may budget for IDCs if they have submitted a regulatory exception request to EPA. However, they cannot draw down IDCs until their exception request is approved by EPA.
2. If the Tribe's most recent expired rate was a final rate or a predetermined rate, they can request that DOI, as their cognizant agency, extend their expired rate to the current fiscal year.
3. Tribes can use the de minimis rate of 15% applied to modified total direct costs (MTDC) in accordance with 2 CFR 200.414(f). MTDC includes all direct salaries and wages, applicable fringe benefits, materials and supplies, services, travel, and up to the first \$50,000 of each subaward (regardless of the period of performance of the subawards under the award). MTDC excludes equipment, capital expenditures, charges for patient care, rental costs, tuition remission, scholarships and fellowships, participant support costs and the portion of each subaward in excess of \$50,000. The 15% de minimis rate can be used indefinitely or until all previous and current FY rate agreements are approved.

³ Subject to change with Regional and/or National Policy revisions

4. If a Tribe is continuously late submitting their IDC proposals to DOI for approval, they can request that DOI allow them to negotiate their current fixed rate with a three-year carryforward instead of a two-year carryforward. This will allow the Tribe to use their audited financial statements from three years prior instead of two years prior to calculate their current rate, which will speed up their proposal preparation process.

Attachment 4

Sample Work Plan

Tribe: Region: 4					Work Plan Period Begin: 10/01/XX End: 09/30/XX				
Work Plan Component 1: Check appropriate capacity areas for this component below: Legal__ Enforcement/Compliance__ Technical Communication__ Administrative__ Waste Implementation __									
Long-term Capacity Goal and Outcomes (<i>as identified in ETEP</i>): Build capacity to Intermediate Outcomes (<i>under this work plan for ETEP priority</i>):									
Estimated Component Cost: \$.00 (includes FTE cost)					Estimated Component Work Years (FTE):				
COMMITMENTS				MILESTONE END DATES	OUTPUTS AND DELIVERABLES			CAPACITY INDICATORS	
1.1									
1.2									
1.3									
<u>EPA Use Only</u>									
2026-2030 EPA Strategic Plan									
Goal									

Attachment 5

Competency Policy Documentation Checklist

The Data Competency annual certification of competency is required prior to the grant award and the annual maintaining of competency is required with the technical progress reports, per the Data Competency Policy FEM-2012-02, which became effective March 13, 2013 and was updated December 21, 2016. Please contact your technical officer or project officer for specific program or project requirements. Each program implements and approves the data competency requirements differently.

Examples of Competency Documentation/Certification:

Δ Cooperative Agreements/Grants - successful past performance on the same/similar grants regarding the generation or collection of environmental data and complying with grant terms and conditions for data quality for both field and laboratory activities and analysis. Provide list of past grants.

Δ Participation in Certification Programs (e.g. NELAC, ISO) for laboratory or field activities that are applicable to the environmental data generated under the Agency-funded assistance and provide copies of certification and date of certification. Note if using certified contract labs, provide their certification and list of contaminants for which they have certification.

Δ Use of Other Laboratory Services - Provide names of laboratories providing services to the grantee and contaminants of concern.

Δ Participation in external proficiency testing (PT) program documented by list of programs and dates.

Δ Quality documentation, such as Laboratory Quality Manuals, QA Standard Operating Procedures (SOPs) - provide documents or web links.

Δ Audit Results (periodic quality management system reviews, laboratory, or technical audits) - list type of audit, auditing organization, date, findings, and corrective actions taken (if any).

Δ EPA approved Quality Management Plan and Quality Assurance Project Plans - list dates EPA approved and/or updated and expiration dates.

Δ List any other activities or actions that ensure environmental data collection and use competency, such as continuous specific training for staff collecting or using data.

U.S. Environmental Protection Agency Region 4
Data Competency Certification Form

The Competency Policy (FEM-2012-02), requires organizations generating or using environmental data under Agency-funded assistance agreements (greater than \$200K) to submit documentation of their competency prior to award of the agreement or if not practicable, prior to beginning any work involving the generation, or use of environmental data. This includes organizations performing environmental sampling, field measurements, and/or laboratory analyses.

- ☐ **Quality system documentation such as a Quality Management Plan (QMP), Quality Assurance Project Plan (QAPP) and/or other documentation that demonstrates conformance to U.S. EPA quality program requirements.** *Provide the document(s) title and expiration date.*

Demonstration of Competency may include the following: (Check **one or more** of the appropriate blocks that supports your “Data Competency” certification.

- ☐ **Participation in Accreditation or Certification Programs** e.g., National Environmental Laboratory Accreditation Program (NELAP), International Organization of Standardization (ISO).

The accreditation or certification program must be applicable to the environmental data generated under the

Agency-funded assistance. *Provide accreditations or certifications.*

- ☐ **Participation in an external Proficiency Testing (PT) Program** (independent of external programmatic certifications (e.g. laboratory) *Provide a list of proficiency testing programs and dates.*

- ☐ **Standard Operating Procedures (SOPs)** *Provide a list of SOPs pertinent to activities of generating, collecting, or using environmental data within the Scope of Work (SOW). Include the date of last review of the SOPs.*

- ☐ **Demonstrations and Audits/Assessments of proficiency.** *Provide the date of the audit and a summary of the findings.*

- ☐ **Contract laboratories.** *Provide current/up-to-date certificates for accreditations and certifications held by contract laboratories used in data analysis.*

- ☐ **Other pertinent documentation that demonstrates competency** (e.g. training records, past performance of similar SOW) *Provide a list of other activities not mentioned that is considered part of your Quality Assurance (QA) program.*

Please return the completed and signed form, with supporting documentation, to your Project Officer (PO).

Grantee Data Competency Certification: I acknowledge the terms and conditions listed in the grant cooperative agreement, which address Quality Assurance and Data Competency requirements for the grant. The signature attests to the best of my knowledge that the above information is accurate and complete.

Grantee's Authorized Official (print): _____ **Title:**

Signature of Authorized Official: _____ **Date:** _____

Attachment 6

Budget Justification Worksheet

You must provide a detailed cost justification for the estimated budget amounts reflected in Section B of your SF-424A application form. This detailed information will enable the EPA project officer to perform the required analysis to determine if the costs are reasonable and necessary. You may use the following format or a format of your choice to provide this information.

[NOTE: Please indicate any pre-award costs with a star (*)]

a. PERSONNEL

POSITION	NUMBER	SALARY	WORK YEARS	AMOUNT
a. PERSONNEL TOTAL				

b. FRINGE BENEFITS

BASE	
RATE	x
b. FRINGE BENEFITS TOTAL	

c. TRAVEL

If the grant is not for a continuing environmental program or if travel is not well documented in the work plan, provide a breakdown of the number of trips, destinations, number of travelers, etc. to document estimated travel costs.

c. TRAVEL TOTAL:

OBJECT CLASS CATEGORIES WORKSHEET

d. EQUIPMENT

Tangible, non-expendable, personal property having a useful life of more than one year and an acquisition cost of \$10,000 or more per unit. Please list equipment items (i.e., vehicles, boats, etc.) and provide adequate detail to enable the EPA project officer to make an eligibility determination and to verify cost. For “equipment” with a cost of less than \$10,000 per unit, list under supplies.

[illegible]

OBJECT CLASS CATEGORIES WORKSHEET

e. SUPPLIES

List by groups (as appropriate), such as office supplies, lab supplies, field supplies. If the cost for a particular group is over \$50,000, please provide a list of the more costly items or subsets.	
e. SUPPLIES TOTAL	

f. CONTRACTUAL

List <u>each</u> planned contract and the type of services/project activity to be procured. Agreements/contracts with other governmental agencies (state, local or Federal) should be listed under category h. OTHER.	
f. CONTRACTUAL TOTAL	

OBJECT CLASS CATEGORIES WORKSHEET

g. CONSTRUCTION (N/A)

h. OTHER

List other items that would not be appropriately included elsewhere, such as costs for maintenance, operations, repairs, motor pools, rental, training, publication, and printing, and Intergovernmental Agreements	
h. OTHER TOTAL	

i. TOTAL DIRECT COSTS: (Sum of categories a through h)	
ii. MODIFIED TOTAL DIRECT COSTS (if applicable)	
j. INDIRECT COSTS: (RATE: %)	
k. TOTAL PROPOSED COSTS: (Sum of categories i through j)	
FEDERAL FUNDS REQUESTED: _____% RECIPIENT SHARE OF TOTAL PROPOSED COSTS: _____%	