



Region 6 Water Quality Protection Division Clean Water Act Section 106, CFDA Number 66.419 Tribal Water Pollution Control Program Cooperative Agreements Request for Applications and Work Plans

Funding Opportunity

The U.S. Environmental Protection Agency (EPA), Region 6, Water Quality Protection Division, State/Tribal Programs Section is soliciting applications and work plans for the Fiscal Year (FY) 2008 Clean Water Act (CWA) Section (§) 106 Tribal Water Pollution Control Program. Funding is available to Tribes having Treatment in the same manner as State (TAS) eligibility. The Water Pollution Control Program assists Federally-recognized Indian Tribes with achieving environmental results by developing institutional capacity to administer water pollution control programs and to protect, improve, and enhance natural resources. This request for applications and work plans can be obtained at www.epa.gov/earth1r6/6wq/at/tribal/index.htm, or by contacting your EPA Region 6 Tribal 106 Project Officer, listed on Page 7 of this document.

Eligibility Information

You must submit a TAS eligibility application to EPA Region 6, and the Region must approve for the Tribe to receive CWA § 106 grants. Your TAS eligibility application can be included with an application for a § 106 grant, no later than the deadline for submission of the § 106 grant application and work plan. (See Flow Chart, Page 8). The requirements for CWA § 106 TAS are found at: [40 Code of Federal Regulations \(CFR\) § 130.6\(d\)](#).

Award Information

Region 6 will allocate approximately \$3.4 million to support CWA §106 Tribal program. This funding will allow EPA to award grants averaging \$60,000.00 - \$75,000.00. Due dates are shown on Page 7.

Eligible Activities

Activities eligible for funding under this grant program include, but are not limited to:

- Ambient water monitoring;
- Developing water quality standards;
- Developing and implementing of ground-water, wetland protection;
- Developing a Non-Point Source Assessment and Management Plan;

Ineligible activities include (but are not limited to):

- Construction related project activities;
- Purchase or acquisition of land;
- Duplicated efforts funded from another Federal source;
- Projects funded by other grants;

- Compliance monitoring for NPDES permitted facilities or public water systems

Clean Water Act § 106 Tribal Guidance for FY07 and Beyond

Additional information concerning eligible and ineligible activities can be found in the *Final Guidance on Awards of Grants to Indian Tribes Under the Clean Water Act for Fiscal Years 2007 and Beyond*, or **Guidance**, and may be viewed online at: <http://www.epa.gov/owm/cwfinance/final-tribal-guidance.pdf> . Tribes with limited experience with water quality programs, information discussing flexible approaches can be found in **Chapters 5 through 7** of the **Guidance**. Tribes may use any one of these approaches or a combination of them. Also, Tribes may decide to change approaches at any future time.

Linking Activities to EPA’s Strategic Plan

EPA’s Strategic Plan is implemented through Regional commitments under the National Program Guidance. The Office of Water’s National Program Guidance is available on the following website: <http://www.epa.gov/water/waterplan/index.html#VI> . For FY08, EPA Region 6 has made commitments as shown in the table below for measures related to CWA activities for surface waters. These measures also include performance commitments for EPA Region 6 staff (e.g., WQ-02, WQ-04b, WQ-12b and WQ-19b).

Measure	Measure Summary Description	National Target	Region 6 Commitment*
WQ-02	Tribes with WQS approved by EPA (cumulative)	33	10
WQ-03b	Tribes submitting new WQS to EPA with new science	14 (47%)	5
WQ-04b	Tribal WQS approved by EPA on schedule	67%	75%
WQ-06a	Tribes developed and implementing monitoring strategies	89	14
WQ-06b	Tribes providing water quality data in EPA format	52	7
WQ-12b	Number of tribal NPDES permits current R6 Universe: 10	326 (88%)	9
WQ-19b	High priority tribal EPA NPDES permits issued as scheduled	59 (95%)	0 (95%)

In addition to the measures in the above table, EPA’s strategic plan includes the following (national) strategic target (“SP-14” or “Measure N”):

By 2012, improve water quality in Indian country at not fewer than 50 baseline monitoring stations in tribal waters (cumulative) (i.e., show improvement in one or more of seven key parameters: dissolved oxygen, pH, water temperature, total nitrogen, total phosphorus, pathogen indicators, and turbidity). (2006 baseline: 185 monitoring stations on tribal waters located where water quality has been depressed and activities are underway or planned to improve water quality, out of an estimated 1,661 stations operated by tribes.)

Part 1 - The Work Plan - Narrative

The Tribal work plan describes in detail the work activities (outputs) that will be carried out and the outcomes (environmental results) that will be achieved through use of CWA § 106 grant funds with agreement of the EPA Project Officer. The work plan is the basis for managing, planning, and evaluating performance under the § 106 grant agreement. Each program task that is negotiated should include a goal, objective, and milestone(s). **All work plans must have associated costs for each work plan task or activity that justifies the amount of funding requested.** If the optional two-year project period is chosen, there must be a corresponding budget and work plan tasks for a two year period.

Base Program

Base program describes the basic water quality program the Tribe seeks to implement using the CWA §106 grant funds. Tribes may choose to apply for Base Program funding only, or \$60,000.00. This program typically includes the following: Water program staffing; water resources planning; working on Tribal water quality related ordinances; reviewing proposed water permits; conducting education and outreach; operational and support costs (such as training, supplies, equipment). In addition, travel funds can be budgeted for training, conferences, and meetings.

Variable Program: (Optional)

The amount of available CWA §106 funding may exceed the designated base amount of \$60,000.00. **Those Tribes applying for a variable amount may include this amount with their base program activities.** The EPA Region 6 will assess variable work plans received against the components in the *Tribal FY 2008 Clean Water Act §106 Ranking Criteria and Scoring Mechanism*. See Pages 10 and 11. Variable activities may include any additional self-determined Tribal environmental priorities that build upon the Tribe's Base Program and must comply with all Base Program requirements.

Data Collection Activities/Projects

Data collection activities may be included under both the Base and Variable Programs. The work plan must explain any other environmental program activities or projects that will be undertaken to support or build those programs. These activities may involve, but are not limited to; surface water, sediment, groundwater, or development of wetlands inventory, etc.

Monitoring objectives or activities should be listed as **separate work plan tasks** with goals, objectives, environmental outputs/outcomes, milestones, and deliverables.

If the project activity includes the collection or interpretation of environmental data, then any monitoring and/or analysis activities undertaken by a Tribe must be performed in accordance with EPA's quality assurance/quality control guidance, as stated here in [CFR 40 § 130.4](#). More information can be found on EPA's website at: http://www.epa.gov/quality/qa_docs.html , and *Quality Assurance Project Plan (QAPP)*, Part 3, Page 6, of this document.

Non-Data Collection Activities

These activities may include but are not limited to; outreach and education, Tribal ordinances, Non-Point Source Assessment Plan and Management Report, source water protection plans, issuance of CWA § 401 certifications by Tribes with authority under CWA § 303(c) and § 401, and other activities not included in either the Base Program or Data Collection activities.

Data Submission

Federal regulations and EPA policy require that data collected with federal funding be submitted to EPA.

If the water quality monitoring program includes sampling sites and the Tribe does not wish to submit their monitoring data, CWA § 106 funds should not be used to conduct monitoring at those particular sites. For information regarding EPA's policy and response to comments provided by EPA American Indian Environmental Office (AIEO), click here: [EPA's Policy on Data Submission](#). The website is currently being updated.

Data Quality Objectives

If the activity or project entails water quality monitoring or other environmental data collection activities, Data Quality Objectives must be referenced in the work plan as a specific task, and explained in more detail as specific activities in the QAPP. [Additional information on DQOs and QAPPs can be found here](#) or on EPA's website at http://www.epa.gov/quality/qa_docs.html .

Work Plan Requirements (Narrative)

I. Background or Introduction

Provide a general introduction that contains background information about the Tribal lands in which the project activities will be conducted. This includes: land size, population, location, boundaries, and an atlas of water resources (miles/acres of surface water, groundwater, and wetlands). Please include a map of the area in which project activities will be conducted. Technical assistance may be provided to new applicants.

Provide a brief summary of previous activities and accomplishments. Include previous years' work efforts.

Provide specific information regarding any environmental results achieved.

Provide a brief summary on the activities that will be conducted by the Tribe under this grant during the project period.

Provide and identify any other funding sources that the Tribe has or plans to pursue for funding water priorities and programs (EPA grants, grants from other Federal agencies, etc.). If similar projects or program elements are being funded with other sources, please identify how this request can be differentiated.

[Click Here to View a Template of the Work Plan Narrative.](#)

II. Goals

Goals describe future expected outcomes, provide programmatic direction, and focus on ends rather than means. As goals are developed, consider plans to accomplish these goals as an end result of the task being described and include a general timeframe for your goals. Long term goals, such as developing and implementing a groundwater ordinance, are usually not accomplished during an assistance agreement funding period.

III. Objectives

Objectives should provide steps to achieve goals; solve problems and meet priorities and needs. Examples: surface water monitoring, water resources education, groundwater resource planning.

IV. Outputs

Outputs are measurable environmental activities, efforts, and/or associated work products or services related to an environmental goal or objective, that will be produced or provided over a period of time or by a specified date. Examples: estimating how many permits will be reviewed, or how many samples will be collected.

V. Milestones and Estimated Costs

Milestones are significant events and/or key accomplishments that include an estimated project schedule with dates of completion. Each milestone should include the estimated funding or cost designated for each task. These assist the Tribes and EPA Region 6 in determining the progress made throughout the year. **Milestones, whether met or not, should be highlighted or summarized in the quarterly progress reports.**

VI. Outcomes

Outcomes may be environmental, behavioral, health-related, or programmatic in nature and may not be achievable within a funding period. Outcomes are actual changes or benefits resulting from activities or outputs of the program and are generally quantifiable.

VII. Deliverables

Deliverables are the products, efforts, or results that will be produced as a result of the “Output,” as they correspond to each activity, project, or individual task, to the maximum extent practical. At times, deliverables and outputs may be the same. The deliverables and outputs should be identified in the work plan and produced under the grant.

Examples of Deliverables: All required Reports to EPA, Wetlands Conservation Plan, a Non-Point Source Assessment and Management Plan, a brochure used for education and outreach, a report on the failure rates of on-site systems on the Tribal lands, or agendas/attendee lists from training attended.

References to **Work Plan Requirements II through VII** are included in **Chapter 3** of the **Guidance**.

VIII. Performance Evaluation Process

Performance Evaluation

The Regulations, [40 CFR § 35.107\(b\)](#), *Work Plan Requirements*, requires that the following information must be included in work plans:

- 1) A performance evaluation process and reporting schedule in accordance with §35.115; and
 - 2) The roles and responsibilities of the recipient and EPA in carrying out the work plan commitment.
- For more details, you can review the [Performance Evaluation Process](#).

The EPA Tribal 106 Project Officer and the Tribe will determine and discuss the Program development and program goals during work plan negotiations and during the Annual Program Evaluation.

For more information, refer to **Chapter 3** of the **Guidance**. If you have any questions, contact your EPA Region 6 Tribal 106 Project Officer.

IX. Reporting Schedule

Quarterly Reports and Narrative Report

Quarterly reports should include the status of work plan goals, tasks and deliverables; status of expenditures; summary of accomplishments and concerns; anticipated delays; milestones, whether met or not, should be highlighted or summarized; and any other information relevant for the Project Officer.

The final narrative report should include an introduction; a complete summary of project activities completed during the entire project; and a summary of project activities. **Data; data analysis; and conclusions should be included in the Tribal Assessment Report (TAR), as stated below.**

If a two year project period is chosen, the annual narrative report (submitted at the end of fourth quarter), will be the opportunity to report project success or requesting revision of the work plan for the next year.

For every level of program development, there are specific reporting requirements. Refer to **Chapter 3** of the **Guidance** for further explanation on reporting requirements, or contact your Project Officer for examples of these reports.

NEW!! Tribal Assessment Report (TAR)

The TAR consists of three components: *monitoring strategy, water quality assessment report (also known as the technical "§ 305 (b) type" report in previous years), and electronic copies of water quality data.* **The TAR should be identified as an annual deliverable under the Base and Variable Program work plans, and**

must be submitted annually to continue to receive CWA § 106 funds. More details on the Tribal Assessment Report can be found in **Chapter 8** of the **Guidance**. Examples of § 305(b) type Reports and additional information can be found at <http://www.epa.gov/owow/monitoring/guidelines.html> .

Part 2 - The Work Plan Table/Chart

The work plan chart provides a brief overview of all activities explained in the Part 1, The Work Plan Narrative. This chart includes the work plan requirements listed above, and is beneficial when developing and reviewing reports and provides information on your activities "at a glance." This attachment should be included with each work plan. [Click Here for Examples of Work Plan Charts by Program Level.](#)

Part 3 - The Quality Assurance Project Plan (QAPP)

A Quality Assurance Project Plan (QAPP) must be identified as a deliverable in the work plan, whether it is a new submittal or revision. All monitoring and analysis activities must meet applicable quality assurance and quality control requirements, as stated in **40 CFR § 130.4**. The QAPP (with Data Quality Objectives - DQOs), must be approved prior to any data collection, field work, sampling activity, including data gathered from other sources, i.e., secondary data.

All future QAPPs will be approved for up to a **three-year** period. More information on DQOs and QAPPs can be found on EPA's website at http://www.epa.gov/quality/qa_docs.html .

Part 4 - The Budget Justification or Budget Narrative

The Budget Justification or Budget Narrative, is a supplement to the Standard Form 424A (grant application); and when completed, provides an itemized narrative of the budget under Section B - Budget Categories, Part 6, Object Class Categories. This document also explains how the Tribe will manage and utilize their CWA § 106 grant funds in their program. [Examples of Budget Documents and Additional Information Can Be Found Here.](#)

APPLICATION AND SUBMISSION INFORMATION

A. REQUEST FOR APPLICATIONS AND/OR WORK PLANS (RFA/WP)

If the Tribe is applying for base funds only, a complete grant application must be submitted along with the work plan proposal, by the first due date.

If the Tribe is applying for base and variable funds, regardless of whether they are submitting a two-year project, they should submit a work plan and budget justification without the completed application forms by the first due date. The required Grant Application Forms, Standard Form (SF 424), and other requirements, are available at: http://www.epa.gov/ogd/grants/how_to_apply.htm , and by mail upon request by calling the Grants Administration Division at (202) 564-5320.

The SF 424, Line 12, requires that you place in this field the Federal Opportunity Number: **R6106T**. [Click Here for Instructions and Example of the Grant Application.](#)

The SF 424, Line 16, requires that you provide the Congressional District of your Tribe and the areas or district(s) affected by your program or project.

These are the maps showing the Congressional Districts: [Louisiana](#), [New Mexico](#), [Oklahoma](#), [Texas](#) .

B. DOCUMENT SUBMISSION

Applicants must submit their application and work plan proposals via hard copy by postal or commercial delivery service, hand delivery, or courier service to the Regional EPA contact listed in Tables 1 & 2 below. **EPA will not accept faxed submissions.** Refer to the flow chart on Page 8 for further clarification.

Submit **one original** of the complete application with **original signatures on all applicable forms** and **two copies** of the complete application package for quick distribution and review.

APPLICANTS SUBMITTING DRAFT WORKPLANS AND BUDGET JUSTIFICATIONS FOR BASE AND VARIABLE BY THE FIRST DEADLINE: These first drafts may be submitted via email as a Microsoft Word attachment. Pictures and/or maps may be included as separate files using .jpg or .tif format. After negotiations and offer letters are completed, applicants must send in hard copies as outlined in the previous paragraph.

Table 1: SUBMISSION SCHEDULE ---- BASE FUNDING ONLY

SUBMISSION DATES	<i>Due in EPA Region 6</i>	ADDRESS
FINAL grant application and DRAFT work plan and budget justification (Three hard copies by mail only).	(NOT just postmarked) April 15, 2008	Donna R. Miller Chief, State/Tribal Programs Section (6WQ-AT) U.S. Environmental Protection Agency Region 6 1445 Ross Avenue, Suite 1200 Dallas, TX 75202-2733
First-Time Applicants MUST also submit a complete TAS application to be reviewed and approved by EPA, or documentation of previous TAS approval prior to receiving CWA §106 funding.	(NOT just postmarked) April 15, 2008	

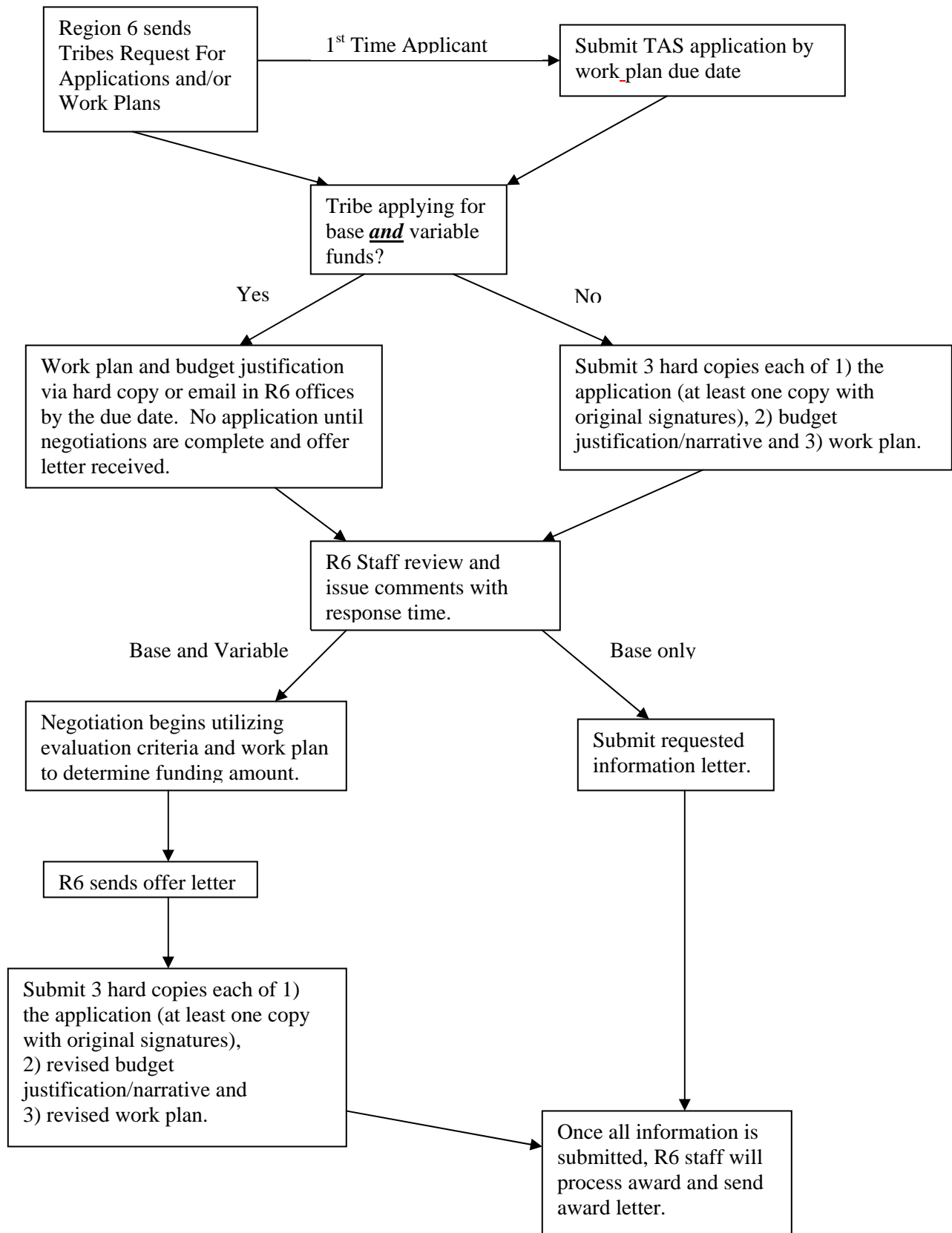
Table 2: SUBMISSION SCHEDULE ----- BASE AND VARIABLE FUNDING

SUBMISSION DATES	<i>Due in EPA Region 6</i>	ADDRESS
DRAFT work plan and budget (by mail or email)	(NOT just postmarked) April 15, 2008	Donna R. Miller Chief, State/Tribal Programs Section (6WQ-AT) U.S. Environmental Protection Agency Region 6 1445 Ross Avenue, Suite 1200 Dallas, TX 75202-2733
First-Time Applicants MUST also submit a complete TAS application to be reviewed and approved by EPA, or documentation of previous TAS approval prior to receiving CWA §106 funding.	(NOT just postmarked) April 15, 2008	
Work Plan and Budget Negotiation. If applicable, submission of revised work plan with negotiated tasks and funding amount.	(NOT just postmarked) April 15, 2008	
FINAL grant application and budget. (Three hard copies by mail only).	(NOT just postmarked) April 15, 2008	

Questions? Comments? Contact Your Project Officer Listed Below:

Mr. George Craft at (214) 665-6684, or craft.george@epa.gov
 Ms. Freda Wash at (214) 665-8342, or wash.freda@epa.gov
 Ms. Nikole Witt at (214) 665-2781, or witt.nikole@epa.gov

REGION 6 CLEAN WATER ACT, §106 TRIBAL GRANT APPLICATION PROCESS



C. NEGOTIATION PROCESS

The Region 6 and Tribes will negotiate any requested funding level above the base amount at the request of the Tribe. In addition, work plan tasks may be negotiated. The negotiation may include meetings and conference calls. The amount of variable funding open to negotiation depends on available funds and past performance of the Tribe. This process is explained in *FY08 Clean Water Act (CWA) § 106 Work Plan Variable Negotiation Process*. See pages 12 and 13.

D. PROJECT PERIOD

Optional Two-Year Project Period (Tribes may wish to continue annual applications and proposals). Region 6 encourages all Tribal grantees to move toward a two-year project period. A two-year project period would require a corresponding two-year work plan and budget justification. Tribes applying for two-year projects must separate the project's work and budget justification for Year One and Year Two.

Advantages: 1) Less paperwork; 2) Faster processing time for Amendment versus New Award, after negotiation for variable funding; and 3) More flexibility to adjust task schedules.

E. BUDGET PREPARATION

Cost Sharing (Match)

There is a 5 percent (5%) match requirement for the CWA § 106 Program, and may be either cash or In-Kind. The numbers provided in Part 424A Budget Categories and Budget Justification should include the **Total Project Costs** needed to carry out the activities described in your work plan. The Total Project Costs include the EPA Federal funds plus Tribal match. **Note: Multiplying EPA grant amount by .05 ≠ the correct match for your grant.**

Example: EPA Federal Amount = \$60,000.00
Total Amount (Federal + Tribal Match) = $\$60,000.00 \div .95 = \$ 63,158.00$
Tribal Amount (Match) = $\$63,158.00 \times .05 = \$ 3,158.00$

Another formula: $\frac{\text{Federal Share}}{.95} = 100\% - \text{Federal Share} = 5\% \text{ match}$

Tribes may use many different kinds of contributions to meet the match requirements.

- **Cash** Tribal personnel costs; Tribal travel; Tribal equipment; Money contributed by another Organization or individual to the Tribe or project; and [Public Law 93-638](#) funds (Indian Self Determination Act)
- **In-Kind** **Non Tribal.** Personnel costs donated by another organization; Services or activities donated by another organization; Volunteers; Equipment donated by another organization; and Equipment donated by Tribe (non-federal)

Items that CANNOT be used as match/cost share funds:

- ∅ Other federal funds, except when provided by statute ([Public Law 93-638](#) funds, Indian Self Determination Act).
- ∅ Unallowable costs for the project/program.

Please refer to [40 CFR Part 31.24](#), *Match or Cost Sharing*, for additional information, or contact your Project Officer.

Tribal FY 2008 Clean Water Act § 106
Ranking Criteria and Scoring Mechanism

Please note that all components as outlined in the proposal requirements **MUST** be present to receive consideration for supplemental (variable) funding. Proposals for supplemental funding will be scored against the selected criteria provided below as it relates to the Tribal 106 Guidance. The maximum high score is 100.

<u>Criteria and Scoring Mechanism for Variable Allocation</u>	<u>Possible Score (Weight)</u>
<p>If previous Water Quality monies (104(b)3, 106, 319) have been awarded to the Tribe, was past performance satisfactory?</p> <ol style="list-style-type: none"> 1. Tribe has one open § 106 grant = 10 points 2. Tribe has two open § 106 grants = 5 points 3. Tribe has more than two open §106 grants = 0 points <p>MAXIMUM 10 POINTS</p>	0, 5, 10
<p>Does the project identify and address specific water quality environmental concern(s), and include objective(s) to address the concern(s); (i.e. watershed plans, environmental assessments, comprehensive monitoring strategies, etc.)?</p> <ol style="list-style-type: none"> 1. Provided specific Tribal environmental concerns related to the EPA Strategic Plan to improve and/or protect WQ = 10 points 2. Provided general environmental concerns only = 5 points 3. No specific Tribal environmental concerns provided = 0 points <p>MAXIMUM 10 POINTS</p>	0, 5, 10
<p>Data Collection Activities Only Is the proposal technically sound? (For instance, if monitoring or habitat assessment is proposed, does the proposal reference monitoring objectives, DQOs, a sampling design, parameters, and methods as stated in the Tribe's QAPP?)</p> <ol style="list-style-type: none"> 1. <u>Referenced</u> DQOs, integrated with sampling design, monitoring objectives, or methods as stated in the <u>QAPP</u> = 10 points 2. Monitoring objectives, etc mentioned but no reference to QAPP = 5 points 3. Proposal provides no reference to methods or QAPP = 0 points <p style="text-align: center;">AND/OR</p> <p>Non-Data Collection Activities Only Does the proposal give outputs and outcomes as stated in the Section 3-9 of the Guidance (training, outreach, compliance, and/or Tribal environmental enforcement, etc.)?</p> <ol style="list-style-type: none"> 1. Proposal gives the (output) number of training sessions, number of persons to be trained, or the number of inspections or enforcement actions; and the (outcome) increase in knowledge transferred, or knowledge of the number of facilities that reduce the pollutants that effect WQ. = 10 points 2. Proposal gives only the output or outcome but not both = 5 points. 3. Proposal does not give out or outcome = 0 points <p>MAXIMUM 10 POINTS TOTAL WILL BE GIVEN</p>	0, 5, 10

<p>Does the project offer the potential to improve Tribal approaches to make decisions about aquatic life support (chemical) and attainment (biological monitoring) and other uses (i.e. ceremonial, drinking water, and recreational)?</p> <ol style="list-style-type: none"> 1. Aquatic life use attainment monitoring using a minimum of one indicator or use support decisions for other uses including indicators other than in-situ field parameters = 15 points 2. Inclusion of chemical monitoring (i.e., nutrients, metals, etc.), other than standard in-situ field parameters = 10 points 3. Support decisions for standard in-situ field parameters = 5 points 4. No support decisions referenced = 0 points <p>MAXIMUM 15 POINTS</p>	<p>0, 5, 10, 15</p>
<p>Does the proposed budget amount correlate with nine of the work plan elements and give associated costs for each work plan activity?</p> <ol style="list-style-type: none"> 1. The proposed budget correlated to the nine work plan elements and provides associated costs for each work plan activity= 15 points 2. The proposed budget correlates with the nine work plan elements but no associated costs given = 10 points. 3. No budget information given = 0 points. <p>MAXIMUM 15 POINTS</p>	<p>0, 10, 15</p>
<p>Are the milestones, reporting/completion dates, and funding amount reasonable and realistic?</p> <ol style="list-style-type: none"> 1. Information provided, is reasonable and adequate = 15 points 2. Information provided, but is not reasonable or will require modifications = 10 points 3. No information provided = 0 points <p>MAXIMUM 15 POINTS</p>	<p>0, 10, 15</p>
<p>Does the proposal reference EPA’s Tribal § 106 Guidance and how the project activity will produce environmental results?</p> <ol style="list-style-type: none"> 1. Information provided is sufficient to show an understanding of EPA’s Tribal § 106 Guidance and how project objectives will lead to environmental results = 15 points 2. Information provided is sufficient to show how project objectives will lead to environmental results = 10 points 3. No reference to EPA’s Tribal § 106 Guidance or environmental results = 0 points <p>MAXIMUM 15 POINTS</p>	<p>0, 10 15</p>
<p>Does the proposal adequately give documentation of the Tribe’s capability to accomplish tasks and complete the project?</p> <ol style="list-style-type: none"> 1. Tribal staff capabilities documented in the proposal is commensurate with overall WQ Program = 10 points 2. No information provided = 0 points <p>MAXIMUM 10 POINTS</p>	<p>0, 10</p>
<p>TOTAL POSSIBLE SCORE</p>	<p>100</p>

FY08 Clean Water Act (CWA) §106 Work Plan Variable Negotiation Process

The Tribal work plan describes in detail the work activities (outputs) that will be carried out and the outcomes (environmental results) that will be achieved through use of CWA § 106 grant funds with agreement of the EPA Project Officer. The work plan is the basis for managing, planning, and evaluating performance under the Section 106 grant agreement. Each Program commitment that is negotiated should include a goal, objective, and milestone(s). **All work plans must have associated costs for each work plan task or activity that justifies the amount of funding requested.** If the optional two-year project period is chosen, there must be a corresponding budget and work plan tasks for a two year period.

PRELIMINARY REVIEW

ALL SUBMITTALS

- ✓ The following Programmatic Requirements have been received by the required due dates:
 1. All Quarterly Reports
 2. Final Narrative Report for one-year grant project received.
 3. Annual Narrative Report for two-year grant project received.
 4. The Annual Program Evaluation has been conducted.

TRIBES WITH EXISTING ONE-YEAR PROJECT PERIODS:

- ✓ The Work Plan and Budget Justification are received by the Established Due Date.

Note: Work plans are evaluated based on fulfilling work plan requirements, as indicated in FY08 RFA/WP, and by utilizing the Evaluation Criteria; Past Performance (includes timely submission of Programmatic Requirements listed above); Annual Program Evaluations; and Variable Funds Available for the FY08 Fiscal Year.

TRIBES WITH EXISTING TWO-YEAR PROJECT PERIODS:

The negotiated amount will be determined by using the remaining factors of:

- ✓ Past Performance (includes timely submission of Programmatic Requirements listed above);
- ✓ Annual Program Evaluation, and
- ✓ Variable Funds Available.

Note: This Fiscal Year is your second project year. Your work plan will not be rated against the FY08 Evaluation Criteria.

A revised work plan still **may** be required before negotiation, for the following reasons:

- 1) You and/or your Project Officer have determined that additional or fewer tasks in your work plan are necessary;
- 2) Reduction or increase in Tribal staff;
- 3) Changes in tasks or activities;
- 4) Project delays due to unforeseen circumstances;
- 5) Results of the Annual Program Evaluation; and/or
- 6) Other factor(s) that may affect your variable amount.

A revised work plan **will** be needed by the specified due date if:

1. Negotiated variable amount is less than originally requested; or
2. Base amount approved, yet applying for variable the second year.

Tribal § 106 Work Plan Negotiation Process Region 6

Within three (3) weeks following receipt of the Work Plan in EPA offices, EPA Project Officer contacts the Tribe by phone or email with an initial offer and comments on the Work Plan.

Initial Offer Accepted	Initial Offer Not Accepted
<p>If the <u>Initial Offer</u> is accepted by the Tribe, the Project Officer sends an official offer letter (with comments included) to the Tribal official and cc's the program contact.*</p> <p style="text-align: center;"><i>*Please Note: Even if the funding offer is accepted by the Tribe, the Tribe has the right to negotiate the work plan tasks.</i></p>	<p><u>Initial Offer</u>: If the initial offer is <u>not</u> accepted by the Tribe, the EPA Project Officer reviews the information and re-evaluates the situation. The EPA Project Officer may extend another offer. ➤</p> <p><u>Second Offer</u>: If this revised offer is not accepted by the Tribe, or if the EPA Project Officer determines that a revised offer cannot be extended, EPA arranges a conference call with the Tribal Environmental Director. The discussion will include the evaluation criteria, past performance, and Tribal priorities or unforeseen circumstances. (EPA Management available upon request to participate in the conference call). ➤</p> <p><u>Third Offer</u>: If any issues remain that are impeding the approval of the Work Plan tasks, the Escalation Process of the Assistance Programs Branch will be utilized. This process may take up to 30-45 days; however, EPA will strive to complete this process as quickly as possible. ➤</p> <p>Once the issues are resolved and an offer is accepted, the EPA will send the Tribe an official offer letter, discussing the offer and informing the Tribe of a due date to receive the revised work plan. The revised work plan will include the negotiated tasks and budget. ➤</p>
<p>Upon receipt and approval of the Work Plan, EPA will process the award.</p>	