



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 10

1200 Sixth Avenue, Suite 900  
Seattle, WA 98101-3140

NOV 13 2009

OFFICE OF  
WATER AND WATERSHEDS

Dear Tribal Water Quality Program Contacts:

Re: FY10 Funds – Clean Water Act Section 106 Tribal Program

The Clean Water Act (CWA) authorizes the Environmental Protection Agency to provide financial assistance for water quality planning and management to Indian Tribes under Section 106, Water Pollution Control and Groundwater Management Programs. This letter is a request for applications from eligible Tribes. Please see Attachment 1 for a detailed funding announcement and application instructions.

EPA provides 95% of the funding for the program award, with a 5% Tribal match needed to support the total project cost. Although EPA presently does not have an annual operating budget, we anticipate available funding will be about the same level as last year. The award targets are presented in Attachment 2.

Draft work plan proposals are due no later than **Friday January 29, 2010**. The work plans can be submitted electronically to the EPA Project Officer. The CWA Section 106 awards are subject to past performance evaluations which will be factored into the Project Officer's pre-award review of the submitted project proposals. Being provided a "target" figure for funding does not ensure that an award will be made. Please see Attachment 1 for contact information and further information about the CWA Section 106 award process and requirements.

EPA issued guidance for the CWA Section 106 Tribal program, *Final Guidance on Awards of Grants to Indian Tribes under Section 106 of the Clean Water Act for Fiscal Years 2007 and Beyond*, which became effective October 2006. As a condition for continuing to receive CWA Section 106 grant funds, each grantee is required to submit an annual Tribal Assessment Report (TAR) that includes three parts: Water Quality Monitoring Strategy, Water Quality Assessment, and Electronic Water Quality Data.

Currently, 34 (of 38) eligible Tribal grantees have chosen to combine CWA Section 106 grants with the Indian General Assistance Program (GAP) into Performance Partnership Grants (PPGs). Other program grants as listed in the 40 CFR Part 35 regulations may be part of a PPG, such as CWA Section 319, Wetlands, Pesticides, and Brownfields. If considering a PPG, please contact your Project Officer for more information.

To expedite the review process, Region 10 encourages applicants to use the standardized work plan template provided in Attachment 3. It is adapted from the template required for GAP and covers information required per 40 CFR Part 35. Applicants also must provide a narrative work plan with a discussion of the scope of work.

Should you have questions about the application process, please contact your Project Officer. You can also contact Alan Moomaw at (360) 753-8071 or moomaw.alan @epa.gov, or Janette Rau at (206) 553-0483 or rau.janette@epa.gov for questions about the CWA Section 106 Tribal Program.

Sincerely,



Michael A. Bussell, Director  
Office of Water and Watersheds

- Attachment 1 – Region 10 CWA Section 106 FY10 Tribal Funding Announcement
- Attachment 2 – Tentative FY10 Funding Allocations, CWA Section 106, EPA Region 10
- Attachment 3 – PPG Work Plan Template

**ATTACHMENT 1**  
**Region 10 CWA Section 106 FY10 Tribal Funding Announcement**

**CFDA Number: 66.419** (Water Pollution Control Grants, Clean Water Act Section 106)

**DESCRIPTION**

**Overview:** Section 106 of the Clean Water Act (CWA) provides funding to support water pollution control programs. Section 518 of the 1987 amendments to the CWA provides a mechanism for Tribal governments to access the CWA funds by the “treatment in a manner similar to a state” (TAS) eligibility process. Presently, 38 Tribal governments within EPA Region 10 (Alaska, Idaho, Oregon, Washington) are eligible to receive CWA Section 106 funds. This information applies to the Tribal governments listed in **Attachment 2**.

(For other Tribal governments interested in becoming eligible for the CWA Section 106 funding through the TAS application process, please see the contact information section at the end of this document.)

**Regulations:** Further information on the CWA Section 106 grants program can be found in the Catalog of Federal Domestic Assistance (CFDA) Program Number 66.419. Regulations governing the award and administration of these grants are found in the Code of Federal Regulations (CFR) at 40 CFR Part 35, Subpart B (Environmental Program Grants for Tribes); and 40 CFR Part 31 (General Grant Regulations).

**Uses and Restrictions:** The purpose of the CWA Section 106 grants program is to provide financial assistance for maintaining adequate measures for prevention and control of surface and ground water pollution from point and nonpoint sources. The program funds water quality management program activities including watershed assessments, water quality planning, standards development, monitoring and assessments, inspections and enforcement, permitting, training, advice and assistance to local agencies, and public information. It also funds participation in program activities related to the restoration of impaired watersheds such as Total Maximum Daily Loads (TMDLs), implementation of integrated wet weather strategies in coordination with nonpoint source programs, and development of source water protection programs.

Funds cannot be used for the construction, operation, or maintenance of wastewater treatment plants or drinking water systems, including the required water quality monitoring or sampling activities for facility permit compliance purposes. Also, funds cannot be used for costs financed by other federal grants.

The CWA Section 106 program cannot fund activities outside of the Reservation unless the activity pertains to Reservation waters. If you are proposing to use CWA Section 106 funds outside of the Reservation, you must fully explain in the scope of work the relationship of these activities to waters on the Reservation. If these funds are being used for such purposes beyond the Reservation boundaries, the Tribe should obtain the necessary access agreement or permission to conduct the activity from the appropriate jurisdiction.

## **IMPORTANT DATES**

**Work Plan:** Draft work plan proposals are due to your Project Officer (PO) no later than **January 29, 2010**. An electronic submittal (email with attachment) is preferred. EPA will review the draft proposals and work with grantees to prepare the final application.

**Final Application:** CWA Section 106 grant application packages (final work plan, original signature application for federal assistance, and other forms) are desired by **March 26, 2010**. If you are including CWA Section 106 funds in a Performance Partnership Grant (PPG), the application package is also desired by March 26, 2010, but you will need to work with the EPA PO as this date also depends on the work plan deadline(s) for the other eligible grant programs that you choose to include in the PPG.

**Award:** EPA Region 10 will work to ensure that these grants are awarded by **September 30, 2010**.

## **AWARD AMOUNTS**

Region 10 anticipates awarding approximately \$3.4 million to up to 38 Tribal governments that are eligible for this program. The annual grant awards in Region 10 in recent years have ranged from \$60,000 to \$170,000. **Attachment 2** lists Region 10's annual funding "targets" for eligible Tribal governments.

**Tribal Match:** EPA provides up to 95% of the approved work plan costs for eligible Tribal governments, and there is a 5% Tribal match. The EPA Regional Administrator may increase the maximum federal share (i.e. decrease the Tribal match) if the Tribal government can demonstrate in writing to the satisfaction of the Regional Administrator that fulfilling the 5% match requirement would impose undue financial hardship.

## **AWARD ADMINISTRATION**

**Performance Partnership Grants:** CWA Section 106 grants are eligible for inclusion in PPGs, which combine funds from two or more environmental program grants listed in 40 CFR Part 35 into a single grant with a single budget. Currently, 34 (of 38) eligible Tribal grantees have PPGs, combining CWA Section 106 with the Indian General Assistance Program (GAP). Other program grants may be part of a PPG, such as CWA 319, wetlands, pesticides, and brownfields. The intent of PPGs is to provide for greater flexibility in program areas while achieving administrative savings. PPG information can be found at 40 CFR Part 35 (January 16, 2001 Federal Register Notice), or at: <http://www.epa.gov/water/ppg/ppgguide.html>. Contact your PO if you are interested in including grants in a PPG.

**Performance Reports:** Narrative program progress reporting frequency will be specified in the grant agreement. Annual and final submittals of SF-425, Federal Financial Report, also will be required. Additional required reporting and documentation will be listed in the grant agreement

as described in the Guidance Requirements section below.

**EPA's Role in Performance Evaluation:** EPA's role and responsibilities in carrying out work plan commitments may include work plan negotiations and site visits to the grantees. These actions contribute to EPA's evaluation of grantee performance towards meeting work plan commitments.

## **GUIDANCE REQUIREMENTS**

EPA issued guidance for the CWA Section 106 Tribal program, *Final Guidance on Awards of Grants to Indian Tribes under Section 106 of the Clean Water Act for Fiscal Years 2007 and Beyond*, which became effective October 2006. As a condition for continuing to receive CWA Section 106 grant funds, each grantee is required to submit an annual Tribal Assessment Report (TAR) that includes three parts: Water Quality Monitoring Strategy, Water Quality Assessment, and Electronic Water Quality Data. Note that this annual TAR is different from the grant administrative performance and financial reports described above.

For a copy of the guidance and additional documents to assist you in developing your TAR, visit <http://www.epa.gov/OWM/cwfinance/106tgg07.htm>. Also, contact your PO for electronic templates that can be used to prepare a Water Quality Monitoring Strategy and Water Quality Assessment.

***To receive FY10 funding, you must include the TAR reporting requirement in your work plan. Note that the following Term & Condition will be included in your grant award:***

Recipient agrees to follow the EPA-issued guidance for the CWA Section 106 Tribal program, *Final Guidance on Awards of Grants to Indian Tribes under Section 106 of the Clean Water Act for Fiscal Years 2007 and Beyond*. Per the Guidance:

- a) Based on the Tribe's self assessment of fundamental, intermediate, or mature, Grantee is required to monitor certain parameters, unless a waiver has been approved.
- b) Grantee is required to submit an annual Tribal Assessment Report (TAR) that includes three parts: Water Quality Monitoring Strategy, Water Quality Assessment, and Electronic Water Quality Data. (In Region 10, Grantee is required to submit the TAR, including electronic monitoring data, annually by the end of the 4th quarter of the grant period.)
- c) Electronic Water Quality Data -- Grantee is required to report monitoring data generated using 106 funding, either directly to the Agency's Storage and Retrieval data system (STORET), or to EPA in a STORET-compatible format, which is EPA's STORET template (an Excel spreadsheet file). Grantees can use the STORET template to organize data into STORET-compatible format, then submit the data to STORET via WQX Web. For instructions, tutorials, and further information on STORET/WQX Web, visit <http://www.epa.gov/storet>. Information regarding training sessions presented by EPA will be provided by the EPA PO.

## WORK PLAN and BUDGET INFORMATION

To expedite the review process, Region 10 encourages applicants to use the standardized work plan template provided in **Attachment 3**. It is adapted from the template required for GAP and covers information required per 40 CFR Part 35.

Your work plan, whether or not you choose to use the template, must comply with the requirements of 40 CFR Part 35 by including the following information:

- 1) work plan **component(s)** to be funded by the grant
- 2) estimated **work years** (FTEs) and **funding cost** for each work plan component(s)
- 3) work plan commitments for each work plan component and a **time frame** for their accomplishment (i.e. a **task/activity (Input)** and **deliverable/product (Output)**)
- 4) **performance evaluation process** and **reporting schedule** that provides a discussion of:
  - a. accomplishments as measured against work plan commitments
  - b. cumulative effectiveness of the work performed under all work plan components
  - c. existing and potential problem areas
  - d. suggestions for improvement, including where feasible, schedules for making improvements
- 5) the **roles and responsibilities** of the recipient and EPA in carrying out the work plan commitments

Also include a narrative work plan explaining the scope of work and including the following:

- 1) **discussion** of the planned tasks and activities (i.e. **Inputs**)  
*NOTE: Include a brief description or list of parameters you will be measuring using CWA Section 106 funds, and include an assurance that these are aligned with your Monitoring Strategy.*
- 2) **discussion** of the deliverables or products to be accomplished from the work plan tasks (i.e. **Outputs**)  
*NOTE: Outputs/Deliverables must include the annual TAR.*
- 3) **discussion** of the Environmental Results (i.e. the **Outcomes**) that may be generated by the completed work  
(For example, Outcomes may be changes in human behavior or in the quality of the environment or public health directly or indirectly as a result of the expenditure of CWA Section 106 funds. Outcomes may not necessarily occur during the project period of the award. )
- 4) **time line** for measuring accomplishments and completion of the tasks to be undertaken
- 5) description of the **geographic location** of the proposed work activities

**Detailed Budget:** In one half to a few pages present a detailed breakdown of proposed costs into specific object classification categories of personnel, fringe benefits, travel, equipment, supplies, contracts, other, and indirect costs, all of which must match those on the SF-424A form. In addition to listing the costs, please provide an explanation for how the cost estimates were derived. Please also show the Tribal match in the object class budget categories.

## AGENCY CONTACTS

For general information and eligibility requirements regarding the CWA Section 106 Tribal Program, contact either Janette Rau or Alan Moomaw, Tribal 106 Program Coordinators:

**Janette Rau**

EPA Region 10, Office of Water & Watersheds  
(206) 553-0483  
rau.janette@epa.gov

**Alan Moomaw**

EPA Washington Operations Office  
(360) 753-8071  
moomaw.alan@epa.gov

Draft work plans should be emailed by **January 29, 2010** to your EPA PO (see Attachment 2 for the PO assigned to your Tribe):

<b>Diana Boquist</b>	(206) 553-1586	boquist.diana@epa.gov
<b>Kris Carre</b>	(503) 326-7024	carre.kristine@epa.gov
<b>Alan Moomaw</b>	(360) 753-8071	moomaw.alan@epa.gov
<b>Robin Slate</b>	(206) 553-8545	slate.robin@epa.gov
<b>Jim Zokan</b>	(208) 378-5691	zokan.jim@epa.gov

For technical assistance and information about the Tribal 106 Monitoring Program, contact:

**Gretchen Hayslip**, Monitoring Coordinator

EPA Region 10  
(206) 553-1685  
hayslip.gretchen@epa.gov

For assistance with STORET/WQX, contact:

STORET Website	<a href="http://www.epa.gov/storet/index.html">http://www.epa.gov/storet/index.html</a>
Tribal STORET/WQX Support Line	1-800-844-0638 or owsupport@rti.org
STORET Helpdesk	1-800-424-9067 or storet@epa.gov

**Jim Hileman**, STORET Coordinator

EPA Region 10  
(206) 553-1640  
hileman.james@epa.gov

**ATTACHMENT 2**  
**Tentative FY10 Funding Allocations, CWA Section 106, EPA Region 10**

Tribal Grantee *	Funding Target	Tribal Match	EPA Project Officer
Burns Paiute	\$60,000	\$3,158	Kris Carre
Chehalis	\$85,000	\$4,474	Alan Moomaw
Coeur d'Alene	\$135,000	\$7,105	Jim Zokan
Colville	\$170,000	\$8,947	Jim Zokan
Coos, Lower Umpqua, Siuslaw	\$85,000	\$4,474	Kris Carre
Coquille	\$85,000	\$4,474	Kris Carre
Grand Ronde	\$85,000	\$4,474	Kris Carre
Jamestown S' Klallam	\$85,000	\$4,474	Diana Boquist
Kalispel	\$110,000	\$5,789	Jim Zokan
Klamath	\$85,000	\$4,474	Kris Carre
Lower Elwha Klallam	\$85,000	\$4,474	Diana Boquist
Lummi	\$110,000	\$5,789	Robin Slate
Makah	\$110,000	\$5,789	Robin Slate
Metlakatla	\$0	\$0	Michelle Davis
Muckleshoot	\$60,000	\$3,158	Robin Slate
Nez Perce	\$140,000	\$7,368	Jim Zokan
Nooksack	\$85,000	\$4,474	Robin Slate
Port Gamble S' Klallam	\$85,000	\$4,474	Diana Boquist
Puyallup	\$120,000	\$6,316	Robin Slate
Quileute	\$85,000	\$4,474	Robin Slate
Quinalt	\$125,000	\$6,579	Alan Moomaw
Samish	\$85,000	\$4,474	Diana Boquist
Sauk-Suiattle	\$85,000	\$4,474	Robin Slate
Shoalwater Bay	\$85,000	\$4,474	Alan Moomaw
Shoshone-Bannock	\$120,000	\$6,316	Jim Zokan
Siletz	\$65,000	\$3,421	Kris Carre
Skokomish	\$95,000	\$5,000	Alan Moomaw
Snoqualmie	\$85,000	\$4,474	Robin Slate
Spokane	\$150,000	\$7,895	Jim Zokan
Squaxin Island	\$85,000	\$4,474	Alan Moomaw
Stillaguamish	\$85,000	\$4,474	Robin Slate
Suquamish	\$85,000	\$4,474	Diana Boquist
Swinomish	\$105,000	\$5,526	Diana Boquist
Tulalip	\$105,000	\$5,526	Diana Boquist
Umatilla	\$150,000	\$7,895	Kris Carre
Upper Skagit	\$85,000	\$4,474	Diana Boquist
Warm Springs	\$165,000	\$8,684	Kris Carre
Yakama	\$160,000	\$8,421	Alan Moomaw
<b>TOTAL:</b>	<b>\$3,785,000</b>		

\* All grantees put 106 funds into a PPG except Burns Paiute, Colville, Metlakatla, & Shoshone-Bannock.