



**Federal Permitting Improvement Steering Council
Executive Director**

*Environmental Review Improvement Fund
Tribal Assistance Program (ERIF TAP)
Application Instructions*

Table of Contents

I. Background	3
II. Who is Eligible?	4
III. What can this funding be used for?	4
IV. Application Assistance and Frequently Asked Questions	6
V. Application Instructions	6

I. Background

The Federal Permitting Improvement Steering Council (Permitting Council) Executive Director (ED) is making \$5 million available to Tribal governments. These funds are intended to enhance Tribal engagement in the environmental review and authorization process for FAST-41 covered projects¹ to make project review more timely and efficient.² The \$5 million is an initial investment from funds appropriated in the Inflation Reduction Act (IRA) to the FAST-41 Environmental Review Improvement Fund (ERIF). The ED will refer to ERIF funding set aside for Tribal governments as the Environmental Review Improvement Fund Tribal Assistance Program (ERIF TAP). The ED may consider the need for additional funding through the ERIF TAP at a later date. The ED has partnered with the Department of Interior (DOI) Bureau of Indian Affairs (BIA) to utilize BIA’s Indian Self-Determination and Education Assistance Act (ISDEAA) Title 1 Self-Determination Contracts or Title 4 Self-Governance Compacts as the mechanisms to distribute the ERIF TAP. Each funding recipient will be expected to comply with all related reporting requirements.

Tribal governments consulting or engaged in the environmental review and authorization process (e.g., through NEPA or NHPA) on one or more FAST-41 covered projects listed as “in progress” on the [Federal Permitting Dashboard](#)³ at the time of submission may apply for funding using the guidance below. Following submission, the Permitting Council ED will review and process the applications.

This funding is non-competitive and project-specific. Applications will be considered based on availability of funds and until funding is expended. Applicants may not request more than the maximum funding levels identified below. Maximum funding levels are determined based on the number of FAST-41 covered projects that the applicant is engaged in, for up to three years.

Please note: Funding will be provided incrementally. The application should be submitted with work proposed in phases. After the application is accepted, the ED will work with applicants to finalize phases for incremental funding. Funding increments will be based on project review progress and compliance with contract requirements.

Eligible Funding under the ERIF TAP			
# of FAST 41 Projects	Maximum Funding Available for FAST-41 Tribal Engagement	Maximum Contract Support Costs	Maximum Total Request

¹ 42 U.S.C. § 4370m(6). This funding mechanism will not be used for environmental reviews and authorizations for FAST-41 “transparency” projects pursuant to 42 U.S.C. 4370m-2(b)(2)(A)(iii)(I).

² 42 U.S.C. § 4370m-8(d)(3).

³ <https://www.permits.performance.gov/projects/fast-41-covered>.

1	\$300,000	\$45,000	\$345,000
2-4	\$600,000	\$90,000	\$690,000
5 or more	\$750,000	\$112,500	\$862,500

The maximum funding amount identified is intended to support Tribal engagement for up to three years.

Applicants may request an additional 15% of their project cost to address contract support costs. For example, if you are requesting \$300,000 to support Tribal engagement in one FAST-41 project, you may request an additional \$45,000 for contract support costs resulting in a total request of \$345,000.

The Permitting Council ED may, from time to time, update the application instructions based on feedback and lessons learned.

II. Who is Eligible?

To be eligible for this funding opportunity, BOTH of the following must be true.

1. The applicant must be a Federally-recognized Indian Tribe listed on the most recent notice of the Federal Register under the Federally Recognized Indian Tribe List Act of 1994, 25 U.S.C. § 5130 *et seq.*
2. The applicant must be a Tribal government consulting on or engaged in the environmental review and authorization process (e.g., through NEPA or NHPA) on one or more FAST-41 covered projects currently on the Permitting Dashboard at the time of submission. Please note, this does not include FAST-41 Transparency projects. The Permitting Council ED will confirm Tribal engagement with the FAST-41 facilitating or lead agency.⁴

III. What can this funding be used for?

All requested funding MUST be used to enhance Tribal engagement in the Federal environmental review and authorization process for active FAST-41 covered project(s) to make review and authorization of the project(s) more timely and efficient. An active FAST-41 covered project is one that is listed as “in progress” on the Federal Permitting Dashboard⁵.

⁴ 42 U.S.C. § 4370m(13) & (15).

⁵ <https://www.permits.performance.gov/projects/fast-41-covered>.

Please note: Eligible activities have been determined and informed by the Permitting Council ED's Tribal Consultations on the ERIF TAP.

This funding is non-competitive, project-specific funding.

Eligible Costs

Anticipated activities covered through this funding are those that facilitate timely and efficient environmental reviews and authorizations, which may include:

- **Equipment, Supplies, and Materials**

Examples:

- Office supplies and equipment - paper, printers, computers
- Survey equipment
- Software - Geographic Information Systems (GIS), project management tools, etc.

- **Technical Training**

Examples:

- GIS, ecological, cultural resource identification, project management, etc.

- **Transportation Costs**

Examples:

- Travel to and from consultations/meetings/site visits (which may include transportation rental to access remote areas).

- **Per Diem**

- These rates cannot exceed federal rates, which can be found at <https://www.gsa.gov/travel/plan-book/per-diem-rates>.

- **Contractors, Consultants, Staff**

Examples:

- Technical Experts
- Temporary or permanent staff
- Reimbursement for Tribal members and cultural experts time spent reviewing proposed Federal actions.
- Reimbursement for time spent doing government-to-government consultations.
- Contractors to develop a strategic plan and budget for Tribal engagement on a project.
- Hiring for contractors and technical experts that can help provide comments on NEPA and Section 106 documents.

- **Contract Support Costs**

- Applicants may request an additional 15% of their project cost to address contract support costs. For example, if you are requesting \$300,000 to support Tribal engagement in one FAST-41 project, you may request an additional \$45,000 for contract support costs resulting in a total request of \$345,000.
- Contract support costs are any additional administrative or other expense[s] related to the overhead incurred by the Tribe in connection with the management of the ERIF TAP. Contract support costs are allowable costs under this award in

order to maximize impact to timely and efficient reviews and provide the resources needed to meet the requirements of this contract.

Ineligible Costs

Funds may NOT be spent on the following

- Permitting-related activities of Tribal FAST-41 covered project sponsors pursuant to 42 U.S.C. § 4370m(6)(A)(iii)(II).
- Construction
- Land acquisition
- Purchase of vehicles or vessels

Examples:

- Cars, Trucks
- Off Roading Vehicles
- Airplanes
- Boats
- Cash reserves, endowments, or revolving funds
- Lobbying or litigation activities
- Contract support costs greater than 15% of project cost
- Applicants other than groups identified under the “Who is Eligible?” section
- Applicants that have previously received ERIF TAP funds, but whose funding expired without successfully completing major elements of the proposed work, or without meeting the conditions of the award, will not be considered for future year funding.
- Past activities and resources expended to engage in FAST-41 covered projects prior to receiving the award are not eligible expenses.

IV. Application Assistance and Frequently Asked Questions

Frequently asked questions can be found [here](#). If you have additional questions or require assistance with your application, please contact:

Rachel Houge
erif@fpisc.gov
(202) 734-2459

PoQueen Rivera
erif@fpisc.gov
(202) 880-5366

V. Application Instructions

Please submit one application package per Tribe (see details below) via email to ERIF@fpisc.gov.

Applications for this non-competitive funding opportunity can only be submitted electronically via email. The Permitting Council ED will review the application and notify the applicant of next steps.

This funding is project-specific funding. Requested funding may not exceed the funding levels identified below and is only available based on the number of FAST-41 covered projects that the applicant is engaged in. **The maximum funding amount identified is intended to support Tribal engagement for up to three years.**

Applicants may request an additional 15% of their project cost to support contract support costs. For example, if you are requesting \$300,000 to support Tribal engagement in one FAST-41 project, you may request an additional \$45,000 for contract support costs resulting in a total request of \$345,000.

Eligible Funding under the ERIF TAP			
# of FAST 41 Projects	Maximum Funding Available for FAST-41 Tribal Engagement	Maximum Contract Support Costs	Maximum Total Request
1	\$300,000	\$45,000	\$345,000
2-4	\$600,000	\$90,000	\$690,000
5 or more	\$750,000	\$112,500	\$862,500

Funding will be provided to the Tribe by utilizing the Department of Interior’s ISDEAA Title 1 Self-Determination Contracts or Title 4 Self-Governance Compacts. Funding will be provided incrementally to ensure the applicant's progress against its planned efforts and comply with the identified reporting requirements. The application package will guide the disbursement of funds.

Complete applications may be submitted at any time. Applications will be considered based on availability of funds and until funding is expended. The Permitting Council ED will review the application and notify the applicant of next steps within 30 days of receiving the application. *The Permitting Council ED may, from time to time, update the application instructions based on feedback and lessons learned.*

If a recipient Tribe engages in additional FAST-41 covered projects, the Tribe may apply for additional funding, so long as the collective awarded amount does not exceed the maximum funding available for the number of FAST-41 project engagements.

Please note: Funding will be provided incrementally. The application should be submitted with work proposed in phases. After the application is accepted, the Permitting Council ED will work

with applicants to finalize phases for incremental funding. Funding increments will be based on project review progress and compliance with contract requirements.

Complete application packages will include the following required documents:

1. Tribal Resolution

Tribal resolution should include Tribal agreement on the general scope of work, the applicant’s point of contact for ERIF TAP funding, and commitment to the agreed reporting requirements. The reporting requirements will be documented in the contract provisions with the Bureau of Indian Affairs and are required for additional increments of ERIF TAP funding. The reporting is intended to provide an opportunity to highlight the need and use of the funding.

Anticipated Reporting Requirements:

Biannual Report: The Tribe will provide bi-annual (every six months) reports to the Bureau of Indian Affairs Office of Trust Services and Permitting Council ED (ERIF@fpisc.gov). A “Biannual Reporting Template” will be provided by the Permitting Council ED to recipients. Every six months, the Tribe will report the following:

- Identify the FAST-41 covered project(s) by name that the Tribe engaged in during the reporting period;
- Progress against each of the planned activities, including contract support costs, identified in the original application. The Permitting Council ED recognizes circumstances may change, so the Tribe should document any deviations and provide context for altered or new activities.
- Provide an accounting of how the funding was used during the reporting period and what resources the funding was expended on.
- The success of the work; i.e., extent to which the funding was used to make the environmental review and authorization process for the project more timely and efficient (photos/videos welcome).

Program Review: The Permitting Council ED will conduct a program review prior to the disbursement of any incremental funding. The review will assess progress against planned activities, compliance with required reporting, and may include a virtual discussion. The review may include:

- Project Status - Funds expended and how resources were used to enhance Tribal engagement in the environmental review and authorization process for FAST-41 covered projects in order to make project review more timely and efficient.
- Involvement in current FAST-41 projects on the Permitting Dashboard.
- Successes, challenges or lessons learned to share with Federal or Tribal governments to assist other Federal, Tribal, state and local governments

2. Application

The [application template](#) serves as a guide to respond to Parts 1-3 below. Using the template is recommended to ensure a complete application.

Part 1. Tribe Information

Name of Tribe:

EIN/Tax ID:

City:

State:

Zip Code:

Primary Contact Person:

Name:

Position Title:

Address:

Phone:

Fax:

Email:

Total Funding Requested (should not exceed levels identified in table below):

Eligible Funding under the ERIF TAP			
# of FAST 41 Projects	Maximum Funding Available for FAST-41 Tribal Engagement	Maximum Contract Support Costs	Maximum Total Request
1	\$300,000	\$45,000	\$345,000
2-4	\$600,000	\$90,000	\$690,000
5 or more	\$750,000	\$112,500	\$862,500

Applicants may request an additional 15% of their project cost to support contract support costs. For example, if you are requesting \$300,000 to support Tribal engagement in one FAST-41 project, you may request an additional \$45,000 for contract support costs resulting in a total request of \$345,000.

Funding will be provided incrementally to ensure Tribes progress against its planned efforts and comply with the identified reporting requirements. Incremental funding amounts will be determined based on application details and will be discussed during contract negotiations. **The maximum funding amount identified is intended to support Tribal engagement for up to three years.**

Part 2. Summary

Applicants must provide the following:

- 1) Brief description of how the funding will support engagement/consultation in the environmental review and authorization process for FAST-41 covered projects. Please summarize as details are requested in Part 3.
- 2) Description of how the planned activities help make FAST-41 covered project environmental reviews and authorization more timely and efficient.
- 3) Description of what the applicant intends to accomplish with the funding.
- 4) List FAST-41 covered project(s) that the applicant is consulting on or engaged in (e.g., through NEPA or NHPA) at the time of submission. Note: The Permitting Council ED will confirm engagement with the facilitating/lead Federal agency. Funding for a Tribal sponsor of a FAST-41 covered project is not authorized as a part of this request.

Part 3. Activity and Budget

Applicants must provide a plan to use the requested funding. The plan should identify activities and the funding to support each activity. Please include information such as each activity's anticipated level of effort (e.g. number of FTE, hours per person, eligible costs or direct costs anticipated, contract support costs, consultant costs (technical experts, etc.)). Applicants should identify and structure activities in phases.

Paperwork Reduction Act Statement – This information collection meets the requirements of 44 USC § 3507, as amended by section 2 of the Paperwork Reduction Act of 1995. You do not need to answer these questions unless we display a valid Office of Management and Budget (OMB) control number. The OMB control number for this collection is 3121-0002. We estimate that it will take 30 hours to read the instructions, gather the facts, and answer these questions. Send only comments relating to our time estimate, including suggestions for reducing the burden, or any other aspects of this collection of information to: fast.fortyone@fpisc.gov.