



Tribal Carbon Offset Assistance Grant Program 2023-2025

Guidance for Grants to Provide Assistance for Tribal Nations to Develop Carbon Offset Projects

By

Jordan Wildish

For the

Air Quality Program

Washington State Department of Ecology
Olympia, Washington

May 2023, Publication 23-02-038

Grants Information

This document is available on the Department of Ecology's website at:

<https://apps.ecology.wa.gov/publications/summarypages/2302038.html>

Contact Information

Air Quality Program

Headquarters Office

P.O. Box 47600

Olympia, WA 98504-7600

Phone: 360-407-6800

Website¹: [Washington State Department of Ecology](http://www.ecology.wa.gov)

ADA Accessibility

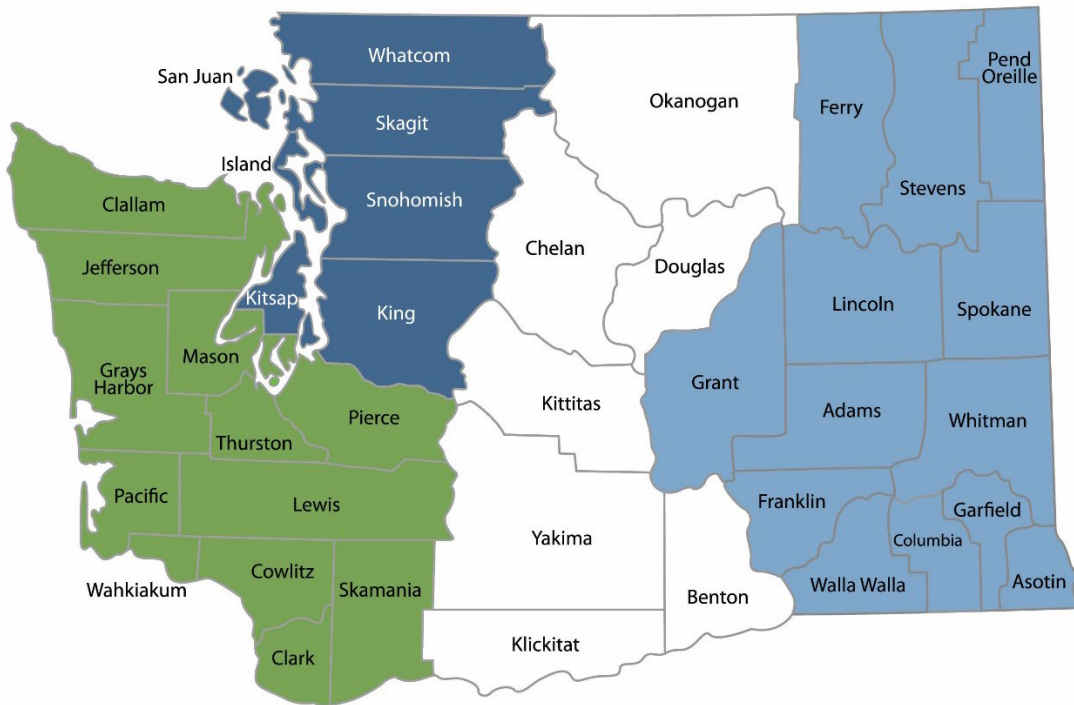
The Department of Ecology is committed to providing people with disabilities access to information and services by meeting or exceeding the requirements of the Americans with Disabilities Act (ADA), Section 504 and 508 of the Rehabilitation Act, and Washington State Policy #188.

To request an ADA accommodation, contact Ecology by phone at 360-407-6800 or email at ecyadacoordinator@ecy.wa.gov. For Washington Relay Service or TTY call 711 or 877-833-6341. Visit Ecology's website for more information.

¹ www.ecology.wa.gov/contact

Department of Ecology's Regional Offices

Map of Counties Served



Southwest Region 360-407-6300	Northwest Region 206-594-0000	Central Region 509-575-2490	Eastern Region 509-329-3400
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Region	Counties served	Mailing Address	Phone
Southwest	Clallam, Clark, Cowlitz, Grays Harbor, Jefferson, Mason, Lewis, Pacific, Pierce, Skamania, Thurston, Wahkiakum	P.O. Box 47775 Olympia, WA 98504	360-407-6300
Northwest	Island, King, Kitsap, San Juan, Skagit, Snohomish, Whatcom	P.O. Box 330316 Shoreline, WA 98133	206-594-0000
Central	Benton, Chelan, Douglas, Kittitas, Klickitat, Okanogan, Yakima	1250 West Alder Street Union Gap, WA 98903	509-575-2490
Eastern	Adams, Asotin, Columbia, Ferry, Franklin, Garfield, Grant, Lincoln, Pend Oreille, Spokane, Stevens, Walla Walla, Whitman	4601 North Monroe Spokane, WA 99205	509-329-3400
Headquarters	Statewide	P.O. Box 46700 Olympia, WA 98504	360-407-6000

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DEPARTMENT OF
ECOLOGY
State of Washington

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Important Information

Apply to: Ecology Air Quality Program via Ecology's Administration of Grants and Loans (EAGL) system

Title: 2023-25 Washington State Tribal Carbon Offset Assistance Program

Action: Request for Grant Funding

Eligibility: Available to any federally-recognized tribe with usual and accustomed tribal territories within Washington State.

Amount of Funding Available: Up to \$5,000,000 is available for eligible projects on a competitive basis for the completion of feasibility assessment, planning, and implementation activities pertaining to the development of carbon offset projects on Tribal Lands² in Washington, in accordance with RCW 70A.65.170.

Application Acceptance Dates: May 15th through July 18th, 2023

Application Due Date: July 18th, 2023, 2023

Note: Applications must be submitted using Ecology's electronic grant and loan application system called EAGL (Ecology Administration of Grants and Loans). See application process (page 19) for more details.

Notice of Awards: Ecology anticipates notifying grantees of awards in August 2023.

² For the purposes of this grant, federally recognized Tribal Lands are defined using the definition in RCW 173-446-010

Chapter 1: Tribal Carbon Offset Assistance Program

Purpose

The Washington State Department of Ecology's (Ecology) Tribal Carbon Offset Assistance Grant Program is a competitive grant program. Ecology announces the availability of up to \$5 million in grants to support federally recognized tribes in the process of designing, assessing the feasibility of, and implementing carbon offset projects. These funds are intended to increase the number of offset projects developed on Tribal Lands within Washington state, in accordance with RCW 70A.65.170.

Statutory and Administrative Requirements

Statutory requirements, administrative rule uses and limitations, and program and agency policy provide the framework for the Funding Guidelines. Key statutes, rules, and policies include, fall under/include:

- [RCW 70A.65.170](https://app.leg.wa.gov/RCW/default.aspx?cite=70A.65.170)³
- [Administrative Requirements for Recipients of Ecology Grants and Loans \(Yellow Book\)](https://apps.ecology.wa.gov/publications/SummaryPages/1701004.html)⁴

Ecology's General Terms and Conditions are nonnegotiable and failure to accept these conditions, or any attempt to alter these conditions can result in revocation of grant awards.

³ <https://app.leg.wa.gov/RCW/default.aspx?cite=70A.65.170>

⁴ <https://apps.ecology.wa.gov/publications/SummaryPages/1701004.html>

Ecology Staff Contacts

Project Manager

Jordan Wildish

Phone: (360) 280-6488; Email: Jordan.wildish@ecy.wa.gov

Responsible for the project management aspects of the agreement. Develops agreement content (scope, task, deliverables), including negotiation with recipients. Monitors progress and deliverables, approves reimbursement requests, and assists Financial Managers with closeout process steps.

Financial Manager

Kelsey Smith

Phone: (360) 819-3456; Email: Kelsey.Smith@ecy.wa.gov

Responsible for the financial and administrative aspects of an agreement. Develops final agreement, coordinates agreement approval, responds to reimbursement requests (after approved by the Project Manager), coordinates with the Project Manager on amendments and manages agreement closeout process.

Air Quality Program Budget Manager

Pete Siefer

Phone: (360) 407-6646; Email: Pete.Seifer@ecy.wa.gov

Provides general oversight of available funds, establishes distribution amounts for each applicant/recipient.

Chapter 2: Funding Program Details

This notice announces the availability of up to \$5 million to support the development of carbon offset projects by tribes with federally recognized lands in Washington. All twenty-nine federally recognized tribes in Washington State and the federally recognized tribes with usual and accustomed territories in Washington are eligible to apply for this program, provided that proposed activities occur on federally recognized Tribal Lands in Washington.

Successful applicants will have the opportunity to receive fund disbursements as upfront payments, or as a reimbursement for eligible expenses. Reimbursements are made multiple times throughout the grant period. Individual upfront payment terms will be agreed upon by Ecology and the successful applicant following award notification.

Ecology will review applications submitted by federally recognized tribes for completeness, and then fund distributions based on competitive scoring criteria. Ecology establishes grant criteria for each grant cycle. These criteria, for this grant cycle, are included in Appendix III: Scoring Criteria:

- Scope of work that reflects clear goals and measurable benefits for Washington's environment.
- Demonstrated need for grant funding to complete the proposed work.
- Clear project schedule outlining deliverables that can be achieved by June 30th, 2025.

Please direct questions on the grant, grant cycle, eligible activities, and eligible entities to Jordan Wildish (Jordan.Wildish@ecy.wa.gov)

Please direct questions or requests for technical assistance with Ecology's Administration of Grants and Loans (EAGL) application system to Kelsey Smith (Kelsey.Smith@ecy.wa.gov).

Applicant and Project Eligibility

All projects must occur on federally recognized Tribal Lands in Washington State. For the purposes of this grant, federally recognized Tribal Lands are defined using the definition in RCW 173-446-010. Proposals must pertain to designing, assessing the feasibility of, and implementing carbon projects that would occur on federally recognized Tribal Lands⁵ in Washington. There are no restrictions on the type, size, or structure of offset projects that may receive granting funding. Proposals may pertain to the designing, assessing the feasibility of, and implementing of carbon projects within Washington's Cap-and-Invest program or other compliance or voluntary markets.

Eligible Project Activities

Applications must be comprised of one or more of the following elements:

- Assessment of an offset project's technical feasibility;
- Assessment of an offset project's investment requirements or development and operational costs;
- Assessment of an offset project's expected returns;
- Assessment of an offset project's administrative and legal hurdles;
- Assessment an offset project's project risks and pitfalls;
- Alleviation of costs associated with procuring financing for the development of new carbon projects;
- Development or revision of carbon offset protocols to improve applicability to federally recognized Tribal Lands in Washington state;
- Convening intra or intertribal meetings to evaluate offset project feasibility.

Applications must describe:

- Proposed project scope.
- Proposed project timeline.
- Proposed project budget.

Applications will be scored based on the follow criteria. More information on scoring criteria can be found in Appendix III:

- Proposed work describes activities that are eligible for this grant program (20 points);
- Application includes a schedule of milestones, activities, and deliverables that demonstrates achievement of the proposed scope of work (10 points);
- Application lists all eligible costs (10 points);
- Proposed work relates designing, assessing the feasibility of, or implementing carbon projects that will primarily remove carbon dioxide from the atmosphere (as opposed to

⁵ For the purposes of this grant, federally recognized Tribal Lands are defined using the definition in RCW 173-446-010

primarily relating to carbon projects that avoid or reduce carbon dioxide or carbon dioxide equivalent emissions. (5 points);

- Project schedule demonstrates achievement of outlined objectives by no later than June 30th, 2025 (20 points);
- Applicant Tribe has **not** previously developed carbon offset projects (10 points).

Payment Options

Once Ecology has approved a Tribe's application for funding, each Tribe may elect whether they prefer to receive funds on a reimbursement basis or through incremental advance payments.

Advance payments will be made before actual costs are incurred but as close as administratively feasible to when project costs are incurred and actual disbursements will be made.

Ecology retains discretion to cancel the advance payment option based on an initial risk assessment, lack of project performance, or recipient failure to comply with agreement terms and conditions.

Payment through reimbursement

Tribes opting to receive funds through reimbursement will be required to complete the tasks outlined in the scope of work. Required tasks may include:

- Submitting a Payment Request/ Progress Report (PRPR) via the EAGL system quarterly. Note that progress reports will still be required even if no reimbursement is requested that quarter.

Reimbursements may be made multiple times throughout the grant period at a frequency agreed to by Ecology and the tribe.

Advance payment option

Tribes opting to receive funds through incremental advanced payments will be required to complete and update upon request a Spending Plan that outlines how and when funds are planned to be spent.

The amount of the initial advanced payment will be determined by the results of the initial risk assessment, project timeline, scope of work and the estimated disbursement needs identified in the Spending Plan.

Ecology will issue an advanced payment of funds upon receipt of a signed A-19 form. Once Ecology has issued the initial advance payment, the tribe will be required to submit a payment request and progress report (PRPR) at a frequency agreed to by Ecology and the Tribe, which shall include all expenditures and supporting documentation.

The amount of subsequent advanced payments will be determined based on compliance with agreement terms and conditions, project performance, prior payment spending, and estimated disbursement needs.

For Tribes that would like to pursue the prepayment option, a limited waiver of sovereign immunity will need to be added to the grant agreement. The reason for this requirement is that Ecology is required to have a legal process in which to recover prepaid funds if not used for the purposes outlined in the grant agreement. A limited waiver is **not** required for Tribes that opt for payment via reimbursement.

Ecology may withdraw the option of advance payment if the Recipient does not clearly and consistently demonstrates adherence to the agreement terms and conditions.

Interest earned on advanced payments must be entered as a credit on the payment request form of the next payment request.

Any unspent funds must be returned to Ecology within 30 days of agreement expiration, termination or suspension.

Eligible costs

Funding is valid for the 2023-2025 biennium (July 1, 2023 to June 30, 2025). Funding may not support costs incurred prior to July 1, 2023. All eligible activities must be incurred by June 30, 2025; funding may not be used to support costs incurred after this date.

The effective date of the agreement is the earliest date on which eligible costs may be incurred. The applicant may incur project costs on and after the effective date or the state date as determined by the Washington State Legislature and upon final signature of the agreement. Eligible expenditures cannot be reimbursed or prepaid until the agreement has been signed by Ecology's AQ Program Manager. While applicants can incur eligible costs before the agreement is signed, they do so at their own risk.

Indirect rate

The indirect rate, which can also be called overhead rate, are business and operational cost incurred for a common purpose and not directly connected with a specific project. If the recipient doesn't have a federally approved indirect rate, the recipient can use Ecology's uniform indirect rate. If using Ecology's uniform indirect rate, the recipient may charge up to 25% percent of salaries and benefits. Indirect costs are not directly assignable to a particular objective of the project such as space utilities, miscellaneous copying, telephone, motor pool, janitorial services, records, storage, rentals, etc., items not directly attributable to the project yet are required to conduct business. The use of indirect items must be reported on a separate line item on the PRPR invoice spreadsheet. A list of indirect items must be reported with the first invoice and remain constant for the life of the grant.

Procuring goods and services

The recipient is responsible for procuring professional, personal, and other services using sound business judgment and good administrative procedures consistent with applicable federal,

state, and local laws, orders, regulations, and permits. This includes issuance of invitation of bids, requests for proposals, selection of contractors, award of sub-agreements, and other related procurement matters. The recipient must follow their own procurement policies. If none exist, the recipient follows state procedures.

The Office of Minority and Women Owned Business Enterprises (OMWBE) has established voluntary goals for the participation of minority- and women-owned businesses in procurements made with Ecology funds. Each grant agreement will contain a condition regarding OMWBE. While participation is voluntary, Ecology requires reporting the level of participation on Form D: Contractor Participation Report and submitted with each Payment Request/Progress Report (PRPR).

All contracted work and sub-recipients are required to comply with the terms of the final agreement, including but not limited to the General Terms and Conditions and the Administration Requirements for Recipients of Ecology Grants and Loans, and these Funding Guidelines.

Washington State Procurement Procedures:

- Washington State Purchasing Policies: [Current Policies](#)⁶
- [Revised Code of Washington Public Works](#)⁷

Transportation costs

The recipient can recover the cost of transportation through the state mileage rate. The mileage rate includes all vehicle-related needs, such as gas, tires, insurance, and maintenance. For current state mileage, rates see: [Policy 10.90.209](#).⁸

Chapter 3: Application, Agreement Development, and Grant Management

Application Process

All applicants must submit an application through the electronic grant and loan application system called EAGL (Ecology Administration of Grants and Loans). To apply through EAGL, applicants must first register for a Secure Access Washington (SAW) account and an EAGL account. Detailed instructions for new and current EAGL users are at:

<https://ecology.wa.gov/About-us/How-we-operate/Grants-loans>.

⁶ [Current Enterprise Procurement Policies | Department of Enterprise Services \(wa.gov\)](#)

⁷ [Public Works RCWs & WACs](#)

⁸ [10.90 - Travel Rates \(wa.gov\)](#)

- Applications will be screened for compliance with the screening criteria below.
- Applications that fail any of the minimum criteria may be disqualified and eliminated from evaluation.
- Applications that meet screening criteria will be evaluated according to the scoring criteria located in Appendix III

Screening Criteria

- Applicant is a federally-recognized tribes in Washington State or a federally-recognized tribes with usual and accustomed territories in Washington.
- Is the project's estimated end date on or before June 30, 2025

Award Selection Process

Ecology will award a grant to each eligible applicant from highest scoring to lowest, until funds are exhausted.

In the event of a tie, Ecology will offer an award to the applicant based on the date and time it was submitted.

If funds remain after awarding grants to each eligible applicant, Ecology may reopen another grant application window to accept additional applications.

Funding Agreement Development

Once the application period has closed, Ecology will start a review period and will review, evaluate and score each application. Ecology will announce funded and unfunded applications after the review period is complete. Ecology makes formal funding offers after funding availability is determined and the Budget Manager has determined funding amount for each grantee/applicant based on viability and quality of each proposed project. Applicants will be notified within four weeks of the grant offer to discuss the funding offer and EAGL application. The Project Manager and Financial Manager use information found in the funding proposal as the basis for developing the funding agreement. Funding agreements for clearly defined project proposals that include a detailed scope of work, measurable objectives, and accurate budgets take less time to develop. If the applicant makes significant changes to the scope of work after the award, Ecology may withdraw or modify a funding offer.

To speed development and processing, Ecology standardizes much of the funding agreement language and includes general terms and conditions and other conditions that are required by state or federal law.

The Project Manager ensures compliance with the scope of work; reviews and approves line item costs for eligibility on payment requests. The Financial Manager ensures compliance with the agreement's budget and other agency financial criteria.

The Project Manager is the primary contact for technical assistance and day-to-day questions and also works with the Financial Manager to resolve payment or eligibility issues if they arise. When in doubt, contact the Project Manager for information. When the agreement is finalized, the applicant signs the agreement. The applicant will send the agreement back to the Financial Manager for the final signature by the AQ Program Manager or the authorized designee. This may be done electronically. Once the agreement is signed by Ecology, a fully executed original will be returned to the recipient.

Grant management

Progress Reporting / Payment Requests (PRPRs)

Ecology uses a web-based grant program known as Ecology Administration of Grants and Loans (EAGL). All grant activity from beginning to end is conducted through EAGL. Progress reporting and payment requests are an inherent part of this program.

Progress Reports and commensurate Payment Requests (invoices) are to be submitted quarterly to demonstrate timely spending. Recipients must submit progress reports with every payment request. Progress reports should include a description of all progress made in the reporting period to meet goals as well as any successes, problems, and delays that affect the project. If a problem exists, recipients must discuss the corrective actions taken or proposed and identify any Ecology assistance that may be needed.

Ecology may withhold payments if the recipient has not submitted progress reports.

All PRPRs are reviewed for eligibility by the Project Manager for compliance with the scope of work. The Financial Manager reviews the invoice for conformance to the grant budget and financial reporting requirements. All deliverables as scheduled in the grant agreement are due with the respective PRPR.

On the PRPR's, all costs are itemized by task per the grant agreement with a line item for each cost incurred. Backup documentation must be in the same task order and show how that cost was incurred. For instance, if the cost is a compilation of separate costs, details must be shown on the backup as to how that end cost was arrived at. If the line item cost is a breakout from a larger cost, that breakout detail needs to be shown as well (for salaries and benefits, you MUST include staff name, hourly rate, hours worked, and total). All line items and backup documentation must agree. Highlighting end costs on the backup helps to speed review of the invoice and ultimately payment to the grant recipient.

Non-performance of projects/re-assignment of funds

Recipients are encouraged to read the Termination section of the General Terms and Conditions of their grant agreement.

If a funded project is not making progress, either in whole or part, Ecology will initiate discussions with the grant recipient as to the cause and potential solutions to getting the project going again.

Modifications and Amendments

Modifications and changes to the funding agreement may become necessary. If and when an amendment is needed, the recipient must submit any proposed amendments or changes in writing to their Project Manager. The recipient and Ecology's Project and Financial Managers will negotiate changes and document the changes as an amendment to the funding agreement.

All proposed project and/or budget changes are subject to approval by Ecology.

Either the recipient or Ecology may initiate the amendment process. If the Project Manager concurs with the written request, the Financial Manager prepares the amendment.

The authorized signature authority will electronically sign the amendment and forward the signed amendment to the Ecology Financial Manager via email with the following statement, "I APPROVE THE ATTACHED AMENDMENT FOR (Name of Recipient)." The AQ Program Manager will electronically sign the amendment. Ecology will send the recipient a fully executed amendment electronically. Alternately, the recipient may choose to print two (2) copies of the amendment, have the authorized signature authority sign and send signed copies to the Financial Manager via postal mail for final execution of the Air Quality Program Manager. One executed copy will be returned to the recipient via postal mail. **In the event these procedural options are modified, Ecology will provide the most current instructions.

Reasons for amendments could include:

- Budget changes or redistributions.
- Scope of work changes.
- Changes to required performance.

Project site visits and post project assessments

Ecology's Project Management Team may conduct site visits to provide technical assistance and verify progress or payment information for projects..

Project close-out

When the grant agreement and the project ends, final invoices must be submitted to the Project Manager within 30 days of grant agreement end date. A final project completion report must accompany the final invoice. When the grant is closed out, Ecology will perform an assessment of the recipients' performance with an Ecology Close-Out Report.

Performance elements will include:

1. Overall goal achieved.
2. Lessons learned.
3. Project challenges.
4. Timeliness of deliverables.
5. Project schedule.
6. Project budget.
7. Communication.

Appendix I: Grant Agreement Definitions

Administrative Requirements means the effective edition of Ecology's, Administrative Requirements for Recipients of Ecology Grants and Loans at the signing of this agreement.

Contract Documents means the contract between the recipient and the construction contractor for construction of the project.

Effective Date means the earliest date on which eligible costs may be incurred.

Guidelines means Ecology's Funding Guidelines for the Tribal Carbon Offset Assistance Grant program that correlate to the biennium in which the project is funded.

Project means the project described in this agreement.

Project Completion Date means the date specified in the agreement on which the Scope of Work will be fully completed.

Project Schedule means that schedule for the project specified in the agreement. Scope of Work means the tasks and activities constituting the project.

Termination Date means the effective date of Ecology's termination of the agreement.

Total Eligible Project Cost means the sum of all costs associated with the project that have been determined to be eligible for Ecology grant funding.

Total Project Cost means the sum of all costs associated with the scope of work described in this grant application, including costs that are not eligible for Ecology grant funding.

Appendix II: EAGL & Grants Training Tools and Resources

For EAGL Training Tools & Resources, please visit Ecology's Grants & Loans homepage: [Grant & loan guidance and forms](#)⁹.

There you will find Ecology's Administrative Requirements, other resources, such as:

Administrative Requirements for Recipients of Ecology Grants & Loans (“Yellow Book”)

- [Administrative Requirements for Recipients of Ecology Grants and Loans \(Yellow Book\)](#)¹⁰
This publication establishes the administrative requirements for recipients of all grants and loans administered by Ecology. Topics include financial management, expenditure and income reporting, contracting, and record retention.
This Version applies to all grant and loan agreements in EAGL, with an agreement signature date OR amended agreement signature date of August 11, 2017 or later.
- Submitting a Payment Request/Progress Report (PRPR). Most forms are available inside EAGL, and if you are managing your grant or loan there, use the forms in the system.

⁹ [Grant & loan guidance - Washington State Department of Ecology](#)

¹⁰ [Administrative Requirements for Recipients of Ecology Grants and Loans \(Yellow Book\) \(wa.gov\)](#)

Appendix III: Scoring Criteria

Scoring Description	Scoring
Purpose of the work is to design, assess the feasibility of, and implement carbon projects on federally recognized Tribal Lands in Washington State. Yes = 20 points. No = 0 points.	/20
Includes a schedule that lists the project's milestones, activities, and deliverables with intended start and finish dates. Schedule includes enough detail to summarize the project = 10 points. Schedule is missing one or more components listed above=5 points. Schedule not included=0 points.	/10
Applicant lists eligible costs. Listed and eligible = 10 points. Listed and some are eligible = 5 points. Not listed or all costs not eligible = 0.	/10
Proposed work will design, assess the feasibility of, implement, or support carbon offset projects that will primarily remove carbon from the atmosphere (such as reforestation). Yes = 5 points. Not specified, or proposed work primarily pertains to avoidance of carbon dioxide or carbon dioxide equivalent emissions = 0 points.	/5
Project schedule demonstrates achievement of outlined objectives by no later than June 30th, 2025 = 20 points. Project schedule does not clearly demonstrate the capacity to achieve outlined objectives by June 30th, 2025 = 0 points.	/20
Applicant Tribe has not previously developed carbon offset projects. Yes=10 points. No, applicant Tribe has previously developed carbon offset projects=0 points	/10