



## Consultation Fact Sheet: Potential Changes to the Clean Water Act Section 319 Tribal Grant Allocation Formula

### What is Happening?

Over the past year, EPA has been working to advance equity and environmental justice in the national Nonpoint Source (NPS) program. [You can learn more about this effort here.](#) As part of this effort, in March 2022 EPA began a consultation and coordination process with all federally recognized Tribes and Nations to identify actions to better support Tribal NPS programs.

**This Tribal Consultation Comment Period is open from October 24 to December 23, 2022. [Click here to learn more.](#)**

### What Tribal input is EPA seeking during the fall 2022 comment period?

EPA is seeking Tribal input on potential changes to the Clean Water Act (CWA) Section (§)319 Tribal grant allocation formula. Over the past year, Tribes have emphasized the critical need for increased funding for Tribal NPS program work, primarily staffing support. The President's Fiscal Year (FY) 2023 Budget Proposal includes a request to increase the Tribal CWA §319 set-aside by an additional \$7 million (FY2022 Tribal CWA §319 set-aside was \$9.8 million). EPA is currently requesting Tribal input on six proposed allocation formula options (additional details can be found in the consultation package):

**Option #1 (current):** 2 land area-based funding tiers (0-1,000; 1,000+ sq mi)

**Option #2:** 2 land area-based funding tiers (0-100; 100+ sq mi)

**Option #3:** 4 land area-based funding tiers (0-5; 5-100; 100-400; 400+ sq mi)

**Option #4:** \$60K/Tribe + add'l \$ based on land area

**Option #5:** \$60K/Tribe + add'l \$ based on land area rank

**Option #6:** \$60K/Tribe + add'l \$ based on land + surface water + population rank

### How does EPA currently allocate CWA §319 grants to eligible Tribes?

Each year EPA allocates funding to eligible Tribes in two parts: (1) non-competitive base grants of either \$36,000/year or \$60,000/year, depending on Tribal land area (see Option #1 above), and (2) competitive grants of \$125,000/project for on-the-ground work to manage NPS pollution.

### How will EPA incorporate Tribal input received during this comment period?

EPA will be considering Tribal input received during this comment period in the final selection of a Tribal CWA §319 grant allocation formula. EPA anticipates making a change to the allocation formula only if the proposed Tribal CWA §319 funding increase is included in EPA's final FY2023 budget.

### How can my Tribe/Nation provide comments or request a consultation meeting?

Tribal governments may request a consultation meeting with EPA by contacting Steve Epting at [tribal319grants@epa.gov](mailto:tribal319grants@epa.gov). Comments can be emailed to [tribal319grants@epa.gov](mailto:tribal319grants@epa.gov) or submitted via [this web form](#).