

Notice of Funding

Assistant Secretary–Indian Affairs
Office of Indian Energy and Economic Development
FY 2016 Energy and Mineral Development Program

The Assistant Secretary of Indian Affairs for the Department of the Interior (Assistant Secretary), through the Office of Indian Energy and Economic Development (IEED), announces funding for awards to Federally-recognized Indian tribes, authorized tribal organizations, and Tribal Energy Resource Development Organizations for projects that assess, evaluate, or otherwise promote the processing, use, or development of energy and mineral resources on Indian lands, particularly feasibility studies of community-scale energy development projects that promote local economic benefits and stronger tribal economies.

Awards will be made either as a direct service to tribes or pursuant to the Indian Self-Determination and Education Assistance Act (ISDA or the Act), 25 U.S.C. section 450, *et seq.* Tribal organizations, as defined at 25 U.S.C section 450b (l), are eligible for funding. All proposals must have tribal resolution(s) supporting their requests in order to receive funding. IEED will review and fund all eligible proposals received by 9:00 p.m. E.S.T. on July 8, 2016. Any award under this announcement does not guarantee future funding of any kind, including future Energy and Mineral Development Program announcements. Overall project costs may exceed the amount of the IEED contribution. Funds provided under a self-determination contract may be used to meet matching or cost participation requirements under other federal and non-federal programs.

Proposals are due by July 8, 2016 by 9:00 p.m. E.S.T. Contract proposals must contain the information required by 25 CFR 900.8. Send tribal resolutions and completed proposals electronically in one file, to: Ms. Rebecca Naragon, Attn: Energy and Mineral Development Program at IEEDgrants@bia.gov.

If you have technical questions about the energy and mineral resources you wish to assess, evaluate or promote, please contact the appropriate IEED Division of Energy and Mineral representatives listed below:

- **Mineral Projects** (Metals, Industrial Minerals, *e.g.* Sand and Gravel): Dennis Bodenchuk, telephone 720-407-0603, e-mail dennis.bodenchuk@bia.gov
- **Conventional Energy** (Oil, Natural Gas, Coal): Bob Just, telephone 720-407-0611, e-mail bob.just@bia.gov
- **Renewable Energy** (Biomass, Wind, Solar): Winter Jojola-Talburt, telephone 720-407-0668, e-mail Winter.Jojola-Talburt@bia.gov or Jennifer Murphy, telephone 720-407-0669, e-mail Jennifer.Reimann@bia.gov

- **Geothermal Energy:** Bob Just, telephone 720-407-0611, e-mail bob.just@bia.gov

CONTRACT PROPOSAL CONTENT REQUIREMENTS

25 CFR 900.8 requires that initial contract proposals contain the following information:

- (a) The full name, address and telephone number of the Indian tribe or tribal organization proposing the contract.
- (b) If the tribal organization is not an Indian tribe, the proposal must also include:
 - (1) A copy of the tribal organization's organizational documents (e.g., charter, articles of incorporation, bylaws, etc.).
 - (2) The full name(s) of the Indian tribe(s) with which the tribal organization is affiliated.
- (c) The full name(s) of the Indian tribe(s) proposed to be served.
- (d) A copy of the authorizing resolution from the Indian tribe(s) to be served.
 - (1) If an Indian tribe or tribal organization proposes to serve a specified geographic area, it must provide authorizing resolution(s) from all Indian tribes located within the specific area it proposes to serve. However, no resolution is required from an Indian tribe located outside the area proposed to be served whose members reside within the proposed service area.
 - (2) If a currently effective authorizing resolution covering the scope of an initial contract proposal has already been provided to the agency receiving the proposal, a reference to that resolution.
- (e) The name, title, and signature of the authorized representative of the Indian tribe or tribal organization submitting the contract proposal.
- (f) The date of submission of the proposal.
- (g) A brief statement of the programs, functions, services, or activities that the Indian tribe or tribal organization proposes to perform, including:
 - (1) A description of the geographical service area, if applicable, to be served.
 - (2) The estimated number of Indian people who will receive the benefits or services under the proposed contract.
 - (3) An identification of any local, Area, regional, or national level departmental programs, functions, services, or activities to be contracted, including administrative functions.
 - (4) A description of the proposed program standards;
 - (5) An identification of the program reports, data and financial reports that the Indian tribe or tribal organization will provide, including their frequency.
 - (6) A description of any proposed redesign of the programs, services, functions, or activities to be contracted,
 - (7) Minimum staff qualifications proposed by the Indian tribe and tribal organization, if any; and
 - (8) A statement that the Indian tribe or tribal organization will meet the minimum procurement, property and financial management standards set forth in subpart F,

subject to any waiver that may have been granted under subpart K.

- (h) The amount of funds requested, including:
 - (1) An identification of the funds requested by programs, functions, services, or activities, under section 106(a)(1) of the Act, including the Indian tribe or tribal organization's share of funds related to such programs, functions, services, or activities, if any, from any Departmental local, area, regional, or national level.
 - (2) An identification of the amount of direct contract support costs, including one-time start-up or pre-award costs under section 106(a)(2) and related provisions of the Act, presented by major categories such as:
 - i. Personnel (differentiating between salary and fringe benefits);
 - ii. Equipment;
 - iii. Materials and supplies;
 - iv. Travel;
 - v. Subcontracts; and
 - vi. Other appropriate items of cost.
 - (3) An identification of funds the Indian tribe or tribal organization requests to recover for indirect contract support costs. This funding request must include either:
 - i. A copy of the most recent negotiated indirect cost rate agreement; or
 - ii. An estimated amount requested for indirect costs, pending timely establishment of a rate or negotiation of administrative overhead costs.
 - (4) To the extent not stated elsewhere in the budget or previously reported to the Secretary, any pre-award costs, including the amount and time period covered or to be covered; and
 - (5) At the option of the Indian tribe or tribal organization, an identification of programs, functions, services, or activities specified in the contract proposal which will be funded from sources other than the Secretary.
- (i) The proposed starting date and term of the contract.
- (j) In the case of a cooperative agreement, the nature and degree of Federal programmatic involvement anticipated during the term of the agreement.
- (k) The extent of any planned use of Federal personnel and Federal resources.
- (l) Any proposed waiver(s) of the regulations in this part; and
- (m) A statement that the Indian tribe or tribal organization will implement procedures appropriate to the programs, functions, services or activities proposed to be contracted, assuring the confidentiality of medical records and of information relating to the financial affairs of individual Indians obtained under the proposal contract, or as otherwise required by law.

ACTIVITY STANDARDS

Activity standards must be met in any Contract Proposal submitted under 25 CFR 900.8. The

following section outlines the activity standards for funding a proposal. All proposals will be evaluated for their responsiveness to the activity standards.

The Energy and Mineral Development Program (EMDP) enables Federally-recognized Indian tribes, authorized tribal organizations, and Tribal Energy Resource Development Organizations to explore, assess, or inventory their energy and mineral resources, or perform feasibility or market studies that tend to promote the use and development of known energy and mineral resources. The goal of the EMDP program is to expand the tribal knowledge of those resources; enable them to bring those resources to market in an environmentally acceptable manner and realize economic benefits from the development of these resources.

Energy and mineral resources under this notice may include conventional energy resources (such as oil, natural gas, coal, and coal bed gas) or renewable energy resources (such as wind, solar, biomass, hydro and geothermal). Mineral resources include industrial minerals (e.g., sand, gravel), precious minerals (e.g., gold, silver, platinum), base minerals (e.g., lead, copper, zinc), and ferrous metal minerals (e.g., iron, tungsten, chromium).

The following activity standards must be addressed within the proposal:

Identification of the funds requested should contain:

- Total funds requested;
- A justification of all reasonably anticipated costs,
- Itemized data collection and analysis costs,
- A discussion of direct cost items,
- A discussion of contingencies,
- A spreadsheet for budget elements,
- Resumes of qualified personnel intended to perform the assessment or feasibility study, and a statement of the qualifications of those personnel.

To meet activity standards, the proposal must include:

- The reasons for the assessment, inventory, or feasibility study;
- The name of the project lead (the person authorized to make decisions), including his or her mailing address, telephone, number, email address, and fax number;
- A description of the resource to be examined, e.g., the particular oil or gas deposit, or the regional market for the use of renewable power;
- A description of the location of the mineral resource on Indian land or where the project will be performed (inclusion of maps and graphs is helpful);

- An explanation of how the project would be phased, and how long it is expected to take through completion;
- Information about whether the project proposal involves work or resources located in an archeologically, environmentally or culturally sensitive area;
- An indication of the tribe's motivation to develop the proposed project and how development of an energy or mineral resource will benefit the tribe;
- A description of the project's goals and objectives;
- A detailed description of the scope of work and the proposed methodology. For example, if the project involves a geochemical sampling survey, include an explanation of how and why the tribe decided upon the quantity of samples to be obtained, what type of sampling to target, the soil horizons to be tested, the general location of sampling, how the samples are to be analyzed, and why the tribe chose geochemistry as its exploration technique. Furnish similar explanations and details for geophysics, geologic mapping, core drilling, or any other type of assessment planned;
- A description of all deliverable products the proposed project will generate, including all technical data to be obtained during the study.

The funding described in this Notice is intended to support inventories, assessments, and feasibility studies of energy and mineral resources on tribal land, as opposed to:

- Salaries or fringe benefits for tribal employees;
- Establishing or operating a tribal office/ and/or purchase of office equipment;
- Purchasing equipment such as computers, vehicles, field gear, anemometer (Met) towers, and the like, to perform pre-development activities;
- Purchasing or leasing equipment to develop energy and mineral resources, such as well drilling rigs, backhoes, bulldozers, cranes, trucks, etc.;
- Drilling wells for the sale of hydrocarbons, geothermal resources, other fluid or solid minerals, with the exception of exploration holes for testing, sampling, coring, or temperature surveys;
- Paying legal fees;
- Paying application fees associated with permitting;
- Academic research projects;
- Development of unproven technologies;
- Training;
- Purchase of data already available through IEED's Division of Energy and Mineral Development;
- Conducting studies related to meeting NEPA requirements for project development; and
- Attending conventions or travel to foreign countries.

REPORTING INSTRUCTIONS

(a) Submission of one to two page quarterly progress reports summarizing events, accomplishments, problems and/or results in executing the project for the past quarter.

(b) Reports assist IEED staff with project monitoring of the EMDP program and ensure that projects are making adequate progress in achieving the project's objectives.

Submission of Progress Reports:

(a) The grantee shall submit electronically a performance report to the Division of Energy and Mineral Development with each Financial Status Report stated in the Terms and Conditions of the Award.

Office of Management and Budget (OMB) Control Number and Compliance with the Paperwork Reduction Act

The information collection requirements contained in this notice have been renewed by the Office of Management and Budget (OMB) under 44 U.S.C. 3504(h). The OMB control number is 1076-0174. The authorization expires on June 30, 2016. An agency may not sponsor, and you are not required to respond to, any information collection that does not display a currently valid OMB Control Number.

The information collected is used to identify tribes eligible for awards and to obtain progress reports from award recipients. The information is supplied by the respondents to obtain a benefit. The public reporting burden is estimated to be 40 hours per application and 1.5 hours per progress report per respondent. This includes the time needed to understand the requirements, gather the information, complete the application and progress report, and submit it to the Department. Comments regarding the burden or other aspects of the information collection may be directed to the Information Collection Clearance Officer – Indian Affairs, 1849 C Street, NW, MS-4141, Washington, D.C. 20240.

Note

IEED's Division of Energy and Mineral Development (DEMD) maintains extensive data and information on tribal energy and mineral resources, including digital land grids, geographic information system (GIS) data, and imagery data for many reservations. Therefore, DEMD can often help with common requests such as well and production data, geophysical data (including seismic data), geology and engineering data. DEMD may have, or be able to obtain, much of the data needed for tribes to submit requests, thereby reducing the anticipated cost for the tribe's project.

Before submitting a EMDP proposal that includes acquiring new data, applicants should search thoroughly for preexisting data. Even older data may still have considerable value. Modern data processing and interpretation techniques may allow for updating or improving older data. Applicants should look into this possibility with DEMD staff or a reputable consultant.

DEMD offers tribes many in-house technical capabilities and services at no charge. Tribes can maximize the value of EMDP projects by taking full advantage of DEMD's services, or by using DEMD services in conjunction with reputable consultants. Services at DEMD include:

- Searching nearby reference materials for technical literature on previous investigations and work performed in and around reservations, such as the U.S. Geological Survey (USGS) library in Denver, Colorado, or the Colorado School of Mines library in Golden, Colorado;
- Furnishing well production history analysis, decline curve and economic analysis of data obtained through DEMD's in-house databases;
- Providing well log interpretation, including correlation of formation tops, identification of producing horizons, and generation of cross-sections;
- Supplying technical mapping capabilities, using data from well log formation tops and seismic data;
- Providing contour mapping capabilities, including isopachs, calculated grids, color-fill plotting, and posting of surface features, wells, seismic lines and legal boundaries;
- Furnishing seismic data interpretation and data processing;
- Supplying three-dimensional modeling of mine plans;
- Providing economic analysis and modeling for energy and solid mineral projects; and
- Supplying marketing studies.

All products generated by studies funded by IEED belong to the tribe and cannot be released to the public without the tribe's written approval. Products include all reports and technical data obtained during the study such as geophysical data, geochemical analyses, core data, lithologic logs, assay data of samples tested, results of special tests, maps and cross sections, status reports, and the final report. However, the resolution must include a statement to the effect that the tribe will consider public release of information obtained from the project, including summary information suitable for publications, press releases, or presentation at government or private meetings and conferences. The IEED does not contemplate the release of copies of detailed proprietary data or reports to any individual, private company or government agency without the tribe's written permission. However, any information in the possession of IEED or submitted to IEED, including final work product, constitute government records and may be subject to disclosure to third parties under the Freedom of Information Act (FOIA),

5 U.S.C. 552, and the Department of the Interior's FOIA regulations at 43 CFR part 2, unless a FOIA exemption or exception applies or other provisions of law protect the information.

EMDP funding is subject to annual appropriations by Congress, so IEED can only fund single-year projects. IEED is aware that many projects require several years to implement. Therefore, if a tribe has received EMDP funding in a previous year, the tribe may submit an EMDP proposal for the current year.

Definitions for Purposes of this Notice:

1. Tribal Energy Resource Development Organization. The term "Tribal Energy Resource Development Organization" for purposes of this announcement means an organization of two or more entities, at least one of which is an Indian tribe that has the written consent of the governing bodies of all Indian tribes participating in the organization to apply for assistance under 25 U.S.C. 3502.
2. Indian Land. The term "Indian land" for purposes of this announcement means any tract, or interest therein, in which the mineral estate is owned by one or more Indian tribes in trust or restricted status.