



NORTHERN ARIZONA UNIVERSITY

SUMMARY INFORMATION

Project Title: ITEP's Technical Assistance Program in the VW Settlement's Environmental Mitigation Trust Agreement for Indian Tribe Beneficiaries

Technical Assistance Provider Information: Institute for Tribal Environmental Professionals
Office of Native American Initiatives
Arizona Board of Regents for and on behalf of
Northern Arizona University
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Second Year Funding Requested
From Wilmington Trust N.A.: \$605,715

Budget Period: January 1, 2019 – December 31, 2019

**Institute for Tribal Environmental Professionals’
Technical Assistance Program in the VW Settlement’s Environmental Mitigation
Trust Agreement for Indian Tribe Beneficiaries**

This work plan details the Institute for Tribal Environmental Professionals (ITEP) technical assistance program in support of the Volkswagen Environmental Mitigation Trust Agreement for Indian Tribe Beneficiaries as modified on November 15, 2018.

I. INTRODUCTIONS AND SUMMARY

Introductions

Northern Arizona University has a long history of research and education initiatives sensitive to both environmental and multicultural perspectives, particularly Native American lifeways and values. The Institute for Tribal Environmental Professionals (ITEP) was founded under a Memorandum of Understanding between the U.S. Environmental Protection Agency and NAU to enhance the ability of tribal governments to meet their environmental protection needs through effective training and education programs.

ITEP has a highly successful record for effectively managing and successfully delivery environmental training programming for tribes for over 25 years. ITEP has worked closely with federal agencies, tribal leaders, and environmental professionals across the country to develop comprehensive and tribally relevant training programs and technical assistance services.

Summary

As part of one of the largest settlements in the history of the United States, the automaker Volkswagen settled violations of the Clean Air Act in 2017 through funding a multi-billion-dollar environmental mitigation trust for all U.S. States, Tribes and Territories. Wilmington Trust, N.A., was selected as the trustee, and will be managing trust assets in accordance to the trust agreement. The Institute for Tribal Environmental Professionals (ITEP) at Northern Arizona University (NAU) was selected in the trust agreement as the Technical Assistance Provider to assist tribes interested in becoming beneficiaries of the trust agreement. This work plan provides a detailed description of ITEP’s Technical Assistance Program activities for the period of January 1, 2019 – December 31, 2019.

II. SCOPE OF WORK

ITEP’s Scope of Work

ITEP’s Technical Assistance Program will focus on the following five tasks:

- Task 1: One-on-one Technical Assistance with Tribes
- Task 2: Web-based Outreach and Education Materials
- Task 3: Monthly Webinars with Tribes
- Task 4: In-person Outreach and Trainings
- Task 5: Tribal Advisory Council

ITEP experienced staff and contractors will provide both in-person and on-line trainings for tribes to understand the requirements of the Trust Agreement, and what steps tribes are required to take should they wish to become beneficiaries. In addition to doing outreach, online and in-person training, ITEP will work individually with each Tribe that makes a request for technical assistance. ITEP will work closely with interested tribes to understand the requirements of the Trust Agreement in order for tribes determine to either participate as beneficiaries in the trust agreement or opt out. If tribes determine to become beneficiaries, ITEP will assist the tribes in submitting the necessary forms and application requirements of the trust agreement.

Tasks Associated with ITEP's Technical Assistance Program

Task 1: One-on-one Technical Assistance with Tribes

ITEP will provide

- ITEP will respond to all requests for technical assistance from federally-recognized Tribes via phone, email, or mail on a regular and ongoing basis. A tribe may contact ITEP through ITEP's website, phone, email, mail, via an ITEP training, or through the trustee.
- ITEP staff will direct selected contractors to work with Tribes on an as needed basis. Contractor work will be tracked and monitored by ITEP staff to ensure the quality of technical assistance is maintained and Tribes are satisfied with their assistance. ITEP will submit, as part of the regular reporting back to trustee, information including Tribes assisted, the type of technical assistance provided, hours of work provided, as well as any specific concerns that were raised.
- ITEP staff will respond to a Tribe's request for technical assistance and will strive to provide tribal leaders and their staff timely and accurate information about the trust agreement and the requirements to become beneficiaries and complete environmental mitigation activities.
- ITEP staff and/or ITEP contractors will assist Tribes by reviewing their documentation for completeness and compliance with the trust agreement before submitting to the trustee. Specific tasks include:
 1. Inform tribes requesting technical assistance about the process to access the settlement, the timeline they must follow and what documents are needed including the Environmental Mitigation Trust Agreement Appendix D-3 and D-4 as well as the security documentation required by the trustee including the Beneficiary Incumbency Certification Form.
 2. Work with tribes to fill out and submit the Appendix D-3, the Certification for Beneficiary Status under Environmental Mitigation Trust Agreement.
 3. Work with Tribes to fill out and submit the Appendix D-4, the Beneficiary Eligible Mitigation Action Certification.
 4. Work with Tribes to answer questions and submit Appendix D-6 and Appendix D-7 forms.

5. ITEP staff and/or contractors will respond to all Tribes on an ongoing basis to answer their technical assistance questions related to all these required activities.
- ITEP staff will communicate with the trustee regularly to ensure that Tribal EMA's meet the standards set within the Environmental Mitigation Trust Agreement and make adjustment to outreach and training materials as needed.
 - As part of the regular, semi-annual reporting back to the trustee, ITEP will track and report back to WTNA with a summary of how many Tribes requested assistance, which tribes were provided technical assistance, and how many D-3 and D-4 EMA's were submitted to the trustee that utilized ITEP's technical assistance.

Task 2: Web-based Outreach and Educational Materials

- ITEP has developed a publicly available website <http://www7.nau.edu/itep/main/volkswagensettlement/> that will continue to be maintained and updated with outreach materials and other resources that Tribes can utilize to develop and submit all required trust agreement documents.
- Webinars and trainings will be recorded and archived on the website for tribes to access.
- Links will be provided to helpful resources such as EPA's Diesel Emissions Reduction Action program, and other resources pertaining to diesel emission reduction.
- As part of the regular, semi-annual reporting back to the trustee, detailed analytics on ITEP's website will be provided, including the number of unique visits, amount of time spent on the website and other details to understand how Tribes are using the website materials.

Task 3: Webinars

- In the second year, ITEP will continue to host webinars for all interested Tribes to seeking information to become beneficiaries of the Trust Agreement. Webinars will be provided specific to 1st round tribes, and for tribes seeking funding for the 2nd round of funding. Webinars may include polling question to track webinar effectiveness, evaluate webinar content and measure the success of the trainings.
- As part of the regular, semi-annual reporting back to the trustee, detailed analytics on ITEP's webinars will be provided, including the number of unique attendees, amount of time spent on the webinar and other details to understand how Tribes are utilizing ITEP webinars.

Task 4: In-Person Trainings

- ITEP will create modules for in-person trainings for Tribes to walk through their vehicle inventories, draft EMAs and prepare documentation to submit to and report back to the trustee.
- ITEP staff will attend regional and national tribal environmental management conferences to offer trainings to conference attendees. Conferences may include but not limited to: Regional EPA Tribal Environmental Management Conferences; Tribal Lands and Environment Forum; National Tribal Forum on Air Quality; Alaska Forum on the Environment, and others.

- As part of the regular, semi-annual reporting back to WTNA, detailed analytics on ITEP’s In-Person Trainings will be provided to WTNA including the number of unique attendees, topics discussed, feedback provided to the trainers and other details to understand how Tribes are utilizing ITEP trainings.

Task 5: Tribal Advisory Council

- ITEP will establish, implement and maintain a Tribal Advisory Council (TAC) to ensure tribes have an opportunity to provide feedback to ITEP on how to improve technical assistance services and provide feedback to the trustee when appropriate on matters pertaining to trust services.
- ITEP will develop an application form and framework for the roles and responsibilities of the TAC members that will be broadly distributed. Application forms and governing documents of the TAC will be posted on the ITEP website.
 - Framework and applications forms will be shared with tribes in January 2019
 - Selection of TAC members will be made in March 2019.
 - Frequency of TAC meetings / calls will be quarterly.
- TAC meeting agendas and summary reports will be posted on the ITEP website.

III. PROJECT BUDGET AND BUDGET NARRATIVE

Table 1.0 below provides a summary of ITEP’s Technical Assistance Program budget by major cost category for the period of January 1 – December 31, 2019.

ITEP's Technical Assistance Program Budget	
January 1, 2019 - December 31, 2019	
Budget Categories	Estimated Costs
Salaries and Wages	\$ 183,423.00
Fringe Benefits	\$ 76,895.54
Supplies & Communication	\$ 10,000.00
Technical Consultants / Contractors	\$ 150,000.00
Travel - Consultants / Contractors	\$ 24,272.00
Staff Travel	\$ 18,140.00
Total Direct Cost	\$ 462,731.00
Indirect Cost	\$ 142,984.00
Total Budget	\$ 605,715.00

Budget Narrative

The budget narrative below provides a summary of the project budget by category for the second year of operation.

SALARIES AND FRINGE BENEFITS: \$260,319

Salaries consist of compensation for ITEP project staff and part-time temporary staff that will be hired to assist with project activities. Salary rates are established by Northern Arizona University's Human Resources Department and conform to market standards for comparable positions. Staff positions will be maintained to complete the scope of work described.

PROJECT STAFF

Ann Mari Chischilly, Executive Director (5% FTE)

ITEP's Executive Director provides administrative oversight for all ITEP programs, budgets and planning efforts. This position will provide supervision of Co-Project Directors and serve as the Principal Investigator in relation to Northern Arizona University's management of the funds delivered to ITEP for the VW Settlement.

Mehrdad Khatibi, Director (75% FTE)

Mr. Khatibi will work with the Executive Director and Project Director to oversee all tasks and supervise all staff with implementing this project. This position will also focus on:

- Coordinating and implementing direct technical assistance to Tribes.
- Work with contractors and support staff to provide direct technical assistance to Tribes
- Track technical assistance analytics and produce ITEP reports for public consumption.
- Provide HR support for the staff involved in these tasks, process invoices and manage budgets for the project.
- Plan, coordinate, implement and provide administrative support to the Tribal Advisory Council for the VW Settlement.

Andy Bessler, Project Director (25% FTE)

Mr. Bessler will coordinate major projects or programs within a department or work unit. Coordination may include responsibilities such as administrative, operations, technical or financial duties. Responsible for overall quality and management of major projects or programs. Specific duties include:

- Will work with ITEP Executive Director and Director to manage and implement certain aspects of the project.
- This position will focus on outreach, training, trustee and beneficiary relations and oversight of technical assistance support to Alaskan Tribes and Native Villages.
- Oversight of contractors and project staff working with Alaskan Tribes and Native Villages.
- Outreach to Alaskan Tribes and Native Villages.

Mark Daniels, Program Coordinator Sr. (100% FTE)

Mr. Daniels will work closely with project director manage and implement all major tasks associated with this project. Responsibilities will include but not be limited to the following:

- Providing tribes with one-on-one technical assistance
- Developing outreach materials for tribes
- Managing and developing content for the project website
- Assisting and developing content for trainings and webinars

- Travel for conferences for outreach and training
- Research and develop best practices guides and tools
- Oversight of contractors and other project staff

Tyrone Jones, Webmaster (10% FTE)

Mr. Jones will support web application programming and management needs of the project. Specifically, Mr. Jones will work with project directors and staff to ensure the project website is updated, maintained, and is accessible to the public. At the direction of authorized project staff, Mr. Jones will update content, outreach materials, trainings and other resources as necessary. Mr. Jones will also supervise temp staff with website application responsibilities.

Melinda Yaiva, Budget Manager (15% FTE)

Ms. Yaiva will provide project budget oversight and ensure financial transactions meet requirements and guidelines of the university. Specific responsibilities will include:

- Prepare budget reports and statements
- Conduct detailed cost and financial analysis, and forecast of costs and projections
- Conduct journal entries, maintain budget ledgers, and analyzes financial reports
- Works with project directors to reconcile budgets as necessary

Rayes Masayestewa, Administrative Assistant (50% FTE)

Ms. Masayestewa will assist ITEP project staff with support for administering the project. Specific responsibilities will include but not limited to the following:

- Provide support for staff travel, including booking of flights, hotel reservations, and other logistics.
- Prepare and assist with shipment of supplies to training events.
- Process invoices from contractors and other vendors
- Process travel requisitions and reimbursements for contractors and project staff
- Provide support for meetings, trainings, and events associated with the project

Part-Time Temporary Staff (\$13,000)

Funding has been budgeted for temporary project staff to assist with research, website support, training videography and other ancillary tasks to support project activities.

FRINGE BENEFITS:

Fringe Benefits also known as Employee-related expenses (ERE) are rounded estimates based on the projected cost of health, dental, life, disability, FICA and Medicare, unemployment, and retirement benefits relative to the employee's salary and/or wages, and election of benefits. The employee's fringe benefit rate is calculated by dividing his/her salary by the total cost of his/her benefit package.

Fringe benefits calculated at 29.9% for Chischilly, 65.1% for Yaiva, 45.8% for Masayestewa, 44% for Bessler, 40.4% for Khatibi, 49.4% for Daniels, 33.1% for Jones, and 8.125 for the Part-Time Temporary staff.

SUPPLIES & COMMUNICATION: \$10,000

Supplies and communication consists of materials and work needed for production, printing and distribution of written and on-line materials as well as all project-related communication support. Supplies consists of materials needed to support the project including office supplies, computers and other media equipment.

- Copying and Printing: \$1,000. Funds will be used to produce and print documents necessary to implement project tasks including outreach and training materials necessary to implement the project.
- Postage: \$1,000. Funds for postage are needed for mailings to tribes and shipment of supplies to conferences and trainings.
- Telephone/fax/web conferencing: \$3000. Funds will be used to ensure robust communication throughout all aspects of the project including telephone service, web hosting, and conference call services.
- Supplies: \$5,000. Funds will be used to purchase materials needed to support the project including computer hardware, monitors, and other supplies necessary for the project.

TECHNICAL CONSULTANTS: \$150,000

Funds will be used to support contractual services provided to assist ITEP with technical assistance tasks necessary for the project. Consultants will be hired to work with ITEP and Tribes to develop, edit and implement EMA's as well as develop training and outreach material. Rates for payment to consultants will vary based on complexity of tasks and assignments but will be capped at \$110 per hour.

CONSULTANT TRAVEL: \$24,272

Funds will be used to cover contractor travel to the continental US to assist with outreach and training:

- Airfare: \$6,660 - Air transportation for at least four trips lasting four days for two people assuming a cost of \$825 per trip.
- Hotel: \$3,680 - Lodging for two people for at least four trips lasting four days each assuming a rate of \$115 per night for a total of 16 nights.
- Per Diem: \$1,728 - Daily cost of meals during four trips lasting four days assuming a daily rate of \$54 per day per person.
- Conference Fees: \$2,000 - Conference Registration and/or vendor fees for two people to attend two conferences assuming a registration rate of \$500.

Funds will be used to cover contractor travel to Alaska to assist with outreach and training:

- Airfare: \$6,000 - Air transportation for at least two trips lasting four days for two people assuming a cost of \$1,500 per trip.
- Hotel: \$2,400 - Lodging for two people for at least two trips lasting four days each assuming a rate of \$150 per night for a total of 8 nights.
- Per Diem: \$864 - Daily cost of meals during two trips lasting four days assuming a daily rate of \$54 per day per person.
- Conference Fees: \$1,000 - Conference Registration and/or vendor fees for two people to attend one conferences assuming a registration rate of \$500.

STAFF TRAVEL: \$18,140

Funds will be used to cover staff travel to the continental US to conduct outreach and training:

- Airfare: \$6,600 - Air transportation for at least six trips lasting four days for two staff assuming a cost of \$825 per trip.
- Hotel: \$3,680 - Lodging for two staff for at least six trips lasting four days each assuming a rate of \$115 per night for a total of 24 nights.
- Per Diem: \$1,728 - Daily cost of meals during six trips lasting four days assuming a daily rate of \$54 per day per person.
- Conference Fees: \$1,000 - Conference Registration and/or vendor fees to attend two conferences assuming a registration rate of \$500.

Funds will be used to cover staff travel to Alaska to conduct outreach and training:

- Airfare: \$3,000 - Air transportation for at least two trips lasting four days for one staff person assuming a cost of \$1,500 per trip.
- Hotel: \$1,200 - Lodging for one staff person for at least two trips lasting four days each assuming a rate of \$150 per night for a total of 8 nights.
- Per Diem: \$432 - Daily cost of meals during two trips lasting four days assuming a daily rate of \$54 per day per person.
- Conference Fees: \$500 - Conference Registration and/or vendor fees for one staff person to attend one conferences assuming a registration rate of \$500.

TOTAL DIRECT COSTS: \$462,731

INDIRECT COSTS: \$142,984

The rate of 30.9% is based on Modified total direct costs, consisting of all salaries and wages, fringe benefits, materials, supplies, services, travel and subgrants and subcontracts up to the first \$25,000 of each subgrant or subcontract. Modified total direct costs shall exclude equipment, capital expenditures, charges for patient care, student tuition remission, rental costs of off-site facilities, scholarships, and fellowships as well as the portion of each subgrant and subcontract in excess of \$25,000. Therefore: $(\$462,731) \times (30.9\%) = \$142,984$.

TOTAL REQUESTED FUNDS: \$605,715

A CERTIFICATION THAT INDIRECT COSTS COMPLY WITH THE LIMITS IN SUBPARAGRAPH 2.1.13

The proposed rate of 30.9% is based on Modified Total Direct Costs, consisting of all salaries and wages, fringe benefits, materials, supplies, services, travel and subgrants and subcontracts up to the first \$25,000 of each subgrant or subcontract (regardless of the period covered by the subgrant or subcontract). Modified total direct costs shall exclude equipment, capital expenditures, charges for patient care, student tuition remission, rental costs of off-site facilities, scholarships, and fellowships as well as the portion of each subgrant and subcontract in excess of \$25,000.

Table 2.0: ITEP VW Technical Assistance Program – Timeline of Tasks

Year 2 ITEP VW Technical Assistance Program - Timeline of Tasks												
	Jan -19	Feb -19	Mar -19	Apr -19	Ma y-19	Jun -19	Jul -19	Aug -19	Sep -19	Oct -19	Nov -19	Dec -19
Task 1: One-on-one Technical Assistance	(Ongoing - as needed)											
Task 2: Web-based Outreach and Education	(Ongoing - as needed)											
Task 3: Webinars												
Task 4: In-Person Trainings												
<i>Alaska Forum on the Environment</i>												
<i>National Tribal Air Quality Forum</i>												
<i>Tribal Lands & Environment Forum</i>												
<i>Alaska Tribal Conference on Environmental Management</i>												
<i>Other Regional Tribal EPA Conferences</i>												
Task 5: Tribal Advisory Council												
<i>Develop and distribute TAC application forms</i>												
<i>Select TAC Membership</i>												
<i>Hold TAC Member Calls / Meetings</i>												
Semi-Annual Reports												

IV. A CERTIFICATION THAT ALL VENDORS WERE OR WILL BE SELECTED IN ACCORDANCE WITH STATE OR TRIBAL PUBLIC CONTRACTING LAWS AS APPLICABLE

- Northern Arizona University procurements, regardless of funding source, will be made in accordance with applicable state statutes, federal regulations, and Board of Regents and University policy. Contracting and Purchasing Services has the responsibility to ensure policy compliance. The Director of Procurement has the central responsibility for establishing procedures and guidelines that will assist users in complying with procurement policies. More information can be found at <https://nau.edu/Contracting-Purchasing-Services/Policies-Procedures/>

V. FOR EACH PROPOSED EXPENDITURE EXCEEDING \$25,000, DETAILED COST ESTIMATES FROM SELECTED OR POTENTIAL VENDORS

- At time of submission, no expenditures exceeding \$25,000 is expected for selected or potential vendors. If future expenditures exceed \$25,000 for a potential vendor, a detailed cost estimate from the vendor will be provided to the trustee.

VI. A DETAILED DESCRIPTION OF HOW THE TECHNICAL SERVICES PROVIDER WILL OVERSEE THE PROPOSED SERVICES, INCLUDING, BUT NOT LIMITED TO:

- **Identification of the specific entity responsible for reviewing and auditing expenditures of funds to ensure compliance with applicable law.**
 - i. All purchases and expenditures are approved by Principal Investigator, ITEP Director and the Program Director. ITEP will process all payments for travel-related expenses expeditiously and according to NAU protocols. ITEP will utilize per diem and lodging rates that are established by the State of Arizona for staff travel. All grant funds are expended and recorded in accordance with federal and state requirements and accepted university accounting practices. All NAU financial data is maintained on the PeopleSoft financial accounting system, which performs many functions, including budgeting, general accounting, purchasing, receiving, travel, and interdepartmental billing. Annual audits are conducted by external auditors contracted by the university to ensure compliance with state and federal regulations. ITEP's Accountant will provide monthly budget reports which the Principal Investigator and Directors will thoroughly review for accuracy, reconciliation of expenditures, and status of funds.
- **A commitment by the technical assistance provider to maintain and make publicly available all documentation submitted in support of the funding request and all records supporting all expenditures of funds, subject to applicable laws governing the publication of confidential business information and personally identifiable information, together with an explanation of the procedures by which the technical assistance provider shall make such documentation publicly available.**

- i. The Principal Investigator and Program Director will submit all documentation including funding requests and funding reports in compliance with subparagraph 2.1.1.4

VII. A DETAILED PLAN FOR REPORTING IN IMPLEMENTATION THAT MEETS THE REQUIREMENTS OF SUBPARAGRAPH 2.1.1.4 SIX MONTHS AFTER RECEIVING ITS FIRST DISBURSEMENT OF TRUST ASSETS AND THEREAFTER NO LATER THAN JANUARY 30 AND JULY 30TH.

- i. The Principal Investigator and Program Directors will submit semi-annual reports as required in subparagraph 2.1.1.4 through trustee's selected online platform, Intralinks six months after receiving its first disbursement of trust assets. Thereafter, the Principal Investigator and Program Directors will submit reports no later than January 30 and July 30th of each year for the project period.