



CLEAN WATER ACT SECTION 106 TRIBAL GUIDANCE REVISION PROJECT STATUS #1

EPA Office of Water

December 2020

What is happening?

EPA is initiating a collaborative effort to revise the 2007 *Guidance on Awards of Grants to Indian Tribes under Section 106 of the Clean Water Act*, which has been in use since FY2007 as the primary guidance for tribal grant recipients and internal and external grant project officers. EPA has assembled an internal work group consisting of representatives from HQ Offices and all 10 Regions. This work group began meeting in May 2020 and is developing recommendations for guidance revision in preparation for tribal consultation.

Why is EPA revising the guidance?

An updated guidance is needed to reflect advances in the program over the last 14 years and to help tribes to develop, maintain, and expand water quality programs and increase staff capacity. An updated guidance will serve as a water quality program development roadmap, clarify eligible activities, and better integrate current resources and technical recommendations of the CWA regulations.

What might change?

The work group is considering several modifications to the guidance including but not limited to:

- Updating grant, programmatic, and technical content
- Improving the overall structure
- Adding information on other EPA programs and topics
- Increasing flexibility for meeting reporting requirements

EPA will need your input:

The work group is considering when and how best to engage tribes in the guidance revision process. EPA's Office of Water tentatively plans for the following points of tribal engagement:

- Outreach to tribal advisory groups fall 2020
- First tribal comment period on the work group's recommended revision approach early 2021
- Second tribal comment period on the draft updated guidance mid-late 2021

EPA will communicate:

- What feedback EPA needs from tribes
- Why EPA chose certain revision approaches
- How tribes can provide input
- Milestone updates

Channels for communication:



Email



Teleconference



Webcasts

Goals for the Tribal Guidance Revision

Develop clear, comprehensive, updated, and succinct language that is relevant and applicable to tribes

Describe the Section 106 program and provide context around the CWA generally

Describe the benefits of water quality program development and implementation

Provide practical guidance in program implementation

Provide consistent messaging on national program requirements to help tribes more effectively negotiate workplans with EPA