



# CWA SECTION 106 TRIBAL GUIDANCE REVISION PROJECT STATUS #5 CONSULTATION OPPORTUNITY

EPA Office of Water

June 2022

## Background

On January 13, 2021, the U.S. Environmental Protection Agency (EPA) initiated consultation and coordination with Tribes to seek input on recommended changes to the 2007 Section 106 Tribal Guidance. EPA then established a Section 106 Tribal Guidance Revision work group, made up of EPA headquarters and regional staff and 24 tribal volunteers, to assist in revising the 2007 Guidance. The Section 106 Tribal Guidance Revision work group developed draft text based on the initial EPA recommendations and tribal feedback provided through the consultation and coordination process.

## What is happening?

EPA is continuing the consultation and coordination opportunity with federally recognized Indian Tribes to gather feedback and take comment on the draft revised Guidance.

For more information about EPA's revision process and to view and download the draft revised Guidance, visit the [Draft CWA Section 106 Tribal Grant Guidance](#) Web site.

EPA is specifically requesting feedback on:

- Additional flexibilities EPA should consider
- Inclusion of information on ITEK
- Tools and technical assistance EPA should provide to support tribal data flow
- If any content is overly- or insufficiently-detailed
- Other feedback on individual chapters

EPA welcomes any relevant case studies and pictures, including about Indigenous Traditional Ecological Knowledge.

This second comment period will remain open from June 13, 2022 - August 15, 2022.

## Informational Webinars

EPA will host an informational webinar on June 23 and again on June 29, to provide an overview of the revision process and revised Guidance, explain how to provide comments and request government-to-government consultation, and provide an opportunity to ask questions and provide initial feedback. The webinar will be offered at two different times and will cover the same material.

- Register for the June 23 (12:00-1:30PM EDT) webinar by visiting the [GoToWebinar Registration Page](#)
- Register for the June 29 (1:00-2:30PM EDT) webinar by visiting the [GoToWebinar Registration Page](#)

## How to Comment

You can provide comments any one of three ways.

- (1) Submit your comments online using the [Response Form](#)
- (2) Email your comments to EPA using this email address: [Draft\\_Section\\_106\\_Tribal\\_Guidance@epa.gov](mailto:Draft_Section_106_Tribal_Guidance@epa.gov)
- (3) Mail your comments to EPA at the address below:

CWA Section 106 Tribal Program  
U.S. EPA  
1200 Pennsylvania Ave, NW (MC 4201M)  
Washington, DC 20460

## Contact Information

For questions, please contact Robyn Delehanty, EPA's official representative for this consultation and coordination opportunity.

[Delehanty.Robyn@epa.gov](mailto:Delehanty.Robyn@epa.gov)  
(202) 564-3880

## For More Information

Tribes may access consultation information on EPA's [Tribal Consultation Opportunities Tracking System](#) (TCOTS).

## 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 work plans with EPA