



Clean Water Act Section 106 Program

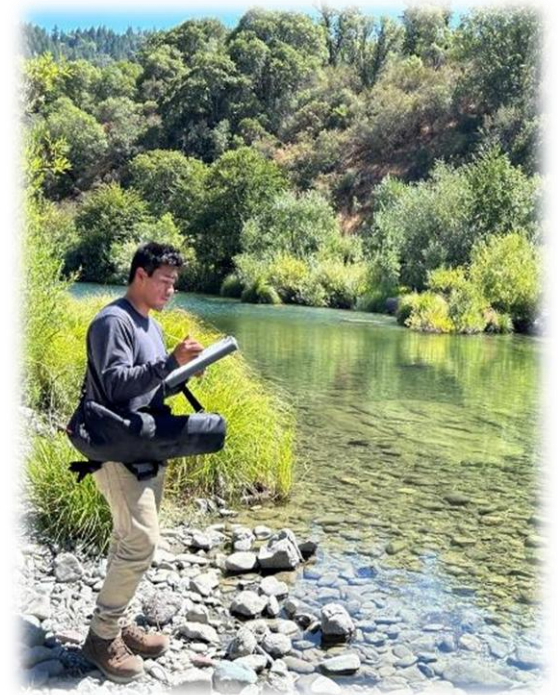
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SUSTAINING YOUR WETLAND PROGRAM: CROSS-FUNDING OPPORTUNITIES

SEPTEMBER 1, 2026

Clean Water Act Section 106 Program Basics

- ▶ Section 106 of the Clean Water Act (CWA) authorizes EPA to provide financial assistance to states and eligible interstate agencies to establish and administer programs for the prevention, reduction, and elimination of water pollution.
- ▶ In 1987, Congress amended CWA to include provisions that allow EPA to treat an Indian tribe in a manner similar to a state (TAS) for the purpose of providing Section 106 funding.



*Water quality sampling at the
Sherwood Valley Band of Pomo
Indians Reservation*



Clean Water Act Section 106 Tribal Guidance



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States, Interstate Agencies, and Tribes can use Section 106 grant funds for the following wetlands-related activities:

- Identify wetlands.
- Monitor wetlands.
- Develop and implement wetland programs.
- Develop Section 404 dredge and fill permit programs.
- Implement dredge and fill permit programs.

Enhancing State and Tribal Wetland Programs:

1. Monitoring and Assessment

- ▶ Core component of CWA 106 programs is water quality monitoring, which can include wetlands.
- ▶ Required deliverables include a Quality Assurance Project Plan, water quality data submitted annually in EPA's Water Quality Exchange (WQX), and an annual Water Quality Assessment Report.



Fallon Paiute-Shoshone Wetlands Monitoring at 2025 Tribal CWA Workshop

Enhancing State and Tribal Wetland Programs:

2. Regulatory Activities including 401 Certification & 4. Water Quality Standards for Wetlands

- ▶ Tribes can use CWA 106 funding to apply for regulatory Treatment as a State, including Water Quality Standards and 401 Certification*, and to implement those programs
- ▶ Current Status
 - ▶ 85 Tribes nationally have TAS for Water Quality Standards (84 for CWA 401)
 - ▶ 54 Tribes nationally have EPA approved Water Quality Standards
 - ▶ Navajo is currently applying for the first NPDES TAS in the country

*There are proposed rule changes affecting the possibility of tribes to apply for only CWA 401 or CWA 401a2 TAS as of Summer 2026



Enhancing State and Tribal Wetland Programs:

3. Voluntary Restoration and Protection

- ▶ Under the CWA 106 program, outreach and education is the most applicable common eligible activity to support wetland protection.
 - ▶ Installing signage
 - ▶ Holding Earth Day Awareness Activities
 - ▶ Producing Newsletters
- ▶ Restoration Activities can be done under the CWA 319 Program:
 - ▶ Riparian Area Restoration/Planting
 - ▶ Wetland Restoration
 - ▶ Exclusion Fencing
 - ▶ Watershed Planning





Handbook for
**Developing and Managing
Tribal Nonpoint Source Pollution Programs
Under Section 319 of the Clean Water Act**



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Tribes can use Section 319 grant funds for the following wetlands-related activities:

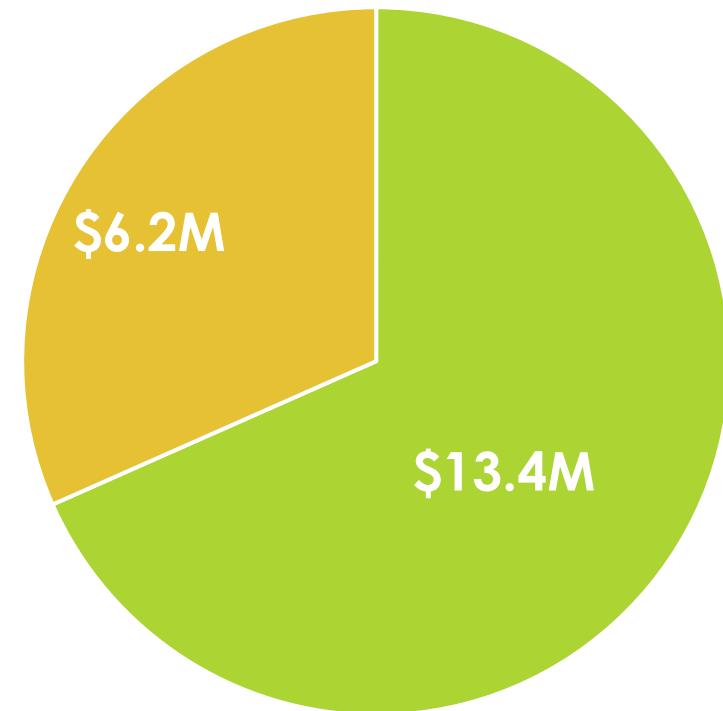
- Develop and refine wetland protection and monitoring programs
- Improve compensatory mitigation effectiveness
- Protect vulnerable wetlands and aquatic resources
- Complete a wetland restoration demonstration project and apply lessons learned
- Use existing data to set wetland restoration and protection priorities
- Develop an official wetland definition
- Train staff to monitor wetland condition and water quality

Each year EPA awards 319 grants to eligible tribes in two parts:

Base grants (\$45K to 70K per tribe based on reservation size) – primarily staff-led activities to implement NPS program. E.g., water quality monitoring, watershed coordination, education/outreach.

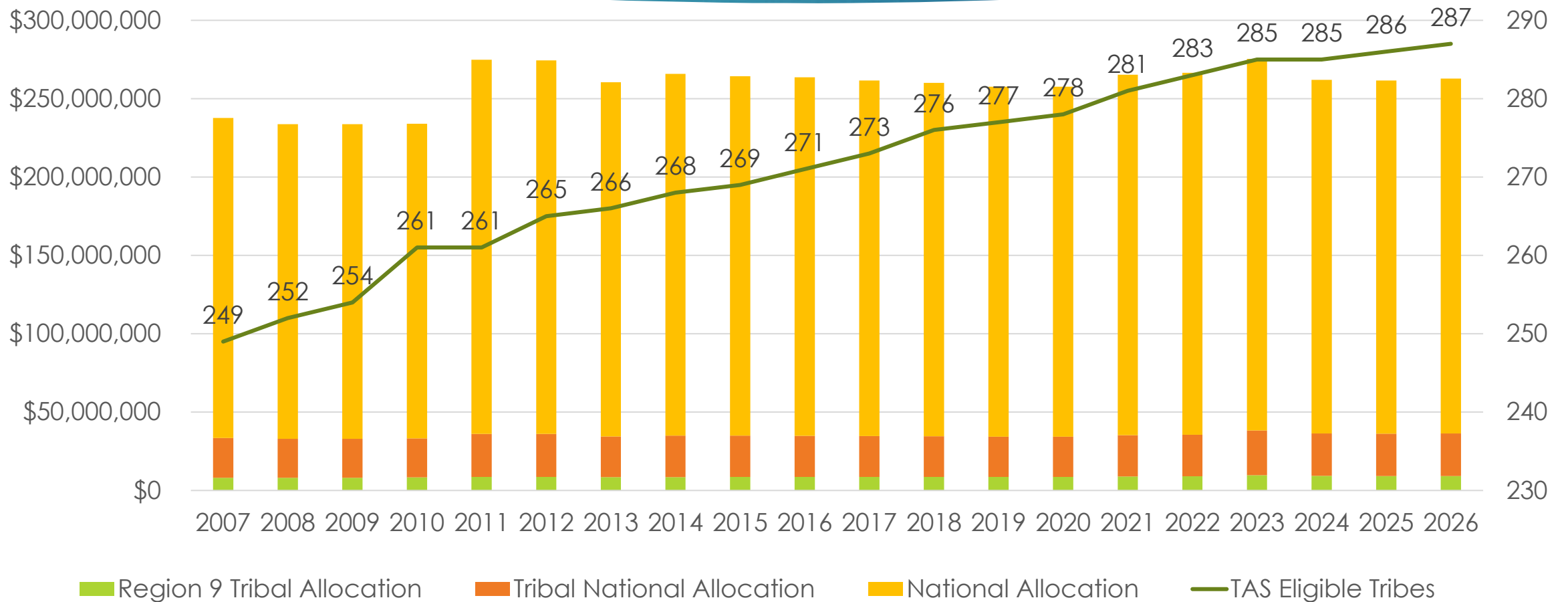
Competitive grants* (up to \$125K/project) – on-the-ground projects to protect or restore water quality.

Allocation of National Tribal §319 funds
(annual avg., 2023-2025)



■ Base ■ Competitive

CWA §106 Water Pollution Control Program Funding History (National)



Tribal Contacts – Water Pollution Control Grants

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Questions?

[HTTPS://WWW.EPA.GOV/WATER-POLLUTION-CONTROL-SECTION-106-GRANTS/TRIBAL-CONTACTS-WATER-POLLUTION-CONTROL-GRANTS](https://www.epa.gov/water-pollution-control-section-106-grants/tribal-contacts-water-pollution-control-grants)

[HTTPS://WWW.EPA.GOV/NPS/CONTACTS-NONPOINT-SOURCE-NPS-POLLUTION-PROGRAMS#EPA](https://www.epa.gov/nps/contacts-nonpoint-source-nps-pollution-programs#EPA)