

Clean Water Act, Section 106

The Clean Water Act (CWA) is the cornerstone of surface water quality protection in the United States. The statute employs various regulatory and non-regulatory tools to sharply reduce direct pollutant discharges into waterways, establish ambient water quality standards, finance municipal wastewater treatment facilities, and manage polluted runoff. These tools are employed to achieve the broader goal of restoring and maintaining the chemical, physical, and biological integrity of the nation's waters so that they can support "the protection and propagation of fish, shellfish, and wildlife and recreation in and on the water." The basis of the CWA was enacted in 1948 and was called the Federal Water Pollution Control Act, but the act was significantly reorganized and expanded in 1972. "Clean Water Act" became the act's common name with amendments in 1977.

The Fort Peck Tribes are recipients of the Section 106 Grant of the Clean Water Act. Through this grant, the Fort Peck Tribes have been establishing baseline monitoring information on surface and ground water and assessing pollution impacts from non-point and point sources of pollution through intensive watershed monitoring. The long-range goal was originally to establish Water Quality Standards (WQS) on reservation waters, now that the WQS have been established the goal is to evaluate data to determine use attainability for designated uses, and to determine impairments to water bodies based on existing standards using anti-degradation reviews. The QAPP will fulfill the needs of the 106 programs as listed in the Fort Peck Tribes approved work plan.

Several federal environmental laws authorize EPA to treat eligible federally recognized Indian tribes in a similar manner as a state (TAS) for implementing and managing certain environmental programs. The Clean Air Act (CAA), Clean Water Act (CWA), and Safe Drinking Water Act (SDWA) expressly provide the authority for Indian tribes to play essentially the same role in Indian country that states do within state lands. On August 29, 1996 the Fort Peck Tribes were granted the treatment in a manner similar to a state (TAS) grant.