

Tribal Consultation in the RAPID Framework

30 July 2026

Q&A Summary

This Planning Community of Practice webinar highlighted how teams can incorporate tribal input through coordination and consultation activities to meet the USACE's federal trust responsibilities in alignment with the RAPID framework. Quana Higgins (Tribal Liaison and Tribal Nations CoP Lead, HQUSACE Office of Legislative and Tribal Affairs), Mark Gilfillan (Senior Tribal Liaison, Tribal Nations Technical Center of Expertise), Tina Somenek (Tribal Liaison, Sacramento District) and Cindy Magee (Tribal Liaison, Jacksonville District) explained the role of the Tribal Liaison as a part of the project delivery team, provided an overview of engagement strategies, and discussed how Tribal input is incorporated into study recommendations at the staff and government-to-government levels.



This summary of the Question/Answer session of the webinar is not a transcription; questions and responses have been edited and reordered for clarity.

Resources:

- [US Army Corps of Engineers Civil Works Tribal Consultation Policy](#)
- [Tribal Nations Center of Expertise Website](#)
 - See Tribal Liaison Toolbox section for resources including the Department of Defense Tribal Engagement Guidebook
- [The RAPID Feasibility Study Decision Framework: A Guide for Study Teams and Partners](#)
- [How to Plan a Water Resources Project with the U.S. Army Corps of Engineers: A Guide for Tribal & Alaska Native Village Governments \(5th Edition\)](#)
- [Partnering with the Army Corps of Engineers: A Guide for Communities, Local Governments States, Tribes, and Non-Governmental Organizations](#)
- [Strengthening USACE Collaboration with Tribal Nations for Water Resources Management](#)

Collaborating with Tribal Nations

Are there examples of USACE projects where the non-federal sponsor is a Tribal Nation?

There are many examples where Tribal Nations are feasibility study non-federal sponsors including in the St. Paul, Omaha, and Alaska Districts, and across the South Pacific Division. The framework for partnership looks different for every tribe, and it should, because every tribe has a different structure. Tribal Liaisons for these Districts and the Tribal Nations CoP are good resources for new studies and teams.

Are there any best practices of how to engage Tribal Nations as USACE implements the RAPID framework? Early coordination and relationships are always the most helpful, but are there other ways study teams have been successful or unsuccessful trying to navigate changes to the feasibility study process?

Prioritizing face-to-face meetings with tribes or tribal staff has been a great starting point. Building trust has been very important for navigating uncertainty so tribes know that USACE is not going to leave them behind. Tribal Liaisons often travel to community meetings with tribes to discuss new USACE guidance

Section 106 Compliance under the RAPID Framework Q&A Summary

or processes and what it means for their study/project, which often helps to alleviate some concerns. In some cases, there aren't pre-established relationships, in which case it is critical during the scoping phase to carve out time to meet the tribes that study project delivery teams will be working and consulting with. Remember that USACE's interactions with a tribe are part of a larger government-to-government relationship.

What are the expected impacts to Tribal Nations of the proposed rule change to 36 CFR 800, the implementing regulations for Section 106 of the National Historic Preservation Act?

USACE follows the ACHP regulations for Section 106. If and when the 36 CFR 800 regulations are revised through formal rulemaking procedures by the Advisory Council on Historic Preservation, USACE will follow such revised regulations, in addition to any applicable guidance that may be issued, beginning at the time such revisions go into effect as a matter of federal administrative law. It is important to emphasize that the government-to-government responsibility USACE has with tribes is not necessarily coterminous with the Section 106 process, or any other statute that may trigger consultation with Tribal Nations. Government-to-government consultation is an ongoing conversation, and it is important to make sure that tribal trust is prioritized throughout the consultation process.

Navigating the Federal Advisory Committee Act (FACA) & Working with Tribes

Are there any concerns for study teams regarding the Federal Advisory Committee Act when working with tribes?

In accordance with section 204(b) of [Pub. L. 104-4](#) (March 22, 1995, 109 Stat. 48), FACA is not generally applicable to consultations between the Federal Government and elected officers of Indian tribal governments (or their designated employees with authority to act on their behalf). See OMB Memorandum 95-20 re Guidelines and Instructions for Implementing Section 204, State, Local, and Tribal Government Input, of Title II of Public Law 104-4 (September 21, 1995), published at [60 Fed. Reg. 50651-50654](#) (September 29, 1995). Study teams should be sure to check with their District Office of Counsel regarding FACA questions.