

Technical Assistance to Tribes

In addition to providing NPS funding to tribes, EPA remains committed to providing continued technical assistance to tribes in their efforts to control nonpoint source pollution. During the past several years, EPA has presented many workshops to tribes throughout the United States to assist them in developing: (1) Nonpoint source assessments to further their understanding of nonpoint source pollution and its impact on water quality; (2) nonpoint source management programs to apply solutions to address their nonpoint source problems; and (3) specific projects to effect on-the-ground solutions. The workshops also have provided information on related EPA and other programs that can help tribes address nonpoint source pollution, including the provision of technical and funding assistance. EPA intends to continue providing NPS workshops to interested tribes around the United States in FY 2003 and to provide other appropriate technical assistance as needed.

Non-Tribal Lands

The following discussion explains the extent to which Section 319(h) grants may be awarded to tribes for use outside the reservation. We discuss two types of off-reservation activities: (1) Activities that are related to waters within a reservation, such as those relating to sources upstream of a waterway entering the reservation, and (2) activities that are unrelated to waters of a reservation. As discussed below, the first type of these activities may be eligible; the second is not.

1. Activities That Are Related to Waters Within a Reservation

Section 518 (e) of the CWA provides that EPA may treat an Indian tribe as a State for purposes of Section 319 of the CWA if, among other things, "the functions to be exercised by the Indian tribe pertain to the management and protection of water resources which are * * * within the borders of an Indian reservation." 33 U.S.C. 1377 (e)(2). EPA already awards grants to tribes under Section 106 of the CWA for activities performed outside of a reservation that pertain to reservation waters, such as evaluating impacts of upstream waters on water resources within a reservation. Similarly, EPA has awarded section 106 grants to States to conduct monitoring outside of state borders. EPA has concluded that grants awarded to an Indian tribe pursuant to Section 319(h) may similarly be used to perform eligible Section 319(h) activities outside of a reservation if: (1) The activity pertains to the management and protection of waters within the reservation, and (2) just as for on-reservation activities, the tribe meets all other applicable requirements.

2. Activities That Are Unrelated to Waters of a Reservation

As discussed above, EPA is authorized to award Section 319(h) grants to tribes to perform eligible Section 319(h) activities if the activities pertain to the management and protection of waters within a reservation and the tribe meets all other applicable

requirements. In contrast, EPA is not authorized to award Section 319(h) grants for activities that do not pertain to waters of a reservation. For off-reservation areas, including "usual and accustomed" hunting, fishing, and gathering places, EPA must determine whether the activities pertain to waters of a reservation prior to awarding a grant.

Milestones Summary

Date for Tribes to be Eligible for 319 Grants—
January 8, 2003
Tribes Submit Base Grant Work Plans to
Region—January 15, 2003
Tribes Submit Competitive Grant Proposals
to Region—January 15, 2003
Region Forwards Proposals to
Headquarters—January 29, 2003
Review Committee Discusses Proposals—
February 12, 2003
Review Committee Forwards Ranking Scores
to HQ—March 12, 2003
Headquarters Notifies Regions/Tribes of
Selections—March 19, 2003
Tribes Submit Final Grant Application to
Region—March 31, 2003

Statutory and Regulatory Requirements

All Section 319(h) grants will be awarded and administered consistent with the statutory requirements in Sections 319(h) and 518(e) of the Clean Water Act and applicable regulations in 40 CFR parts 31 and 35.

Conclusion

By once again lifting the 1/3 percent statutory cap in FY 2003, Congress has continued to provide the tribes and EPA with an excellent opportunity to further tribal efforts to reduce nonpoint pollution and enhance water quality on tribal lands. EPA looks forward to working closely with the tribes to assist them in implementing effective nonpoint source programs in FY 2003 and creating a sound basis to assure that adequate funds will continue to be provided in the future.

If you have any questions, please do not hesitate to call me or have your staff contact Ed Drabkowski at (202) 566-1198 (or by e-mail at drabkowski.ed@epa.gov).

cc: Carol Jorgensen, Director, American Indian Environmental Office, EPA
Jeff Besougloff, AIEO
Jerry Pardilla, National Tribal Environmental Council
Billy Frank, Northwest Indian Fisheries Council
Don Sampson, Columbia River Intertribal Fish Commission
James Schlender, Great Lakes Indian Fish and Wildlife Commission
All Tribes that have an approved Nonpoint Source Management Program
Regional Water Quality Branch Chiefs
Regional Nonpoint Source Coordinators

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FARM CREDIT ADMINISTRATION**Farm Credit Administration Board; Regular Meeting**

AGENCY: Farm Credit Administration.

SUMMARY: Notice is hereby given, pursuant to the Government in the Sunshine Act (5 U.S.C. 552b(e)(3)), of the regular meeting of the Farm Credit Administration Board (Board).

DATE AND TIME: The regular meeting of the Board will be held at the offices of the Farm Credit Administration in McLean, Virginia, on May 8, 2003, from 9 a.m. until such time as the Board concludes its business.

FOR FURTHER INFORMATION CONTACT: Jeanette C. Brinkley, Secretary to the Farm Credit Administration Board, (703) 883-4009, TTY (703) 883-4056.

ADDRESSES: Farm Credit Administration, 1501 Farm Credit Drive, McLean, Virginia 22102-5090.

SUPPLEMENTARY INFORMATION: Parts of this meeting of the Board will be open to the public (limited space available), and parts will be closed to the public. In order to increase the accessibility to Board meetings, persons requiring assistance should make arrangements in advance. The matters to be considered at the meeting are:

Open Session*A. Approval of Minutes*

—April 10, 2003 (Open and Closed)

B. Reports

—Economic Issues and Implications for Agriculture

C. New Business

1. Regulations

—Regulatory Burden—Notice of Intent; Request for Comment

2. Other

—Wichita and Western Farm Credit Merger

Closed Session**New Business*

—Preferred Stock Issuance

Dated: April 30, 2003.

Jeanette C. Brinkley,
Secretary, Farm Credit Administration Board.
[FR Doc. 03-10996 Filed 4-30-03; 12:01 pm]

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* Session Closed-Exempt pursuant to 5 U.S.C. 552b(c)(4) and (8).