



Tribal Nonpoint Source Management: Leveraging Opportunities to Protect and Restore Waters

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Focus: USDA Natural Resources Conservation Service

This fact sheet series connects Tribal water quality staff, government leaders, and landowners with financial or technical support for projects that reduce nonpoint sources of pollution.

Introduction

Partnerships are pivotal to the success of nonpoint source (NPS) pollution management efforts. Clean Water Act (CWA) section (§) 319 grants provide funding to more than 200 federally recognized Tribes to help assess and manage sources of NPS pollution. (Note: for this document, “Tribes” is a collective term encompassing all Indian Nations.) This fact sheet series explores ways Tribes can leverage CWA §319 funding to pursue resources from other federal agencies to support NPS management.

This fact sheet explores the resources available from the U.S. Department of Agriculture’s (USDA’s) [Natural Resources Conservation Service](#) (NRCS) and, by extension, local conservation districts. Tribal governments may apply for NRCS project assistance or serve as a conduit to provide Tribal landowners with assistance. NRCS offers technical expertise in resource assessment, conservation planning, and other areas. NRCS works closely with local conservation districts to ensure that federal resources are distributed according to local conservation priorities and needs. Conservation districts often help to connect landowners with NRCS resources.

The following pages discuss how Tribes can:

1. Make connections with NRCS and conservation district staff
2. Plan projects and coordinate conservation services
3. Seek financial assistance
4. Implement and maintain projects successfully
5. Advise NRCS on Tribal Issues



Tribes: Using §319 Funds for NPS Pollution Management

CWA §319 authorizes the U.S. Environmental Protection Agency (EPA) to award grants to eligible states, territories, and Tribes to implement EPA-approved NPS management programs developed to reduce polluted runoff and its effect on water quality. To be eligible for §319 funding, Tribes must submit an **NPS assessment report** and a 5-year **NPS management program plan** to EPA. In these documents, Tribes identify other programs, funding sources, and partners that can support their NPS management goals.

Each year EPA awards §319 grants to eligible Tribes in two ways. **Base §319 grants** serve as the primary source of support for Tribal staff leading NPS management program work. **Competitive §319 grants** are awarded via a national competition to support on-the-ground projects that directly protect or restore water quality. In general, §319 grants can be leveraged with public or private funding sources, which can significantly extend the reach and scope of Tribal NPS projects.

Step 1. Make Connections

NRCS and conservation districts provide technical assistance to producers such as Tribal governments and Tribal landowners, offering personalized advice and information based on the latest science. As part of this assistance, local NRCS and conservation district staff can help you assess current environmental conditions, prioritize problems, and plan and implement appropriate conservation practices to achieve desired outcomes.

Check with your Tribe's other programs for any existing connections with NRCS or the local conservation district. Attend a meeting or a field visit and explore ways to highlight NPS issues.

If your Tribal Nation doesn't have a current NRCS or conservation district contact, check the following directories:

- **Local USDA service centers:** Find your local NRCS contact, who is often the NRCS district conservationist or Tribal liaison (where available) but could also be a landscape ecologist, agricultural engineer, etc. The individuals serving these roles might be based in an NRCS field office, a Tribal office, or a conservation district or other office. NRCS has committed to creating a network of Tribal liaisons available to provide service to every Tribe.
- **Local conservation districts:** Find your local or Tribal conservation district contact, who is likely to be a natural resource or conservation specialist.

Note: If your Tribal lands cross political boundaries (state or county lines), you might be serviced by more than one NRCS field office. NRCS staff can help direct you to the correct contact(s).

TIPS FROM TRIBES

Engaging NRCS can increase your project's success.

"Having NRCS's input adds more strength to our projects because they offer scientific knowledge behind the types and locations of practices chosen."

—Dino Chavarria,
Environmental Director,
Santa Clara Pueblo

NRCS will assist you with administrative processes.

"Our NRCS district conservationist works hard for the landowners. He's done a lot of reporting paperwork on our behalf."

—BryAnna Vaughan,
Water Quality Coordinator,
Bishop Paiute Tribe

Building watershed partnerships can strengthen projects and open new avenues of support.

"Smaller Tribes have a greater incentive to work with other partners because they share the same watershed."

—Sharri Venno,
Environmental Planner,
Houlton Band of Maliseet Indians

Conservation Districts

A conservation district is a geographical area established for conservation purposes. A district board of directors serves as a local unit of government that helps to deliver NRCS services to the public at the local level. A district can act as a partner for accessing resources and may apply for and lead projects. Although usually a subdivision of state government, a district may also be a subdivision of a Tribal government. Districts often promote public awareness and conservation activities.

NRCS is closely aligned with conservation districts. The relationship between NRCS (as an agency) and local districts is defined by a formal written agreement. NRCS, through an agreement with the National Association of Conservation Districts, provides a district conservationist to work with each of the local districts. (For details, see the Intertribal Agriculture Council's 2008 document, [Soil and Water Conservation Districts](#).)

Step 2. Plan Projects

Before participating in USDA programs, applicants, including Tribes, must contact the local USDA [Farm Service Agency \(FSA\) office](#) and be assigned a farm and tract number. Your NRCS or district staff member can guide you through this process.

- **Creating Conservation Plans.** Once your Tribe receives a farm and tract number, NRCS (sometimes in cooperation with the local conservation district) will help you [develop a conservation plan](#) (CP). You must have a CP to be eligible for USDA conservation program funding. As part of the process, NRCS staff will help you define your conservation objectives, identify natural resource concerns on your land, and identify USDA financial and technical assistance programs that can support your conservation goals and maintain your land's resources over time (see Montana NRCS [example](#)).
- **Connecting Your Plans.** Tribal NPS assessment reports and NPS management program plans developed under the §319 program can complement your NRCS CP. Your NPS program documents likely include information that can help address NRCS conservation planning requirements. Therefore, alert NRCS about your existing NPS management plan and consider ways to align priorities and integrate planning efforts, such as incorporating your NPS priorities into the NRCS CP. Regularly update your NPS management program to reflect your current priorities.



NRCS geographic information specialist works with Pyramid Lake Indian Reservation representatives to develop plans for a wetland area.

TIPS FROM TRIBES

Think ahead.

"If your Tribe contracts with others to do the conservation practice installation work, account for that in your planning timeline."

- Dino Chavarria,
Environmental Director,
Santa Clara Pueblo

Be aware of your Tribe's staff limitations.

"It's time consuming to work with NRCS on projects. Even if we were to get more funding, we don't have the staffing resources to take on more work."

- BryAnna Vaughan,
Water Quality Coordinator,
Bishop Paiute Tribe

Encourage coordination within your Tribe.

"If an NRCS person is coming to meet with another Tribal department, I go along to see if there are water resource-related projects. It's good for all Tribal departments to meet and tell their story and describe their needs."

- Roy Begay,
Nonpoint Source Coordinator,
Walker River Paiute Tribe

NRCS and conservation district staff can help with local coordination.

"Our NRCS district conservationist provides us with technical assistance, and he's provided a setting for various partners to come to the table and find common ground."

- BryAnna Vaughan,
Water Quality Coordinator,
Bishop Paiute Tribe

- **Coordinating Project Planning.** Many Tribal NPS programs work with EPA and NRCS on NPS projects. About 25% of Tribal §319 competitive grants awarded in 2013–2018 cited NRCS as a project partner who provided technical or financial assistance to complement §319-funded practices. Note: Although NRCS and EPA §319 funds can be used together to complete a project, they cannot be used as matching funds for each other because they are both federal funding sources. To facilitate planning:
 - **Engage NRCS or conservation district contacts early.** Reach out the year before you plan to apply for a §319 competitive grant to inquire about technical assistance available for planning and designing your projects.
 - **Align planning efforts.** When seeking to implement projects supported by both §319 grants and USDA conservation funding, begin planning in the late spring/early summer for the following year because funding timelines may differ and project periods may only partially overlap. While EPA grant funding is awarded before the start of your project period, NRCS funding is provided on a reimbursement basis, so the applicant must have funding available to begin work.

On-Site Tribal Liaison Helps Southern Ute Tribe Focus on NPS Control

The Southern Ute Tribe's reservation covers more than 1,000 square miles in arid southwest Colorado. Irrigation flows from agricultural lands caused erosion of ephemeral streams and led to sedimentation downstream. The Tribe uses its §319 funds for stream restoration projects and leverages NRCS Environmental Quality Incentives Program (EQIP) dollars and NRCS cost-share to install practices that reduce NPS pollution while also providing financial incentives to farmers (e.g., savings on water bills).

The Tribe benefits from having an on-site NRCS Tribal liaison, Ed McCaw. "We keep Ed informed of our planned projects," explains Jeff Seebach, Southern Ute General Assistance Program Manager. "Ed helps out when we request EQIP funding. He helps us select the best participants for our projects and assists with implementation of best management practices. It's nice to work with someone who already knows what practices will be acceptable to NRCS."



A Southern Ute Tribal member operates a gated pipe to increase irrigation water efficiency and reduce NPS pollution reaching local waters. EPA §319 funds supported the purchase of the pipe materials. NRCS provided technical assistance.

Step 3. Seek Financial Assistance

Once you've determined your needs and priorities in Step 2, you and your NRCS or conservation district contact can look for financial assistance. Applications for most NRCS funding programs are accepted on a continuous basis. NRCS will review and rank applications according to local resource concerns, expected conservation benefits, and the applicants' needs. Two popular NRCS programs used by Tribes are:

- [Environmental Quality Incentives Program \(EQIP\)](#). Many Tribal governments and agricultural producers have secured financial and technical assistance through EQIP to help plan and implement conservation practices and activities on working agricultural and forestry lands.
- [Regional Conservation Partnership Program \(RCPP\)](#). The program promotes coordination of NRCS conservation activities with partners to implement innovative projects that provide measurable improvements tied to priority resource concerns. Partners must contribute funds or in-kind resources to the project. Note that you may use §319 and other EPA grant funds as match for RCPP.

Your NRCS contact can discuss other NRCS programs, including:

- [Agricultural Conservation Easement Program](#)
- [Agricultural Management Assistance \(AMA\)](#)
- [Conservation Stewardship Program \(CSP\)](#)
- [Healthy Forests Reserve Program](#)
- [Watershed Protection and Flood Prevention Program](#)

In areas that have active local conservation districts, staff can help connect your Tribe with NRCS and state-specific technical assistance and funding sources, as well as with resources from private foundations, nonprofit groups, and universities.

TIPS FROM TRIBES

Consider seeking Tribal council permission to apply for funding—before you need it.

"We seek approval and update Tribal Council when NRCS funding is being used on projects. Tribes that may require Council approval prior to submitting a grant application should take into account that additional time."

- Jeff Seebach,
General Program Manager,
Southern Ute Tribe

NRCS financial assistance programs don't cover the full cost

"NRCS covers up to 90% of project costs, so your Tribe must be prepared to contribute some funding."

- Roy Begay,
Nonpoint Source Coordinator,
Walker River Paiute Tribe

Take advantage of the value that technical assistance offers.

"On three or four projects NRCS provided all the engineering work. We saved about \$50,000 in engineering costs."

- Shane Bowe,
Water Resources Director,
Red Lake Band of Chippewa Indians

Farm Bill Influences Programs

Many USDA funding programs are tied directly to the Farm Bill, which comes up for review and passage every 5–6 years. The 2018 [Farm Bill](#) (i.e., the Agriculture Improvement Act of 2018) contained new provisions that support Tribal communities, including some provisions related to conservation programs. (For details, see [2018 Farm Bill Primer: Support for Indian Tribes](#).)

What Practices Do NRCS Programs Fund?

NRCS programs fund a variety of [conservation practices](#), all of which must comply with NRCS-established standards. These standards are outlined in NRCS [Field Office Technical Guides](#), which include area-specific engineering and installation information. Many NRCS-approved conservation practices are the same as the [best management practices](#) (BMPs) implemented under EPA’s Tribal §319 competitive grant projects—these are different agency terms for the same type of practices (Table 1).

Consider Technical Assistance Opportunities

NRCS and conservation district staff can help you with the planning, coordination, design/ engineering, and implementation steps of your project. Other examples of technical assistance include project prioritization, staff training, research, and scientific expertise in many areas (range management, agriculture, soils, forestry, wildlife habitat management, recreation, aquaculture, resource inventories, watershed and flood protection, etc.). Tribal examples include:

- **Santa Clara Pueblo:** The local NRCS district conservationist assesses project sites and helps with planning. In the past, NRCS provided Pueblo members with water quality monitoring training.
- **Walker River Paiute Tribe:** NRCS engineers have assisted with EQIP project designs and reviewed practice specifications to ensure implementation would be successful.
- **Confederated Salish & Kootenai Tribes:** An NRCS soil scientist provided expert advice on a project involving converting prime farmland to housing use.
- **Bishop Paiute Tribe:** The NRCS district conservationist has helped with tasks ranging from administration (paperwork) to assessment/planning (estimating cattle grazing needs).

Table 1. Most common practices implemented under Tribal §319 competitive grant projects (2013–2020) and the NRCS programs that could fund them.

Practice types included in CWA §319 grants (2013–2020)	Example NRCS programs that support practice type
Stream/shoreline stabilization/protection	EQIP, RCPP
Outreach and education	General NRCS technical assistance
Erosion and sediment control	EQIP, RCPP, AMA
Wetland restoration	EQIP, RCPP, ACEP
Fencing	EQIP, RCPP
Riparian revegetation, forest buffer	EQIP, RCPP
Invasive species/noxious weed control	EQIP, RCPP, AMA
Native plant restoration and management	EQIP, RCPP, CSP
Stream crossing and culvert improvements	EQIP, RCPP, WPFPP
Vegetative buffer strips	EQIP, RCPP, CSP, AMA

Notes: ACEP = Agricultural Conservation Easement Program; AMA = Agricultural Management Assistance; CSP = Conservation Stewardship Program; EQIP = Environmental Quality Incentives Program; RCPP = Regional Conservation Partnership Program; WPFPP = Watershed Protection and Flood Prevention Program

Step 4. Implement Projects

If you're selected for NRCS funding, NRCS will provide a proposed contract that outlines the design standards and specifications for the proposed practices and specifies the contract period. Before moving forward, consider the following:

- **Promise only what your Tribe can deliver.** Before signing the contract, read it very carefully to ensure your Tribe has the staffing and financial capacity to complete all tasks and commit to necessary maintenance. Be aware that NRCS only funds certain practices—and only after the practice is installed and inspected. NRCS will not reimburse your Tribe if the NRCS specifications aren't followed. Additionally, as a condition of reimbursement, the landowner/operator is responsible for establishing and implementing an inspection and maintenance program for the design life of each practice.
- **Be aware of project periods when combining contracts.** The timelines for different federal agencies' funding programs often vary. For example, NRCS EQIP projects last 3 years and require that project work begins in year 1. EPA §319 implementation projects usually last 1–3 years. To bridge contract periods that do not fully overlap, consider purchasing materials (twine, fence, etc.) through the EQIP contract that can be stored until you are ready to implement the project.

TIPS FROM TRIBES

Remember that USDA funds can be used for project maintenance.

"We use NRCS EQIP funds to help maintain practices, such as our riparian area exclusion fences, because EPA §319 can't be used for maintenance."

- Jeff Seebach,
General Program Manager,
Southern Ute Tribe

Ensure you have the funding to complete the project.

"We'd plan a project and the NRCS district conservationist would estimate the funding we could get for that project. Before signing any contract, we'd check on the cost of materials. If we could afford to do it, we'd sign. This approach has kept the Tribe out of trouble."

- Sharri Venno,
Environmental Planner,
Houlton Band of Maliseet Indians



Quileute Tribal Water Quality Biologist, Nicole Rasmussen, and NRCS Tribal Liaison for Washington State, Robin Slate, travel along the Quillayute River looking for signs of erosion along a project area. Erosion of riverbanks due to increases in flood frequency and severity has put the lower village of La Push, home of the Quileute Tribe, at risk.

- **Be informed about which activities can be supported by each agency and type of financial assistance program.** For example, the types of fundable items can vary by program. CSP funding may be used to support the maintenance of previously installed projects, while CWA §319 generally cannot. Similarly, while CWA §319 funds may be used to fund staff time, NRCS funds cannot. NRCS funds may only be used to implement conservation practices.
- **Technical assistance can make the job easier.** NRCS and conservation district staff are often available to help you with the implementation step and can help you plan for long-term maintenance. Don't hesitate to ask!



Walker River Paiute Tribe Combines NRCS and CWA §319 Resources

In 2018, the Walker River Paiute Tribe worked with NRCS to secure EQIP funds to help develop a solar-powered pump and cattle trough, which added a grazing plot to the rotation cycle. In 2019, the Tribe used CWA §319 funds to install another solar-powered pump (with protective fencing) and portable and stationary livestock troughs to further reduce overgrazing and to prevent cattle access to riparian areas. NRCS helped with designing, planning, and inspecting the project.

Step 5. Advise NRCS on Tribal Issues

Representation in an advisory group is often key to having your water quality and other conservation priorities addressed. Through advisory groups, NRCS provides opportunities for community members and partners, including Tribal representatives, to provide information, analysis, and recommendations to USDA on implementing and establishing priorities and criteria for natural resources conservation activities and programs. Tribes can participate at the local, state, and regional levels.

Opportunities through NRCS

State-Level Engagement

Each state has an NRCS state conservationist who establishes the statewide priorities and budget. Your Tribe may have the opportunity to become involved in an NRCS state Technical Advisory Committee (STAC), which provides state-level opportunities for input on NRCS program priorities. At present, 15 states have Tribal-specific STACs that meet with their individual NRCS state conservationist and the NRCS state Tribal liaison (where applicable).

National and Regional Engagement

NRCS has a National Tribal Relations Liaison Officer who coordinates national-level Tribal policy. In addition, NRCS has three Regional Tribal Conservation Advisory Councils (RTACs) for the western, central, and eastern regions of the United States. These councils provide a direct line of communication from Tribes to NRCS leaders and policymakers at regional and national levels. They provide a venue for agency leadership to gather input on Tribal issues. RTACs meet twice a year, and each member serves for 3 years.

Other Opportunities

Conservation districts also provide opportunities for involvement. The National Association of Conservation Districts' (NACD's) Tribal Outreach and Partnership Resource Policy Group (Tribal RPG) advises NACD leadership about Tribal issues relevant to conservation districts and their partners. Tribes may also attend local conservation district board meetings and can request a position on the board of directors.

TIPS FROM TRIBES

Participate in community meetings.

"I attend the local conservation district board meetings, which helps us understand the watershed issues and the challenges that farmers are facing. Our participation has helped us build a strong relationship with the district."

- Sharri Venno,
Environmental Planner,
Houlton Band of Maliseet Indians

Have an official voice in the decision-making process.

"Our Tribe is unique because it has a seat on the local conservation district board, which helps improve understanding of and cooperation with neighbors. We've also attended STAC meetings where NRCS decides how its funding will be spent."

- Shane Bowe,
Water Resources Director,
Red Lake Band of Chippewa Indians

Building relationships can drive wider opportunities.

"We help the local conservation district write grant proposals and jointly apply for outside funds, such as from the local university."

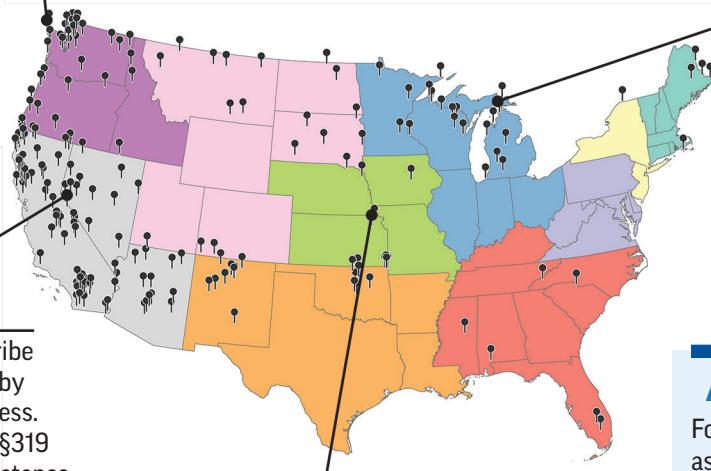
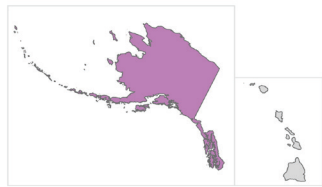
- Sharri Venno,
Environmental Planner,
Houlton Band of Maliseet Indians



The Quileute Tribe is restoring habitat and removing barriers to fish passage by replacing culverts with bridges along the Quillayute River in partnership with the Clallam Conservation District, NRCS (using EQIP and CREP funding), Washington Department of Fish and Wildlife, and others. Sedimentation delivery is declining, and access to vital salmon habitat has expanded.



The Grand Traverse Band of Ottawa and Chippewa Indians addressed NPS pollution associated with problematic road crossings along streams. Using EPA §319 funds, NRCS technical assistance, NRCS EQIP funding, and other resources, the Tribe replaced undersized culverts, stabilized eroding streambanks, and mitigated runoff using BMPs.



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The Walker River Paiute Tribe is reducing NPS pollution by restricting cattle's river access. A recent project paired EPA §319 funds and NRCS technical assistance to design and install solar-powered portable livestock water troughs. In past years, EPA §319 and NRCS EQIP funds supported fencing around riparian areas.



The Prairie Band Potawatomi Nation has used multiple EQIP contracts to improve water quality, enhance the health of grazing lands, and protect Tribal water supplies through water easements and wetland restoration. NRCS has provided significant technical assistance such as planning, soil expertise, and research on program eligibility.



Additional Resources

For more details about technical assistance, training, and funding sources, see:

Federal agencies:

- USDA [NRCS Tribal Assistance](#).
- USDA [NRCS Plant Materials Centers](#). Offer expertise on plants and vegetative technologies.
- USDA [Agricultural Research Service](#). Finds solutions for agricultural problems.

Tribal groups:

- [Intertribal Agriculture Council](#)
- [Indigenous Food and Agriculture Initiative](#)
- [Native Farm Bill Coalition](#)
- [Indian Nations Conservation Alliance](#)
- [American Indian Science & Engineering Society](#)