

associated with the applicant have been convicted of or are presently facing criminal charges such as fraud, theft, perjury, or other matters which significantly reflect on the applicant's management honesty or financial integrity.

(10) Recipients are subject to the Fly America Act (49 USC sec. 1517 as implemented by 41 CFR sec. 301-3.6).

(11) Executive Order 12372 "Intergovernmental Review of Federal Programs" does not apply to this program.

(12) Paperwork Reduction Act does apply to this program. This document involves collections of information subject to the Paperwork Reduction Act, which have been approved by the Office of Management and Budget under OMB Control Numbers 0348-0043, 0348-0044, 0348-0040, 0348-0046, and 0605-0001. Notwithstanding any other provision of law, no person is required to respond to nor shall a person be subject to a penalty for failure to comply with a collection of information subject to the requirements of the Paperwork Reduction Act unless that collection of information displays a current valid OMB control number.

(13) The total dollar amount of the indirect costs proposed in an application under this program must not exceed the indirect cost rate negotiated and approved by a cognizant Federal agency prior to the proposed effective date of the award or 100 percent of the total proposed direct costs dollar amount in the application, whichever is less.

Dated: January 6, 1998.

E. Vivian Spathopoulos,

Deputy Director, US&FCS/Russia-NIS Program Office.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

Environmental Protection Agency

Coastal Nonpoint Pollution Control Program: Proposed Findings Document, Environmental Assessment, and Finding of No Significant Impact

AGENCY: National Oceanic and Atmospheric Administration, U.S. Department of Commerce, and the Environmental Protection Agency.

ACTION: Notice of availability of Proposed Findings Document, Environmental Assessment, and Finding

of No Significant Impact on Approval of Coastal Nonprofit Pollution Control Programs for California.

SUMMARY: Notice is hereby given of the availability of the Proposed Findings Document, Environmental Assessment (EA), and Finding of No Significant Impact for California. Coastal states and territories were required to submit their coastal nonprofit programs to the National Oceanic and Atmospheric Administration (NOAA) and the U.S. Environmental Protection Agency (EPA) for approval in July 1995. The Findings document was prepared by NOAA and EPA to provide the rationale for the agencies' decision to approve the state coastal nonprofit pollution control program. Section 6217 of the Coastal Zone Act Reauthorization Amendments (CZARA), 16 U.S.C. 1455b, requires states and territories with coastal zone management programs that have received approval under section 306 of the Coastal Zone Management Act to develop and implement coastal nonpoint pollution control programs. The EA was prepared by NOAA, pursuant to the National Environmental Policy Act (NEPA), 42 U.S.C. 4321 *et seq.*, to assess the environmental impacts associated with the approval of the coastal nonpoint pollution control program submitted to NOAA and EPA by California.

NOAA and EPA have proposed to approve, with conditions, the coastal nonpoint pollution control program submitted by California. The requirements of 40 CFR Parts 1500-1508 (Council on Environmental Quality (CEQ) regulations to implement the National Environmental Policy Act) apply to the preparation of the Environmental Assessment. Specifically, 40 CFR section 1506.6 requires agencies to provide public notice of the availability of environmental documents. This notice is part of NOAA's action to comply with this requirement.

Introduction

Nonpoint source pollution, pollution caused by a wide range of activities including agriculture, mining, urban development and forestry, is a major cause of water quality impairment nationally and in California. To address these problems, the State of California, along with various federal and local agencies, private non-profit groups and landowners are involved in many efforts to reduce and prevent nonpoint source pollution. California's CZARA submittal, an important part of these efforts, is a good start to describing a program to address the challenging and

critical problems associated with nonpoint source pollution. However, the proposed findings for the California submittal conclude that the program as currently submitted to EPA and NOAA is not adequate to protect California's water quality. In particular, EPA and NOAA are asking the State Water Resources Control Board (SWRCB) and the California Coastal Commission (CCC) to more fully identify the activities that will be undertaken to ensure widespread implementation of management measures for the major nonpoint sources in the State, while providing for evaluation, feedback, public review and program adjustments as necessary. California has agreed to expand upon the California submittal documents prepared to date to more adequately address the requirements of CZARA and advance the success of the nonpoint source program.

Background: Description of California's Nonpoint Source Program

The SWRCB and the nine Regional Water Quality Control Boards (RWQCBs) have primary responsibility in California for the protection of water quality. As such, in 1988 the SWRCB adopted the California Nonpoint Source (NPS) Management Plan that outlined a 3-tiered approach for addressing polluted runoff: (1) Voluntary implementation of Best Management Practices (BMPs), (2) regulatory-based encouragement of BMPs, and (3) effluent limitations. In addition to the SWRCB and the RWQCBs, California's program recognizes that other federal, state, local and private entities have key responsibilities for addressing the problems caused by nonpoint sources, such as the Board of Forestry, Department of Pesticides, California Department of Transportation, Natural Resource Conservation Service, and local governments. Preparation of the State's NPS Management Plan was in response to Clean Water Act Section 319, enacted by Congress in 1987. CWA Section 319 required states to develop an assessment report detailing the extent of nonpoint source pollution and a management program specifying nonpoint source controls, in order to be eligible for federal funding. As a result, California received an annual federal funding allocation in 1997 of \$5.3 million to carry out its nonpoint source program.

California's Response to Section 6217 of CZARA

CZARA requirements resulted in the expansion of the partnership for addressing nonpoint source pollution to include the California Coastal

Commission (CCC), in order to strengthen the links between Federal and State coastal zone management and water quality programs. Therefore, the SWRCB, the RWQCBs and CCC undertook a joint effort to improve the statewide nonpoint source program and comply with CZARA requirements. In February 1994, the State initiated a comprehensive review process to consider the requirements of Section 6217 and update its existing statewide nonpoint source management program rather than create a separate program dealing exclusively with coastal waters. The State anticipated that a statewide approach would reduce resource expenditures and eliminate the potential for regulatory inequities which might occur if a separate nonpoint source pollution control program was instituted for coastal areas.

Technical advisory committees (TACs), composed of representatives from industry, academia, environmental groups, and state and federal agencies, were convened to provide critical input to the program review. For one year the TAC's reviewed current nonpoint source programs and developed consensus-based recommendations for improving implementation, including innovative approaches for using existing programs more efficiently, and allowing limited staff and fiscal resources to be focused on the most pressing water quality problems. The 10 separate technical advisory committee (TAC) reports identified a wide range of activities aimed at implementing the CZARA management measures, improving the State's nonpoint source program, and reducing the water quality impacts associated with nonpoint source pollution. In addition these reports contained several common themes, such as: voluntary cooperation is preferred over prescriptive measures; improve outreach and technical assistance to individuals and local groups; support local stewardship and specific, problem-responsive measures devised through comprehensive watershed management plans; better coordinate activities of the various resource management agencies; and where voluntary efforts have not succeeded and significant water quality problems persist, utilize appropriate authorities to achieve environmental improvements.

The SWRCB and the CCC then prepared the State of California's response to CZARA and submitted the documents in September 1995 to EPA and NOAA, as required by the statute. The State's submittal package included two principal documents:

- "California's Coastal Nonpoint Pollution Control Submittal," which is an account of the State's existing programs related to the management of nonpoint pollution, and
- "Initiatives in Nonpoint Source Management," which describes several Initiatives adopted by the SWRCB to improve the nonpoint source program, along with the associated TAC reports.

EPA and NOAA's Review of California's 6217 Submittal

The proposed findings document now available for public review concludes that California's nonpoint source program is encouraging because of its broad scope in terms of the State's authorities and programs to address nonpoint source pollution, its statewide applicability and the watershed approach being proposed. However, the State's submittal is not sufficient to conform with the requirements of CZARA because (in summary):

- The submittal does not describe how the management measures are incorporated into the State's program and how they will be implemented;
- The submittal does not describe how existing "back-up" authorities will be used to ensure implementation of the management measures, if voluntary efforts fail;
- The submittal does not adequately address key gaps and recommendations identified by the Technical Advisory Committees;
- The submittal does not incorporate the activities, roles and responsibilities of the CCC;
- The submittal does not adequately address common program elements related to administrative coordination, technical assistance, critical coastal areas, additional management measures and monitoring.

EPA and NOAA have reached agreement with the CCC and the SWRCB on an "action plan" for improving California's Nonpoint Source Program that will also assist the State in meeting the requirements of Section 6217 of CZARA. The "action plan" outlines a framework and key activities that the CCC and the SWRCB along with the RWQCBs will undertake to prepare an implementation strategy to improve efforts to reduce nonpoint source pollution. EPA and NOAA anticipate that the completion of the activities in the "action plan" will address the submittal's current shortcomings in a manner that will provide California with a more effective nonpoint source program and help meet the conditions for programs approval identified in the proposed findings. EPA and NOAA are encouraging the State to base this

strategy, to the fullest extent possible, on the CZARA materials submitted to date and to continue to involve a wide range of stakeholders in preparing and implementing a nonpoint source program that more fully protects California's water quality and complies with CZARA.

Copies of the Proposed Findings Document, Environmental Assessment, and Finding of No Significant Impact may be obtained upon request from: Joseph P. Flanagan, Coastal Programs Division (N/ORM3), Office of Ocean and Coastal Resource Management, NOS, NOAA, 1305 East-West Highway, Silver Spring, Maryland, 20910, tel. (301) 713-3121, x201.

DATES: Individuals or organizations wishing to submit comments on the proposed Findings or Environmental Assessment should do so by February 9, 1998.

ADDRESSES: Comments should be made to: Joseph A. Uravitch, Coastal Programs Division (N/ORM3), Office of Ocean and Coastal Resource Management, NOS, NOAA 1305 East-West Highway, Silver Spring, Maryland, 20910, tel. (301) 713-3155, x195. (Federal Domestic Assistance Catalog 11.419 Coastal Zone Management Program Administration)

Dated: January 6, 1998.

Captain Evelyn J. Fields,
Acting Deputy Assistant Administrator for Ocean Services and Coastal Zone Management, National Oceanic and Atmospheric Administration.

Robert H. Wayland III,
Director, Office of Wetlands, Oceans and Watersheds, Environmental Protection Agency.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

National Weather Service Modernization and Associated Restructuring

AGENCY: National Weather Service (NWS), NOAA, Commerce.

ACTION: Notice and opportunity for public comment.

SUMMARY: The NWS is publishing proposed certifications for the automation and closure of the following Weather Service offices at the indicated FAA Weather Observation Service Level:

(1) Astoria, Oregon Weather Service Office (WSO) which will be automated at FAA Weather Observation Service