143

Office of the State Engineer

April 20, 2000

USDA Forest Service
Content Analysis Enterprise Team
ATTN: UFP
Building 2, Suite 295
5500 Amelia Earhart Drive
Salt Lake City, Utah 84116

Content Analysis Enterprise Team,

We have reviewed the *Proposed Unified Federal Policy to Ensure a Watershed Approach to Federal Land and Resource Management*, and offer the following comments:

- The proposed policy appears to carefully consider water rights and water quality programs currently in place within the respective state and tribal lands. We strongly support this perspective, as the State of North Dakota will in no way compromise its primacy over water management within its jurisdiction.

- The text should provide a more clear explanation of what is meant by Federal lands. For example, it is unclear if the proposed policy will influence only lands under Federal ownership, or if it will also include lands under Federally held lease agreements (perpetual or otherwise).

- There is concern that the impacts of Federal land management goals and objectives, will not, in fact, be limited to Federal lands alone. If state or private landowner actions are occurring outside of Federally managed land in project watersheds, they should not be involuntarily subjected to management changes if they are inconsistent with the preferred management practices of the Federal sponsors. Policy for interacting with neighboring landowners and state interests, their goals, and their resources must be firmly established as voluntary only.

- The proposed watershed policy is a responsible approach for managing surface water quality and erosion where Federal lands comprise most of the watershed. However, this type of management scenario seems less appropriate for watersheds where Federal lands encompass a small portion of a watershed's area.

- The watershed management approach is inappropriate for managing subsurface resources, such as aquifers. This would still remain the case even if a majority of the overlying land were under Federal control.

CAET RECEIVED
APR 24 2000

900 EAST BOULEVARD • BISMARCK, ND 58505-0850 • 701-328-4940 • TDD 701-328-2750 • FAX 701-328-3696

143

We appreciate your consideration of our comments regarding the Proposed Unified Federal Policy.

Sincerely,

David A. Sprynczynatyk
State Engineer

DAS:PF:WS/AF/INT

CAET RECEIVED
APR 24 2000