151

PETER G. MORROS, Director

ALLEN BIAGGI, *Administrator*

(775) 687-4670

TDD 687-4678

Administration
Water Pollution Control
Facsimile 687-5856

Mining Regulation and Reclamation
Facsimile 684-5259

STATE OF NEVADA
KENNY C. GUINN
Governor

Waste Management
Corrective Actions
Federal Facilities

Air Quality
Water Quality Planning
Facsimile 687-6396

DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

DIVISION OF ENVIRONMENTAL PROTECTION

333 W. Nye Lane, Room 138

Carson City, Nevada 89706-0851

April 19, 2000

USDA- Forest Service
Content Analysis Enterprise Team, Attn: UFP
Building 2, Suite 295
500 Amelia Earhart Dr.
Salt Lake City, UT 84116

Dear Sirs:

The Nevada Division of Environmental Protection appreciates the opportunity to comment on the proposed "Unified Federal Policy for Ensuring a Watershed Approach to Federal Land Resource Management" policy. The proposed policy is of special interest as 87% of Nevada's lands are Federally controlled. Because the language contained in the document is very general, our comments speculate on the policy's intent rather than specific line items. Our comments are as follows:

Watershed assessments conducted by the Federal agencies for prioritization should not conflict or supercede State priority lists required by the Clean Water Action Plan. State priority lists were assembled through a public participation process and included Federal agencies. Federal agencies should utilize these lists for their own assessments and not duplicate work which has already been completed.

It is emphasized throughout the document that the policy does not have the effect of regulation and is intended to foster more effective participation opportunities with interested stakeholders. Yet language such as "a need for special protection" is used in the policy. We are concerned that top-down requirements will be placed on users of Federal lands for certain watersheds. We strongly believe top-down approaches are not effective for controlling nonpoint source pollution. Local stakeholders and Federal land managers must work together to find solutions for nonpoint source impaired waters as these problems are very complex and directly impact people's livelihoods .

APR 25 2000

CAET RECEIVED

151

Lastly, Total Maximum Daily Loads (TMDL) are the responsibility of the States pursuant to the Clean Water Act. Federal agencies along with local stakeholders should assist States by providing land use data, water quality data and other relevant information for TMDL development. Once the State has compiled the information and developed a TMDL for a stream or river, Federal agencies should work with local stakeholders and agree on implementation plans utilizing best management practices to reduce nonpoint source pollutant loadings.

Again, we emphasize, cooperation with local stakeholders to find solutions for watershed problems is the proper approach. Thank you for the opportunity to comment. If you have any questions concerning our comments, please write or call me at (775) 687-4670 extension 3098.

Sincerely,

Tom Porta, P.E.
Chief, Nevada Bureau of
Water Quality Planning

/tp

cc: Mark Farman,
Nevada State Lands Division

CAET RECEIVED
APR 25 2000