166

Pennsylvania Department of Environmental Protection
Rachel Carson State Office Building
P.O. Box 2063
Harrisburg, PA 17105-2063
April 24, 2000

Office of Mineral Resources Management 717-783-5338

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

Re: Proposed Unified Policy for a Watershed Approach to Federal Land and Resource Management

Dear Sirs:

The Pennsylvania Department of Environmental Protection (DEP) appreciates the opportunity to comment upon the Departments of Agriculture's and Interior's proposed Unified Policy for Ensuring a Watershed Approach to Federal Land and Resource Management (65 FR 35, February 22).

Pennsylvania is committed to, and has consistently been, a leader in efforts to preserve and protect our precious water resources. We commend the Departments of Agriculture and Interior in developing this policy for federal agencies. In our review of the policy, we have identified a number of substantive concerns that we believe should be addressed prior to implementation of this policy:

- II. Agency Objectives, B.1.b.(6): We agree that level of public interest is a good factor for identifying priority watersheds, but we recommend this go further and state that more importance should be placed upon the commitment of state and local funds and resources for improving a particular watershed.

- General Comments:

  1. At the end of the policy is a list of federal agencies. Presumably these agencies will be following the policy. We would like this list to include the federal agencies of the Department of Transportation, Department of Justice, Postal Service, and General Services Administration.

CAET RECEIVED
APR 29 2000

2. The policy states it will apply to all agencies who manage lands and agencies that sign the final policy. This could range from vast tracks of land managed by the Forest Service or Bureau of Land Management down to a small National Monument. Although the document states that the policy will not apply to Tribal, State, or private lands, there are concerns that if any federal lands are located within in a watershed, then the entire watershed could be subject to this policy. Are all navigable waters under the control of the Corps of Engineers considered federal lands? How would this policy affect DEP's decision-making authority to issue mining permits? We are concerned that third parties will raise the argument that the federal policy should apply, particularly if the policy authorizes final decision making to OSM or EPA, or whomever, for a contested mining permit.

Pennsylvania is very interested in working cooperatively with the Departments of Agriculture and Interior, and other federal agencies, to ensure the continued protection of our waters. We believe this policy will benefit the citizens of Pennsylvania. We thank you for the opportunity to comment.

If you have any questions, please contact me at the above number, or Robert Agnew at 717-783-9588.

Sincerely,

Robert C. Dolence

Robert C. Dolence
Deputy Secretary for
Mineral Resources Management

CAET RECEIVED
APR 2 0 2000