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April 22, 2000

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Ref: Clean Water Management Plan and Preliminary Review of the United Federal Policy Ensuring a Watershed Approach to Federal lands and resources.

Comments from Andrew V. Myers - Address above:

First let me point out that this is an illegal action and will be treated as such.

Point 4(3x2) of the plan states that opportunities will be provided " for interested stakeholder to participate in monitoring and assessing watershed conditions and in implementing watershed restoration projects." With the rash of citizen suits that have been filed in recent years involving non-point source water polution, this section brings immediately to mind section 505(ax 1) of the Clean Water Act authorizing the filing of legal actions by private citizen groups. This violates another law which does not allow bureaucracies to make decisions which would bring on litigation against the federal government.

The proposed rule also does not acknowledge the fact the Clean Water Act explicitly exempts "Non-Point" source pollution from regulation and that federal agencies have no legal authority to implement TMDLs and BMPs, it can only be assumed that this section of the Clean Water Act is not considered "applicable legal authority" .

Please define "applicable legal authority" for me. I see no definitions of this anywhere.

Signed Andrew V. Myers

Andrew V Myers

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