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Wyoming Association of Conservation Districts
2304 East 13th - Cheyenne, WY 82001 - Phone: (307) 632-5716 - FAX: (307) 638-4099

May 8, 2000 ***Certified Return Receipt Requested***

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

Dear Sir/Madam:

Below are the comments of the Wyoming Association of Conservation Districts on the ***"Unified Federal Policy for Ensuring a Watershed Approach to Federal Land and Resource Management"*** published for comment in the federal register on February 22, 2000. The WACD represents Wyoming's 34 local Conservation Districts. Conservation Districts are charged, pursuant to Wyoming § 11-16-101 *et. seq.*, with the protection of natural resources, including water quality and quantity, stabilizing farming and ranching, and protection of the tax base.

The local conservation districts in Wyoming strongly support watershed planning to achieve natural resource goals and objectives. Enclosed is a copy of a resolution adopted by the conservation districts in November of 1995. This resolution recognizes the importance of watershed planning and pledges districts to take a lead role at the local level. ***(Attachment A)*** The districts have made great strides in achieving this goal. Conservation district supervisors and personnel developed a comprehensive watershed strategic planning document, with input from various state and federal agencies. The Association initiated, in February 1998, a watershed planning assistance program, funded with a section 319 grant. This program is aimed at providing the necessary technical and planning assistance to local conservation districts to pursue and complete watershed planning activities. Prior to this program, the Association implemented two Nonpoint Source programs that resulted in several historical water quality reviews in several watersheds in Wyoming. There are approximately 25 watershed efforts at various stages in the state. Most recently, districts have initiated these efforts on six of the stream segments on Wyoming's 1998 303(d) list. Many, of these watershed-based efforts include, where federal lands are a part of the watershed, federal land management agency representation. In addition, in 1998 the Wyoming State Legislature funded local conservation districts to be trained and equipped to collect credible data.

All of the above are examples of the commitment and efforts at the local level aimed at pursuing comprehensive watershed planning utilizing sound science.

The Association's comments are submitted based on a review of the policy coupled with information obtained from the public meeting held in Denver, Colorado on March 13, 2000.

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GENERAL COMMENTS:

The Association has several substantial concerns with the intent and purpose of this policy. These concerns are based on several factors, including, but not limited to the following:

1. The Wyoming Association of Conservation Districts, along with 67 other individuals/organizations, filed suit in June 1999 against the US Environmental Protection Agency, et. al. over the Administration's Clean Water Action Plan. The basis of this suit includes numerous violations of various federal laws. Although the WACD endorses and promotes natural resource management on a watershed basis, the Association opposes this policy. The purpose, outcome, and decisions related to this policy were predetermined upon the publication of the Clean Water Action Plan. In addition, the intent and affects of this policy were not collectively analyzed for cumulative impact collectively with the other 110 "key actions" contained in the plan. Further, the agency has not, pursuant to the National Environmental Policy Act, identified what the "need" may be for this federal action nor conducted any further NEPA analysis.

2. The narrative language contained in the Clean Water Action Plan prefacing this particular key action, contains the following statement: ***"Activities such as road building, logging, mining, grazing, hydrologic modification, or excessive recreational use can degrade the integrity of these watershed and require actions to reduce their harm." (Clean Water Action Plan, page 30).***

   Comment: Based on the above language it is apparent to the Association that the purpose for this policy has been determined. The intent is obviously based on the notion that virtually all land use activities are degrading the watershed, regardless of the method in which they are conducted. The states develop Best Management Practices to ensure that all of the above activities are conducted in a manner so as to protect the resource while meeting multiple use objectives. The above language indicates that regardless of how the activity occurs it must be degrading the watershed. The focus of the policy is clearly geared toward elimination of multiple use activities.

3. The policy is extremely vague. In reading the policy, one would question why it has even been published it is so lacking in specifics. This an issue that could have likely been addressed had adequate NEPA analysis been conducted to identify and define the specific issues. This concern was solidified during the public meeting held in Denver in March. An attendee questioned how the agencies would know how they achieved the intent of the policy. One of the presenters who was involved in developing the policy, had great difficulty

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in responding. If individuals involved in developing the proposal cannot respond adequately to this question, it is apparent it is unclear why the policy is even being developed.

4. The policy is calling for actions and processes to be completed that are redundant to initiatives already being mandated by EPA through "authority" directed by the Clean Water Action Plan. More specific comments will be provided under the applicable section of the proposed policy.

5. The policy completely ignores the primacy of state's that have delegated authority for implementing the Clean Water Act. Again, it appears the policy is yet another attempt, as can be seen in the proposed TMDL regulations, to circumvent the role and primacy Congress intended for the states in implementing the provisions of the Clean Water Act.

6. The policy appears to substantially modify the management approach to federal lands. However, as indicated in March, there is no intent to issue planning regulation amendments. WACD would question the agency's determination that rule changes are not necessary and substantial changes in federal land management processes can be implemented with a two-page policy.

Specific comments on the policy:

1) **Page 8837; Introduction** The introduction states ***"Implementation of the following proposed policy will improve water quality and aquatic ecosystems on Federal lands and will further the use of a watershed approach to federal land and resource management activities."***

   Comment: Again, it is troublesome that the introduction repeatedly refers to the Clean Water Action Plan as if it was a law that was enacted, investing additional authorities to the federal agencies. If the intent is truly to address resource planning and management on a watershed basis, then it is incomprehensible why the policy ignores the fact that it is highly unlikely that watersheds contain only federal resources and this watershed approach can be applied strictly to federal lands and still accomplish the intent of watershed planning. This leads to the next concern, which is the impact to private lands. At the meeting held in Denver, the attending public was reassured that the policy has no affect on private lands. After reviewing the policy, it is obvious that it will affect private landowners.

2) **Page 8837; Policy Goals** - The policy refers to the ***"managing the Federal lands, resources, and facilities in our care".***

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Comment: The glossary section does not provide a definition of "resources". In order to clearly understand the intent and application of this proposed policy it is necessary that a definition be provided.

The policy goals recognize that there are existing programs for watershed protection and improvement currently underway and the policy is intended to enhance these programs. The policy goes on to identify guiding principals to achieve the two identified goals.

Principle A. ***"Use a consistent and scientific approach to managing federal lands and resources and to assess, protect, and restore watersheds."***

Comment: Although this principle states a very laudable intent that would be supported by this Association, the policy is completely lacking in any specific detail on how this will be accomplished. WACD suggests that if the policy is truly intended to bring consistency among the federal agencies that the agencies incorporate the following:

> A. Watershed Assessments: One of the basic fundamental challenges in efforts to pursue watershed assessments is the lack of consistency between local, state and federal entities on the level of science being collected for determination of watershed health. In addition, the federal agency monitoring process does not appear to consider geology, climate, soils, hydrology, stream succession, etc. Nor are the protocols, and ultimately the analysis of resource health, consistently applied. In addition, both the Forest Service and BLM monitoring activities are lacking in adequate science to determine water quality. The Bureau of Land Management tends to make determinations on water quality without any water quality data (Proper Functioning Condition). They utilize subjective physical information solely. Although WACD does not oppose the collection and use of the information, it should not be misapplied to make water quality determinations or watershed health assessments. The Wyoming BLM state office personnel has made efforts to work cooperatively with the districts. A staff person has attended the watershed management and water quality monitoring training being provided by the WACD and the Wyoming Department of Agriculture. In addition, WACD representatives have attended BLM staff meetings to present the watershed planning effort and discuss methods for working together. As well, Wyoming DEQ has begun to convene meetings to discuss watershed based activities. These meetings are being held primarily to coordinate with local, state, and federal agencies. As well, several of the watershed-based efforts initiated by local conservation districts include federal agency personnel. Among these are the Muddy Creek Watershed, Big Horn River, Willow Creek, North Fork Crazy Woman, Reardon Draw, and Loco Creek. Based on the above, WACD suggests the following

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actions be pursued. At the meeting in Denver, based on questions posed to the presenters, it was apparent that the intent of the policy is not to provide additional training and dollars to be targeted towards monitoring activities. WACD suggests that the following actions should be addressed in order to bring consistency:

All of the agencies agree to and utilize a set level of scientific data when making various resource health decisions and specifically water quality determinations. Wyoming's legislature adopted language to define credible data in 1999. ***(Attachment B)*** This is a common definition that is being utilized by the Wyoming Department of Environmental Quality and local conservation districts. The language is consistent with the following federal regulations for implementing provisions of the Clean Water Act:

40 CFR § 130.0(b) **Water Quality Planning and Management**. Water quality standards (WQS) are the State's goals for individual water bodies and provide the legal basis for control decisions under the Act. **Water quality monitoring activities provide the chemical, physical and biological data needed to determine the present quality of a State's waters and to identify the sources of pollutants in those waters.** The primary assessment of the quality of a State's water is contained in its biennial Report to Congress required by section 305(b) of the Act. **(emphasis added)**

40 CFR § 130.4(b) **Water quality monitoring.** **The state's water monitoring program shall include collection and analysis of physical, chemical and biological data and quality assurance and control programs to assure scientifically valid data**. **The uses of these data** include determining abatement and control priorities; **developing and reviewing water quality standards**, total maximum daily loads, wasteload allocations and load allocations; assessing compliance with National Pollutant Discharge Elimination System (NPDES) permits by dischargers; reporting information to the public through the section 305(b) report and reviewing site-specific monitoring efforts. **(emphasis added)**

WACD recommends that the information necessary to determine watershed health be based on the above language, therefore providing consistency in the watershed assessment, planning, and implementation process.

B. Training/Education: In order for the above data to be collected with a consistent method, WACD recommends that the Departments not only encourage but require federal agency personnel who are responsible for these watershed management activities or related resources management, to attend training sessions. Although some states may not provide such a curriculum, the federal agencies could certainly take the initiative among their own

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staff. WACD offers five phases of training. At least in Wyoming, WACD would appreciate any participation of local Forest Service or BLM staff to join us in our goal of developing a common watershed approach.

C. Resources for collection of credible data - The agencies should provide adequate resources, if necessary redirected from other redundant programs, to allow their personnel to actively collect the necessary science for land and water resource management. An example of opportunities to redirect funds is the meeting held in Denver. There were 18 federal employees present at the meeting. Of the 18, seven were from Washington, D.C. There were approximately eight members of the public attending the meeting. The monetary expenditure to conduct the meeting in Denver was substantial. These funds could have been redirected to the field level where they could be more beneficially used. WACD is not purporting to support an increase in appropriations to agency budgets, however would support and encourage a redirection of resources to ensure a science-based approach is being implemented.

The policy goals state that there two basic goals to promote a watershed approach to prevent and reduce water pollution from federal land and resource management activities and accomplish this in a unified and cost-effective manner. The above comments should be given serious consideration if the agencies intend to remotely come close to achieving the above goals.

In addition, it is questionable why the process of evaluating, categorizing and prioritization for the focus of resources and actions will occur long before any effort is made to collect data and information. Based on the method proposed there will be no effort or activity to collect data until 5 years into the process.

Principal B: ***"Identify specific watersheds in which to focus our budgetary and other resources and accelerate improvements in water quality and watershed condition."***

Comments: EPA directed states in May 1999 to complete "Unified Watershed Assessments". These assessments, as described in EPA's memos and directives, mirror the assessments described in the draft policy. Based upon the Association's review of various western states' Unified Watershed Assessments, the states included federal agency personnel. Obviously, based upon a sampling of these assessments the process was conducted regardless of jurisdictional boundaries. When the question of duplication was posed to presenters at the Denver meeting, four separate and distinctly different answers were provided. One answer provided indicated that the policy was the next step after the assessment process. When questioned, how the next step, which was described as planning for the watershed, was different than EPA's other directive for Watershed Restoration Action Strategies. A different agency representative indicated that their

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understanding was that the policy was to focus on smaller sub-watersheds than those being addressed by states. However, Wyoming resisted the UWA process given that insufficient data existed on an 8 digit hydrologic unit to make a watershed health determination. EPA's response to this was: "We note first, you do not have to work at the 8-digit HUC scale; several states have opted to work at a smaller scale." ***(Correspondence from Region VIII EPA dated January 12, 1999)***

This again demonstrates the lack of understanding among the federal agencies on the purpose of the policy.

The policy does not define the size of watersheds being discussed. It is assumed that the specific scale will be determined at the state level. In Wyoming, the various agencies are currently in the process of developing a common 14-digit hydrologic unit map. In Wyoming, this process will take at least another year to accomplish. This is the scale of watershed that is utilized by the USDA Natural Resources Conservation Service. There is a major problem with inconsistency from one agency to the next as to the size of the watershed. It is assumed that given this effort was initiated, and has been in the process for over a year, that this policy would recognize that existing approach.

Principle C. ***"Use the results of watershed assessments to guide planning and management activities in accordance with applicable authorities and procedures."***

Comments: The Association is concerned that the ultimate actions that may be taken as a result of this policy may pose conflicts between applicable authorities and procedures.

Principle D. ***"Work closely with states, tribes, local governments, and stakeholders to implement this policy.***

Comments: Again, it is questionable that this policy is even necessary given the actions and activities related to water quality and resource management on a watershed basis that have been initiated either by state or local governments. At the meeting in Denver, when asked how the state water quality agencies felt about the proposed policy, the answer was that the states supported the policy. However, WACD understands that only six states submitted comments, one of which recommended that the policy be withdrawn until the Clean Water Action Plan litigation was resolved.

Principle E. ***"Meet our Clean Water Act responsibility to adhere to Federal, State, Tribal, interstate, and local water quality requirements to the same extent as non-governmental entities."***

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Comments: It is obvious that the federal agencies clearly need to address their contribution to water quality impairments. However, it is unclear how this particular policy will result in federal agencies adhering to water quality standards. As an example, the Yellowstone National Park has been issued notices of violations from the Wyoming DEQ for water quality violations as a result of sewage spills into surface waters in the park. These spills occur due to outdated and dilapidated treatment facilities, however the state can do nothing more than issue a notice of violation. The state cannot assess any monetary penalties against the federal government. The Association would recommend that if agencies are as committed to adhering to water quality standards as any other individual or entity would be, then the state's should be allowed to assess penalties just as they would to any other individual or entity.

Principal F. ***"Take steps to ensure that Federal land and resource management actions are consistent with Federal, State, Tribal, and, where appropriate, local government water quality management programs."***

Comment: WACD would endorse the intent of this language. However, it is unclear why the policy is necessary to achieve this means. Quite frankly, several local conservation districts and other local and state governments have attempted to be involved in federal land management planning activities. Vice versa, local governments, where federal lands are within a watershed, invite and involve federal agency personnel. Where these partnerships occur, great success in resource management is made. However, it is continually frustrating that although the agencies purport to want to coordinate, they consistently ignore provisions of NEPA which provide that where state and local governments have jurisdiction by law or special expertise, they should be granted cooperating agency status on federal land management planning activities. Merely following the intent and mandate of NEPA, coupled with encouragement and empowerment of local field personnel to participate in locally initiated watershed planning efforts would accomplish this "principal."

As well, the language "where appropriate" is vague and if the policy is adopted it should be clarified.

Page 8837; II. Agency Objectives; 1st paragraph states: ***To accomplish these policy goals,...All agencies will implement this policy as individual agency laws, missions, and fiscal and budgetary authorities and resources permit."***

Comment: It would seem logical that prior to developing and issuing this policy the agencies would have ensured that the goals and actions proposed in the policy were permissible under individual agency laws, missions, and fiscal resources were sufficient. The mere fact that this

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language is in the policy indicates that there may be some conflicts or limitations that exist between the intent and goals of the policy and current authorities.

Sections A. 1. A. through d.;

Comment: The Association has provided detailed comments on the approach being proposed for watershed assessment procedures, watershed delineation, and coordination with watershed efforts.

Section A. 2. A through d; states: ***"We will conduct watershed assessments for watersheds that have significant Federal lands and resources."***

Comment: The term "significant" is not defined in the glossary provided. When asked what the definition of "significant" was, at the Denver meeting, the response was that a definition had not been developed and that those submitting comments should provide input on whether the term should be defined. In addition, it was stressed at the public meeting, that the policy does not apply to or affect private property. However, unless "significant" is defined as solely federal lands there will be an impact on private property. It is assumed that in watersheds that are identified as "impaired", "high priority", or some other category indicating water quality impairments, that some map or delineation will be published. If the federal agencies even categorize a watershed as priority and there are private lands within that watershed, then this policy does affect private lands. It is unfathomable how the agencies could even begin to suggest that there would be no affect on private property. In Wyoming, nearly all of the watersheds will contain mixed ownership. Therefore, if the agencies truly intend for this policy to affect only federal lands then it should apply to those watershed which include strictly federal lands. This approach however, would obviously, in most instances defeat the purpose of a watershed approach. Therefore, WACD suggests that the policy be withdrawn. A commitment should be made by the agencies to watershed planning efforts initiated by state and local governments. The necessary resources to accomplish these watershed-based efforts are provided to the state and local governments, without the top down edicts, which fail to recognize local conditions. This would truly reflect what Congress intended to occur in the implementation of the Clean Water Act. This is supported with the language in the CWA at § 101(b) which states: **"It is the policy of the Congress to recognize, preserve, and protect the primary responsibilities and rights of States to prevent, reduce, and eliminate pollution, to plan the development and use (including restoration, preservation, and enhancement) of land and water resources, and to consult with the Administration in the exercise of his authority under this Act**.

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Section B. 1 a through b.6; states: ***"We will work collaboratively to identify priority watersheds"***

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Comment: This section goes on to provide a list of criteria or the process in which the agencies will determine priority watersheds. It is interesting to note that of the six criteria listed for determining priority watersheds, not one is directly related to scientific data indicating water quality degradation. Even though the goal of the policy is for federal agencies to comply with the Clean Water Act. Specifically one of the policy's goal state: "use a watershed approach to prevent and reduce water pollution resulting from federal land.."

Section B. 1. b. (3) states: "Magnitude of water quality impairment, impacts to aquatic resources, and/or ***changes to flow regime." (emphasis added)***

Comment: WACD is unclear what the intent is of the federal agencies to include flow regime. However, WACD would remind the agencies that the Clean Water Act states the following: ***§ 101(g): "It is the policy of Congress that the authority of each State to allocate quantities of water within its jurisdiction shall not be superseded, abrogated or otherwise impaired by this Act. It is the further policy of Congress that nothing in this Act shall be construed to supersede or abrogate rights to quantities of water, which have been established by any State."***

If the intent is to affect in any way, legally appropriated water rights, then this language should be deleted.

Section B. 1. b. (4) This language was addressed above in comments related to duplication of watershed assessments being conducted by state and local governments.

Section B. 1. b. (5) states "Vulnerability of the watershed to degradation".

Comment: This criterion only raises a myriad of questions as to how the agencies would determine a watershed's vulnerability to degradation.

Page 8838; B. 2. Through its entirety to section C.

Comment: Again, it is unclear, and this section solidifies this uncertainty, as to why the policy is necessary. This section discusses addressing nonpoint source pollution, implementation of Best Management Practices, total maximum daily loads, complying with state water quality standards, etc. Based on the WACD's knowledge these efforts are already occurring in various forms such as the large comprehensive Forest or BLM area planning processes, timber management, grazing strategies and management, coordination with states on water quality standards issues, etc. WACD would again recommend that the agencies merely make a commitment to watershed planning and involvement in such efforts.

Page 8838; section C. in its entirety

Comment: This section is too vague to even provide meaningful comment. However, it is apparent through this section that there are changes in multiple uses in store as a result of this policy. This is an assumption based on current agency trends to phase out uses and management practices such as timber harvesting, grazing, etc. and the language contained in the CWAP.

Section D. "***We will enhance collaboration***".

D. 3. b. states "***Provide opportunities for interested stakeholders to participate in monitoring and assessing watershed conditions and in implementing watershed restoration projects.***

Comment: This statement clearly causes concern. On face value, given the lack of specifics contained in the policy, one can interpret this statement that any interested public will be invited and encouraged to monitor and assess watersheds. There is no mention, whatsoever, of any minimum qualifications for participation from stakeholders. Again, it is imperative that the federal agencies consult with and maintain consistency with the state's approach. Clearly, there must be some threshold established for the level of expertise necessary for stakeholders to be involved in the collection of scientific data.

D. 3. d. states: ***"Seek early feedback on key decisions affecting watershed management through the Watershed Forum process called for in the Clean Water Action Plan and carefully consider this feedback in agency decision making."***

Comment: This statement is a prime example of how the agencies are treating the Clean Water Action Plan as an authorizing law, rule or regulation. The public input processes for federal planning activities are clearly governed by the NEPA, Administrative Procedures Act, and other federal laws. Yet, the policy sets forth that a "new" process will be followed. One contained in a Plan that was not even subjected to Congressional review. The Clean Water Action Plan discusses the National Watershed forum and indicates a ***"....Forum will be convened to provide a coordinating mechanism for the development of watershed assessment, restoration, and protection efforts. The Forum will include a total of about 20 members, including representatives of: federal agencies, state agencies, tribal governments, local governments, other stakeholder organizations, and watershed partnerships and citizens." (Clean Water Action Plan, page 87)***

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There is no discussion of these reviews and/or decisions being made at the local level within the affected watershed. Further, there is no mention of private landowners serving on this Forum. Given that fact that this policy will impact private lands, it is necessary to involve landowners.

D. 4. States: ***"We will expand opportunities for dialogue with private landholders in priority watershed with a mix of Federal and private lands, we will work with private sector landholders to involve them in the watershed management process. We will work closely to ensure that Federally funded projects involving private cost-share partners fully consider watershed management objectives for both public and private lands."***

Comment: At the meeting held in Denver, agency representatives strongly assured attendees that the policy **DOES NOT AFFECT PRIVATE LAND. (emphasis added)** This was presented surely in anticipation of concern over a federal dictate of private land management. This concern is well founded based on the above. This policy will obviously affect private landowners. It is ironic that the policy does not discuss involving private landowners until the end of the policy. In addition, landowners are involved after the process of monitoring, assessing, prioritizing/categorizing, development and implementation of management practices, and collaboration with stakeholders. This demonstrates the clear lack of understanding and recognition that the federal agencies who prepared the policy, have of private property rights and working with private landowners voluntarily and cooperatively on resource management activities.

There are numerous examples in Wyoming and throughout the west, where the majority of federal lands are located, that demonstrates private landowner commitment to sustainable resource management. This section sends a clear message that private landowners are an afterthought.

D. 5 & 6; ***related to water quality monitoring and training***

Comment: As stated previously, WACD would offer and recommend that in Wyoming, the federal agency personnel participate in an already existing high quality training program that will provide a consistent approach and understanding to watershed assessment, planning and management regardless of the jurisdiction. The WACD intends to continue this training program and would openly welcome agency attendance. We have had three full training session for

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phases I through III. Over 100 people have received the same level of consistent training. Attendees included representatives of Conservation Districts, Bureau of Land Management, Wyoming Department of Agriculture, Natural Resources Conservation Service, Cooperative Extension Service, Teton Science School, Department of Environmental Quality, private landowners, Audubon Society, Riparian Association, Attorney, individual citizen, and Wind River Reservation Environmental Quality Council. Attached is a listing of the phases of training being provided and the equipment each local conservation district has received to collect credible data. **(Attachment C)**

In closing, WACD would offer that if the federal land management agencies are truly interested in resource management on a watershed basis, then a sincere commitment needs to be made to work with state and local governments. Jointly the entities can discuss the development of a common process for approaching watershed management including a consistent understanding of the type of credible data necessary to assess watershed health. As well, the federal agencies must recognize the primacy of states in implementing the Clean Water Act, and most ***importantly*** recognize and respect the rights of those landowners with property located within these watersheds.

Thank you for the opportunity to comment.

Sincerely,

Olin Sims
President

Bobbie K. Frank
Executive Director

Attachment A: ***WACD Watershed Planning Resolution - November 1995***
Attachment B: ***Wyoming Credible Data legislation - 1999***
Attachment C: ***Wyoming Conservation District Training program and equipment***

Cc: Wyoming's Conservation Districts
Governor Jim Geringer, Wyoming
Senator Craig Thomas
Senator Michael Enzi
Congresswoman Barbara Cubin
Dennis Hemmer, Director Wyoming Department of Environmental Quality

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Ron Micheli, Director Wyoming Department of Agriculture
Stan Sylva, Wyoming Liaison USDA Forest Service
Al Pierson, Wyoming State BLM Director
Ed Burton, State Conservationist NRCS
Art Reese, Federal Lands Policy Coordinator
National Association of Conservation Districts

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ATTACHMENT A

RESOLUTION
PASSED AT AREA III MEETING
9/14/95

WHEREAS, the Conservation Districts were created pursuant to Wyoming Sate Statute § 11-16-101 et seq. to provide leadership and representation at the local level on issues affecting soil and water conservation, the protection of the tax base, and the proper management of the natural resource base of the state of Wyoming, and;

WHEREAS, Conservation District's throughout Wyoming have conducted long range planning efforts and have developed water quality issues, concerns, policies, and goals in their respective areas, and;

WHEREAS, federal, state and local governments and their designees are initiating planning policies, ecosystem management strategies, or procedures to address resource management on a watershed basis, and;

WHEREAS, watershed boundaries include private property, a coordinated approach to watershed management must be implemented, in order to minimize the social, economic, and cultural impacts on local communities and optimize resource conservation, and;

WHEREAS, there is a need to coordinate and provide leadership at the local level for resource management efforts including the federal, state and private lands to accomplish common watershed management goals and to eliminate duplication of efforts through a pooling of limited resources, and;

THEREFORE BE IT RESOLVED, by the Area III Conservation Districts, that the Wyoming Association of Conservation District pursue efforts to establish a strategic plan to define how the Conservation Districts can provide a leadership role in coordinating watershed management efforts at the local level.

Adopted by:
Area I September 19, 1995
Area II September 20, 1995

WACD Board Recommendation: **Do Pass**

WACD Annual Business Meeting: **Do Pass**

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ATTACHMENT B

Definition of Credible Data

Enacted by the Wyoming State Legislature July 1, 1999

"Credible data" means scientifically valid chemical, physical and biological monitoring data collected under an accepted sampling and analysis plan, including quality control, quality assurance procedures and available historical data. W.S. 35-11-103 (c) (xix)

W.S. 35-11-302

(b) The administrator, after receiving public comment and after consultation with the advisory board, shall recommend to the director rules, regulations and standards to promote the purposes of this act. The rules, regulations and standards shall prescribe:

(i) A schedule for the use of credible data in designating uses of surface water consistent with the requirements of the Federal Water Pollution Control Act (33 U.S.C. Sections 1251 through 1387). The use of credible data shall include consideration of soils, geology, hydrology, geomorphology, climate, stream succession and human influence on the environment. The exception to the use of credible data may be in instances of ephemeral or intermittent water bodies where chemical or biological sampling is not practical or feasible;

(ii) The use of credible data in determining water body's attainment of designated uses. The exception to the use of credible data may be in instances where numeric standards are exceeded, or in ephemeral or intermittent water bodies where chemical or biological sampling is not practical or feasible.

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ATTACHMENT C

Wyoming Water Quality Monitoring Training Program

Phase I: Understanding watershed principles

Phase II: Developing an overall water quality monitoring plan

Phase III: Equipment calibration, care, and use techniques and Lab coordination

Phase IV: Field Training – Collecting credible data

Phase V: Data interpretation and analysis

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ATTACHMENT C

Conservation Districts in Wyoming were supplied with:

Flow Probe
Gloves
Chest Waders
Surber Sampler
200' Tape
Brush
Plexiglass
Survey Rod/Case
DH 48 Integrated Sampler
Sieve Bucket
Green Tub
GPS Unit/Case
EcoWatch Software
Clinometer/Case
YSI 610 DM
Camera/Bag/Battery
Wash Bottles
Multiparameter Probe

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