

**ENVIRONMENTAL PROTECTION
AGENCY****DEPARTMENT OF AGRICULTURE****Office of the Secretary**

[FRL-5919-6]

**Clean Water Act; Vice President's
Initiatives**

AGENCY: Environmental Protection Agency and Department of Agriculture.
ACTION: Notice of Vice President Gore's Clean Water Initiatives.

SUMMARY: On October 18, 1997, Vice President Gore announced a set of Clean Water Initiatives to celebrate the 25th anniversary of the Clean Water Act. In a memorandum to Heads of Departments and Agencies, he asked the Secretary of Agriculture (USDA) and the Administrator of the Environmental Protection Agency (EPA) to convene this effort.

Despite many successes in cleaning up our Nation's waters, significant challenges remain. For example, harmful organisms in our waters and polluted runoff continue to pose threats to human health, fish and wildlife. To help solve these problems, the Vice President directed Federal agencies to develop a comprehensive Action Plan within 120 days to improve and strengthen water pollution control efforts across the country. He also identified a number of specific initiatives to achieve these major goals: enhanced protection of public health; more effective control of polluted runoff; and increased community participation in local watershed management. Agencies will also emphasize high levels of public participation and access to information, innovative solutions, and cooperative relationships with private parties and landowners.

USDA, EPA and other Federal agencies have begun work on the Action Plan. Since public involvement is an important part of this effort, the agencies are planning a series of constituent meetings to discuss the Action Plan. An Internet website is being created to provide the public with information about this effort.

Groups or individuals may submit comments on actions that agencies should undertake in response to the Vice President's memorandum and are encouraged to specifically identify their topical interests and suggest ways to involve the public in development of the Action Plan. In addition to public involvement in the Action Plan, each element of the Plan will have

substantial, and in some cases formal, opportunities for public involvement in the specific agency actions. The Plan will not determine the outcome of regulations, but will identify the overall goals of agency actions and the vision of how they fit together.

DATES: Written submissions should be addressed to one of the persons listed directly below on or before December 8, 1997.

ADDRESSES: Comments should be sent to Denise Coleman, Room 6032S, PO Box 2890, U.S. Department of Agriculture, Washington, D.C. 20013 or Robert Goo, Assessment and Watershed Protection Division (4503F), U.S. Environmental Protection Agency, 401 M Street SW., Washington, D.C. 20460.

FOR FURTHER INFORMATION CONTACT: Denise Coleman, USDA; (202) 720-1845 or Robert Goo at (202) 260-7025.

SUPPLEMENTARY INFORMATION: The full text of Vice President Gore's Clean Water Initiative, October 18, 1997, Memorandum follows.

Dated: November 4, 1997.

Robert Perciasepe,

*Assistant Administrator, Office of Water,
Environmental Protection Agency.*

James R. Lyons,

*Under Secretary, Natural Resources and
Environment, Department of Agriculture.*

October 18, 1997.

Memorandum for Heads of Departments and
Agencies

From the Vice President

Subject: Clean Water Initiatives

The twenty-fifth anniversary of the Clean Water Act presents an opportunity for all Americans to celebrate the successes of the Act to date, and to recognize the vital role of clean water in protecting public health and securing our economic future. In 25 years, the Clean Water Act has stopped billions of pounds of pollution from flowing into our rivers, lakes, and streams, and doubled the number of waterways that are safe for swimming and fishing. Rivers once polluted enough to catch fire, lakes once devoid of life, and streams once used as open sewers are now restored centerpieces of healthy communities because of the Clean Water Act.

This is also an appropriate occasion to recognize that, despite significant progress, the challenge for all of us in protecting our Nation's waters remains unfinished. The health of our people continues to be threatened by exposure to harmful organisms in our waters; consumption of fish from many of our waters presents a threat to the most vulnerable among us; polluted runoff has for too long eluded control under conventional regulatory approaches. Communities need Federal help and partnership to protect water quality on a community-led, watershed basis, rather than through piecemeal steps. It is incumbent on all Federal agencies to respond to these challenges in a manner that honors and

further the goals of the Clean Water Act. Agencies must bring to these challenges a new vision, one which ensures that the level of effort is commensurate with the importance of clean water to the health and well-being of every community.

I am therefore requesting that the Secretary of Agriculture and the Administrator of the Environmental Protection Agency (EPA), in consultation with all other affected agencies develop a comprehensive Action Plan that builds on the Administration's clean water successes over the past five years and addresses three major goals: enhanced protection from public health threats posed by water pollution; more effective control of polluted runoff; and promotion of water quality protection on a watershed basis. This Action Plan will be informed by the following principles:

- Agencies will develop cooperative approaches that promote coordination and reduce duplication among Federal, State and local agencies and Tribal governments wherever possible.
- Agencies will ensure participation of community groups and the public to the maximum extent practicable. Such participation will include community and public access to information, to protect the public's right-to-know about water quality issues.

- Agencies will emphasize innovative approaches to pollution control, including, where appropriate, incentives, market-based mechanisms, and cooperative partnerships with landowners and other private parties.

The Action Plan developed according to these principles will encompass all appropriate regulatory, incentive, compliance, enforcement, and budgetary steps, and will include, at a minimum, the following elements:

Protecting Public Health

1. EPA and the Department of Commerce (acting through the National Oceanic and Atmospheric Administration (NOAA)) will identify steps to reduce the need for fish consumption advisories, giving particular attention to toxics that affect fetal and childhood development. The Action Plan will also identify steps to ensure protection of children from exposure to harmful organisms on our beaches and other recreational waters.

2. EPA will identify the major sources of nitrogen and phosphorous in our waters, and identify actions to address these sources. In particular, EPA will accelerate water quality criteria for waters in every geographic region in the country. Specifically, EPA will establish a schedule so that EPA and the states are implementing a criteria system for nitrogen and phosphorous runoff for lakes, rivers, and estuaries by the year 2000.

Preventing Polluted Runoff

3. EPA will expedite new standards for targeted problems of polluted runoff.

Specifically, EPA will expedite its new strategy from animal feeding operations that produce polluted runoff, and include in that strategy specific commitments to revise outdated regulations. EPA will ensure that final regulations for polluted runoff from storm water are in place by March 1, 1999.

4. Prior to or as part of the Action Plan, the Department of Agriculture (USDA) will notify the states through the **Federal Register** of the availability of the Conservation Reserve Enhancement Program (CREP) and shall provide further guidance to the states in presenting proposals. USDA will work with states to help them develop proposals leading to as many agreements as practicable that will address critical water quality, soil erosion, and fish and wildlife habitat needs, including habitat needed for threatened and endangered species. USDA will work with states to identify whether such agreements could be used to protect important habitat for fish in the Pacific Northwest, California, and other areas where significant natural resources may be affected by diminished water quality. While this further guidance is being developed, USDA will continue to work expeditiously with states to complete pending proposals by states to protect water quality and habitat through CREP.

5. NOAA and EPA will have in place all 29 state Coastal Nonpoint Pollution Control Programs by June 30, 1998, beginning with the highest priority watersheds. NOAA and EPA will work with States to ensure that these programs are fully approved by December 31, 1999.

6. NOAA and EPA will develop an action-oriented strategy to comprehensively address coastal nonpoint source pollution. This strategy will be based on the full array of NOAA's and EPA's scientific, educational, technical assistance, and management programs. This strategy will be coordinated with other Federal agencies and coastal states and territories, and will consider the needs of approved state Coastal Nonpoint Pollution Control Programs.

7. The Action Plan will include a strategy for ensuring that lands and facilities owned, managed, or controlled by Federal agencies are national models and laboratories for effective watershed planning and control of polluted runoff. The Action plan will include

a strategy to ensure that Federal actions, programs, and activities do not contribute to the sprawl or other forms of development that may exacerbate the problem of polluted runoff or other water quality problems.

8. The Action Plan will include a strategy to achieve a net gain of as many as 100,000 acres of wetlands by the year 2005. USDA and the Department of the Interior (DOI) will ensure that they use common data and reference points in determining whether these goals have been met. Consistent with USDA's Buffer Initiative, the Action Plan will achieve a goal of 2 million miles of buffer strips protecting waters from agricultural runoff by the year 2002.

Ensuring Community-Based Watershed Management

9. The Action Plan will include a strategy for enhancing partnerships with state and local agencies, Tribal governments, and local communities in protecting water quality on a watershed basis.

10. USDA will develop a strategy for ensuring that agricultural producers in 1000 critical rural watersheds have the technical and financial assistance they need to abate polluted runoff and to comply with applicable standards, using programs and authorities like the Environmental Quality Incentives Program, the Conservation Reserve Program, the Wetlands Reserve Program, and others. This effort will be undertaken in a manner consistent with USDA's goals for watershed and basin-level planning. This effort also will give preference to states that have mechanisms in place to ensure effective cooperation among Federal, state, and local agencies as well as with local landowners and the public.

11. USDA, in consultation with DOI, will develop a strategy to ensure proper stewardship of federally managed watersheds, and to restore watersheds adversely affected by past management practices. The strategy will address the need

to address runoff from abandoned mines, to eliminate unnecessary roads, to improve road maintenance, and to ensure coordinated watershed management strategies regardless of jurisdictional boundaries. Working with local landowners, USDA will develop a strategy for addressing nonpoint source pollution in those watersheds that consist of a mix of public private lands, to make more effective use of resources to address high-priority restoration efforts in these watersheds.

All elements of the Action Plan will provide for appropriate input from state and local agencies, Tribal governments, Members of Congress, and the public. EPA and USDA will consider, in developing the Plan, what further steps are needed to establish a national consensus on the elements of the Plan.

The Action Plan will be submitted to me within one-hundred twenty (120) days, following review by the Council on Environmental Quality and the Office of Management and Budget (OMB). The Administrator of EPA and the Secretary of Agriculture, and all affected agencies, will ensure that all elements of the Action Plan are coordinated with OMB and consistent with the President's budget.

All independent regulatory agencies are requested to assist in the implementation of this memorandum.

[This memorandum is not intended to create any right, benefit, or trust responsibility, substantive or procedural, enforceable at law or equity by a party against the United States, its agencies or instrumentalities, or any other person.]

This memorandum will be published in the **Federal Register**.

[FR Doc. 97-29592 Filed 11-6-97; 8:45 am]

BILLING CODE 6560-50-P