

Department of the Interior

Departmental Manual

Effective Date: 3/15/71

Series: Public Lands

Part 605: Watershed Protection Program

Chapter 3: Federal Responsibilities

Originating Office: Bureau of Land Management

This chapter has been given a new release number. * No text changes were made.
--

605 DM 3

3.1 The President. Under the provisions of the Watershed Protection Act, as amended, the President is directed to issue such rules and regulations as may be necessary or desirable to carry out the purposes of the Act and to assure coordination of the program with other Federal programs.

3.2 Department of Agriculture. The basic responsibilities imposed on the Department of Agriculture are derived from the Act and Executive Order 10584, as amended by Executive Order 10913. These responsibilities include:

- A. The conduct of such investigations and surveys as may be necessary to prepare plans for works of improvement.
- B. The preparation of plans and estimates required for adequate engineering evaluation.
- C. The allocation of costs to the various purposes, showing the basis of such allocation, and determining whether benefits exceed costs.
- D. Cooperating and entering into agreements with and furnishing financial and other assistance to local organization.
- E. Obtaining the cooperation and assistance of other Federal agencies.
- F. Advancing to local organization up to five percent of the estimated total costs of the works of improvement for the employment of engineering services for flood prevention and agricultural water management.
- G. Approval of plans for the installation of works of improvement or their submission for Congressional approval as required when the Secretary is satisfied that such works constitute needed and harmonious elements in the comprehensive development of the

river basin involved.

H. Approval, or disapproval, of applications for Federal assistance in preparing plans for works of improvement, and the assignment of priorities for providing such assistance.

I. Notifying the Secretary of the Interior and others concerned, severally, in writing, of all approvals or disapprovals of applications for planning assistance.

J. Notifying in writing, the State Governor, the Secretary of the Interior and other Federal agencies concerned with the decision of the Secretary of Agriculture to initiate any survey or field investigation involving water resource development work and furnishing them with appropriate information regarding the scope, nature, status, and results of such survey or investigation.

K. Submission to the Secretary of the Interior, and all other Federal agencies and the State Governor or Governors concerned, plans for works of improvement agreed to by the Secretary of Agriculture and the local organization, for review and comment as required by the Act, or as otherwise agreed to by the Departments of Interior and Agriculture.

L. Establishing criteria for the formulation and justification of plans for works of improvement and criteria for the sharing of the costs of structural and land treatment measures.

M. Establishing engineering and economic standards and objectives, including standards as to degree of flood protection.

N. Determining and defining those land treatment measures and structural improvements for flood prevention and measures for the Agricultural phases of conservation, development, use, and disposal of water or for fish and wildlife development which are eligible for Federal assistance.

O. Determining and defining the nature and extent of Federal assistance and the conditions under which such assistance shall be rendered.

P. Arranging for the participation of the Department of the Interior in the planning and installation of works of improvement on the public and Indian lands.

Q. Holding public hearings at suitable times and places when the Secretary of Agriculture determines that such action will further the purpose of the Act.

3.3 Department of the Interior. Responsibilities of the Department include:

A. Notifying, in writing, the State Governor or Governors concerned, the Secretary of Agriculture, the Secretary of the Army, and any other Federal officials concerned, of its decision to initiate any Fish and Wildlife survey or field investigation involving water resource development work under the Act and furnishing the Federal agencies concerned with appropriate information regarding the scope, nature, status, and results of any such survey or investigation.

B. Cooperating with the Department of Agriculture in assessing the need for works of improvement under the Act on lands under the jurisdiction of the Department of the Interior. Recommendations of the Secretary of the Interior for necessary work on such lands shall be submitted as an integral part of the plans of the Department of Agriculture for works of improvement. Arrangements for construction, operation, and maintenance of works of improvement on such lands shall be mutually satisfactory to the Secretary of Agriculture and the Secretary of the Interior.

3.4 Interior Bureaus. Bureaus shall be responsible for the following:

A. Cooperating with the Department of Agriculture, the various State agencies, and the local organization in the planning and installation of works on or related to lands under their respective jurisdictions (Also see 511 DM 5)

B. Reviewing and approving plans and specifications for works of improvements to be placed on lands under their jurisdiction.

C. Keeping the Secretary of the Interior informed on the pertinent developments of the program.

D. Assisting and cooperating with the Department of Agriculture to the extent that funds may be available in collecting basic data, providing pertinent information, collaborating in planning, analyzing and interpreting data.

E. Cooperating with the Department of Agriculture in evaluating the effects of the watershed protection program upon the yield of streamflow.

F. Section 5(4) of the Watershed Protection and Flood Prevention Act gives the Secretary of the Interior special review prerogatives in case of the larger watershed plans subject to Congressional review. These special review prerogatives relate to involvement in the watershed plan of reclamation, irrigation works, migratory birds, and lands under jurisdiction of the Secretary of the Interior. Under this authority the Fish and Wildlife Service may investigate and report on the possible damage to migratory birds or to wildlife habitat administered by it. The Service is thus provided opportunity to recommend means and measures that should be adopted to prevent loss of and damage to these resources and to improve such resources associated with the watershed project.

G. Small watershed plans of development which involve an estimated Federal contribution of less than \$250,000 and which do not include any single structure having more than 2,500 acre-feet of total capacity are normally approved administratively by the Department of Agriculture, rather than by the Congress. These work plans are not formally submitted to the Department of the Interior for review and comment. However, in most cases the State Conservationists provide ample opportunity to the field offices of concerned Bureaus for participation in development of the work plans.

3.5 The Congress. The Congress has reserved the responsibility for approving projects above a certain size.

A. Projects for which the work plan involves an estimated Federal contribution to construction costs in excess of \$250,000 or which includes any structure which provides more than 2,500 but not more than 4,000 acre-feet of total capacity shall be approved by resolutions of the Committee on Agriculture and Forestry of the Senate and the Committee on Agriculture of the House of Representatives.

B. Any work plan involving a single structure of more than 4,000 acre-feet of total capacity shall be approved by resolutions of the respective Committees on Public Works of the Senate and the House of Representatives.

*

3/15/71 #3493

Replaces 3/15/71 #1272