

Join LMA in Submitting Comments Pushing back against EPA Water Grab

LMA is calling on members to submit comments in opposition to Environmental Protection Agency (EPA) overreach with its proposed Waters of the United States (WOTUS) rule.

Background

The LMA is amongst numerous organizations that represent agriculture and other industries pushing back against the proposed rule. The collective goal is to have as many people as possible submit comments.

The proposed rule would define Waters of the United States in a way that adds thousands of stream miles to EPA jurisdiction. Additionally, EPA's proposal would expand federal control over land features such as ditches and areas of agricultural land that are wet only during storms.

The proposed expansion could cause routine farming and ranching practices, such as fence construction or planting, to require a federal permit. If carried out, many farms and ranches would be required to seek Sec. 402 NPDES permits, Sec. 404 Dredge and Fill permits, or Sec. 311 Spill Prevention Control and Countermeasure (SPCC) spill plans.

The proposed rule is available at <http://www2.epa.gov/uswaters/definition-waters-united-states-under-clean-water-act> .

Take Action:

LMA is submitting comments requesting that this EPA rule be withdrawn. However, individual comments are also needed.

The deadline for submitting comments is Monday, October 20, 2014.

Submit comments online at <http://www.regulations.gov/#!submitComment;D=EPA-HQ-OW-2011-0880-0001>.

Mailed comments should be sent to:

Water Docket, Environmental Protection Agency
Mail Code 2822T
1200 Pennsylvania Avenue NW.
Washington, DC 20460
Attention: Docket ID No. EPA-HQ-OW-2011-0880

Market owners who wish to do more can also provide information about this rule to customers at their market and encourage them to get involved. Many state cattlemen's associations and farm organizations have additional state-specific materials that may be used for this purpose.

Example Comments

LMA's draft comments are available here: <http://www.lmaweb.com/wp-content/uploads/2014/05/EPA-WOTUS-Comments-2014.pdf>

The best comments are those that are personal to the submitter. Simply identify yourself, outline in clear but professional language that you are requesting the EPA withdraw the rule, and provide a couple of reasons why. If you have a personal story or concern, be sure to share that as well. Here are a couple example points that can be included or adjusted to fit your individual situation:

- Ditches, farm ponds, dry streambeds, and ephemeral streams should not be considered waters of the U.S.
- Farmers and ranchers are professional stewards of natural resources and should not face additional federal oversight of their management practices.
- Rural communities depend on livestock producers and related industry, including livestock markets, to maintain their vitality. The uncertainty and additional burden of this rule would harm rural America.
- The proposed rule ignores Congressional intent and would give the federal government control over waters intended to fall under state authority.

Additional Resources:

Ditch the Rule website created by the American Farm Bureau Federation - <http://ditchtherule.fb.org/>

NCBA's resource for submitting comments - <http://cqrcengage.com/beefusa/app/write-a-letter?0&engagementId=47396>