

Idaho lawmakers target 'Waters of U.S.' rule

By JOHN O'CONNELL
Capital Press

WASHINGTON, D.C. — The U.S. House of Representatives passed an appropriations bill May 1 containing Idaho Rep. Mike Simpson's language blocking implementation of a proposed rule he fears would expand the federal government's Clean Water Act authority.

The rule would change the law's jurisdiction from "navigable waters" to "waters of the United States." Simpson's spokeswoman, Nikki Wallace, explained states currently have authority over waters that aren't navigable, and many in agriculture fear the change could subject canals, seasonal ponds and even groundwater to greater federal scrutiny.

According to the Environmental Protection Agency, the rule is needed to clarify



John O'Connell/Capital Press

Water fills the Aberdeen-Springfield Canal in southeast Idaho at the beginning of the 2015 irrigation season. Members of Idaho's congressional delegation and some Idaho farm organization leaders believe a proposed rule change to the Clean Water Act could result in more federal control over canals and other farm waters.

the law in the wake of U.S. Supreme Court rulings and doesn't seek to expand the influence of EPA or the Army Corps of Engineers. EPA insists the language retains, and

even expands, specific exemptions for agriculture from regulation.

Opponents note that the rule seems to broaden regulations to seasonal streams,

and exemptions provide inadequate certainty.

"We're not buying that," said Lindsay Nothern, a spokesman for Sen. Mike Crapo, R-Idaho, who worries the change could potentially block irrigators from even altering back country canals. "It's still up to a bureaucrat to determine, 'We'll grant you an exemption, or maybe we won't.'"

Simpson chairs the House Energy and Water Appropriations Subcommittee and added the language to block funding for implementing the proposed rule when he drafted the energy and water appropriations bill.

When the House debated the appropriations bill, members defeated an amendment offered by Rep. Don Beyer, D-Va., to strip out Simpson's Clean Water Act language. Beyer's spokesman said the rule provides needed clarity

regarding EPA's jurisdiction and the amendment's defeat is a blow to clean water.

Simpson said on the House floor, "Clarity does not trump the need to stay within the limits of the law. The proposed rule would expand federal jurisdiction far beyond what was ever intended by the Clean Water Act."

Crapo has co-sponsored a standalone bill to block the proposed rule, S 1140. Nothern said the bill has strong bipartisan support, potentially enough to override a presidential veto.

"This legislation protects property owners and puts the government back in its place when it comes to water law," Crapo said in a press release.

In the House, Rep. Paul Gosar, R-Ariz., has introduced HR 594 as a standalone bill, requiring the federal agencies to withdraw the in-

terpretive rule and work with state and local officials on a new proposal.

Idaho Dairymen's Association Executive Director Bob Naerebout believes both the Senate bill and Simpson's appropriations bill language have a good chance of success. His organization has submitted public comments against the proposed rule and assigned its lobbyist to focus on the topic in Washington, D.C.

"This is a far overreach by EPA that has huge potential impacts on agriculture, businesses and rural communities," Naerebout said.

National Potato Council Executive Vice President and CEO John Keeling also fears the proposed rule would "expand EPA jurisdiction to include the farming and conservation practices utilized by farmers."



Matthew Weaver/Capital Press

Regional 4-H leaders and Northwest Farm Credit Services employees listen during a financial education seminar designed to train them to share the impact of financial decisions with youth April 29 in downtown Spokane.

UI Extension, ag lender train financial teachers

By MATTHEW WEAVER
Capital Press

SPOKANE — University of Idaho Extension educators Luke Erickson and Lyle Hansen are training agricultural advisers how to teach financial responsibility to youth.

4-H leaders and Northwest Farm Credit Services employees from Idaho, Oregon, Washington, Alaska and Montana attended a financial education seminar in Spokane to learn how to pass on information about budgeting, credit cards and student loans to youth.

The meeting was the latest step for efforts by Northwest Farm Credit Services and UI to expand Erickson and Hansen's programs to teach financial literacy to students, first announced in early 2014.

Hansen wants to provide

an "Aha" moment to students about the magnitude of financial decisions. It's based on his own experience with a credit card at an early age, he said.

"Youth are our potential future producers and future entrepreneurs," Hansen said. "They're going to have credit cards."

Jennifer Rohrer, public relations and communications coordinator for the credit service, said the level of excitement from educators proves the need for the program.

"There are not a lot of options when it comes to financial education," she said.

Some people come to Northwest Farm Credit Services when they're starting or expanding a business, but are learning as they go, Rohrer said.

"If we teach them as very young children, bring it up

through elementary school, middle school, high school and into college, by the time they come to us and want to start a farm, they understand everything," she said.

Barbara Brody, Oregon State University Extension 4-H and family community health representative in Malheur County, foresees training teenagers to teach lessons to younger students as mentors.

"When do we learn more? When we're teaching," she said. "Then it's really cemented."

Katelyn Andersen, 4-H and family consumer science extension agent for Montana State University in Ravalli County, expects to share the program with school counselors and staff. The fact that it comes out of UI Extension means it will be a quality, unbiased tool, she said.

Proponents and critics objected to aspects of 2008 proposal

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The nonprofit welcomes the possibility of new rules but it's troubled by the prospect of further delays now that the 2008 proposal has been scrapped, he said.

The Biotechnology Industry Organization, which represents seed companies and other firms, doesn't believe it's surprising the older proposal was withdrawn given how much time had elapsed.

Under administrative law, it's preferable to discard a concept when new information is available or the substance of the rule needs to change, said Adrienne Massey, BIO's managing director for science and regulatory affairs.

Proponents and critics of biotechnology objected to aspects of the 2008 proposal.

For example, the biotech industry opposed provisions allowing the agency to revoke the deregulated status of a genetically modified crop.

Critics, on the other hand, argued the proposed rule would loosen the standards that determine which biotech crops are subject to regulation.

It's unclear why APHIS felt the need to restart the entire process instead of continuing to work on the earlier proposal, said Kimbrell.

While the federal government spends years deciding what to do, any impact of genetically modified crops remains unaddressed at the fed-

eral level, he said.

Even so, the Center for Food Safety plans to participate in the online meetings to bolster its view that biotech crops must be evaluated as potential noxious weeds prior to deregulation, Kimbrell said.

The group also believes that such crops must undergo the review process based on the fact they were genetically engineered, rather than solely on the traits

they possess, he said.

Currently, the USDA only regulates crops that are made with plant pathogens, which allows some crops that have been altered with other methods to avoid regulatory oversight, he said. "These crops are entirely circumventing the USDA's authority."

Massey of BIO said the level of scrutiny should depend on the actual risks posed by a crop, rather than merely the fact it's transgenic.

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School kids say 'yes' to Greek yogurt

By CAROL RYAN DUMAS
Capital Press

USDA is expanding a 12-state Greek yogurt pilot program into a permanent fixture in school lunch rooms nationwide.

Based on feedback from the pilot states and the expression of interest from other states, USDA's Food and Nutrition Service is adding the high-protein yogurt to its food catalog for the coming school year, an FNS spokesman told Capital Press.

Greek yogurt on the school menu began as a pilot program in four states — Idaho, New York, Arizona and Tennessee — in the 2013-2014 school year. USDA expanded

the program in the 2014-2015 school year to include eight more states.

New York-based Chobani, with the largest yogurt plant in the world in Twin Falls, Idaho, won the bid in the initial pilot program and was the sole supplier of 200,000 pounds of Greek yogurt ordered by schools for the fall of 2013.

Chobani also won the contract to supply seven of the 12 states in the expanded pilot program in the 2014-2015 school year.

The 12 states participating in the pilot program this school year ordered a total of more than 700,000 pounds, said the FNS spokesman.

"With high-protein yogurt

going from a pilot program limited to 12 states to a regular catalog item for schools in all 50 states, we expect orders for the product to increase, but at this time have no way to estimate the quantities that will be ordered," said Isabel Benemelis, public affairs deputy chief at USDA Farm Service Agency.

In addition to Chobani, Commonwealth Dairy and Upstate Niagara Cooperative also supplied schools with Greek yogurt, she said.

"It is now obvious the proof was in the yogurt," said Sen. Mike Crapo, R-Idaho, who with Sen. Chuck Schumer, D-N.Y., championed the recognition of Greek yogurt in USDA nutrition guidelines and its inclusion in school programs.

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