

# Ag interests applaud new federal water rule

Scales back Obama policy

By CAROL RYAN DUMAS  
Capital Press

Groups representing farmers and ranchers are hailing a final rule that provides a clear definition of Waters of the United States under the Clean Water Act.

The new Navigable Waters Protection Rule replaces the Obama administration's controversial 2015 rule, which expanded federal jurisdiction to nearly all waterways and many areas that only temporarily hold water.

The new rule, announced on Thursday, identifies four categories of waters that are federally regulated under the Clean Water Act:

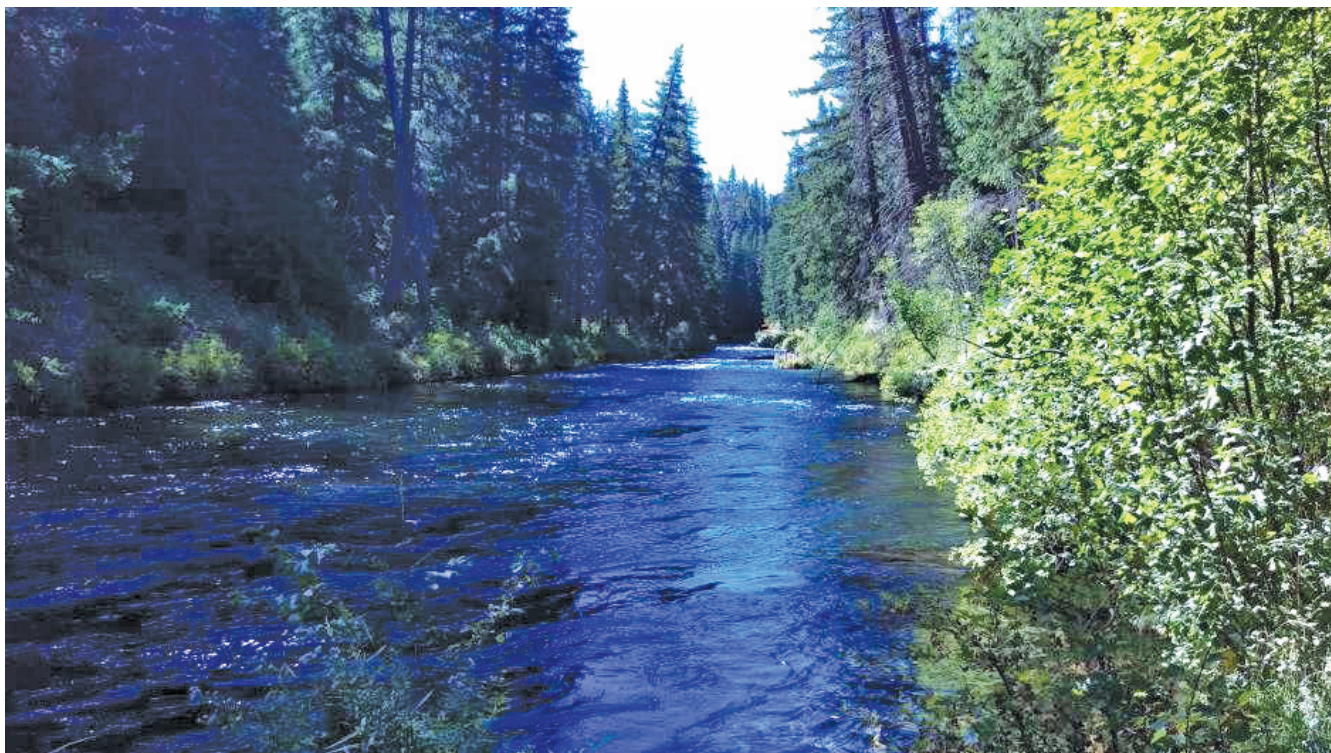
- The territorial seas and traditional navigable waters.
- Perennial and intermittent tributaries.
- Certain lakes, ponds and impoundments.
- Wetlands adjacent to jurisdictional waters.

It also details waters not subject to federal control — including features that only contain water in direct response to rainfall; groundwater; many ditches including farm and roadside ditches; prior converted cropland; farm and stock watering ponds; and waste treatment systems.

The American Farm Bureau Federation said the new rule achieves important regulatory oversight while allowing farmers to farm.

"Farmers and ranchers care about clean water and preserving the land, which are essential to producing healthy food and fiber and ensuring future generations can do the same," Zippy Duvall, the farm bureau president, said.

"That's why we support the new clean water rule. It provides clarity and cer-



The Trump administration has announced a new Waters of the United States rule.

tainty, allowing farmers to understand water regulations without having to hire teams of consultants and lawyers," he said.

The National Farmers Union expressed appreciation for the clarity in the new rule but also urged the Trump administration to ensure the availability of clean water for future generations.

"Family farmers and ranchers have been confused by ambiguous water regulations for many years," Roger Johnson, the group's president, said.

"Now that we have a more precise definition of WOTUS, we hope that farmers will better understand which kinds of water are subject to federal authority and which are not," he said.

But farmers also need access to clean, safe water for their families, their farms and their communities, he said.

"When regulating natural resources, EPA (Environmental Protection Agency) and the Army Corps of Engi-

*'WE HAVE BEEN FUNCTIONING UNDER A TANGLED PATCHWORK OF WATER REGULATION FOR FAR TOO LONG.'*

Barbara Glenn | CEO of National Association of State Departments of Agriculture

neers must balance certainty for farmers, ranchers and property owners with protections for our water supply," he said.

The National Association of Wheat Growers said the rule provides more clarity in Clean Water Act applicability and definition of Waters of the U.S.

"Today's announcement is welcome news to America's wheat producers who've dealt with years of regulatory uncertainty," Ben Scholz, the group's president, said.

"Farmers are dependent on protecting our natural resources for safe and reliable water to grow crops and for the communities that

farmers are a part of. To do so, we need regulatory certainty and clarity as well as a common-sense framework for how the rules will work," he said.

The National Corn Growers Association said the 2015 WOTUS rule would have increased regulatory burdens and costs for farmers.

"Farmers are committed to protecting the environment and implementing on-farm soil health practices like planting cover crops, reducing tillage and more carefully managing crop residue," Kevin Ross, group's president, said.

"This new rule gives the flexibility and clarity needed to implement stewardship

practices without the threat of government action," he said.

The American Soybean Association said the 2015 rule was cumbersome and confusing, and the new regulation will better provide certainty and clear direction for farmers.

"We have long rallied for a replacement rule that protects our waterways while still offering a workable solution for farmers and that does not impose undue burden on agriculture," Bill Gordon, the group's president, said.

The National Cattlemen's Beef Association said the 2015 WOTUS rule was an "illegal" effort to assert control over private property.

"NCBA relentlessly fought WOTUS on Capitol Hill, at the agencies and in the courts. Today, we can rest a little easier knowing

that some power has been put back in the hands of landowners," Jennifer Houston, the group's president, said.

The National Pork Producers Council said the new rule gives farmers greater certainty while also protecting water quality and the environment.

"The previous WOTUS rule was a dramatic government overreach and an unprecedented expansion of federal authority over private lands," David Herring, the group's president, said.

"We're pleased EPA has finalized a common-sense rule, the Navigable Waters Protection Rule, that works with — not against — farmers to protect our nation's waterways," he said.

The National Milk Producers Federation said the new rule puts an end to years of contentious rule-making and will provide a common-sense approach to regulation.

The National Association of State Departments of Agriculture said the new rule will provide farmers with certainty and a clear view of how water will be regulated on their land.

"As leading state ag officials, NASDA members are responsible for protecting natural resources in conjunction with the Clean Water Act," Barbara Glenn, the CEO of the association, said.

"We have been functioning under a tangled patchwork of water regulation for far too long. We look forward to working with the EPA to implement the rule and eliminate ambiguity while safeguarding our nation's water resources," she said.

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