

Opposition to proposed EPA rule is surprising

Sun, 10/12/2014 - 7:00am | The News-Gazette (/author/news-gazette)

By Wes Jarrell

Like most farmers, I'm up at 5 a.m. and I quit after 8 p.m., maybe. In between, my life is filled with hard work and hope. I'm a little different in that in addition to growing diversified crops, I raise dairy goats for milk and cheese. So, some of my problems are different. Goats will wear you out keeping them in their fence. There isn't one that doesn't fancy himself as an escape expert although it is clear that they haven't a clue what they are escaping to besides "over there."

Like every farmer, my treasure is the land. Whether it's grazing or growing, soil is the primary resource of all farmers and we take our stewardship of the land seriously. But an equally important resource is water. Without enough good quality water, otherwise productive soil is worthless.

Nobody appreciates the value of clean, abundant water more than a farmer. That's why a current controversy is so surprising.

The Environmental Protection Agency and the Army Corps of Engineers have proposed a rule to clarify which waters are regulated under the Clean Water Act. This is in response to the confusion generated by two Supreme Court decisions that have left farmers wondering which are covered and which are not.

The rule only affects those waters that were already covered by the Clean Water Act. It does not disturb existing exemptions in the Clean Water Act for common farming practices like

plowing, cultivating seeding, minor draining and harvesting. Those are acknowledged and reinforced in the rule. In fact, the rule applies to fewer waters than were historically covered under six of the previous seven presidents. And it doesn't cover ground water, which is the source of water for most of my area's farmers.

So, if farming exemptions under the Clean Water Act are unchanged and the rule only affects waters already covered under Clean Water Act, why do so many farmers oppose it?

Well, we farmers are, as a rule, independent people. If we weren't we probably wouldn't be farming. We don't like the government telling us what to do with our land. But beyond that, those who might lose sales if pollution is controlled, among them the fertilizer industry, have spread extensive misinformation, some of it ridiculous. For instance, consider the following claims.

Claim: "This rule will regulate all ditches." Fact: The proposed rule regulates fewer ditches.

Claim: "This is a land grab by the feds." Fact: The rule does not regulate land or land use.

Claim: "This is a massive expansion of federal authority." Fact: The rule actually protects fewer waters than before the Supreme Court cases and only those already covered under the Clean Water Act.

Claim: "A permit will be needed for walking cows across a wet field or stream." Fact: Normal ranching activities, including moving cattle, do not need permits.

I sometimes share the same suspicion of the government that other farmers do. President Eisenhower captured it best when he said, "Farming looks mighty easy when your plow is a pencil,

and you're a thousand miles from a corn field." But this isn't about the government. This is about me, my family, their families, my neighbors. It's about the 30 million people who get water from the Great Lakes. It's about the dead zones of algal blooms, fish kills and the toxic drinking water. It's about a temporary ban on tap water in Toledo thanks to toxins in Lake Erie. These are all the results of polluted runoff from many sources but most of it farm runoff that makes its way into the streams that feed into the Great Lakes or the Mississippi River or other large iconic waters of our nation. These Great Waters benefit me and my community and I am responsible for what I put in them.

No one has a right to pollute: not chemical companies, not oil companies, not power companies, not cities, not golf courses, not farmers. We don't get a pass just because our product is food and our lofty mission is feeding the country's people. We know how important fertilizers and crop protection pesticides are for raising a crop, but we have to remember that, the instant it leaves our land and hits our neighbor's or that creek, it can cause problems that make it a pollutant.

We would be justifiably furious if our water source was polluted upstream, killing our crops or sickening our livestock or poisoning our well. So why should we think it okay to pollute it ourselves (even unintentionally) and send it downstream with ruinous effects on other resources?

Conservation is work. But we farmers have innovated before with techniques like grassy swales and terraces and tile drain controls much to the betterment of the environment. There is much that can be done to abate runoff with existing techniques. You manage the water by managing the land and no one knows more about that than a farmer.

The proposed rule benefits tourism, recreation, fisheries, the water supply, and, yes, the farmer. Any legislative attempts to block its implementation should be opposed and the farmer's should be the first voice heard.

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