

EPA Rulemaking Captures the Attention of Congress

The Environmental Protection Agency (EPA) has been a busy bunch of beavers in the year since President Obama took office, and to the gratitude of nervous farmers and ranchers, has now drawn the attention of Republicans in Congress.

Norm Semanko, the executive director of the Idaho Water Users Association and a long-time member of the Family Farm Alliance's Advisory Committee, in late September represented the Alliance before a Washington, D.C. forum entitled "The EPA's Assault on Rural America: How New Regulations and Proposed Legislation are Stifling Job Creation and Economic Growth."

The forum was hosted by U.S. Representatives Frank Lucas (R-OK), Sam Graves (R-MO), and Doc Hastings (R-WA), Co-Chairs of the Rural America Solutions Group. Semanko and other experts from across the country traveled to Washington to discuss EPA regulations and provide real-life examples of how these regulations and related legislation have affected their work, families, and communities. The Co-Chairs lead a panel discussion on a range of EPA proposals and related legislation, including carbon dioxide restrictions, the Clean Water Act, farm dust regulations, and more.

The turnout was excellent, with at least 18 House Republicans and Senator Inhofe (OKLAHOMA) participating. Norm and the other witnesses had very compelling presentations on how EPA's proposed regulations and similar legislation will harm rural America.

For example, EPA earlier this year issued a draft permit to regulate pesticides that will adversely impact pest and weed control activities throughout the U.S. EPA also released its draft Strategic Plan for 2011-2016, which describes EPA's intent to take control of watershed and water planning activities from the states and enforce environmental laws through "vigorous and targeted civil and criminal enforcement" actions. With these and other related actions, EPA has signaled its intent to broaden federal jurisdiction over an expanded number and variety of water bodies.

Another development with ramifications for the West is the Obama administration's reconsideration of a 2008 EPA rule that allows water transfers from one water body to another without Clean Water Act permits. If this rule is overturned, the new level of regulation, permitting and certain litigation could hamstring the economies of Western states, where millions of acre-feet of water are transferred every year.

Overall it appears that EPA is moving in a direction where a heavier regulatory hammer will be wielded, litigious actions will be encouraged through the use of "citizen suits", and products used by American farmers and ranchers in the production of food and fiber will be foremost in the sights of EPA regulators. Many of these administrative changes are drawing praise from environmental organizations that have been advocating for them for some time, but ultimately the huge negative impacts of such destructive policies will be aimed at the heart of the economy in rural America.

While it may be difficult to get EPA and other Administration agency policy makers to change the approach they are taking, it is encouraging to see that Members of Congress are now paying attention.