



EPA Releases Final Clean Water Rule

The Environmental Protection Agency and the Army Corps of Engineers released the final waters of the United States rule on Wednesday. The 297-page Clean Water Rule will give EPA new authority to regulate pollution in streams and wetlands. The controversial rule has drawn aggressive opposition from agriculture groups and both democratic and republican lawmakers. Earlier this month, the House completed a bipartisan vote to block the rule, and similar legislation is currently moving through the Senate.

Agriculture groups continue to stress that the rule is a major federal overreach and hurts the collaborative relationship states have with the federal government when dealing with the Clean Water Act and its control over significant bodies of water. The original intent of the Clean Water Act is to protect “navigable” waterways, like bays and rivers, but the new rule grants EPA the authority to protect wetlands, headwaters and small water bodies that have the potential of carrying pollution to the larger waterways.

While the Irrigation Association supports the original intent and goals of the Clean Water Act, we remain concerned with how the new rule could negatively affect the use and value of agricultural land and will continue to monitor how expanded federal authority granted under this rule affects our industry.

The final rule will likely be published in the Federal Register within the next two weeks and will take effect 60 days after its publication. Lawsuits are already being prepared to challenge the rule.