

## **NATIONAL CORN GROWERS ASSOCIATION**

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### **FOR IMMEDIATE RELEASE**

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### **NCGA Concerned About EPA's Newly Announced Clean Water Act Guidelines**

WASHINGTON (April 28, 2011) -- The possibility of federal government regulation of ditches and farm ponds has led the National Corn Growers Association to be concerned about the Environmental Protection Agency and the U.S. Army Corps of Engineer's recently announced guidelines for determining federal waters that are jurisdictional under the Clean Water Act. .

"The proposed guidelines are worrisome to our farmers as federal agencies could have the authority to regulate ditches and ponds," NCGA President Bart Schott, a grower from Kulm, N.D. said. "The announced guidelines have the potential to expand federal jurisdiction in a way that could lead to additional permitting requirements and make famers more vulnerable to citizen action lawsuits."

According to the agencies, the draft guidance was developed to clarify the scope of protections under the law following two complex Supreme Court decisions over the past decade. While the guidance maintains existing exemptions for normal farming and ranching activities, NCGA remains concerned that the new proposal could expand EPA's authority over isolated waters including ditches and farm ponds, Schott said. NCGA believes states should have the authority to regulate waters and that specific definition between state and federal jurisdictions are important.

Although the proposed guidelines do not have the full force and effect of law, regulatory decisions could still have an impact. NCGA joins with several other agriculture and environmental groups to request the EPA and Army Corps of Engineers initiate a formal rulemaking process on this matter to ensure transparency and public participation.

“Corn growers are dependent on clean water for our livelihood and for our homes, and we are committed to conservation practices that protect our nation’s streams and rivers,” Schott said. “Since the guidelines are still in draft form, we hope to have the opportunity to provide feedback to the Agency and the Corps about our concerns and find common solutions.”

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Founded in 1957, the National Corn Growers Association represents 35,000 dues-paying corn farmers nationwide and the interests of more than 300,000 growers who contribute through corn checkoff programs in their states. NCGA and its 48 affiliated state associations and checkoff organizations work together to create and increase opportunities for their members and their industry.