

Assistant Secretary Of Agriculture Provides Comments Regarding WOTUS

Assistant Kansas Secretary of Agriculture Susan Metzger testified today to a Senate Agriculture Committee hearing on the U.S. Environmental Protection Agency's "Waters of the United States" (WOTUS) proposed rule.

The proposed WOTUS rule expands federal jurisdiction under EPA's Clean Water Act and has ignited widespread concern from farmers, ranchers and rural constituencies around the country. "Applying a blanket definition of tributary in Kansas will result in nearly a 460 percent increase in the number of stream miles classified as Waters of the U.S., subject to all programs and provisions of the Clean Water Act. A nationally defined, "one size fits all," definition for terms like tributaries is not appropriate given the scarcity of flow in Western States such as Kansas, and the inherent variability of those streams to impact downstream waters," Metzger said.

She noted that "the distraction and diversion brought forth by this rule will incur additional expenditures at the state level for marginal environmental benefit and diminished success in water quality improvement in Kansas. The inevitable slow-down in permit reviews and increase in bureaucratic paperwork will unnecessarily delay and deter economic growth and impede the adoption of soil and water conservation practices by the farmers and ranchers of Kansas."

The Kansas Department of Agriculture submitted formal comments during the comment period stating significant opposition to this proposed rule. It is an overreach by the federal government into state jurisdiction over intrastate waters. The testimony today, provided by Metzger, supports and promotes the agency's vision of advocating for and promoting the agriculture industry, the state's largest industry, employer and economic contributor.