



Testimony of

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“Revising the Definition of “Waters of the United States” – Public Meeting”

United States Environmental Protection Agency

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Good afternoon, my name is Mark McHargue, a conventional and organic corn, soybean, and popcorn farmer and hog producer from Central City, Nebraska. I also serve as the President of the Nebraska Farm Bureau Federation.

I am presenting testimony today on behalf of the Nebraska Farm Bureau Federation and our nearly 60,000 member families. Thank you for the opportunity to testify to help provide our perspective on the agency's proposal to pull back the current Navigable Waters Protection Rule.

As I'm sure you've already heard and as you will likely continue to hear, the 2015 WOTUS rule was a complete disaster which looked to greatly expand the regulatory reach of the federal government into the daily lives of farmers, ranchers, small businesses, and virtually anyone who turns the earth with a shovel. While not perfect, the 2020 rewrite provided very clear limits on the bodies of water that fall under federal regulatory control and provided reasonable protection to lakes, rivers, and streams. The common denominator being that these regulated bodies of water are "navigable," a key phrase that must be preserved in whatever the EPA ultimately decides to do.

Farmers and ranchers care about clean water. From precision farming techniques that reduce fertilizer and pesticide use, advanced livestock manure management programs, not to mention the millions of acres of Nebraska farm and ranch land currently enrolled in federal and state conservation programs, it is clear that agriculture takes water quality seriously.

One of the prevalent troubling themes we continue to hear is that the Navigable Waters Protection Rule is failing simply because some jurisdictional determinations did not find an area qualified for federal protection. The idea that only the federal government can properly protect water quality is a slap in the face to the authors of the Clean Water Act who understood that the federal government should be a partner to state regulatory authorities. While not perfect, I would argue that state of Nebraska's regulatory authorities better understand and know how to better work with the agricultural community than the EPA.

In closing I want to be very clear in saying that all of us want clean water. It is the lifeblood of our state and a precious gift that too many take for granted. Farmers and ranchers rely on clean water not only for their operations, but also for our own families.

Thank you for your time today, and I look forward to providing further comments to the EPA in the weeks ahead.