It's Time to Ditch the WOTUS Rule!

Illinois Fertilizer & Chemical Association
Supply • Service • Stewardship

Puddles, ponds, ditches, ephemerals (land that looks like a small stream during heavy rain but isn't wet most of the time) and isolated wetlands appear throughout Illinois farmland. The U.S. Environmental Protection Agency and the U.S. Army Corps of Engineers have issued a proposed rule that would expand their regulatory authority under the Clean Water Act (CWA) to these types of land features and waters, giving the agencies the power to dictate land-use decisions and farming practices in or near them. This rule will only make it more difficult to farm the land and harder on our industry.

In short, EPA has moved ahead with a proposal that Congress and the Supreme Court have determined goes well beyond the agency's authority. This rule would give them the ability to claim federal authority over land where water pools or flows only during precipitation. The rule has serious consequences as this authority would give EPA the power to require anyone to have a permit for things like applying fertilizer or chemicals, but more frightening, the ability to deny a permit for you to do these things on your land.

This rule is clearly about EPA controlling land use and taking away private property rights!

We need your help!

Submit your comments before the October 20, 2014 deadline, identified by Docket ID No. EPA-HQ-OW-2011-0880, by one of the following methods:

- Federal e-Rulemaking Portal: http://www.regulations.gov Follow the instructions online.
- Email: ow-docket@epa.gov. Include EPA-HQ-OW-2011-0880 in the subject line of the message.
- Mail: Send the original and three copies of your comments to: Water Docket, Environmental Protection Agency, Mail Code 2822T, 1200 Pennsylvania Avenue NW., Washington, DC 20460, Attention: Docket ID No. EPA-HQ-OW-2011-0880.

What do you write?

My name is _____ and I'm writing from (Company Name) in (name of town) Illinois. I am STRONGLY OPPOSED to the EPA's new definition of waters of the United States. EPA's rule ignores the will of Congress and is contrary to two U.S. Supreme Court decisions. Ditches should be removed from the definition of tributary as this term is overly broad. This proposed rule will have an extreme impact on my business and the operations of my farmer customers with regard to the application of agricultural inputs (nutrients and crop protection products) which are absolutely necessary to produce crops in Illinois. Thank you for your time on this matter.

Sincerely,