

October 17, 2023

Chairman Tom Carper
Ranking Member Shelley Moore Capito
Senate Committee on Environment & Public Works
410 Dirksen Senate Office Building
Washington, D.C. 20510

Via email

RE: Farmers support legislation to restore strong federal clean water protections under the Clean Water Act

Dear Chairman Carper & Ranking Member Capito:

We are farmers and other agricultural professionals who support strong protections under the Clean Water Act. We need strong federal protections to safeguard the streams, wetlands, and other waterways that help sustain our livelihoods and communities. In the wake of the U.S. Supreme Court's decision in *Sackett v. EPA*, which drastically reduced the number of waters protected by the Clean Water Act, we support congressional action now to restore the full scope of the Act as the bipartisan Congress that enacted the statute intended.

To feed America, we farmers need clean water. Our crops and livestock are only as healthy as the water we use on our farms. Headwater, seasonal, and rain-dependent streams supply water to larger streams and rivers from which we draw water for irrigation and for our livestock to drink. If our water is contaminated, our businesses suffer because we cannot sell contaminated crops or rely on tainted livestock. And just like families and communities across America, we need clean, safe water for drinking, cooking, bathing, and numerous other things at our homes.

Farmers also need healthy, intact wetlands. With more frequent storms and a warming climate, wetlands help reduce pollution and protect our homes and farming operations from flooding. If upstream industries are allowed to degrade these critical water bodies, they put farmers and our families and livelihoods at risk.

Federal clean water protections benefit farmers and ranchers; they do not impose unreasonable or unworkable burdens on our industry. We know that most day-to-day agricultural practices do not require Clean Water Act permits because they are exempt.

That means we can farm our land, build or maintain stock ponds or irrigation ditches, maintain drainage ditches, and build farm roads without having to apply for a permit or worry about Clean Water Act enforcement. In fact, EPA and the Army Corps of Engineers have estimated that agricultural discharges account for less than one percent of the wetland area and about two percent of the stream length for which they have issued Clean Water Act permits. And in the rare instances when we do need permits, fast-track permits with modest requirements (nationwide permits or general permits) are available.

We disagree with the rhetoric advanced by the Farm Bureau, some states, and industry, that strong clean water protections harm farmers. The streams, wetlands, and other waters flowing through our farms are no less worthy of protection because of the farming and ranching that occurs there. Rather, we need the waters on our land to be protected to support our farming and ranching. We therefore support congressional action to restore strong federal clean water protections under the Clean Water Act.

Sincerely,



Robert Whitescarver (lead)
Whiskey Creek Angus
Churchville, Virginia

John Ager
Hickory Nut Gap Farm
Fairview, North Carolina

Greg Bowen
American Chestnut Land Trust
Double Oak Farm
Prince Frederick, Maryland

Patrick Crowe
Owner, Crowesgrow
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Peter Elmore
Star Bright Farm, LLC
White Hall, Maryland

Vera Fabian
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Sean Simpson
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Jamie Swofford, Farmer
Old North Farm
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Jennifer Stafford
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Leo Tammi
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Kevin Tate
Richard Foltz Farm
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