

COMMON SENSE NEBRASKA

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CONTACT: Craig Head, Nebraska Farm Bureau, (402) 432-4723

Nebraska Coalition Hails Repeal of 2015 “Waters of the U.S.” Rule

LINCOLN, NEB. – A wide ranging Nebraska-based coalition made up of farmers, homebuilders, businesses, bankers, general contractors, golf course managers, electric systems, and local government agencies is praising the Environmental Protection Agency and the U.S. Army Corps of Engineer repeal of the 2015 “Waters of the U.S.” (WOTUS) Rule. The agencies’ action is a key step forward to bringing an end to a four-year battle in which the groups worked to stop a regulation representing one of the largest expansions of federal authority over private land in U.S. history.

“This is a landmark victory for private property owners and those who support private property rights. This is also a major win for states, including Nebraska, who had argued the WOTUS Rule had gone too far in attempting to infringe upon states’ rights to manage waters under their jurisdiction,” said Steve Nelson, Nebraska Farm Bureau president.

The 2015 WOTUS Rule would have redefined the definition of “waters of the U.S.” under the federal Clean Water Act, and in the process, expanded the scope of waters subject to federal regulation, as well as expand powers to regulate land and land features that collect and convey waters.

“Today’s announcement is a result of Nebraskans working together. There is no doubt the repeal of this rule would not have happened if not for the work of our coalition, its partners, our national counterparts, and the efforts of our elected leaders,” said Bryan Slone, President of Nebraska State Chamber of Commerce and Industry.

“We thank the administration and greatly appreciate the work of Governor Ricketts, Nebraska Attorney General Peterson, Congressmen Fortenberry, Bacon, and Smith, as well as the efforts of Senator Fischer and Senator Sasse in preventing Nebraskans from feeling the impacts of this misguided regulatory effort,” said Dean Edson, Executive Director of the Nebraska Association of Resources Districts.

In light of the massive pushback, President Trump signed an executive order in 2017 to start the process for repealing the 2015 Rule. As a part of the rollback, the EPA and the U.S. Army Corps of Engineers released a replacement regulation for the 2015 WOTUS rule in December of 2018. The new rule is currently under development following a public input period that ended earlier this year. Separately, several legal challenges, including one with involvement by the state of Nebraska, had been filed against the 2015 Rule.

“We continue to provide support and input to the agencies as they develop a more common-sense approach to provide protections for U.S. waters that won’t infringe on individual rights or those of local and state authorities,” said Larry Dix, Nebraska Association of County Officials executive director. “We’re committed to being part of a positive solution. The repeal of the 2015 WOTUS rule is a critical piece of the puzzle as we work with the agencies on a better path forward.”

Common Sense Nebraska is a Nebraska-based coalition consisting of organizations and entities that have come together in response to EPA’s “Waters of the U.S.” proposal which would harm both rural and urban Nebraskans through expansion of EPA’s powers and authorities under the federal Clean Water Act. The coalition’s purpose is to build awareness and understanding of the EPA proposal and the impacts it would have on Nebraskans.

Common Sense Nebraska Coalition members include:

Association of General Contractors - NE Chapter
Farm Credit Services of America
Iowa-Nebraska Equipment Dealers Association
National Federation of Independent Businesses/Nebraska
Nebraska Agribusiness Association
Nebraska Association of County Officials
Nebraska Association of Resource Districts
Nebraska Bankers Association
Nebraska Cattlemen
Nebraska Chamber of Commerce and Industry
Nebraska Club Management Association
Nebraska Cooperative Council
Nebraska Corn Board
Nebraska Corn Growers Association
Nebraska Farm Bureau
Nebraska Golf Course Superintendents Association
Nebraska Grain and Feed Association
Nebraska Grain Sorghum Association
Nebraska Grain Sorghum Board
Nebraska Pork Producers Association
Nebraska Poultry Industries
Nebraska Rural Electric Association
Nebraska Soybean Association
Nebraska State Dairy Association
Nebraska State Home Builders Association
Nebraska State Irrigation Association
Nebraska Water Resources Association
Nebraska Wheat Board
Nebraska Wheat Growers Association
Nemaha Natural Resources District
Pawnee County Rural Water District #1

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