



Community Council Newsletter

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April 2015

Hello Everyone,

Thank you for being part of a *Farm Bureau Community Council*. Our organization's greatest strength lies in its grassroots approach to exploring issues, creating action plans and getting things done. As a member of a Community Council, you will be able to use lively discussion to enhance your county Farm Bureau's Policy Development activities. We invite your group to get involved in other county Farm Bureau activities, too.

Connecting with the County Farm Bureau- Updating Council Records

We ask each new and established Community Council update their records with the County Farm Bureau. Please find attached several items to help with this process:

- ✓ *Council Roster:* Please fill out and return one copy of this roster to your county Farm Bureau office and keep one copy for your records. Your elected Discussion Leader will be your primary communication link with the county Farm Bureau. *We communicate with all community councils electronically - Be sure to include your Discussion Leader's e-mail address for all future correspondence.*
- ✓ *Activity Sheets:* Planning an activity? Please fill out an Activity Sheet to let the county Farm Bureau know what you are planning. As part of the process, let them know how they can assist your group, too.
- ✓ *Meeting Summary Sheets:* Let us know what's going on with your council. Provide your county Farm Bureau with a Meeting Summary Sheet for each of your get-togethers. Meeting Summaries should include policy suggestions and program ideas. *This information needs to be forwarded directly to your county Farm Bureau office.* The County Board may pass the information to appropriate county leadership and committees to address, as well as forward the information to the state office if needed.

Identifying Issues, Selecting Discussion Topics

A variety of issues and events are impacting your neighborhood. We hope your council members will join in the dialogue and consider providing input to ongoing policy discussion on water quality, taxes and energy, as well as local issues. We've attached several Policy and Issue Discussion Guides that you could find of interest for your meetings over the next few months. Additional briefings will be e-mailed on a quarterly basis to your Discussion Leader.

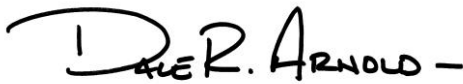
Remember, you are not limited to these materials - Feel free to discuss additional topics and issues generated from the local newspaper, other publications and/or key events happening in your neighborhood. Additional information on possible discussion topics and resources can be found on the Ohio Farm Bureau Federation website at <https://ofbf.org/get-involved/community-councils/>.

Need some additional help? Please let Wanda Campbell know if you need more forms or have questions at wcampbell@ofbf.org; or by phone at 614.246.8271.

Many of Farm Bureau's action plans started with conversation around a kitchen table, living room or front porch; lively discussion continues to develop using web applications, too. Your participation as a community council member makes sure our organization continues to focus on critical issues, create better policy and helps people work together to get things done.

We look forward to visiting with you in the future.

Sincerely,

A handwritten signature in black ink that reads "Dale R. Arnold" followed by a horizontal line.

Dale Arnold
Director, Energy, Utility & Local Government Policy
Ohio Farm Bureau Federation

Farm Bureau Community Council Roster

Year _____

Please complete this form as soon as your officers are elected. Print firmly or type information below (no carbon paper is necessary).

County _____ Council Name _____

Regular Meeting Date _____ Date Council was organized _____ Current Date _____

Please check the appropriate box to indicate who should receive your council packet. If no name is checked, the packet will automatically be sent to your Discussion Leader

Name	Address, City, Zip+4	E-mail
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☐ Chairperson (organizes the meeting times and locations)

☐ Discussion Leader (has an email address and is willing to be the point of contact for their council)

☐ Secretary (fills out roster, summary and activity sheets and forwards them to the county Farm Bureau office)

Name of Council Family	Address, City, Zip+4	Area Code/Phone No.	Email	FB Membership #
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Not currently receiving Buckeye Farm News (BFN)? All active members (farmer status) receive the BFN automatically. Associate members (non-farmer) can also receive it by calling 614.249.8229 or by emailing www.info@ofbf.org. Non-members can receive the BFN by joining Ohio Farm Bureau. Join by contacting your county Farm Bureau office or by visiting www.GrowWithFB.org.

White – Forward to your County Farm Bureau Office

Yellow – Council Copy



MEETING SUMMARY SHEET

Use this form as a minute or summary sheet for your council meetings.

County: _____ Council Name: _____

Secretary: _____ Date: _____ Attendance Number: _____

TOPIC(S) DISCUSSED

MEETING NOTES

REVIEW FROM PREVIOUS MEETING

LOCAL ISSUES FOR COUNTY BOARD

QUESTIONS AND/OR ISSUES FOR STATE OFFICE

PROGRESS MADE DURING THIS MEETING REGARDING ISSUE / ACTIVITY

GOALS FOR NEXT MEETING & DATE / LOCATION

REMINDER OF UPCOMING FARM BUREAU EVENTS



ACTIVITY SHEET

Use this form to communicate your council's completed activities/projects.

Please do not include regular meetings as an activity/project.

County: _____ Council Name: _____

Secretary: _____ Activity Date: _____ Attendance Number: _____

WHAT ISSUE(S) DID YOUR COUNCIL DISCUSS? EXPLAIN YOUR PLAN TO BECOME INVOLVED.

WHAT FARM BUREAU GOAL(S) DOES THIS ISSUE ADDRESS?

WHO ELSE (INDIVIDUALS, BUSINESSES, ORGANIZATIONS, ETC.) IN YOUR COMMUNITY SHARE THIS PROBLEM OR CONCERN? HOW WILL YOU WORK WITH THEM ON THE ISSUE?

COUNCIL'S GOALS FOR THIS ACTIVITY:

WHAT ACTIVITY DID YOU COORDINATE AND/OR PARTICIPATE IN REGARDING THIS ISSUE? EXPLAIN WHAT YOU DID AND HOW IT IMPROVED/BENEFITTED THE COMMUNITY.

WHO DID YOU WORK WITH IN YOUR COUNTY FARM BUREAU ON THIS ISSUE? WHAT OTHER RESOURCES DID YOU USE? DID YOU COLLABORATE WITH ANY OTHER ORGANIZATION(S)?

HOW DO YOU FEEL ABOUT THE ACTIVITY/PROJECT? HOW DID THE COMMUNITY BENEFIT FROM YOUR WORK?

ATTACH PHOTO(S) WITH ACTIVITY SHEET OR EMAIL TO COUNTY OFFICE FOR POSSIBLE SUBMISSION TO OFBF PUBLICATIONS. WRITE NARRATIVE FOR PHOTOS BELOW.

Potential Discussion Topics

Thank you for being part of a *Farm Bureau Community Council*. Our organization's greatest strength lies in its grassroots approach to exploring issues, creating action plans and getting things done. As a member of a Community Council, you will be able to use lively discussion to enhance your county Farm Bureau's Policy Development activities. We invite your group to get involved in other county Farm Bureau activities, too.

What would you like to talk about? During the course of the year your Discussion Leader will receive a quarterly newsletter and several Discussion Guides highlighting key issues impacting your farm, small businesses and your neighbors.

We are currently working on several ideas and would appreciate your input. Take a look at the following topics and tell your county Farm Bureau what you think. Make sure you let us know by sending your comments along on the *Meeting Summary Sheet*.

- **Working with Community Stakeholders:** How would you define a *community stakeholder*? What government agencies, business groups, citizen's groups and other special interests should county Farm Bureaus work with on issues of mutual concern? What issues in your community need addressed using group effort? How would the county organization spark a collaborative process if needed?
- **Politics and Elections:** What enhancements/changes do your council members see needed in Ohio election laws? To ensure rural representation, do adjustments in redistricting procedures need to be considered? Is early voting a benefit or hindrance in your community? What time frame (number of days prior to an election) should an early voting option be exercised?
- **Education Programs:** Many Ohio school systems are exploring career tech programs where partnerships between local school districts, career centers and community colleges are allowing students to earn a high school diploma, special technical certificate and/or college credit at the same time. Should these programs be expanded? How could they be used to enhance agriculture and/or other job/career interests in your community? How should these programs be funded?
- **Farm Safety Plans:** Many say a farming operation is a business. Should farmers have safety plans for their farms, the same as commercial and/or light industrial businesses in the community? What points for consideration and information resources do you feel should go into creating an individual farm's safety plan?
- **Water Supply:** Some farms and rural residents have access to water via their private well, while others have access to rural utility systems. What issues need to be considered if water

resources are being shared or tapped into by urban and suburban communities some distance away? Should Ohio's current rules supporting riparian doctrine and water access be reviewed?

- **Eminent Domain - Many Points Are Still Negotiable:** With the proliferation of energy and utility service projects across the state, farmers and rural residents are discovering the eminent domain provisions might govern the right of access for some projects, but all other issues are still highly negotiable. Along with protection of natural resources and repair/remediation standards, what other points for concern should farmers and rural residents consider when negotiating a long-term lease or easement agreement?
- **Rural Health Care - Recruiting Professionals:** One of the major challenges in tackling rural health care is recruiting qualified professionals to live in rural communities. Should rural communities take a more active role in recruiting professionals when they are studying for their career? Could communities enter relationships with students and medical schools where the local population could lend financial support now, with the promise of living in and serving the community later? How should this process unfold in your area?
- **Landowner Friendly Documentation in Energy Development:** Farmers and rural residents throughout Ohio are being approached to create partnerships and agreements with energy service providers. Leases, easements and other legal contracts are becoming increasingly complex. Should a *Truth in Leasing Guide* be supplied with each agreement explaining an agreement's purpose, as well as the rights and responsibilities of both parties prior to signing? What points should be detailed in such a document?
- **Ohio Farm Bureau's Family of Foundations:** Over the next year the Ohio Farm Bureau's (OFBF) three foundations - the Ohio Farm Bureau Foundation, Animals for Life Foundation and Ohio Center on Agricultural Law will be combined. The organization's philanthropic efforts are being expanded, too. What grantsmanship, scholarship and special programs would you like to see developed? How can your county Farm Bureau utilize OFBF's philanthropic assets to enhance programs to help the local community?
- **Ohio State University Extension - Enhancing the System:** Many community stakeholders are learning more about Ohio State University's *Discovery Themes*. Many support a larger role for OSUE in the community beyond just a county office. Investments in technology and enhanced communication strategies are planned. Where do you see the county Farm Bureau supporting this process in your community?
- **Rural Ohio - The Neighborhood Continues to Change:** Rural neighborhoods are some of the few places in America where the population continues to grow. New families migrating into the area might have little understanding or background in general farming practices, activities and collective culture. How should the county Farm Bureau facilitate education and outreach projects that help newcomers discover more about their new community and their farming neighbors? How could Farm Bureau use these programs to enhance neighborly collaboration and mitigate potential conflicts?

- **Defining Sustainability:** How do you define *sustainability*? What environmental and economic issues should be considered as you create your definition? Should other issues beyond the two “Es” be considered?

Continuing the Conversation

Remember, you are not limited to these ideas and our materials. Feel free to discuss additional topics and issues generated from the local newspaper, other publications and/or key events happening in your neighborhood. Additional information on possible discussion topics and resources can be found on the Ohio Farm Bureau Federation website at <https://ofbf.org/get-involved/community-councils/>.

Discussion Questions

1. What local issues are gaining the most attention in your community? What needs to be explored over and above what is covered/discussed in the local media?
2. Who are your community stakeholders? What government agencies, business groups, citizen’s groups and other special interests should county Farm Bureaus work with on issues of mutual concern?
3. Rural neighborhoods are some of the few places in America where the population continues to grow. How should the county Farm Bureau facilitate outreach projects with newcomers to enhance neighborly collaboration, mitigate potential conflicts and increase county membership?
4. Many Farm Bureau members want to build a legacy. What local programs would you like to see created to preserve traditions as well as provide resources for future effort? How should county Farm Bureaus get involved with philanthropy?
5. Should communities enter relationships with students and medical schools where the local population could lend financial support now, with the promise of a person living in and serving the community later? How should this process unfold in your area?
6. Many say a farming operation is a business. What points for consideration and information resources do you feel should go into creating an individual farm’s safety plan?
7. What other issues/topics would you like to discuss in further detail at an upcoming Community Council Meeting?



A Comprehensive U.S. Energy Policy

Defining the Issue

In the recent past, tight oil and natural gas supplies drove U.S. farm inputs and energy prices to all-time highs, substantially increasing farm production costs. In the near term, stopping exploration for and use of fossil fuels cannot be done without severely disrupting our economy and threatening Americans' standard of living.

Farm Bureau advocates policies that will create a diverse, domestic energy supply to fuel America's economic growth and prosperity while strengthening our energy security. Further development and use of renewable energy sources such as ethanol, biodiesel, biomass, solar and wind are critical to our nation's energy future and will help further strengthen the overall national security of the United States. Farm Bureau supports a comprehensive approach to fulfilling our energy needs of today and into the future.

Discussion Backgrounder

Farm Bureau supports a comprehensive energy policy to help reduce the nation's dependence on foreign energy sources, to stimulate energy production within the agricultural sector and to assure farmers and ranchers have access to affordable energy. Points to consider as your council explores the issue include:

- ***Conventional Energy:*** Farm Bureau strongly supports the development of a national energy policy that provides for increased exploration and use of domestic energy resources. Farm Bureau supports additional access for exploration and production of oil and natural gas, including the use of hydraulic fracturing. Farm Bureau also supports the expanded use of coal in an environmentally sound manner.
- ***Renewable Portfolio Standard:*** Farm Bureau supports the production and use of agricultural-based fuel, including corn and cellulosic ethanol and biodiesel. Farm Bureau also supports the Renewable Fuel Standard 2 (RFS) as adopted in 2007.
- ***Renewable Fuels Tax Incentives:*** Farm Bureau supports tax provisions that incentivize the production of biofuels. They are the Cellulosic Biofuel Producer Tax Credit set at \$1.01 per gallon for cellulosic biofuel along with the additional first-year 50 percent bonus depreciation for cellulosic biofuel production facilities; the 30 percent credit for installation costs of alternative fuel refueling property; and tax incentives for biodiesel and renewable diesel set at \$1.00 per gallon, the 10 cents per gallon small agri-biodiesel producer credit and the \$1.00 per gallon tax credit for diesel fuel created from biomass.

Legislative Status

It is expected there will be multiple attempts to change, weaken or dismantle the RFS in the 114th Congress. Farm Bureau opposes any attempts to weaken or change the RFS.

Regulatory Status

In November 2013, the EPA proposed to roll back the total 2014 renewable fuel blending requirements to 15.52 billion gallons, a full billion gallon less than 2013 totals and 2.63 billion gallons below the mandate set in the RFS2. In January, Farm Bureau submitted comments expressing our opposition to this proposal by EPA. In November 2014, EPA delayed setting standards for the 2014 RFS program.

AFBF Policy

AFBF supports efforts to revitalize our national energy policy to take maximum advantage of all available domestic resources to achieve energy independence and a stable energy market.

AFBF supports a comprehensive energy policy to help alleviate the energy-related economic hardship being suffered by U.S. farmers and ranchers by creating a more diverse energy supply, including renewable energy sources such as ethanol, biodiesel, biomass and wind.

AFBF supports a comprehensive energy plan that also will increase the exploration and production of oil and gas here at home and reduce U.S. dependence on foreign energy sources.

AFBF supports the Renewable Fuels Standard 2 (RFS2) as passed in the Energy Independence and Security Act of 2007.

AFBF supports tax provisions that incentivize the production of biofuels and renewable energy.

OFBF Policy

A variety of energy sources are needed to address the increasing demands for fuel and power. OFBF will continue to advocate for a comprehensive state energy policy that incorporates the use of coal, nuclear, natural gas, petroleum and competitive renewable technologies. Local communities need resources to address economic, logistic, social and service issues as large energy development projects move forward. Collaborative efforts should be enhanced to ensure, repair and remediate farmland and public infrastructure after energy development projects are completed.

Ohio Farm Bureau supports energy development efforts that involve the project developer, utilities, regulatory agencies, government at the local, state and federal levels, economic development authorities and community groups. These efforts should focus on creation of projects that address environmental concerns, consider aesthetic needs and provide economic

benefits for landowners and the community.

Ohio Farm Bureau recognizes the rights of landowners to enter into effective partnerships and agreements with developers to responsibly use land and resources to develop energy transportation, generation and distribution projects.

Ohio Farm Bureau should provide leadership in the on-going development of a comprehensive state energy policy that incorporates the use of coal, nuclear, natural gas, petroleum and competitive renewable technologies. These renewable technologies include, but are not limited to wind, solar, biomass, geothermal, hydroelectric and fuels cells.

Discussion Questions

1. What do you find the most exciting, most fearsome and most confusing trends and issues when it comes to addressing your personal energy needs?
2. How do you see your particular needs for fuel and electricity changing over the next ten years? What would you like your local fuel marketer and utilities to provide to ensure your vehicles run and the lights stay on?
3. Is new energy infrastructure (transmission lines, pipelines, a power plant, fueling station) coming to your neighborhood? What needs to be done to ensure all members of the community benefit from these developments?
4. What plans are your council members making when it comes to employing new energy technology for home, farm and business? (Buying a hybrid vehicle, installing on-site generation, employing computerized HVAC equipment, etc.)
5. If energy supplies in the local community are in short supply, what cutbacks would you propose?
6. Many local communities are being asked to create their own energy “toolbox” strategy. What natural resources, new technologies and programs would you like your community to invest in that ensure local electric and fuel supplies are available over the next several decades?

Agriculture and Tax Reform

Defining the Issues

Farm Bureau supports replacing the current federal income tax with a fair and equitable tax system that encourages success, savings, investment and entrepreneurship. We believe the new code should be simple, transparent, revenue-neutral and fair to farmers and ranchers

Discussion Backgrounder

Agriculture operates in a world of uncertainty. From product markets to fluctuating input prices, from uncertain weather to insect or disease outbreaks, it makes running a farm or ranch business challenging under the best of circumstances. Farmers and ranchers need a tax code that recognizes the financial challenges faced by agricultural producers.

Legislative Status

House Ways and Means Committee Chairman Dave Camp (R-Mich.) released a tax reform proposal in February. The Senate Finance Committee released several discussion drafts on specific aspects of the tax code at the end of 2013. Tax reform discussions are expected to resume in the next congress under the leadership of new Finance Committee Chairman Ron Wyden (D-Ore.) and the new yet-to-be-named Chairman of the Ways and Means Committee.

AFBF Policy – Federal Tax Reform in General

Any tax reform proposal considered by Congress must be comprehensive and include individual as well as corporate tax reform. More than 96 percent of farms and 75 percent of farm sales are taxed under IRS provisions affecting individual taxpayers. Any tax reform proposal that fails to include the individual tax code will not help, and could even hurt, the bulk of agricultural producers who could lose business deductions but not benefit from lower corporate rates. Following are issues raised by one or both of the discussion drafts that are of concern for farmers and ranchers.

Lowering Rates Alone, While Important, May Not Benefit Farm and Ranch Businesses: While broadening the base and lowering the tax rate is important to any tax reform effort, it must be noted that doing so will impact farm and ranches differently than other businesses.

Cash Accounting: Farm Bureau supports the continuation of unrestricted cash accounting for farmers and ranchers who pay taxes as individuals and cautions against reducing the number of corporate farms eligible to use it.

Capital Gains: Farm Bureau believes that long-term capital gains should be taxed at a rate lower than regular income to encourage entrepreneurship and investment in the agriculture industry.

Section 179 Small Business Expensing: Farm Bureau supports the reinstatement and expansion of the \$500,000 maximum threshold in Section 179 Small Business Expensing.

Section 180 Deduction for Fertilizer and Other Soil Conditioners: Farm Bureau supports the annual expensing of pre-production expenditures including the ability to deduct fertilizers and other soil conditioners.

Depreciation of Tangible Property: Farm Bureau believes that current depreciation periods for agricultural buildings and for single-purpose agricultural and horticulture structures are appropriate.

Section 263A UNICAP Rules: Farm Bureau supports exempting all plants from uniform capitalization rules.

Like-Kind Exchanges (Section 1031): Farm Bureau supports allowing farmers to defer taxes when exchanging farm property for farm property.

Alternative Minimum Tax: Farm Bureau supports repeal of the AMT.

Five-Year Net Operating Loss: Farm Bureau supports allowing farmers and ranchers to go back five years to apply a net operating loss to past tax payments and receive a tax credit.

Accelerated Cost Recovery: Farm Bureau supports accelerated depreciation to allow greater deductions in the earlier years of the life of an asset.

Installment Sales: Farm Bureau supports the use of installment sales to partially defer of any capital gain to future taxation years.

Deduction for Soil and Water Conservation and Endangered Species Protection: Farm Bureau supports the annual expensing of soil and water conservation and endangered species protection costs.

Domestic Production Deduction: Farm Bureau supports tax incentives for domestic production and production-related activities. Farming should be considered a domestic production activity.

Section 194 Special Rules for Reforestation Expenditures: Farm Bureau supports treating reforestation costs and the cost of raising timber as an expense in the year incurred.

OFBF Policy – State and Local Tax Reform in General

In order to be part of the tax reform discussion in the coming General Assembly, Ohio Farm Bureau has focused much of our policy development process as well as in-depth studies on how Ohio's tax structure affects Ohio's food producing economy. We will continue our study of the Current Agricultural Use Valuation formula in an effort to determine how the program can better reflect today's agricultural economy. While we anticipate further tax reform measures aimed at lowering or even eliminating the personal income tax, Ohio Farm Bureau will work for tax reform that does not shift new burdens to agricultural producers.

Taxpayers' money should be efficiently used. To stay within the state budget, we strongly encourage our state legislators to make every effort to find cost savings measures before raising taxes.

We believe that revenue to the state should be received through the following continuum of taxation from most palatable to least palatable: 1.) income tax; 2.) state sales tax; 3.) Commercial Activity Tax (CAT); and 4.) property taxes.

The state should streamline tax collection, including municipal income taxes. We support legislation that will benefit members living in unincorporated areas but who are impacted by municipal income taxes.

When a government agency promulgates restrictions, we support the establishment of a tax relief and/or easement program that would provide income to landowners while allowing state agencies to implement preservation policies.

We support legislation to permit local governments to levy an admission tax on special events to pay for expenses of controlling and policing such events.

We encourage both state and national tax exemption on interest income from savings accounts and investments.

We support exempting capital gains from Ohio taxable income as long as the real property is held for more than five years.

We oppose any excessive and unfair taxes.

We oppose all state voter referendums that propose bond issues, unless the referendum includes the source of revenue needed to pay off the bond (principle and interest).

Income received from fees and assessments from an agency or program shall not be returned to general purpose or general revenue funds.

Taxes on intrastate transmission lines should be taxed at the same rate as distribution lines. Interstate transmission lines should continue to be taxed at the higher rate.

Discussion Questions

1. If you had the opportunity to eliminate all current tax codes and start from scratch, how would the new system be created? What assignments and responsibilities would you give local, state and federal government for the collection and distribution of resources?
2. Market conditions, weather, disease outbreaks - agriculture operates in a world of potential uncertainty. What unique conditions on the farm along these lines need to be further addressed in local, state and federal tax codes?
3. What programs in your community do you feel have more tax generated resources than required; and what programs need additional taxpayer support?
4. What is the most pressing tax related issue in your community? What needs to be fixed and what suggestions do you have that could help address the issue?
5. Many local governments are looking to combine programs and services to generate better economies of scale. What programs should counties, townships and municipalities consolidate to continue services with less tax impact?
6. Which AFBF and OFBF points for further tax credits and deductions do you feel would present the most value for your farm business and home? What other potential credits and deductions not covered in this *Discussion Guide* do you suggest be brought forward through policy development?

Clean Water – Definitions and Programs

Defining the Issue

The Clean Water Act (CWA), enacted in 1972, limits federal jurisdiction to “navigable” waters of the United States. The U.S. Supreme Court, in 2001 and 2006, reaffirmed those limits. The Environmental Protection Agency (EPA) and U.S. Army Corps of Engineers (Corps), through regulations, guidance and other means, are seeking to expand their authority to the maximum extent, potentially even beyond the limits approved by Congress and reaffirmed by the Court. Farm Bureau opposes proposals to fundamentally change the CWA by expanding jurisdiction of the federal government to intrastate waters, including groundwater, ditches, culverts, pipes, desert washes, sheet flow, erosional features, farm and stock ponds, and prior converted cropland.

Discussion Backgrounder

Navigable Waters: Two Supreme Court decisions over the past decade have reaffirmed the term “navigable waters” under the CWA does *not* include all waters. Legislation to overturn those decisions – despite aggressive lobbying campaigns by environmental groups – has failed to reach a vote on the floor of either the House or the Senate. That has happened primarily for two reasons. First, bipartisan leaders continue to strongly support the structure and goals of the CWA and do not want to see EPA or the Corps intrude on traditional state prerogatives relating to land use planning and economic growth. Second, the legislation aggressively pushed by environmental groups would allow EPA and the Corps to use the CWA to regulate activities on dry land and when those activities are not connected to interstate commerce. Such an over-reach goes well beyond anything contemplated by the framers of the 1972 law.

Regulatory Status

On April 21, 2014, EPA and the Corps published a proposed rule defining the scope of waters protected under the CWA in the Federal Register. Based on an extensive analysis, the proposed rule fails to comply with important regulatory procedural requirements, relies on an incomplete and inaccurate economic analysis, and bases its scientific justification on a flawed scientific report.

The proposed rule would effectively eliminate any constraints the term “navigable” imposes on the Corps and EPA’s CWA jurisdiction by granting regulatory control over virtually all waters, assuming a breadth of authority Congress has not authorized. The list of waters deemed “non-navigable” would be exceptionally narrow, providing that few, if any waters, fall outside federal CWA jurisdiction. Such a shift in policy means that EPA and the Corps could regulate any or all

waters found within a state, no matter how small or seemingly unconnected to a federal interest. Congress should not permit the agency to adopt such an approach.

AFBF opposed this proposal and urged the EPA and Corps to withdraw the proposed rule because it fails to clearly respect the limits of federal CWA jurisdiction articulated by the U.S. Supreme Court in *SWANCC* and *Rapanos*. The Supreme Court rejected the notion that CWA jurisdiction extends to waters with “any” connection to navigable waters (no matter how tenuous) and rejected the agencies’ “land is waters” approach. Any proposed rule must acknowledge that not all water bodies are subject to CWA jurisdiction and provide specific examples of features that are not within the scope of CWA regulation.

EPA is currently revising the rule and plans to have it finalized before this summer. The new rule will not be revealed until it has been finalized and no additional public comments will be accepted.

OFBF will continue to lead efforts at the federal as well as state level to ensure that science-based programs and workable solutions are available to Ohio farmers to address water quality issues. Through our Water Quality Action Plan, OFBF will work to gain funding for additional on-farm research projects, conservation programs and septic and rural water infrastructure improvements. In addition, OFBF will work with USDA to implement the recently awarded Regional Conservation Partnership Program and will work to create a network of demonstration farms as well as additional needed research. As OFBF continues to support state-led practical programs that improve the environmental performance of farms, we will continue to oppose expansion of federal jurisdiction by the U.S. EPA under the Clean Water Act that would impede state efforts.

AFBF Policy

American Farm Bureau believes federal CWA authority should be limited to navigable streams and waterways that have continuous flow.

Policy 547 Water Quality - CWA regulates the "discharge of pollutants." We oppose changing the wording, meaning or definition of navigable waters in the CWA, the removal of the term "navigable waters" from the CWA and any attempt to broaden the reach of the CWA. Federal CWA jurisdiction should be limited to navigable streams and flowing waterways that have continuous flow 365 days a year.

Policy 549 Waterways – We oppose EPA using the guidance document which would effectively remove the word “navigable” from the Clean Water Act.

Policy 550 Wetlands - Isolated wetlands (vernal pools, etc.) not connected to navigable waterways should not be subject to regulation under the Clean Water Act (CWA).

We oppose the inclusion of the term wetlands in the definition of Navigable Waters of the United States, and we further oppose giving the Environmental Protection Agency (EPA) final authority in matters of wetlands determination.

OFBF Policy

OFBF has many policies related to Ohio's surface and ground water resources – both quality and quantity.

Policy 501 Environmental Protection – We will cooperate with sound programs that will lead to an improved environment. We insist environmental regulations be scientifically sound, based on credible data, practical, realistic, and economically feasible.

We encourage continued research and the use of sound conservation practices designed to minimize the offsite transport of nutrients. To maintain the viability of Ohio's livestock industry, we encourage the adoption of practices suitable for application on frozen and snow-covered ground to protect surface and ground water resources.

Policy 531 Nonpoint Source Pollution - We recognize that Ohio's water resources are valuable to the State of Ohio and as such, we expect farmers to use environmental management systems to protect and improve water quality (such as but not limited to filter strips, grass waterways, wetlands and cover crops).

We encourage all those (including non-agricultural) applying nutrients and crop protectant products to follow recognized management practices including the development of nutrient management plans with soil testing.

We promote urban conservation practices that minimize nutrient and pesticide runoff, including stream buffers, rain gardens and other infiltration management practices, soil testing and proper fertilization and pesticide application rates.

Policy 534 Nutrient Management 534 - We support an education program on nutrient management that includes fertilizer applicator certification and should consider the following components: 1. be part of a comprehensive nutrient reduction strategy addressing all sources of nutrients; 2. provide adequate funding for research, education and outreach; 3. provide adequate resources for the development, administration and implementation of the certification program; 4. be economically feasible for farmers; 5. be reasonable, not unduly burdensome to production agriculture; 6. have a foundation based on sound research and field data that will result in meaningful off-site nutrient reduction; 7. be technology driven; and 8. provide clarity regarding the criteria for suspension of a certification.

We expect all farm operations regardless of size to complete and follow a nutrient management plan.

We support legislation that provides a safe harbor for farmers who follow industry accepted practices for nutrient management.

We support continued research on nutrient management and water quality and recommend farmers, homeowners, municipalities, and businesses follow the International Fertilizer Institute 4R Nutrient Stewardship principles – Right source, Right rate, Right time and Right place.

We encourage livestock operations regardless of size to use science-based best management practices when applying nutrients and manure.

Policy 537 Water - Ohio's groundwater is a valuable resource. Ohio currently operates under a reasonable use standard. Farm Bureau will continue to consider groundwater rights legislation.

We recognize the need of major metropolitan cities to obtain an adequate and safe supply of water. We recommend that any and all studies of water supply alternatives should present proposals which have the least negative impact on our natural resources, and the least socio-economic impact on agriculture, especially the taking of prime farmland. We believe governments should address: 1. Increasing their water conservation practices; 2. Water reuse and recycling potential; 3. Current water line losses; 4. Economics as a basis for water conservation (i.e., ascending block water rates); 5. The socio-economic impact on surrounding communities; 6. The right to use water as a property right which should not be taken from an owner without due process of law and just compensation; and 7. Local community's right to use an organized regional water planning concept to provide water for all communities in the region.

We support equal consideration and priority for rural and urban water use and the continuation of monitoring the licensing and enforcement of Ohio public water systems for agricultural operations and assisting affected members with compliance.

We support the use of Best Management Practices (BMP) to reduce the potential impact of pesticide and nutrient contamination of ground and surface water.

We encourage agricultural input in establishing preventative measures if pollution levels exceed EPA standards, based on a rolling annual average.

We will oppose wellhead protection legislation that: 1. Requires private well owners to test for any contaminates other than Coliform bacteria; 2. Regulates the use of pesticides or fertilizers on fields under cultivation; or 3. Charges farmers new fees for any purpose related to well head protection.

We are supportive of efforts to prevent contamination of surface and ground water supplies from solid waste and hazardous waste landfills, leaking underground storage tanks, salt brine disposal, or any other activities that may endanger the ground water supply.

We support a well distance regulation on new housing which would force developers to place wells at least 100 feet from property lines adjacent to agriculturally zoned land.

We support legislation that relieves farmers from liability for water contamination when approved farming methods are used and label directions are followed while using crop protection chemicals.

We support the education of surface users, urban and agricultural; to adequately protect ground water supplies.

We encourage the state to maintain their reservoirs, retain ownership and not turn them over to the local village or township.

We encourage farmers to begin recording water usage for all enterprises in order to be prepared for future legislation concerning provisional water rights to ground water.

Discussion Questions

1. What is the most pressing *water quality* related issue in your community? What needs to be fixed and what suggestions do you have that could help address the issue?
2. What is the most pressing *water quantity or use* related issue in your community? What needs to be fixed and what suggestions do you have that could help address the issue?
3. Agriculture can be one of the biggest users of water in many communities. Who are other major users of water in your neighborhood? How could farmers partner with other community stakeholders to create education, outreach and environmental research projects focusing on local water related issues?
4. What do you consider to be the most serious source of water pollution in your community? In Ohio? What needs to be done to address this issue?
5. How would you describe the quality of your tap water? What can you do to protect the quality of your tap water for the future?
6. Would you describe the cost of your tap water as expensive, reasonable or a bargain? Why do you feel this way?