

Dear Ms Eshoo,

My husband and I own and operate a redwood timber farm in the Santa Cruz Mountains. Everything we do on this farm is extensively regulated by a wide array of California State agencies, including the California Department of Forestry and Fire Protection, the California Department of Fish and Wildlife, and the California Water Resources Control Board. Between them, they regulate how much we can harvest and how frequently, wildlife and habitat protection, and water quality protection including extensive erosion control practices. It already costs in the neighborhood of \$30,000 to \$50,000 in studies and up to a year in processing time to obtain a timber harvest permit, and this number applies to even small projects. After the harvest, we have post-harvest monitoring of water quality and erosion. Many of the problems we face are caused by having a large number of agencies with differing goals all regulating the same operation. I have spoken to very frustrated foresters who describe pre-harvest inspections where Fish and Wildlife wants the landowner to put logs in the stream for fish habitat and Water Quality wants them to take the logs out of the stream to prevent damage to downstream property in floods.

We don't need yet another agency jumping into the game, adding yet another agenda and another set of permits and monitoring requirements. Everything the environment needs is already protected at the state level.

Now the U.S. Environmental Protection Agency and the U.S. Army Corps of Engineers believe they are going to "improve" the situation by pushing themselves into the game by redefining the "waters of the United States".

On April 15, the House Transportation & Infrastructure Committee voted to approve H.R. 1732, the Regulatory Integrity Protection Act of 2015. This legislation would require the U.S. Environmental Protection Agency and the U.S. Army Corps of Engineers to withdraw their proposed rule redefining "waters of the United States" and immediately initiate a new rulemaking that would more closely reflect the law and Supreme Court precedent.

I have been following the EPA and the U.S. Army Corps of Engineers' Proposed Rule Redefining the Definition of "Waters of the United States" Under the Clean Water Act, and am concerned that farmers and ranchers will be negatively burdened by the Proposed Rule. The Proposed Rule would modify existing regulations which have been in place for decades regarding which waters fall under federal jurisdiction under the Clean Water Act. These new regulations will make farming the land more difficult and in order to comply with these new regulations, farmers and ranchers will become more and more reliant on attorneys and consultants.

Farmers and ranchers are stewards of the land and care about the environment and water quality. But this rule is confusing. Regional offices would be left to interpret and apply the regulations to farms on an inconsistent basis. Farmers

and ranchers know the ground they farm and should have clear guidance about how to comply with the law, and the ultimate say in what is needed on the ground. Third-party lawsuits have become the new norm for regulating farmers. As such, we are concerned that farmers compliant with the new rules will still have to defend themselves in court in many cases.

Under the Proposed Rule, farmers, ranchers and other landowners would face a tremendous roadblock in carrying out ordinary land-use activities from plowing fields to treating for or pulling weeds to controlling insects. These "roadblocks" are both costly and time consuming especially since getting CWA permits is not a simple task. Permits typically require consultation with state and federal agencies, hiring consultants, and waiting for approvals. If the permit is obtained, it often includes paperwork and reporting requirements in addition to any requirements aimed at protecting water quality. Violations of these paperwork or reporting obligations carry potential penalties up to \$37,500 per violation per day- and may be enforced by EPA, the state, or even interested citizens groups. Farmers just want to continue to farm and be stewards of the land, leaving it in better shape for future generations.

The Proposed Rule will have material economic impacts on farms and ranches across the state. I believe that full consideration has not been given to the permitting costs, the farming delays that may be encountered to implement the federal rule, and the costs of new land use restrictions resulting from this federal rule.

Furthermore, it has been shown in too many cases within the federal agencies, "the left hand does not know what the right hand is doing". Water is being released from the dams in California to benefit the Delta Smelt, and in the process, depriving the San Joaquin Kit Fox of water in its habitat. The coho recovery plan was written with NO consideration given to its impact on the area steelhead population or other local endangered and threatened species. The EPA cannot be trusted to "get it right" or to coordinate with other agencies to minimize their impact.

Therefore, due to the numerous flaws described within, I respectfully request your support for H.R. 1732 and oppose amendments that would weaken this legislation.

Thank you for considering my views.

Sincerely,

Catherine Moore