



DITCH THE MYTH

LET'S GET SERIOUS ABOUT PROTECTING CLEAN WATER

This document addresses concerns and misconceptions about the proposal by the U.S. Environmental Protection Agency and the U.S. Army Corps of Engineers to protect clean water. The proposed rule clarifies protection under the Clean Water Act for streams and wetlands that form the foundation of the nation's water resources. The following facts emphasize that this proposed rule cuts through red tape to make normal farming practices easier while also ensuring that waters are clean for human health, communities, and the economy. Learn more facts at www.epa.gov/ditchthemyth

- Myth:** The rule would regulate all ditches, even those that only flow after rainfall.
- Truth:** The proposed rule actually reduces regulation of ditches because for the first time it would exclude ditches that are constructed through dry lands and don't have water year-round.
- Myth:** A permit is needed for walking cows across a wet field or stream.
- Truth:** No. Normal farming and ranching activities don't need permits under the Clean Water Act, including moving cattle.
- Myth:** Ponds on the farm will be regulated.
- Truth:** The proposed rule does not change the exemption for farm ponds that has been in place for decades. It would for the first time specifically exclude stock watering and irrigation ponds constructed in dry lands.
- Myth:** Groundwater is regulated by the Clean Water Act.
- Truth:** The proposed rule specifically excludes groundwater.
- Myth:** The federal government is going to regulate puddles and water on driveways and playgrounds.
- Truth:** Not remotely true. Such water is never jurisdictional.
- Myth:** EPA is gaining power over farms and ranches.
- Truth:** No. All historical exclusions and exemptions for agriculture are preserved.
- Myth:** Only the 56 conservation practices are now exempt from the Clean Water Act.
- Truth:** No. The proposal does not remove the normal farming exemption. It adds 56 beneficial conservation practices to the exemption, which is self-implementing.
- Myth:** The proposed rule will apply to wet areas or erosional features on fields.
- Truth:** Water-filled areas on crop fields are not jurisdictional and the proposal specifically excludes erosional features.
- Myth:** This is the largest land grab in history.
- Truth:** The Clean Water Act only regulates the pollution and destruction of U.S. waters. The proposed rule would not regulate land or land use.
- Myth:** EPA and the Army Corps are going around Congress and the Supreme Court.
- Truth:** EPA and the Army Corps are responding to calls from Congress and the Supreme Court to clarify regulations. Chief Justice Roberts said that a rulemaking would provide clarification of jurisdiction.
- Myth:** The proposal will now require permits for all activities in floodplains.
- Truth:** The Clean Water Act does not regulate land and the agencies are not asserting jurisdiction over land in floodplains.
- Myth:** The proposed rule will harm the economy. *(Con't., p.2)*

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Ditch the Myth, Clean Water cont.



Truth: Protecting water is vital to the health of the economy. Streams and wetlands are economic drivers because of their role in fishing, hunting, agriculture, recreation, energy, and manufacturing.

Myth: The costs of this proposal are too burdensome.

Truth: The potential economic benefits of the proposed rule [are estimated](#) to be about double the potential costs — \$390 to \$510 million in benefits versus \$160 to \$278 million in costs.

Myth: This is a massive expansion of federal authority.

Truth: The proposal does not protect any waters that have not historically been covered under the Clean Water Act. The proposed rule specifically reflects the more narrow reading of jurisdiction established by the Supreme Court and the rule protects fewer waters than prior to the Supreme Court cases.

Myth: This is increasing the number of regulated waters by including waters that do not flow year-round as waters of the United States.

Truth: Streams that only flow seasonally or after rain have been protected by the Clean Water Act since it was enacted in 1972. More than 60 percent of streams nationwide do not flow year-round and contribute to the drinking water supply for [117 million Americans](#).

Myth: Only actual navigable waters can be covered under the Clean Water Act.

Truth: Court decisions and the legislative history of the Clean Water Act make clear that waters do not need actual navigation to be covered, and these waters have been protected by the Clean Water Act since it was passed in 1972.

Myth: The rule includes no limits on federal jurisdiction.

Truth: The proposed rule does not protect any waters that have not historically been covered under the Clean Water Act and specifically reflects the Supreme Court's more narrow reading of jurisdiction, and includes several specific exclusions.

Myth: This rule is coming before the science is available.

Truth: EPA's scientific assessment is based on more than 1,000 pieces of previously peer-reviewed and publicly available literature. The rule will not be finalized until the [scientific assessment](#) is finalized.

Myth: This is about little streams in the middle of nowhere that don't matter.

Truth: Everyone lives downstream. This means that our communities, our cities, our businesses, our schools, and our farms are all impacted by the pollution and destruction that happens upstream.

Myth: The proposal infringes on private property rights and hinders development.

Truth: EPA, the Army Corps, and states issue thousands of permits annually that allow for property development and economic activity in ways that protect the environment. The proposed rule will help reduce regulatory confusion and delays in determining which waters are covered.

Myth: Stakeholders were not consulted in the development of the proposed rule.

Truth: This is a proposal. [Agencies are seeking public comment](#) and participating in extensive outreach to state and tribal partners, the regulated community including small business, and the general public.

Myth: The federal government is taking authority away from the states.

Truth: This proposed rule fully preserves and respects the effective federal-state partnership and federal-tribal partnership established under the Clean Water Act. The proposed rule will not affect state water laws, including those governing water supply and use.

Myth: Nobody wanted a rulemaking to define Waters of the U.S.

Truth: A rulemaking to provide clarity was requested by the [full spectrum of stakeholders](#): Congress, industry, agriculture, businesses, hunters and fisherman, and more.

Has the EPA gone too far, or are they just doing what is necessary to protect and enhance water quality?

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SCIENCE AND EDUCATION

Immersed in learning on the Maumee River

Mentors help kids conduct a water quality study

BY MATT MARKEY

BLADE OUTDOORS EDITOR

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As the murkiness cleared from the water and the rectangular net came up to the surface, its fine, white mesh stretched out and revealed a creature these seventh-graders had never seen before — the nymph of the damselfly.

With its swishing forked tail and bulbous eyes, this alien creepy, crawly thing made the kids very skittish.

“They jumped backwards at the sight of that first one — they didn’t want anything to do with it,” said Tom Vallone, an environmental health and safety manager with Chrysler who recently accompanied students from Navarre Elementary School as they conducted a water quality study in the Maumee River.

“But after telling them what that nymph will turn into, and how it helps us learn about the health of the river, they were putting the nymphs in their hands. It was an introduction to the river, and an education at the same time.”

The science class of Melody Tsapranis took several hours to explore the shallow arm of the river that bends around Blue Grass Island at Side Cut Metropark. Some donned waders and worked the nets or gathered water samples, while others conducted testing on those samples and others did sketches of the life in the river.

“Not many of those kids had ever been that close to the river before, so there was a lot of discovering going on,” Mr. Vallone said. “There were also a lot of firsts — first time in waders, first time in the river, and the first time really making the connection between the river, the lake, and where their drinking water comes from.”

Prior to their recent outing, Ms. Tsapranis said the only option she had for introducing her students to the river was to walk a few blocks from their school down to the Anthony Wayne Bridge (High Level Bridge). However, there was a significant drop to reach the water level at that site, and the area was not suited for the type of testing and sampling she wanted them to do.

“But this was very different,” Ms. Tsapranis said about exploring the river at Side Cut. “For some of these kids, this was the first time being out of their neighborhood. They got to see the river up close, and study it in a completely different way.”

The outing was part of the Student Watershed Watch, a Toledo Metropolitan Area Council of Governments (TMACOG) program that is in its 25th year. Significant support from Chrysler has allowed the study to be expanded well beyond the classroom.

Chrysler provides the testing materials, books, waders, nets, and a corps of volunteer mentors trained in *(Con’t., p.4)*



Elizabeth Buckholtz, a science support teacher at Toledo Public Schools, and Navarre Elementary seventh grader Aryka Robinson test aqueous conductivity in the Maumee River.

Update and Activity Spotlight

IT HAS BEEN A BUSY YEAR FOR THE ACPWQ. WHAT WITH ALL THE FAIR, FESTIVAL AND CLASSROOM APPEARANCES, WE ESTIMATE ABOUT 34,000 PEOPLE HAVE BEEN EXPOSED TO THE STAFF OF THE ACPWQ.

THE RIVERFRONT FW STUDY IS PROGRESSING WITH A NUMBER OF PEOPLE EXPRESSING THEIR CONCERNS FOR THE RIVERS AND/OR SUPPORT FOR THESE EFFORTS. THERE IS EVEN TALK OF CREATING AN EDUCATION CENTER IN CONJUNCTION WITH THIS TO ADDRESS THE NEED FOR RIVER KNOWLEDGE. [RIVERFRONT FORT WAYNE](#)

WE HOSTED TWO PROJECT WET CERTIFICATION WORKSHOPS. THESE WORKSHOPS ARE OPEN TO THE GENERAL PUBLIC FOR ANY VOLUNTEERS, INFORMAL EDUCATORS, YOUTH-GROUP OR CAMP LEADERS WHO WISH TO USE THE 200+ [PROJECT WET](#) ACTIVITIES.

(Science and Ed., Con't.)

water quality testing. Chrysler also paid for the transportation to get the Navarre students out to the site.

“This is different, because I’m used to sponsors just saying they want to donate dollars,” said Matt Horvat, the Maumee River coordinator for TMACOG.

“But Chrysler wanted to donate, plus bring all the volunteers to work with the kids. That makes a huge difference.”

Mr. Vallone had been involved in a similar program while working for Chrysler in Michigan. When he was transferred to Jeep in Toledo, he sought out Mr. Horvat at TMACOG and things blossomed from there.

“We felt like this was something we wanted to be a part of, with our commitment to the community,” Mr. Vallone said. “Kids today are so involved with electronics, computers, television, etc., so by the time they get to seventh or eighth grade they’ve never had the opportunity to get outside and really get their hands dirty. We provide that opportunity, and they learn a lot in the process. And the feedback we get is universally positive.”

Chelsea Owens is a Navarre Elementary seventh-grader who worked on some of the chemical testing during the field trip to the Maumee. The life in the river — from the macroinvertebrates and fish to the geese, ducks and herons — opened her eyes.

“I guess I never knew there were that many critters living in there,” she said. “That means it’s good water, and we need to do everything we can to keep it clean and healthy.”

Davon Jones joined some of his classmates in testing the pH and temperature of the water samples. He had seen the Maumee up close before near downtown, and was disturbed by what he saw.

“I’ve walked along the river and I could see what is in there, like trash and pollution. It angers me to see that, to see what some people do to our river,” he said. “All of these different things are living in there, and that’s the same water we drink. This could be a lot greater ecosystem if we just took better care of it.”

Ms. Tsapranis said her students had prepared for the outing in class, and she was impressed with their business-like approach to the exercise.

“I really was surprised that none of my kids balked at going into the river — I saw that they embraced the activity,” she said. “They understood there was a purpose for what they were doing. They were learning about an ecosystem that was very different than the one they live in.”

Unlike some major class outings, this was no one-shot deal. Mr. Vallone said other classes at Navarre and from other area schools will conduct watershed studies this fall, and again next year, and the shared data will provide valuable lessons for all.

“They are all part of an ongoing project here,” he said. “We are building a relationship so they can get a pool of data to study.”

Ms. Tsapranis said a project of this nature would not be possible without the support of Chrysler and TMACOG, and she expects the benefits to be significant. “This is much more than your standard field trip — they are understanding that connection between life in the river and the water that we drink, and how the health of the river affects the quality of the water we drink,” she said. “This will have an impact on the rest of their lives.”

Contact Blade outdoors editor Matt Markey at: mmarkey@theblade.com or 419-724-6068.



Navarre Elementary students and volunteers from Chrysler in Toledo wade into the Maumee River as part of the Student Watershed Watch.



Navarre Elementary seventh-grader Natasha Pecina sketches a map of the Maumee River.

Of course, there will be changes along the riverfront here in Allen County. Nothing is static in our world and the riverfront through Fort Wayne is no different. The question isn't why are we considering this but rather what took us so long?

The very asset that lent itself toward the establishment of Fort Wayne and the success of Allen County has been there all along. It is no longer the hub of transportation and trade that it once was but that doesn't mean it isn't relevant to our economy.

It all depends on your perspective of who we are and where we are headed as a community.

To say that we are the home of three rivers isn't enough. We should have an education center, or at least a curriculum, to convey the relevance of the rivers to our lives.

As a matter of fact, part of the headwaters of the Wabash and all of the Maumee River are here and become the two largest rivers flowing out of Indiana.

If you didn't know these facts then this would exemplify the need for more education about our rivers in Allen County and the surrounding region-maybe this alone isn't enough to warrant the development of a center by itself but so many other crucial factors impacting our rivers and community at-large might.

If you did know these simple facts then you are ahead of most the people in the area.

What you may not know is what may be discovered, researched and displayed at an education center.

The results of different studies demonstrate the need and will of the people for cleaner rivers.

An Allen County survey demonstrates the rivers as valued but that people are unsure of the nature and extent of their pollution. This same survey demonstrates a "need to improve" the rivers.

A Fort Wayne survey demonstrated similar results and lack of knowledge concerning watersheds.

The "Plan-It Allen" study identified the rivers as valued corridors for many things-from the environment to community draws.

Survey after survey concludes the public wants to have cleaner rivers but typically do not know the status of them or of the issues and impacts.

These are not isolated studies and we have heard this for the past hundred years about what could be achieved using the rivers as a focus. One such success was Headwaters Park.

In a region that holds the waters of so many of Indiana's great rivers and the eastern gateway to the lakes, we could stand to demonstrate the relevance of our waters to the community and the nation and provide community access to the science and ongoing research done here.

Indiana is the smallest mainland state west of the Appalachians but has more water per area than many of the other states to the west. We have twice the percentage of water-to-land area than Nebraska-a state twice the size of Indiana. With all this water comes the responsibility-and the mandate-to educate the people of the watersheds and demonstrate what is necessary to keep them clean. The US EPA and other state and local organizations agencies are all charged with the mission of educating the public and providing opportunities for outreach as well.

Why not gather all these efforts together in a centralized riverfront education center that is optimal for public visibility and the ability to conduct research and activities as well?



To host or attend a Project WET (Water Education for Teachers) Certification Workshop, please contact the Indiana Dept. of Natural Resources Natural Resource Education Center-Project WET State Coordinator at projectwet@dnr.state.in.us

The Allen County Partnership for Water Quality/Project WET Facilitator is Matt Jones. You may contact him directly at: matt.jones@one.usda.gov or 260/484-5848 x 111



HOOSIER RIVERWATCH Loaner Trunks-For your monitoring pleasure.

So you've attended a workshop and want to try your hand at monitoring? **The Saint Joseph River Watershed Initiative (SJRWI)** has four loaner trunks for those interested in monitoring in or around the North-northeast part of Indiana.

Please call the SJRWI at 260/484-5848 x 120 to determine your sampling site and access to loaner trunks.

Ten Threats to the Great Lakes

A series by The Environment Report

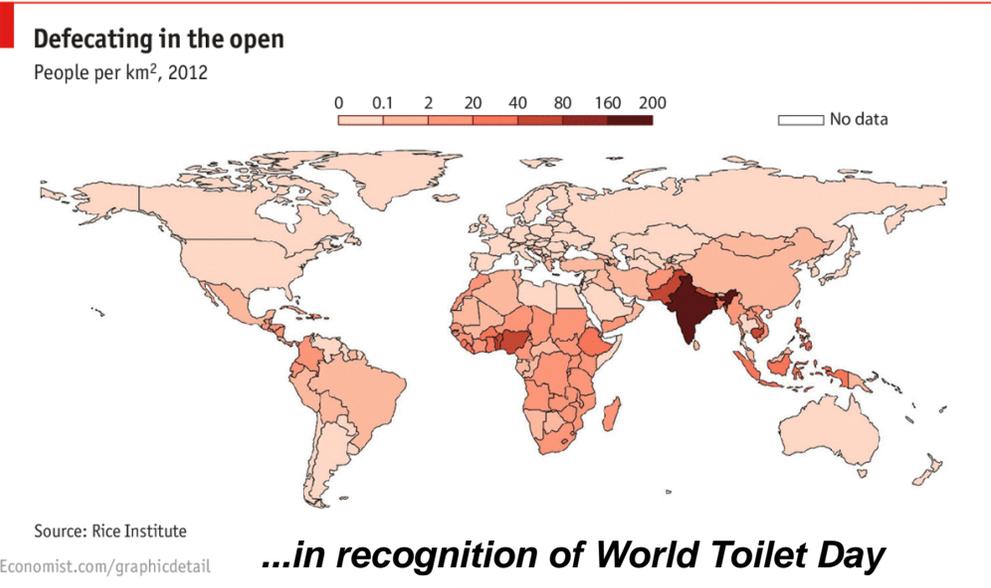
In an effort to rank, in the order of importance, the ten major environmental issues facing the Great Lakes, the staff at the GLRC asked 28 stakeholders in the Great Lakes basin to rank the major issues affecting the Great Lakes. The Environment Report then sent out a team of reporters throughout the region to explore these issues in-depth. The result of efforts that have continued to be broadcast on public radio stations since October, 2005.

This series is made possible in part by the [Joyce Foundation](#) and the [Healing Our Waters Campaign](#). (continued in the next newsletter)



7) [Pollution hot spots](#)

In this day and age, just about everything has been touched by pollution. However, there are certain areas that have extraordinarily high concentrations of things like PCBs, and heavy metals. Such high concentrations of pollutants can cause problems for generations to come.



...in recognition of World Toilet Day

Upcoming Events:

FW Farm Show –Jan. 13-15
Location: AC Memorial Coliseum
All things related to large and small farms

Rivers Summit -TBD (late Feb/early Mar)
Location: TBD (Ft. Wayne)
River science, activities and programs

Tri-State Conservation Expo –Mar. 24
Location: Potawatomi Inn, Pokagon SP
Cutting-edge Ag conservation programs

SWCD Annual Meeting –Mar 31
Location: Rorick Farm, Besancon
Recognition, program updates, election

Last Words:

A river is the report card for its watershed.
-Alan Levere

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“Dr. I.C. Coldwater” [Ian Caldwell Coldwater](#),
“Cause” [Allen County Partnership for Water Quality](#)

Questions or comments? Please contact matt.jones@one.usda.gov or call 260/484-5848 x 111

For additional water quality links and resources, please visit: www.acwater.org