



Waters of the United States

Carlton R. Layne, Executive Director

The sky is falling yet again. Shall we call up the Guard? Activate the congressional internet portals once more? Wait and see? Switch from FNC to MSNBC? Or what? AERF has opted to provide information to the aquatic plant management community and present possible responses from which you can choose. So this newsletter is dedicated to the hereafter referred to “proposed rule”. The Editor has tried to present arguments from both sides so you can make an informed decision whether to do anything or not.

In 1972, one of the banner years of the environmental movement, the Clean Air Act, the Federal Pesticide Control Act and the Clean Water Act all were enacted and assigned to the newly formed Environmental Protection Agency (EPA) for implementation. Every one of the Acts were necessary. The environment actually was in miserable shape; and since those early days each of the laws have pretty much achieved their initial objectives. More than forty years later the EPA continues to tinker with the respective requirements and jurisdictions. The EPA and the United States Army Corps of Engineers (Corps), who regulate wetlands under the Clean Water Act, have proposed a regulation purporting to better define “Waters of the United States” and to more accurately reflect what they see as their regulatory jurisdiction. It’s not likely that life as we know it will change dramatically. As with National Pollution Discharge Elimination System (NPDES), perhaps some change is inevitable and the aquatic plant management world will adapt and move on. On the other hand, this could be a very big deal with long term implications. Linked to administration mandated climate change-related policies, the Endangered Species Act and a resulting jurisdictional expansion of NPDES requirements, it’s difficult to see how the proposed definition would NOT have an effect on our aquatic regulatory world.

The EPA/Corps proposed rule purports to more accurately define “waters of the US”, which has replaced the term “navigable waters” in the regulatory parlance. A good solid definition will explain to the regulated community the boundaries of their unpermitted activities and should thus reduce the seemingly endless litigation that has resulted from both the regulators and the regulated pursuing their own respective interpretations of the jurisdiction of the Clean Water Act. The EPA and the Corps both paint a rosy picture of how the rule will bring clarity to the issue. One can almost hear “America the Beautiful” playing softly as an image of the flag of the United States waves gently on the screen. Forgive me if I’m skeptical when the government just wants to help me. My research has so fogged my aged brain that several previous attempts to write this piece each ended up as unintentional plagiarisms of various articles I had read. In the interest of full disclosure, I have borrowed freely from Wikipedia which has a surprisingly succinct discourse on *Rapanos* with an excellent bibliography.

One of the biggest objections to the proposed rule is the process. Accustomed to governing by Executive Order and judicial fiat in lieu of expressed statutory authority, the EPA and the Corps are proposing to define by rule what is already defined by statute. On September 9th, the U.S. House of Representatives passed H.R. 5078, the Waters of the United States Regulatory Overreach Protection Act, by a vote of 262-152. This legislation prohibits the Environmental Protection Agency and the Army Corps of Engineers from finalizing and enforcing a proposed rule that would redefine “waters of the United States” under the Clean Water Act, or using the rule as a basis for future administrative actions. It is the authority of Congress, the bill states in part, and not the administration, to change the scope of the Clean

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Water Act. Not surprisingly this congressional action touched a nerve within the administration. Before the Bill even came up for a vote, the White House issued a policy statement that indicated if the bill was passed by both congressional houses, the president would veto it. So – we're back with the proposed rule.

The EPA and the Corps base their proposed rule on *Rapanos v. United States*, 547 U.S. 715 (2006). Without getting into the details of the case, one of several issues before the U.S. Supreme Court was the jurisdictional issue of whether the 22 acres of wetlands Mr. Rapanos filled in with sand fell under the requirements of the Clean Water Act. Rapanos argued that the property was over 20 miles away from any navigable water. The EPA and the Corps disagreed and claimed the so-called wetlands were jurisdictional as waters of the U.S. The Court was split on this issue with four conservative judges voting for a more strict reading of “navigable waters” than the four more liberal judges. Justice Kennedy didn't agree with either wing and wrote his own opinion and it is this opinion which provides both the scientific and legal underpinning of the proposed rule. Justice Kennedy holds that a wetland or non-navigable water body falls within the Clean Water Act's scope if it bears a “significant nexus” to a traditional navigable waterway. The nexus (link) exists where the wetland or water body, either by itself or in combination with other similar sites, significantly affects the physical, biological, and chemical integrity of the downstream navigable waterway. It's starting to appear that jurisdictional clarity might not be so obvious and determinations will require a bit more than simply looking at a map.

Here's how the proposed regulation defines *Significant Nexus*:

The term *significant nexus* means that a water, including wetlands, either alone or in combination with other similarly situated waters in the region (i.e., the watershed that drains to the nearest water identified in paragraphs (s)(1) through (3) of this section), significantly affects the chemical, physical or biological integrity of a water identified in paragraphs (s)(1) through (3) of this section. For an affect to be significant, it must be more than speculative or insubstantial. Other waters, including wetlands, are similarly situated when they perform similar functions and are located sufficiently close to a “water of the United States” so that they can be evaluated as a single landscape unit with regard to their effect on the chemical, physical, or biological integrity of a water identified in paragraphs (s)(1) through (3) of this section.

Well there you go. All my worries were for naught. Clarity reigns! Maybe the proposed rule itself clears up the definitive explanation above. The older I get the less time I want to spend reading the tiny print of 88 pages in the *Federal Register*, so I printed the entire proposed rule single sided and double space to allow for marginal notes – all 370 pages of it. There are two appendices to the document wherein the EPA and the Corps provide both the scientific and the legal reasoning behind their decision to propose the rule. The appendices together take up about 238 pages of the entire document. That's a lot of reasoning and justification. If it takes that much space to make one's point, how much clarity could one reasonably expect the rule to provide?

As you might imagine, the pro forces aligning with EPA and Corps resemble a who's who of environmental organizations. The antis have the familiar faces of agriculture, business leaders, realtors and developers and a whole panoply of state and local officials and agencies who see the new definitions as a play by the feds to usurp the traditional authority of the states to regulate waters and wetlands previously deemed to be “waters of the State”. It does appear, given the allusions to a watershed approach to establish the jurisdiction of the federal agencies, that the proposed rule will likely absorb state waters and wetlands into the new “waters of the U.S.”. Over the years, the Supreme Court has consistently restrained the EPA and the Corps' just as consistent attempts to expand their jurisdiction under the Clean Water Act. It is indeed unfortunate the plurality vote in *Rapanos* provided the vehicle for the agencies to cherry pick the opinion that most aligned with their environmental goals.

So what to do? Wherever you may fall on the spectrum of agree or disagree with the content of this proposed rule, I encourage you to submit comments to the docket before the deadline of October 20, 2014. The AERF Editor will provide websites and links where you can see what others think of the rule and also how you can easily submit comments and view other's comments. Constructive comments would be most helpful. If you can envision a method whereby one could easily visit a website or obtain a map that indicated where waters of the

U.S. begin and end, we'd like to see it and would certainly endorse that approach. Should anything break, we'll post it on our website.

Lastly, on behalf of the Board of Directors and all the donors that make AERF possible, thank you for your support. AERF is a 501(c)(3) not for profit foundation and exists and can do what we do because of the generous contributions of individuals and businesses like you. Check out our website at www.aquatics.org and the new 3rd edition of the Best Management Practices Manual. I look forward to hearing from you.

RISE Update: Clean Water Act

Aaron Hobbs, RISE President

As an aquatic applicator, the work you do is very important in keeping our waterways safe and healthy. The products you use are vital in your everyday practices and are important tools that must remain in your toolbox for effective aquatic vegetation management. However, the U.S. Environmental Protection Agency and Army Corps of Engineers proposed a rule April 21, 2014, expanding the definition of "waters of the U.S." under the Clean Water Act. The proposed rule would subject all waters to regulation, including man-made water bodies, rights-of-way, golf course ponds, ditches and flood plains. As written the rule would impact every pesticide application, and require permits for professionals and homeowners, even on private property. The work you do is important, and by sharing your story about how the proposed rule negatively affects your business you can help show policymakers why "navigable" should stay as the defining term for Clean Water Act jurisdiction.

Many of you are already working under the NPDES permitting program, and you can expect the scope of your current permitting requirements to drastically change and expand under the proposed rule. You can expect costly permit delays to affect your work because of the increase in permit applications and not enough EPA personnel to process the influx of applications. We could also see a loss of flexibility in state regulatory programs because EPA and the Corps would be exerting federal jurisdiction over all waters instead of only navigable waters. This means all states would have to revisit their programs and EPA would have to reassess whether states comply with significant definitional changes, impacting you with new regulations about product use near or in waters of different states. We also expect the proposed rule could leave professional applicators and landowners applying pesticides more vulnerable to lawsuits.

EPA's and the Corps' proposed rule will affect every American. RISE is continuing its work with the Waters Advocacy Coalition to raise our concerns with policymakers. Because of the complexity of this issue, your engagement can make a difference. We need your stories about how the proposed rule would negatively affect the work you do. Your examples can really help us further illustrate to the Agencies why "navigable" should remain as the defining term for waters covered under the Clean Water Act. The proposed rule's public comment period closes October 20, 2014. Contact Allison Donaghy, adonaghy@pestfacts.org, to tell your story about how an expanded NPDES permitting program covering all water bodies would impact the essential work you do every day.



A little girl rests on a giant leaf of a Victoria during an aquatic plants exhibition at the Shuangxi Park in Taipei, Southeast China's Taiwan, Sept 11, 2014. Victoria is a genus of water-lilies, in the plant family Nymphaeaceae, with very large green leaves that lie flat on the water's surface. The leaf of Victoria is able to support quite a large weight due to the plant's structure, although the leaf itself is quite delicate. [Photo/ Xinhua]

EPA Proposes Unprecedented Water Rules

James M. Taylor

The U.S. Environmental Protection Agency proposed new regulations that would give the agency control over more privately owned land than ever before. EPA issued the regulations despite the Supreme Court ruling twice in recent years that federal environmental officials had defined its Clean Water Act powers too broadly.

EPA claims the Supreme Court's decisions in *Solid Waste Agency of Northern Cook County (SWANCC) v. U.S. Army Corps of Engineers* (2001) and *Rapanos v. United States* (2006) created confusion regarding its newly proposed regulations. In the SWANCC case, the Court ruled federal environmental officials could not use what was known as the "migratory bird rule" to assert jurisdiction over isolated bodies of water. In *Rapanos*, the Court determined federal environmental officials could not prohibit a private landowner from filling in an isolated wetland. In both cases, the Court emphasized the need for federal environmental officials to show the body of water in dispute meets the Clean Water Act's definition of "navigable waterway" that triggers federal jurisdiction.

In its newly proposed regulations, EPA officials claim dry streambeds that only occasionally fill with water qualify as navigable waterways under the Clean Water Act. EPA also expands its definition of what is navigable. For example, the new rule suggests small ponds and water holes can qualify as navigable waterways even if they are not physically connected to any other body of water. In such a system, federal environmental officials view these small bodies of water in combination, even if they are not geographically linked to one another.

Property rights advocates point out EPA's proposed rule would allow it to regulate far more bodies of water than officials attempted to regulate before the aforementioned Supreme Court rulings. They also question EPA's attempts to "clarify" the Supreme Court decisions by treating the decisions as agency victories and invitations to expand the agency's powers to an unprecedented level.

Farm Groups Voice Opposition

"As a result [of EPA's proposal], permit requirements that apply to navigable waters would also apply toitches, small ponds, and even depressions in fields and pastures that are only wet when there is heavy rain," the American Farm Bureau Federation noted in the *Gilroy Dispatch*. The AFBF statement continued, "If landowners could not get permits to do things like build fences and use pesticides to control bugs and weeds—something that would be far from guaranteed—farming and ranching would be much more costly and difficult.

Other landowners, too, would face roadblocks to things they want to do, such as build a house or plant trees. American Farm Bureau and California Farm Bureau are both calling on Congress to prevent this expansion."

"Congress, not federal agencies, writes the laws of the land," said American Farm Bureau President Bob Stallman in a press statement. "When Congress wrote the Clean Water Act, it clearly intended for the law to apply to navigable waters. Is a small ditch navigable? Is a stock pond navigable? We really don't think so, and Farm Bureau members are going to be sending that message." "This, in my career of farming, is the most scary and frightening proposition that I have witnessed," Iowa Farm Bureau Federation President Craig Hill told the *Des Moines Register*.

Congress Limited EPA's Reach

"When Congress wrote the Clean Water Act, Congress limited the act's application to 'navigable waters' for good reasons," said Jay Lehr, science director for The Heartland Institute, publisher of *Environment & Climate News*. "Among the reasons, Congress did not want EPA bullying farmers over small depressions in their land that occasionally hold rainwater, bullying people who dig a ditch to help drain their land, and using the smallest of streams and micro-bodies of water to restrict property use," Lehr said. "EPA is attempting to stand the Clean Water Act on its head as it continues to seek more money and power. "EPA says farmers should take the Agency at its word that it will not enforce these regulations in a heavy-handed manner. In light of EPA's longstanding record of heavy-handedness, arrogance, and abuse, however, farmers know better," he concluded.

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“Private individuals would never attempt to misapply the statute so blatantly, because there are tremendous expenses involved with fighting hopeless legal cases,” Lehr explained. “EPA, however, relies on its bottomless pockets full of taxpayers’ money to bully landowners and force them alone to bear the financial burdens of challenging EPA.”

James M. Taylor (jtaylor@heartland.org) is managing editor of Environment & Climate News.

New CAST Commentary Examines Crucial Water Issues

Benefits of Controlling Nuisance Aquatic Plants and Algae in the United States

The Council for Agricultural Science and Technology’s (CAST) new Commentary was rolled out on Wednesday, July 16, at the Aquatic Plant Management Society’s annual meeting in Savannah, Georgia. Dr. John Rodgers of Clemson University provided a well-received presentation about the pertinent aspects of the paper.

Safe, accessible water resources are essential, but various threats are closing the taps. A growing problem comes from nuisance aquatic plants that invade rivers, lakes, and other aquatic ecosystems. They can affect aesthetics, drainage, fishing, water quality, fish and wildlife habitat, flood control, human and animal health, hydropower generation, irrigation, navigation, recreation, and, ultimately, land values.

Led by Kurt Getsinger (Chair), the authors of this Commentary emphasize the necessity for the skillful management of nuisance aquatic plants--they hope regulators, managers, stakeholders, and legislators gain scientific insights about this important issue. Using specific examples and detailed explanations of the situation, the paper thoroughly examines the negative impacts of nuisance plants and the need to be aware, informed, and--when possible--proactive about the problems.

Sections of this paper focus on certain parts of the United States, but the general need is obvious--invasive aquatic plants and algae are progressively disrupting the ecological balance required for maintaining adequate freshwater resources for flora, fauna, and humans. The authors encourage

- ◆ long-term funding,
- ◆ sustained research, and
- ◆ creative problem solving.

They believe that a collaborative push to meet the challenges posed by nuisance aquatic plants will support a sustainable civilization that depends on clean and abundant freshwater resources.

Task Force Authors:

- ◆ Kurt Getsinger (Chair), U.S. Army Engineer Research and Development Center, Vicksburg, Mississippi
- ◆ Eric Dibble, Mississippi State University
- ◆ John H. Rodgers, Jr., Clemson University, Clemson, South Carolina
- ◆ David Spencer, United States Department of Agriculture-ARS, Davis, California

CAST Commentary QTA2014-1 and its companion Ag quickCAST are available online at the CAST website.

Comments from CAST Executive Vice President Linda Chimenti

"With the publication and release of this newest Commentary, CAST is addressing a topic that has not been covered specifically in CAST documents for many years. In fact, when I researched the Backlist of Publications, I found it was 30 years ago that CAST published Report No. 100 (June 1984) on the topic of Acid Precipitation in Relation to Agriculture, Forestry, and Aquatic Biology. That report included just a few pages on 'aquatic plants' and 'mitigative options.' The authors and reviewers of the current paper have provided a wealth of updated information and a very comprehensive list of literature citations.

"Noted among the Member Societies of CAST in the 1984 document was the Aquatic Plant Management Society, and they are still a society member of CAST today. I thank the leadership of that organization for their steadfast support of CAST."

DITCH THE MYTH LET'S GET SERIOUS ABOUT PROTECTING CLEAN WATER

Editor's note—the US EPA published the following questions and answers about the Clean Water Act on their website. Though referred to, they don't discuss the core of the issue, the expansion of the definition of the waters covered by the act.

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 did 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: This proposed rule will harm the economy.

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.

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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 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 U.S.

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 proposal sets no limits on federal jurisdiction.

TRUTH: The proposed rule does not protect any types of 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: The 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 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.

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.

Smith: Maps Show EPA Land Grab

Committee releases previously undisclosed EPA maps of U.S. waters and wetlands for all 50 states
Aug 27, 2014

Washington, D.C. – Science, Space, and Technology Committee Chairman Lamar Smith (R-Texas) sent a letter to Environmental Protection Agency (EPA) Administrator Gina McCarthy demanding additional information about the agency's motivation for having detailed maps assembled showing waters and wetlands for all 50 states. The maps, which were created in 2013 shortly after EPA proposed its Waters of the U.S. rule, had never been made public. When confronted at a hearing, EPA Deputy Administrator Bob Perciasepe agreed to release the maps.

Chairman Smith: "These maps show the EPA's plan: to control a huge amount of private property across the country. Given the astonishing picture they paint, I understand the EPA's desire to minimize the importance of these maps. But the EPA's posturing cannot explain away the alarming content of these documents. It's time to give Americans a chance to make up their own minds about the EPA's intentions. While the Agency marches forward with a rule that could fundamentally re-define Americans' private property rights, the EPA kept these maps hidden. So, today I will be posting the maps on the Committee's website for public review."

While the EPA has claimed the maps have not yet been used to regulate, they have failed to explain why the agency used taxpayer money to create them. The EPA paid a private contractor to make many of these maps, yet the details of the arrangement have not been disclosed. Serious questions remain regarding the EPA's underlying motivations for creating such highly detailed maps that were created just days after the EPA announced its Waters of the U.S. rule.

The letter requests all documents and communications related to the EPA's contract to create these maps and demands that these and any other previously undisclosed maps in the EPA's possession be entered into the official rulemaking docket for public review and comment. The letter also requests EPA keep the public comment period open for at least 60 days to provide adequate opportunity for public review and comment.

The full letter can be [found here](#). The maps are [posted here](#).

Great Lakes Restoration Initiative Funding to Target Harmful Algal Blooms in Lake Erie

WASHINGTON -- U.S. Environmental Protection Agency Administrator Gina McCarthy today announced that the Great Lakes Restoration Initiative (GLRI) will provide almost \$12 million to federal and state agencies to protect public health by targeting harmful algal blooms (HABs) in western Lake Erie. The funding builds upon the GLRI's on-going efforts to reduce algal blooms and will be made available to Ohio, Michigan and Indiana state agencies and to the U.S. Geological Survey, the USDA Natural Resources Conservation Service and the National Oceanic and Atmospheric Administration.

The new FY 2014 funding will be used to:

- ◆ Expand monitoring and forecasting to help drinking water treatment plant operators and beach managers minimize health impacts associated with HABs;
- ◆ Increase incentives for farmers in western Lake Erie watersheds to reduce phosphorus runoff that contributes to HABs; and
- ◆ Improve measurement of phosphorus loads in Lake Erie tributaries. In early August, the City of Toledo issued a "Do Not Drink" order for almost 500,000 people in northwest Ohio and southeast Michigan when a drinking water treatment plant was adversely impacted by microcystin, a toxin produced in connection with HAB outbreaks on Lake Erie. In addition to generating toxins that pose risks to human health, HABs create low oxygen "dead zones" and harm shoreline economies.

On August 13, EPA Regional Administrator, Susan Hedman, convened a meeting of federal and state agencies to identify opportunities for collaboration to minimize HAB-related risks in the western Lake Erie Basin. GLRI funding announced today targets immediate needs identified during that meeting. The group will continue to focus resources on this issue in FY 2015 and beyond.



A Different Type of T-Shirt Contest

Are you as bored as we are of t-shirts with just a plain old logo on them? Now is your chance help us design a new one!

The AERF is looking for ideas for a fun or humorous t-shirt. Of course, we still are going to put our logo on it too. Please submit your idea to us by November 15th.

Don't worry if your art skills aren't as great as you would like. We have a graphic artist standing by to turn your idea into a masterpiece, and make you the envy of the entire aquatics community.

Oh yeah, the top 3 contenders, as judged by a super-secret committee of t-shirt experts, will each get a free shirt with the new design. The winning entry will also get a \$50 Amazon gift card.

Send your ideas to Dave Petty at dpetty@aquatics.org.

Attention Sponsors:

Your sponsorship renewal letters should be mailed later this month. Please keep an eye out for them. Not a sponsor? Please consider becoming one and supporting AERF's goals and programs! Just complete the sponsorship form below, or access it on our website at <http://www.aquatics.org/sponsorshipform.pdf>.

Your AERF Sponsorship is key to:

- ▶ maintaining critical efforts in education and outreach
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- ▶ being a source for resource management agencies

To donate, join or renew your Sponsorship in the AERF please send the completed application form and payment to Treasurer, AERF, 1860 Bagwell Street, Flint, MI 48503-4406.

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- Check here if you are an applicator company, so we can include you on our applicator pages.
- Check here if you would like to receive a free copy of the BMP with your membership.

Please use the following as a guide in the selection of the desired level of Sponsorship:

Of course, you are welcome to join AERF at any level and additional donations are appreciated.

- Gold** is recommended for manufacturers and registrants \$15,000
- Silver** and above is recommended for formulators \$5,000
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- Associate** and above is recommended for societies, federal and state agencies, aquatic resource management associations, applicators and consultants \$250
- Individual** and above is recommended for individual members \$50
- Student** and above is recommended for students \$0

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Biology and Control of Aquatic Plants



A Best Management Practices Handbook: Third Edition

Lyn A. Gettys, William T. Haller and David G. Petty, editors

Sponsorship

The AERF respectfully requests that you consider sponsorship. AERF will continue to work on your behalf, and as a member, you will greatly benefit from our work on regulatory and research aspects of aquatic plant management. With changes in the regulatory environment now and in the future, it is essential to be involved and to support all the hard work of your AERF associates.

Please contact Carlton Layne for information on how you can best participate.

The AERF Mission

The Aquatic Ecosystem Restoration Foundation is committed to sustainable water resources through the science of aquatic ecosystem management in collaboration with industry, academia, government and other stakeholders.

Strategic Goals

- Provide the public information concerning the benefits and value of conserving aquatic ecosystems including the aquatic use of herbicides and algaecides in the aquatic environment.
- Provide information and resources to assist regulatory agencies and other entities making decisions that impact aquatic plant management.
- Fund research in applied aquatic plant management at major universities.

Upcoming Events

- Sep 23-24 Aquatic Weed School: UC Davis**
- Oct 12-14 TAPMS: Hamilton, TX**
- Oct 13-16 FAPMS: Daytona Beach, FL**
- Oct 23-25 SCAPMS: Myrtle Beach, SC**

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