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Hutchison and Ryan: Stand against federal land grab

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Baseball is a game of inches. If the placement of a pitch is even slightly off, it could mean the difference between a home run and a strikeout. Similarly, writing laws requires precision. The smallest modification in the wording of a bill can alter the entire meaning of the legislation and change its impact on communities and taxpayers.

The Clean Water Restoration Act is a critical piece of legislation that hinges entirely on one word: "navigable." In 1985, this sweeping law was enacted to keep our nation's navigable waters – those used for commerce or transportation – free from pollution and safe for use. To date, waters falling under Environmental Protection Agency jurisdiction as prescribed by the original Clean Water Act have included permanent, standing or continuously flowing waters, such as oceans, rivers and lakes.

However, Congress is debating a bill that would strike that key word, "navigable," from the law. Of the 2,308 words in the legislation, "navigable" is the most consequential one. If the bill governs navigable waters, then we have good policy that protects the clean water that we all value and is critical to the livelihood of millions of America's farms and ranches. But taking out that word turns good policy into the largest federal land grab in our nation's history.

By striking the limitation to navigable waters, virtually all water would fall under government control. That means streams, creek beds and drainage ditches on the Ryan family ranch – and every other ranch or farm in the country – would be regulated by the government. This is an egregious infringement of private-property rights, and it interferes with the property management and business operations of our thriving agriculture industry.

It defies common sense for farmers and ranchers to have to apply for a permit with the EPA to access their own water, on their own land for their own personal use.

Farmers and ranchers must be good stewards of the environment because they strive to produce a more abundant and affordable supply of food for Americans and consumers around the world. They must preserve the land, while simultaneously dealing with unpredictable weather patterns, such as the dangerous drought conditions currently facing much of Texas.

Furthermore, expanding the reach of the government compromises the strong partnership that currently exists between federal, state and local entities. For nearly 25 years, all levels of government have efficiently worked together to protect millions of miles of rivers, streams, lakes, wetlands, ponds and estuaries.

But if the federal government seizes control of "intrastate waters," rather than "navigable waters," as some in Congress aim to do, local communities will also find themselves under the thumb of bureaucracy. This will remove the flexibility of states, cities and counties for efficient planning. They will be forced to answer to the federal government for land- and water-use decisions that are best made at the state and local level.

Texans have always taken great pride in cultivating and preserving our land. We are committed to the conservation of our nation's rich resources, including every precious drop of water on every farm and ranch in Texas. After all, water is the lifeblood of these industries. Americans will not take kindly to the government exerting control over that land. The proposed expansion of the Clean Water Restoration Act is just another form of abusing private-property rights, and we intend to do everything in our power to prevent this bill from becoming law.

For the agriculture industry, the removal of that one word, "navigable," will change the game in a devastating way. Just like that unfortunate pitch to Daryl Strawberry at the bottom of the fifth inning of Game 5 of the 1986 National League Championship Series was just an inch off.

Kay Bailey Hutchison is the senior U.S. senator from Texas. Nolan Ryan is a Hall of Fame pitcher and cattle rancher from Georgetown.