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USDA proposal would reduce wetland protection

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WASHINGTON (AP) — Farmers would be allowed to drain millions of acres of wetlands — from the Mississippi Delta to the prairie potholes of North Dakota — under a plan being considered by the Agriculture Department.

The draft proposal also would exempt farmers nationwide from a 1990 law barring federal farm subsidies to producers who drain or otherwise alter wetlands in "bad faith."

"This is tantamount to USDA's authorization of the use of taxpayer subsidies to agriculture for the destruction of important wetlands resources," Clark Williams, wetlands specialist for the National Audubon Society, said Friday.

Sen. Patrick Leahy, D-Vt., chairman of the Senate Agriculture Committee, said USDA's own estimates indicate that the exemptions under discussion could destroy 10 million acres of wetlands. Much of that land serves as breeding grounds or feed-

ing habitat for migratory waterfowl.

But Galen Bridge, associate chief of the Agriculture Department's Soil Conservation Service, said the draft is merely one of many working papers being developed by the agency and that critics "are poking sticks at a non-policy."

The proposal, which still must be approved by Agriculture Secretary Edward Madigan, would be in line with other efforts by the Bush administration to ease what it has described as undue regulatory burdens on American business.

The administration has been trying for more than a year to rewrite regulations that protect wetlands, more narrowly defining what a wetland really is. Developers and farmers have complained that federal protection of wetlands is too broad.

Last year, the administration floated a draft wetlands proposal, but it was met with such strong opposition — including from the government's own wetlands experts — that it has been in limbo for months. Critics of that proposal said it could lead to the destruction of as much as half the land protected under federal law.

During the 1988 election campaign, President Bush declared that "all existing wetlands, no matter how small, should be preserved."

Peter A.A. Berle, president of the National Audubon Society, said the wetlands plan under review at USDA would "sanction the destruction of literally millions of acres of ecologically valuable wetlands."

The proposal would apply to wetlands nationwide. Specifically, about 58 percent of the wetlands in the prairie pothole region of the Dakotas and upper Midwest, as well as extensive areas of farmed playa lakes and farmed wetlands in the lower Mississippi Valley would no longer be protected.

Playa lakes are created when heavy rains flood desert basins.

"The evidence documenting the values of these wetlands for migratory waterfowl, water purification, flood water retention and ground water recharge is incontrovertible," Berle said in a letter to Madigan urging him to kill the proposal.

But the American Farm Bureau Federation said it favors the plan.

"If USDA were to make these changes, it would greatly ease the tension and the controversy and the conflict out there in agricultural lands," said Mark Maslyn, director of national affairs for the farm group.

Maslyn said USDA's efforts should be concentrated on protecting "true marshes, swamps and bogs," and not farmland "that doesn't exhibit any wetland characteristics."

According to the draft, wetlands that had been farmed six out of 10 years would be considered "prior converted croplands," which means they are not subject to the law forbidding drainage or other alterations.