



## EPA's Bad Science Targets Michigan Farmers

by Jefferson G. Edgens

### Summary

New regulations proposed to reduce water pollution caused by farming are an example of how the EPA uses junk science and questionable data to expand its regulatory authority. State and federal lawmakers should insist that the EPA subject its research to public scrutiny and review by independent scientists before it issues its regulations.

Main text word count: 722

Have you ever wondered how bureaucracies like the U. S. Environmental Protection Agency (EPA) are able to expand the reach of their powers year after year? Most Americans would not guess that EPA bureaucrats actually fudge their math in order to take greater control of our daily lives.

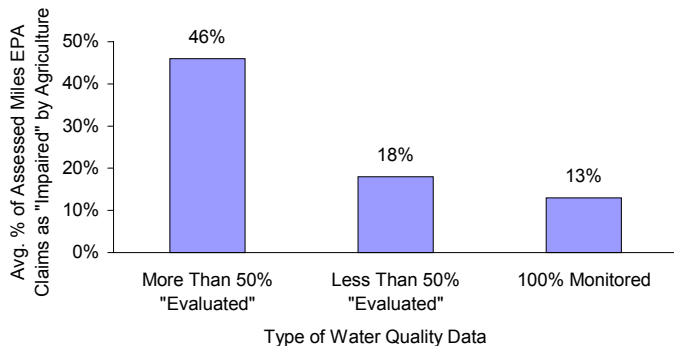
But that is just what the EPA does, and every now and then, somebody actually gets caught at it. Two EPA officials were recently indicted for perjury, obstruction of justice, and falsifying documents in a Wisconsin water standards case. Such shenanigans are why the Clinton administration's recent flurry of activity on water-related issues should be watched closely, especially in Michigan, a state synonymous with "water."

Two years ago the administration released its "Clean Water Action Plan" with over 100 proposals for improving water quality in lakes, rivers, and streams. Since then, the EPA has issued guidance documents and regulations to implement the goals of the plan. Michigan farmers should especially be aware of one of these goals: the elimination or reduction of "non-point sources" of pollution, such as run-off from farms, yards, construction sites, and streets.

Michigan farmers have long recognized the water pollution danger from concentrated animal feeding operations and the use of nutrients and pesticides on farms. That is why Michigan has a host of successful voluntary programs in place to reduce off-farm pollution and ensure wildlife habitat and clean water.

But that is not good enough for the EPA. In a recent review of state water quality reports submitted to the EPA, it appears the agency is using muddy math to promote an expansion of its legal authority.

### EPA Water Pollution Estimates Are Higher Than Observed Pollution Levels



Source: EPA

One reason EPA claims of water pollution are so high is because most stream miles are "evaluated," or estimated, rather than being directly monitored.

continued on back

According to EPA press releases, a colossal 70 percent of water impairment in the United States is due to agriculture. Yet, when one divides the 173,629 “stream miles”—miles of stream shoreline—the EPA claims are impaired by agriculture by the 3.6 million total stream miles in the United States, streams polluted by agriculture represent only 4.8 percent of total stream miles.

Even if one divides the 173,629 miles by the 693,905 “assessed” stream miles—the total miles actually examined—only 25 percent of the assessed miles are impaired by agriculture. So the real figure should be somewhere between 4 and 25 percent, not the 70 percent the EPA claims.

The EPA’s claim is even more questionable when one considers that estimates of water quality are typically made according to “best professional judgment” (defined as using the best available information), watershed maps, and little or no actual monitoring. According to the latest *National Water Quality Inventory*, states that derived more than 50 percent of their data in this way reported that 46 percent of their stream miles have been “impaired” because of agriculture. By contrast, in states like Michigan where all stream miles are directly monitored, only 13 percent of stream miles showed up as “impaired” due to agriculture.

The EPA’s methods fail in a number of other ways. First, the agency gives undue weight in its assessments to “hot-spots” where known water impairment occurs. Second, only 40 percent of the data from which the 70 percent impairment figure is derived comes from direct monitoring of streams. But the biggest problem may be that a large amount of water “impairment”—the National Academy of Sciences estimates 25 to 60 percent—may be due to natural causes, having nothing to do with agricultural or any other type of human activity. The U. S. Geological Survey also questions the EPA’s science.

Illegitimate or scientifically flawed data is no ground upon which to build a regulatory system. When the EPA issues regulations by “cheating” or using shoddy science, businesses and communities suffer unjust consequences.

Lawmakers at both state and federal levels should demand that the EPA release to the general public all scientific data upon which its decisions are based. The EPA should be required to have all scientific claims “peer reviewed”—examined in depth by outside scientific experts—prior to drafting rules and regulations. Finally, the EPA should make any scientific studies paid for with federal grants accessible to anyone who requests the information.

America has experienced a significant improvement in water quality over the last 25 years. There is no reason to ruin this exemplary record with scare statistics generated by bureaucrats who shamelessly manipulate science and math to advance a purely political agenda.

#####

**(Dr. Jefferson G. Edgens, formerly of Michigan, is a policy specialist in the University of Kentucky’s Department of Forestry and an adjunct scholar with the Mackinac Center for Public Policy, a research and educational institute headquartered in Midland, Michigan. More information on environmental policy is available at [www.mackinac.org](http://www.mackinac.org). Permission to reprint in whole or in part is hereby granted, provided the author and his affiliations are cited.)**

***When the EPA issues regulations by “cheating” or using shoddy science, businesses and communities suffer unjust consequences.***

**Attention  
Editors and Producers**

*Viewpoint* commentaries are provided for reprint in newspapers and other publications. Authors are available for print or broadcast interviews. Electronic text is available at [www.mackinac.org](http://www.mackinac.org) or on disk. Please contact:

Joseph G. Lehman  
Vice President of Communications  
140 West Main Street  
P.O. Box 568  
Midland, MI 48640

Phone: (517) 631-0900  
Fax: (517) 631-0964

[www.mackinac.org](http://www.mackinac.org)  
[Lehman@mackinac.org](mailto:Lehman@mackinac.org)