

EPA to Redefine Waters of the U.S.



Shane Conroy of Spectrum Technologies addresses the audiences on some of the more popular tech-tools used for turf.

Luke Cella, MAGCS

As the GCSAA becomes more actively involved in ongoing legislation battles, the Midwest has followed suit. We've tried to become more proactive, and this column is one way to keep our members informed of local, state and national issues that may impact the business of golf.

Methyl Bromide

The phase out of the soil sterilant methyl bromide is quickly coming to an end. Methyl bromide is commonly used in putting green renovation and resurfacing projects to ensure that viable plant material and soil borne pests are eliminated before replanting. Currently, there are few practical alternatives to methyl bromide that are available for use on golf courses. Despite efforts to prolong the use of methyl bromide through critical use



exemptions, a decision made by the Environmental Protection Agency will officially terminate sales of methyl bromide to golf courses on Nov. 30, 2014. However, the option of pre-purchasing methyl bromide and contracting fumigation services prior to the stop-sale date is still available. Some currently licensed contract applicators are accepting pre-payments for future use of methyl bromide through 2017. However, the end user is required to accept shipment and store product on-site adhering to all federal, state and local requirements. This allows some flexibility for courses scheduling putting green renovation and resurfacing

projects, but it is still advised to undertake methyl bromide fumigation sooner rather than later.

Nemacur

Nemacur was cancelled in 2003 with a 5-year phase out but the EPA has modified the phase out of fenamiphos, the active ingredient in Nemacur products. Nemacur® was the primary product used to control/suppress plant parasitic nematodes. The original phase out plan allowed for the use fenamiphos until existing supplies were exhausted. However, in a recent change to the Federal Register, 76(193):61690-61694, the EPA is requiring that all fenamiphos inventories be used by Oct. 6, 2014. Golf courses that still have products containing fenamiphos should use them according to label recommendations before Oct. 6. After Oct. 6, 2014, any remaining fenamiphos materials will be classified as hazardous waste and must be properly disposed accordingly. GCSAA is submitting requesting EPA for relief from this date to use stocks rather than hazardous waste.



Waters of the United States (WOTUS) Update

EPA wants to redefine what the waters of the United States and remove the word navigable from the definition in the Clean Water Act. If this occurs, it would give EPA (Federal)

wide reaching authority over waters that are currently under state jurisdiction or even considered private. Land use and land management activities that currently do not will need federal permits to be legally completed. There is quite a bit of discussion centered on this topic and it continues. The GCSAA does not support the EPA or Army Corps of Engineers expanding the jurisdictional reach of the Clean Water Act as proposed. Their reasoning, "The proposed rule would bring nearly every river, stream, creek, wetland, pond, ditch and ephemeral (land that looks like a small stream during heavy rain but isn't wet most of the time) in the U.S. under the jurisdiction of the Clean Water Act. Under the rule, all tributaries and adjacent waters, including adjacent wetlands, would be categorically subject to federal oversight, with no additional analysis required. Additionally, the EPA is proposing a sweeping "other waters" category that could include almost everything else. Golf courses that have these waters on them or near them will likely be required to obtain costly, federal permits for any land management activities or land use decisions made." At present, the GCSAA has set up an action alert for you to contact your U.S. Senator to co-sponsor S2496 through the GCSAA website at <http://cqrcengage.com/gcsaa>

Current Action Alerts

Stop EPA's Water of the United States" Proposed Rule
 Protect the H-2B Visa Program for Golf Facilities
 Support Passage of CWA NPDES Pesticide General Permit Relief

Current Open Comment Periods

Rule to Expand Definition of Waters of the U.S.

NPDES Pesticide General Permit Update

GCSAA is working with a national coalition to ensure passage of H.R. 935, the Reducing Regulatory Burdens Act of 2013, a bill that would eliminate the EPA's new CWA NPDES Pesticide General Permit for chemical spraying activities that went into effect on October 30, 2011.

House representatives have sponsored a plan to request floor time for final passage of H.R. 935 as a stand alone bill. 290 affirmative votes are needed for passage. Passage is necessary to

elevate this issue so that other house leaders will fight to move this forward without any other legislation tied to it.

GCSAA Ambassador Program

The GCSAA Grass Roots Ambassador program began on July 1, 2014. The overall goal of the program is to link one GCSAA Professional Members with every member of Congress. Ultimately the end goal is to make sure our voice is heard on Capitol Hill when issues arise that impact the golf course management profession.

GCSAA is seeking Ambassadors throughout the country, with a few requirements that each will have to meet:

- Attend more than 50% of events on Ambassador Engagement Calendar (mostly online training and meetings).
- Meet personally with assigned policymaker or his or her key staff twice a year.
- Attend the Advocacy Boot camp if attending the GIS.
- Provide feedback through the GCSAA GR Online: cqrcengage.com/gcsaa/

GCSAA will conduct 4 classes per year for Ambassadors (summer, fall, winter, spring), all web based training. GCSAA Service and Education Points are available for those who take part in the program. The general time commitment is estimated to be an hour per month throughout the year through meetings, communicating and following up. So far, the Midwest has a couple of members that have signed up to be Ambassador in the program. We need many more. @

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