

## Wyoming Man Threatened with \$16 Million Fine by EPA



**Summary:** *The EPA threatened to fine a Wyoming welder and rancher with \$16 million in fines for building a permitted stock pond.*

The Environment Protection Agency is going after Wyoming ranchers. Andy Johnson of Fort Bridger, Wyoming went and received a state permit to build a stock pond four years ago to support his small herd of livestock on his nine-acre farm. Soon after building the pond, he received a stern warning from the EPA.

The EPA was threatening Johnson with \$16 million in fines as well as civil and criminal penalties. The warning included a \$37,500 per day fine until he received permission from the agency to build the 40-by-300 foot pond that happened to be filled by a natural stream.

Read [Is 'Fracking' A Dirty Word? Pavillion, Wyoming Residents Think So.](#)

Johnson, a professional welder and married father of four felt very threatened. He said, "I was shocked and devastated and I didn't know what to do. I'm sitting there thinking, 'I'm the only provider for my whole family. How can I fight this thing?'"

With the help of attorneys, Johnson was able to fight the EPA and reach a settlement allowing him to keep the pond without paying a debilitating fine or obtaining a federal permit. A federal court has already approved the settlement. Part of the settlement involves the EPA not pursuing any further actions to enforce or control the pond. The only condition Johnson must meet is to plant some willow trees and a partial fence to "control livestock."

See [\\$150 Million Class Action Filed against Flint, Michigan.](#)

Staff attorney with Pacific Legal Foundation who represented Johnson, Jonathan Wood said, "This is a victory for common sense and the environment, and it brings an end to all the uncertainty and fear that the Johnson family faced. The EPA never identified any environmental problems with the pond. In fact, it's been a boom for the environment."

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The EPA had claimed that Johnson violated the Clean Water Act by building a dam on a creek without a Army Corps of Engineers permit. They also claimed material from his pond was being washed into other waterways. Wood called the EPA's interpretation of the Clean Water Act as "broad" since the law clearly exempts stock ponds. The federal government can also regulate waters that are navigable but Johnson's stock pond goes into a manmade irrigation ditch, used for agriculture.

So far Johnson's stock pond has attracted water fowl and various fish.

Source: <http://www.foxnews.com/politics/2016/05/10/wyoming-welder-facing-16m-in-fines-beats-epa-in-battle-over-stock-pond.html>

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