

Is EPA Out of Control?

EPA's power grab will affect all of U.S. society.

The U.S. Environmental Protection Agency (EPA) is engaging in a power grab that threatens the future of production agriculture in the U.S., according to two state officials. A lack of careful oversight by Congress has allowed the agency's personnel to contrive policies that lack both scientific peer review and common sense.

Bryan Shaw, chairman of the Texas Commission on Environmental Quality, and Charles H. Bronson, who served as Florida's Commissioner of Agriculture from 2000 to 2010, both warned that if this move is unchecked, the enormous costs will affect more than just agriculture. U.S. consumers and taxpayers will also pay dearly. The officials made their comments in a conference during the 92nd annual meeting of the American Farm Bureau Federation (AFBF) in early January.

Shaw said EPA has inserted its own requirements into the Clean Air Act. The agency "is trying to be very creative, making their own rules." More stringent air emission regulations proposed by the EPA for Texas will set a threshold for most internal combustion engines used on farms and ranches, including relatively small machines with 20 horsepower.

But the agency's goal may be even more ominous, Shaw declared. The regulations will force governments and businesses across the nation to adopt different types of energy sources, regardless of the cost. He detects a similar intention in EPA's approach to carbon sequestration.

If allowed to stand, the new regulatory burden will be implemented across the nation. Agricultural producers will face steady price spikes in fuel, fertilizer and

transportation. "It is going to raise the cost of everything" for everyone else, Shaw said. As a result, there will be fewer jobs and, as production is pushed to less-developed nations, environmental degradation will increase.

"We need to have a more scientifically open and transparent process," he said. "We need to have an honest debate with the American people about the cost of this policy."

Bronson expressed extreme concern about the EPA's handling of Florida's attempts to develop reliable numeric nutrient criteria for water bodies. In 2008, the agency settled a lawsuit with environmental groups over the issue by agreeing to establish nutrient criteria for the entire state. The agreement ignored years of scientific research by the state Department of Environmental Protection, experts at the University of Florida's Institute of Food and Agricultural Sciences and other qualified sources. Under the agreement, state government will be locked out of the process.

According to Bronson, the new package of regulations has never been peer reviewed. More importantly, the regulations will inflict a massive burden upon the state's citizens. "Even a clear underground stream will not meet the standard(s)," he said. "We believe that it will cost agriculture \$4 billion to \$10 billion a year to meet the standards."

Bronson said he was worried that EPA's managers intend to revise National Pollutant Discharge Elimination System permit requirements. Under this expected change, any transfer of water must be authorized by a permit. "Every farm would have to have a

filtration system of some kind on the water before it leaves for another location," he said. This "bureaucratic nightmare" would be enormously expensive. Bronson estimated that the cost for farmers and ranchers would range from \$900 million to \$1.6 billion, with a loss of 1,400 jobs.

Taxpayers supporting municipal water systems could face additional expenses totaling \$8.1 billion. "This is simply an unacceptable burden for Florida," he said. The same scenario is in store for other states if such water policies are not successfully opposed.

Bronson and other state officials have challenged the new standards in court. He noted that some environmental activists "act like it is not going to cost anybody anything to do these things. It is going to cost all of us."

Shaw argued that the technical problem with EPA's current mode of addressing air and water quality issues is a confusion of correlation with causation. "Even well-trained researchers can be biased," he said.

The speakers urged Congress to examine the content of legislation before adopting it so that EPA and other federal agencies cannot exercise legislative power in administering environmental law. "With good science and common sense, I think we will be a lot better off," Bronson said.

National lawmakers must also block the agencies' ability to exercise power not intended by original legislation. "Without Congress stepping in and holding EPA's feet to the fire, it is not going to change," Shaw added.

Editor's Note: This article was provided as a news release by the AFBF.



Deficit will be key driver in Farm Bill debate

The key issue driving debate on the 2012 Farm Bill in Congress will be deficit reduction, according to Roger Bernard, news editor of *Pro Farmer*.

"Our policy makers in Washington will have some difficult choices to make," Bernard said at a seminar Jan. 9 at the American Farm Bureau Federation's 92nd Annual Meeting. "The 2012 Farm Bill will be dictated by what kind of numbers the House Agriculture Committee is given by the Budget Committee. That really is going to drive what moves forward."

Bernard reminded Farm Bureau members that farm program spending is still a very small part of the federal government's budget. He said the Agriculture Department controls just 2.15% of the federal budget, with 75% of USDA's budget directed to nutrition programs.

Of the \$924 billion 10-year funding projection for USDA, direct payments to farmers comprise just 5.3% of the total, while commodity payments to farmers fall just short of 7%, according to Bernard.

"Eliminating those direct payments just doesn't get you very far when it comes to reducing the budget deficit," Bernard said, suggesting that Congress may tweak eligibility requirements for federal nutrition programs as a means to reduce the deficit.

"Congress can make sure that people who receive the benefits of these programs really need the benefits of the programs. Lawmakers can propose it in a way that makes it more palatable," Bernard said.

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