



Kentucky Farm Bureau Federation

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March 13, 2012

The Honorable Rand Paul
United States Senate
208 Russell Senate Office Building
Washington, D.C. 20510

Dear Senator Paul,

Regulatory oversight from federal agencies has increased substantially in recent years creating an atmosphere of uncertainty for many farm families. It is especially troubling that recent efforts by the U.S. Environmental Protection Agency (EPA) and U.S. Army Corps of Engineers (Corps) will expand regulatory oversight under the auspices of the Clean Water Act (CWA). Proposed CWA Guidance along with the development of total maximum daily loads (TMDLs) and numeric criteria for various watersheds has farmers worried about not only the costs of compliance, but also if they will even be able to continue production on lands they own in the future.

Kentucky Farm Bureau, the largest general farm organization in our Commonwealth and representing over 500,000 member families compliments you for introducing Senate Bill 2122, the *Defense of Environment and Property Act of 2012*. Your legislation reflects our concern about the economic well-being of not only Kentucky's farmers, but also the many small business owners who are affected by excessive regulatory oversight. We look forward to a continued strong working relationship with you as we try to ensure regulations are based on sound science and account for the resulting economic impact. Kentucky Farm Bureau policy states, *"We support the use of peer-reviewed, sound science, as the basis for any regulatory decision."* Policy further states, *"We oppose the enactment of regulations that go beyond the intent and authority of state and federal laws."*

We encourage your continued vigilance on this issue as we anticipate the significant expansion of EPA and the Corps oversight of waters of the U.S. when the CWA Guidance document is finalized in the near future. S. 2122 is a significant step in fighting back overreaching regulation and reinstating the Congressional intent of the CWA as well as reinforcing the Supreme Court majority decision in the *Rapanos* case. The agricultural community is committed to protecting our environment; it is the foundation of our future. However, as we strive to feed an ever increasing population, farmers must not be hampered by new, or revised regulatory oversight that clearly goes beyond reason or sound science.

Senator Rand Paul

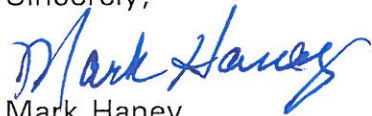
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In Kentucky, EPA is currently developing a TMDL for the Floyd's Fork Watershed, a six-county watershed near Louisville. We are very concerned that EPA is allowing out-of-date, and in some cases incorrect data to formulate the TMDL. Another watershed located near Hopkinsville, the Little River which is a sub-watershed of the Four Rivers Water Basin, has also been involved for a considerable time in developing standards. It is clear in both watersheds, as in many such cases, the data being cited simply is not current, or the means by which it was developed is questionable.

We support your introduction of S. 2122, and Kentucky Farm Bureau appreciates you addressing our concerns through this legislation. We also urge you to closely monitor developments with the proposed CWA Guidance document. The groundless expansion of regulatory oversight could greatly undermine our country's ability to produce the food and fiber we depend on.

Sincerely,



Mark Haney
President

MH:af

cc: Senator Mitch McConnell
Congressman Ed Whitfield
Congressman Brett Guthrie
Congressman John Yarmuth
Congressman Geoff Davis
Congressman Hal Rogers
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