



TERRY E. BRANSTAD
GOVERNOR

OFFICE OF THE GOVERNOR

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May 20, 2013

Bob Perciasepe
Acting Administrator
Environmental Protection Agency
Ariel Rios Building
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20460

Gina McCarthy
Assistant Administrator
Environmental Protection Agency
Ariel Rios Building
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20460

Dear Acting Administrator Perciasepe and Assistant Administrator McCarthy,

As leaders of the Environmental Protection Agency (EPA), we write to you today to share Iowa's proud history of being a leader in the agriculture industry and express concerns on a pending regulatory issue regarding livestock farms that would negatively impact Iowa's family farmers and our state's agriculture industry.

Iowa has a strong agricultural heritage and our farm families are true leaders in helping feed a growing world population. Our farmers' productivity and agricultural innovation has enabled our state to become first in the nation for corn, soybeans, eggs, and hog production. Iowa also proudly produces 25% of the country's supply of ethanol -- twice as much as any other state. Our farm families work hard every day to produce safe and reliable food, fuel and fiber for the U.S. and world population, all while working to ensure that our land, air and water are protected for future generations.

In addition, these same Iowa farm families continue to see new rules and regulations that affect their farming operations. These rules and regulations can be burdensome and very costly. In the state of Iowa, it is our goal to work in partnership with our farm families to share stewardship best practices and to ensure that rules and regulations take a common sense approach. We want to work with the EPA and each of you to ensure regulations meet their original intent of safeguarding our natural resources, yet do not become overly burdensome, redundant or unnecessary.

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Recently, the DNR has had many discussions with the EPA Region 7 office regarding livestock farms in the State of Iowa and the National Pollutant Discharge Elimination System (NPDES) program. It is our hope that an appropriate work plan is agreed to that meets the requirements of the Clean Water Act and does not add unnecessary or overly burdensome regulations on our farm families. While there has been some progress made on the draft work plan, we write today to stress our strong concern with the approach suggested by EPA Region 7 that proposes the idea of initiating investigations on all livestock farms with 300 to 999 animal unit capacity. These proposed farm investigations, suggested by EPA, are proposed even for farms that never have received a complaint about their operation and for farms that are not even under the jurisdiction of the federal government.


Our philosophy is to proactively work with farmers as partners, who are under the state's regulatory jurisdiction, to ensure an understanding of the rules, regulations and best practices to prevent negative impacts on our natural resources, instead of using the "gotcha" approach of initiating investigations broadly. In addition, since the majority of discharges into Iowa's waters are accidental spills, and in many cases caused by Mother Nature, we believe that proactive education on preventive measures is the best approach to protecting our natural resources.


We understand that EPA Region 7 is also insisting on final approval, oversight and the ability to change DNR's standard operating procedures and training for DNR livestock farm program staff, and these are additional areas where we have disagreement. It is appropriate for the state of Iowa to currently, and to continue, to oversee our operating procedures and our staff training. The state of Iowa and the DNR want to partner with the EPA to ensure our natural resources are protected, while using a common sense and appropriate approach of regulation of livestock farms.

We sincerely hope that you will review the topics mentioned above and consider visiting the state of Iowa to see firsthand the impact of regulations and the ultimate effect it has on Iowans. The Office of the Governor would be able to assist you in scheduling several meetings with Iowa farmers, business owners, municipalities and other stakeholders to discuss the ultimate impact of EPA regulations right here in Iowa.

Thank you for your time and consideration.

Sincerely,


Terry E. Branstad
Governor of Iowa


Kim Reynolds
Lt. Governor of Iowa

CC: Iowa Congressional Delegation
Secretary Bill Northey, Iowa Department of Agriculture and Land Stewardship
Karl Brooks, Regional Administrator of EPA Region 7