

To All Members of the U.S. Senate

Dear Senator:

The Senate will soon consider S.J. Res. 26, a resolution to disapprove the regulation of greenhouse gases by the Environmental Protection Agency (EPA) under the Clean Air Act. The undersigned agricultural organizations urge you to vote in favor of this resolution.

With publication of its “tailpipe” rule affecting mobile sources, EPA has set in place the framework for regulating stationary sources. Regulation of stationary sources will begin on January 2, 2011, when these sources will be affected through such programs as Prevention of Significant Deterioration (PSD) and Title V operating permits. While EPA has indicated it will start regulating larger emitters in excess of 50,000 tons annually, it has clearly signaled that it will phase in requirements for smaller emitters over time. Existing provisions of the Clean Air Act put these levels at 100 and 250 tons of emissions annually. Without relief from Congress, we fully expect the application of these programs to have severe economic impacts on agriculture. Not only will producers likely incur increased input costs as a result of the regulatory impacts on other economic sectors, but agricultural producers will eventually be directly regulated. For example, EPA estimates there are more than 37,000 farms emitting above the current Clean Air Act threshold levels that will eventually be required to obtain operating permits under Title V but below the 25,000 tons per year threshold that EPA had proposed as a starting point to phase in permit requirements. The final EPA “tailoring rule” estimates the average cost for these permits is \$23,200 per permit. That would cost farmers more than \$866 million, just to obtain the required permits.

Members on both sides of the aisle have said throughout the climate debate that this issue should be decided by Congress, not the EPA, and we agree. S.J. Res. 26 offers the clearest and most sensible approach to assure this occurs. In January, 138 agricultural organizations sent the attached letter to Senator Murkowski in support of her resolution. The resolution does not attack the science of climate change, nor does it prevent the Senate from taking up H.R. 2454 or any other legislative vehicle addressing carbon emissions. It does not affect other programs under the Clean Air Act. The sole issue is whether Congress will defer to a regulatory agency on a matter that affects virtually the entire economy.

All of the undersigned organizations support S.J. Res. 26. We urge all Senators to vote “yes” on the motion to proceed to consideration of this resolution and vote “yes” on adoption of the resolution.

Sincerely,

Agricultural Retailers Association  
Agri-Mark, Inc.  
American Farm Bureau Federation®  
American Meat Institute  
American Sheep Industry Association

American Soybean Association  
American Sugarbeet Growers Association  
Continental Dairy Products, Inc.  
Cotton Warehouse Association  
CropLife America  
Dairy Farmers of America  
Dairylea Cooperative, Inc.  
Dairy Producers of New Mexico  
Florida Fruit and Vegetable Association  
Kansas Dairy Association  
Land O Lakes, Inc.  
Minnesota Corn Growers Association  
National Agricultural Aviation Association  
National Barley Growers Association  
National Cattlemen's Beef Association  
National Chicken Council  
National Corn Growers Association  
National Cotton Council  
National Council of Farmer Cooperatives  
National Milk Producers Federation  
National Potato Council  
National Turkey Federation  
Northeast Dairy Farmers Cooperatives  
Northwest Dairy Association/Darigold  
O-AT-KA Milk Producers Cooperative, Inc.  
Ohio Dairy Producers Association  
Public Lands Council  
Select Milk Producers, Inc.  
South East Dairy Farmers Association  
Southwest Council of Agribusiness  
St. Albans Cooperative Creamery  
Sunkist Growers  
Texas Association of Dairymen  
The Fertilizer Institute  
United Dairymen of Arizona  
United Egg Producer  
United Fresh Produce Association  
Upstate Niagara Cooperative, Inc.  
U.S. Canola Association  
USA Rice Federation  
United States Beet Sugar Association  
U.S. Dry Pea and Lentil Council  
VA Poultry Federation  
Western Growers Association

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