

**Natural Resources Committee Field Hearing
Batesville
May 14, 2014**

Testimony of Randy Veach, president, Arkansas Farm Bureau

Mr. Chairman and members of the Committee, I want to welcome you to Arkansas. Thank you to Rep. Rick Crawford for requesting the field hearing.

My name is Randy Veach, a row-crop farmer from rural Mississippi County. I am serving my sixth term as president of Arkansas Farm Bureau, the state's largest agriculture advocacy organization, with more than 190,000 member families.

I am eager to speak to you this morning on behalf of farmers, ranchers and private land owners who will be adversely affected by the Critical Habitat Designations being proposed as part of the Endangered Species Act. I speak specifically about the U.S. Fish and Wildlife Services' (USFWS) overprotection of two aquatic species, the Neosho Mucket and the Rabbitsfoot mussels.

We want to express our support for Congressman Crawford's bill, HR 4319, the Common Sense in Species Protection Act of 2014, which amends the ESA to require government agencies in charge of determining a critical habitat designation – such as USFWS – to perform a true analysis of how such a designation will affect an area's lives and livelihood.

This issue involving critical habitat and the Endangered Species Act is very important to Arkansas.

There are more than 700 miles of rivers and streams in our state connected to this proposed critical habitat, and 31 counties in Arkansas that could be impacted. Roughly 90 percent of these river miles pass through private property, a disproportionate impact on productive land.

In this area, Arkansas has more than 21,000 family farms, 7.4 million acres of farmland, more than \$2.9 billion worth of agricultural income, which accounts for a half million jobs. Farmers in these areas produce more than 78 million broiler chickens, more than 6 million laying hens, 606,000 acres of rice, 780,000 acres of soybeans, and 8.6 million acres of forestland.

This represents almost half of the nation's proposed critical habitat area for these two species.

Last year, the USFWS issued a final rule that would implement an "incremental approach" to analyzing the economic impact of critical habitat designations versus a "full analysis." This approach would require USFWS to only consider the direct cost to government agencies, instead of considering costs to all stakeholders. This is a short-sighted approach.

A process that allows a full and complete economic impact study before critical habitat areas are declared would, clearly, be a better approach. Our farmers, ranchers and landowners are often overloaded with unnecessary and burdensome regulations. Designating that much critical habitat without considering the economic effects on the area will, no doubt, compound that problem. Quite frankly, it will affect our lives and our livelihood, and that MUST be reflected in any evaluation of critical habitat designations.

A recent economic analysis performed by the Association of Arkansas Counties determined the minimum cost of the habitat designation in our state would be more than \$20 million, five times the total impact USFWS projected for Arkansas and 11 other states.

We recognize that the Endangered Species Act is necessary for the protection of legitimately threatened and endangered species; however, its implementation through critical habitat designation should not go without considering the true economic impacts to the human species, in other words our lives and livelihoods. It should not be used as a mechanism for environmental Non-Government Organizations and law firms to essentially extort from private land owners.

USFWS Director Dan Ashe was in Arkansas last month to meet with a number of stakeholders on this issue, which we appreciated. He said repeatedly that being in a critical habitat area would not mean any further restrictions. He, in fact, indicated that regardless of whether you were inside, or outside, of the critical habitat area that the Endangered Species Act still applied. In other words, any activity that might impact an endangered species would require USFWS' permission and/or a permit, regardless of whether you were in the critical habitat area or not.

If this is true, then why have critical habitat designation?

In conclusion, I hope Congress takes control of this issue. The men and women of Congress passed the Endangered Species Act. In my view, the implementation of the ESA by the U.S. Fish & Wildlife Services amounts to rewriting the law and implementing it in a way that is not consistent with the intent of Congress.

Thank you. And God bless America.