

Contact:
Sarah Grace Fowler
Director, Communications
(202) 296-9680
sarah.fowler@nasda.org

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NASDA members push for intentional, inclusive policymaking over patchwork citizen suit settlements made by EPA

ARLINGTON, Va. -- Today at the 2023 National Association of State Departments of Agriculture Winter Policy Conference, state agriculture officials voted to encourage the U.S. Environmental Protection Agency to consult state agriculture departments on citizen lawsuits or take actions to reduce the number of these lawsuits that often end in settlements altering public policy.

“State and federal policy should always be intentionally crafted, considering various perspectives and obviously addressing the needs of the environment, but also prioritizing industries and agricultural production that communities depend on,” NASDA President, Director Doug Miyamoto said. “The new pattern of actions regularly taken by EPA to alter public policy in settlement agreements prioritizes individual concerns over communities’ wholistic needs and subjects farmers and ranchers to ineffective, patchwork policy.”

NASDA members support cooperative federalism and expressed that the organization “will work with EPA to adjust the ‘Consent Decrees and Settlement Agreements to Resolve Environmental Claims Against the Agency,’ which was signed on March 18, 2022.” Members also encouraged EPA to “create a strategic plan to prevent lawsuits by performing non-discretionary duties, including responding to submitted petitions within required timeframes.”

Preceding today’s actions, NASDA members shared that state agencies are not normally aware of the citizen suits brought to EPA, and therefore, are not provided an opportunity to help solve issues impacting states’ natural resources and food production industries.

“NASDA members work closely with local farmers, ranchers and food businesses each day while also serving as co-regulators to protect and preserve natural resources with the EPA,” Miyamoto said. “With these coupled responsibilities, NASDA members would provide EPA with unique perspectives for creating proactive solutions through policy over resulting to reactionary settlements, if state agencies are provided an opportunity for involvement in the citizen suits process.”

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NASDA is a nonpartisan, nonprofit association which represents the elected and appointed commissioners, secretaries and directors of the departments of agriculture in all 50 states and four U.S. territories. NASDA enhances American food and agricultural communities through policy, partnerships and public engagement. To learn more about NASDA, please visit www.nasda.org.



National Association of State Departments of Agriculture
4350 North Fairfax Drive, #810
Arlington, VA 22203
Tel: 202-296-9680
www.nasda.org