

Property Rights

LATHAM, N.Y. -- Robert H. Brace, a family farmer from Erie County, Pennsylvania, recently received the Private Property Rights Advocate Award in recognition of his 31 years of perseverance to keep his 3000-acre farm working in spite of the bureaucratic machinations of the United States Environmental Protection Agency and the Army Corps of Engineers.

The award was bestowed on October 22nd at the 20th annual national conference on Private Property Rights held by the Stony Creek, New York-based Property Rights Foundation of America, Inc., at the Century House in Latham, a short distance north of the New York State Capitol.

Carol W. LaGrasse, president of the nationwide property rights organization, said Brace's principles and courage in the face of the many years of unjustified prosecution and the incredible financial cost to him and his family were extraordinary. "It is an honor to present this recognition to you today," she commented as she handed the engraved plaque to Brace.

Mrs. Brace (Beverly) accompanied her husband for the long trip and joined him for the presentation. Property rights leaders attended from across New York, the Northeast, and as far away as Wisconsin.

Among the prominent speakers at the conference were the famed attorney William Perry Pendley, president and chief counsel at Mountain States Legal Foundation in Lakewood, Colorado, and Jonathan Wood, environmental attorney at the Pacific Legal Foundation's Washington, D.C. office. Attorney Wood came as the envoy of the Sacramento, California, organization to describe their victories related to his speech's theme that the U. S. Supreme Court has opened the door to property owners.

Special note: The Property Rights Foundation of America learned about the relentless continuing effort of the federal agencies to make an example of Mr. Brace because of a copy of the beautifully illustrated and written August 26, 2016 *Farmshine* that was sent to Mrs. LaGrasse. The Property Rights Foundation of America would like to publicly express its appreciation to Dieter Krieg for the illustrated copies of this article and his September 16 editorial. Copies were made available to all conference attendees.

Federal court petitioned to overturn U.S. water ruling

WASHINGTON, D.C. -- The American Farm Bureau Federation, joined by several agricultural and businesses groups, has asked a federal court to overturn the deeply flawed "Waters of the United States" (WOTUS) rule. The court brief filed in the U.S. Court of Appeals for the Sixth Circuit outlines numerous concerns with the WOTUS rule, as drafted by the federal Environmental Protection Agency and the U.S. Army Corps of Engineers.

In the court brief, Farm Bureau and others discuss how the EPA ignored procedural safeguards in the rule making process, including withholding documents, ridiculing public comments and issuing "covert propaganda" in order to try and generate support for the rule.

"EPA set out to achieve a predetermined outcome and then manipulated the public notice-and-comment process to achieve that outcome," AFBF General Counsel Ellen Steen said. "It treated the rulemaking process like a game to be won instead of a deliberative process for developing lawful and reasonable regulations."

In addition, the court brief explains how the WOTUS rule violates the Clean Water Act, and expands federal authority to dry land. Farm Bureau and other groups are asking the court to strike the rule in its entirety.

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Foundation honors Robert Brace



Robert Brace and American Crop Insurance representative Paul Kiel, who greeted the conference briefly after Bob Brace gave his afternoon presentation, complete with a movie and Q & A session. Kiel said that because of the continuing U.S. government enforcement actions directed at the Brace farm, his company could not issue crop insurance for the Brace farm.



Beverly and Robert Brace accepted the plaque from Carol LaGrasse, left.