

May 23, 2017
U.S. House of Representatives
Washington, D.C. 20515

Dear Representative,

On behalf of the over one hundred undersigned organizations, we **urge you to vote in favor of H.R. 953, the Reducing Regulatory Burdens Act of 2017.**

For almost forty years, the Environmental Protection Agency (EPA) and pesticide applicators including public health agencies charged with mosquito control operated exclusively under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA). In fact, EPA has testified to the adequacy of FIFRA's comprehensive regulatory requirements including substantial enforcement mechanisms in pursuit of that goal.

However, a 2009 activist-inspired lawsuit resulted in a federal court decision identifying a technicality in the law that Congress had not properly clarified its intent that FIFRA should have preeminence over the Clean Water Act (CWA). This decision resulted in pesticide users being required to obtain a CWA National Pollutant Discharge Elimination System (NPDES) permit. These permits were originally created to address the discharge of waste by major industrial polluters, but now are mandated for mosquito control districts and others who are applying pesticides approved by EPA for use in the environment for their beneficial purposes of trying to prevent or control the spread of public health disease in the U.S.

Though the NPDES permit burden lacks any additional environmental benefit under these circumstances, it does force substantial costs on thousands of small application businesses and farms, as well as the municipal, county, state and federal agencies responsible for protecting natural resources and public health. Further, and most menacing, the permit *exposes all pesticide users* – regardless of permit eligibility – *to the liability of CWA-based citizen law suits*. In a number of instances, applicators – that once conducted mosquito abatement applications for local governments and homeowner associations – can't afford the costs or risk of frivolous litigation that accompanies NPDES PGP's and have refrained from conducting public health applications.

H.R. 953 would clarify Congressional intent that federal law does *not* require this redundant permit for already regulated pesticide applications.

In the 112th Congress, similar legislation (H.R. 872) passed the House Committee on Agriculture and went on to pass the House of Representatives on suspension. In the 113th Congress, the legislation (H.R. 935) passed both the House Committees on Agriculture and Transportation & Infrastructure by voice vote, and again, the House of Representatives. In the 114th Congress, the Zika Vector Control Act (H.R. 897) passed the House of Representatives yet again. With your help and support, H.R. 953 will also pass the House and hopefully become law.

Since H.R. 897 passed the House last year, there has been yet another costly lawsuit against a mosquito control district, forcing the district to spend its funds fighting in court instead of protecting public health.

Under these circumstances, NPDES permit requirements impact the use of critical pesticides in protecting human health and the food supply from destructive and disease-carrying pests, and in managing invasive weeds to keep open waterways and shipping lanes, to maintain rights of way for transportation and power generation, and in preventing damage to forests and recreation areas. The time and funds expended on redundant permit compliance drains public and private resources. All this for no measurable benefit to the environment. We urge you to **eliminate this unnecessary, expensive, and duplicative regulation by ensuring the Reducing Regulatory Burdens Act of 2017 passes the House on Wednesday.**

Sincerely,

Agribusiness Council of Indiana	Colorado Agricultural Aviation Association
Agribusiness & Water Council of Arizona	The Cranberry Institute
Agricultural Alliance of North Carolina	Crop Protection Association of North Carolina
Agricultural Council of Arkansas	CropLife America
Agricultural Retailers Association	Council of Producers & Distributors of Agrotechnology
Alabama Agribusiness Council	Family Farm Alliance
American Farm Bureau Federation	Far West Agribusiness Association
Alabama Farmers Federation	Florida Farm Bureau Federation Florida
American Mosquito Control Association	Fruit & Vegetable Association
American Soybean Association	Georgia Agribusiness Council
AmericanHort	Golf Course Superintendents Association of America
Aquatic Plant Management Society	Hawaii Cattlemen's Council
Arkansas Forestry Association	Hawaii Farm Bureau Federation
Association of Equipment Manufacturers	Idaho Grower Shippers Association
Biopesticide Industry Alliance	Idaho Potato Commission
California Agricultural Aircraft Association	Idaho Water Users Association
California Association of Winegrape Growers	Illinois Farm Bureau
California Specialty Crops Council	Illinois Fertilizer & Chemical Association
Cape Cod Cranberry Growers Association	Iowa Agricultural Aviation Association

Kansas Agribusiness Retailers
Association
Louisiana Cotton and Grain Association
Louisiana Farm Bureau Federation
Maine Potato Board
Michigan Agribusiness Association
Minnesota Agricultural Aircraft
Association
Minnesota AgriGrowth Council
Minnesota Crop Production Retailers
Minnesota Pesticide Information &
Education
Minor Crops Farmer Alliance
Missouri Agribusiness Association
Missouri Farm Bureau Federation
Montana Agricultural Business
Association
National Agricultural Aviation
Association
National Alliance of Forest Owners
National Alliance of Independent Crop
Consultants
National Association of Landscape
Professionals
National Association of State
Departments of Agriculture
National Association of Wheat Growers
National Corn Growers Association
National Cotton Council
National Council of Farmer Cooperatives

National Farmers Union
National Onion Association
National Pest Management Association
National Potato Council
National Rural Electric Cooperative
Association
National Water Resources Association
Nebraska Agri-Business Association
North Carolina Agricultural Consultants
Association
North Carolina Cotton Producers Association
North Central Weed Science Society
North Dakota Agricultural Association
Northeast Agribusiness and Feed Alliance
Northeastern Weed Science Society
Northern Plains Potato Growers Association
Northwest Horticultural Council
Ohio Professional Applicators for
Responsible Regulation
Oregon Association of Nurseries
Oregon Farm Bureau
Oregon Forest and Industries Council
Oregon Potato Commission
Oregon Seed Council
Oregon Water Resources Congress
Oregon Wheat Growers League
Oregonians for Food & Shelter
Pesticide Policy Coalition

Plains Cotton Growers, Inc.

Professional Landcare Network

Responsible Industry for a Sound Environment

Rocky Mountain Agribusiness Association

SC Fertilizer Agrichemicals Association

South Dakota Agri-Business Association

South Texas Cotton and Grain Association

Southern Cotton Growers, Inc.

Southern Crop Production Association

Southern Rolling Plains Cotton Growers

Southern Weed Science Society

Sugar Cane League

Texas Ag Industries Association

Texas Vegetation Management Association

United Fresh Produce Association

U.S. Apple Association

USA Rice Federation

Virginia Agribusiness Council

Virginia Forestry Association

Washington Friends of Farm & Forests

Washington State Potato Commission

Weed Science Society of America

Western Growers

Western Plant Health Association

Western Society of Weed Science

Wild Blueberry Commission of Maine

Wisconsin Farm Bureau Federation

Wisconsin Potato and Vegetable Growers Association

Wisconsin State Cranberry Growers Association

Wyoming Ag Business Association

Wyoming Crop Improvement Association

Wyoming Wheat Growers Association