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 PGPs 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 Agribusiness & Water Council of Arizona Agricultural Alliance of North Carolina Agricultural Council of Arkansas Agricultural Retailers Association Alabama Agribusiness Council

American Farm Bureau Federation Alabama Farmers Federation

American Mosquito Control Association American Soybean Association AmericanHort

Aquatic Plant Management Society Arkansas Forestry Association Biopesticide Industry Alliance California Association of Winegrape Growers

California Specialty Crops Council

Cape Cod Cranberry Growers Association The Cranberry Institute

CropLife America

Council of Producers & Distributors of Agrotechnology

Family Farm Alliance

Far West Agribusiness Association

Florida Farm Bureau Federation Florida Fruit & Vegetable Association Georgia Agribusiness Council

Golf Course Superintendents Association of America

Hawaii Cattlemen’s Council Hawaii Farm Bureau Federation Idaho Grower Shippers Association Idaho Potato Commission

Idaho Water Users Association Illinois Farm Bureau

Illinois Fertilizer & Chemical 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 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 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 Potato Commission Oregonians for Food & Shelter Pesticide Policy Coalition Plains Cotton Growers, Inc.

Professional Landcare Network

RISE (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