

April 25, 2011

The Honorable Debbie Stabenow  
Chairwoman  
Committee on Agriculture, Nutrition & Forestry  
United States Senate  
Washington, DC 20510

Dear Chairwoman Stabenow,

The undersigned organizations represent thousands of constituents in Michigan who will be affected by a new Clean Water Act permitting program for pesticides. Based on a court ruling in the *National Cotton Council v. EPA* (6th Cir. 2009) case, the Environmental Protection Agency (EPA) and delegated states are required to establish permit programs under the federal Clean Water Act for aquatic pesticide applications.

H.R. 872, the Reducing Regulatory Burdens Act of 2011, is a bill aimed at reducing the regulatory duplication posed by this Sixth Circuit Court mandate. The legislation recently passed the House of Representatives with strong bipartisan support, and we urge the Senate Agriculture Committee to swiftly approve the measure.

Pesticides play an important role in protecting the nation's food supply, public health, natural resources, infrastructure and green spaces. They are used not only to protect crops from destructive pests, but also to manage mosquitoes and other disease carrying pests, invasive weeds and animals that can choke our waterways, impede power generation and damage our forests and recreation areas.

Since the inception of the Clean Water Act in 1972, water quality concerns from pesticide applications have been addressed during the registration and labeling process under the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA). Imposing a national pollutant discharge elimination system (NPDES) permit *in addition* to FIFRA regulation will not provide any identifiable additional environmental benefits.

The proposed permit means further unfunded mandates on already struggling governments, and it creates additional red tape, squeezing existing resources and threatening added legal liabilities. The permit's complex compliance requirements will impose tremendous new burdens on thousands of small businesses, farms, communities, counties and state and federal agencies legally responsible for pest control, and expose them to legal jeopardy through citizen suits over paperwork violations. Ultimately, the permit could jeopardize jobs, the economy and human health protections across America as regulators and permittees struggle to implement and comply with these permits.

We respectfully ask that you support passage of H.R. 872 in the Senate before the NPDES permits become final this year.

Sincerely,

Hamilton Farm Bureau  
MBG Marketing – The Blueberry People  
Michigan Agri-Business Association  
Michigan Agricultural Aviation Association  
Michigan Allied Poultry Industries  
Michigan Apple Committee  
Michigan Aquaculture Association  
Michigan Aquatic Managers Association  
Michigan Asparagus Growers, Inc.  
Michigan Bean Commission  
Michigan Bean Shippers Association  
Michigan Blueberry Advisory Committee  
Michigan Certified Crop Advisers  
Michigan Chapter of Club Managers Association of America  
Michigan Corn Growers Association  
Michigan Farm Bureau  
Michigan Farm Marketing & Agri-Tourism Association  
Michigan Farmers Union  
Michigan Floriculture Growers Council  
Michigan Food Processors Association  
Michigan Forest Products Council  
Michigan Golf Course Owners Association  
Michigan Golf Course Superintendents Association  
Michigan Harness Horsemen's Association  
Michigan Milk Producers Association  
Michigan Mosquito Control Association  
Michigan Nursery and Landscape Association  
Michigan Pest Management Association  
Michigan Pork Producers Association  
Michigan Soybean Association  
Michigan State Grange  
Michigan State Horticultural Society  
Michigan Sugar Cooperative  
Michigan Turfgrass Foundation  
Potato Growers of Michigan, Inc.