August 4, 2015

Members of Senate Committee on Environment and Public Works
U.S. Senate
Washington, DC 20515

Dear Members of the Senate Committee on Environment and Public Works:

The nearly one hundred undersigned organizations urge your support for S 1500, the Sensible Environmental Protection Act, at tomorrow’s business meeting of the Senate Committee on Environment and Public Works.

Pesticide users are now subjected to the court created requirement that lawful applications over, to or near ‘waters of the U.S.’ obtain a Clean Water Act (CWA) National Pollutant Discharge Elimination System (NPDES) permit from the Environmental Protection Agency (EPA) or delegated states. S 1500 would clarify that federal law does not require this redundant permit for already regulated pesticide applications.

Under the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), all pesticides are reviewed and regulated for use with strict instructions on the EPA approved product label. A thorough review and accounting of impacts to water quality and aquatic species is included in every EPA review. Requiring water permits for pesticide applications is redundant and provides no additional environmental benefit.

Compliance with the NPDES water permit also imposes duplicative resource burdens on thousands of small 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 both the 112th and 113th Congress, companion legislation – the Reducing Regulatory Burdens Act – easily passed the House Committees on Agriculture and Transportation & Infrastructure then went on to pass the House of Representatives. Similar bipartisan legislation was also introduced the last two congressional sessions in the Senate, so committee action on the bill is long overdue.

The water permit threatens the critical role pesticides play in protecting crops and human health from destructive and disease-carrying pests, and for managing invasive weeds to keep open waterways and shipping lanes, to maintain rights of way for transportation and power generation, and to prevent damage to forests and recreation areas. The time and money expended on redundant permit compliance drains public and private resources. All this for no measureable benefit to the environment. We urge you to remove this regulatory burden by voting “YES” on S 1500, the Sensible Environmental Protection Act.

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
Crop Protection Assoc. of North Carolina
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 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 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.
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
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