

April 5, 2018

The Honorable John Barrasso  
Chairman Senate Committee  
on Environment & Public Works  
410 Dirksen Senate Office Building  
Washington, DC 20510

The Honorable Tom Carper  
Ranking Member Senate Committee  
on Environment & Public Works  
456 Dirksen Senate Office Building  
Washington, DC 20510

Dear Chairman Barrasso and Ranking Member Carper,

On behalf of the undersigned organizations, we would like to convey our support for critical provisions within the *Agriculture Creates Real Employment* “ACRE” Act, relating to duplicative environmental permitting under the National Pollutant Discharge Elimination System (NPDES). This vital measure affects our nation’s farmers and ranchers, environmental resources, and the protection of public health.

As you are aware, for almost forty years, the Environmental Protection Agency (EPA) and pesticide applicators operated exclusively under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) with pesticides reviewed and regulated for use with strict instructions on the EPA approved product label, reflecting a thorough EPA review and accounting of impacts to water quality and aquatic species.

The ACRE Act would address a 2009 court ruling mandating Clean Water Act NPDES permits for pesticide applications already regulated by FIFRA for water quality and aquatic effects. As such, Section 6 of the ACRE Act prohibits the EPA from requiring such additional permits under NPDES for a pesticide application from a point source, as long as the application is already approved under FIFRA.

As the Director of the Wyoming Department of Agriculture noted at the March 14 Committee on Environment & Public Works March 14 hearing, “*After experiencing pesticide regulation under FIFRA alone compared to regulation under FIFRA with the additional requirements of the NPDES program, it is clear that the NPDES program adds nothing for environmental protection...Pesticides are effectively regulated at every step from formulation to on-the-ground application by FIFRA.*”

While the NPDES pesticide general permit burden lacks any meaningful environmental benefit, it does impose costs on thousands of small pesticide applicator businesses and farms, as well as the municipal, county, state and federal agencies responsible for protecting natural resources and public health. This was noted by representatives of the American Farm Bureau Federation who testified at the March 14 hearing stating that “*The general permits are now in place for over 360,000 new permittees brought within the purview of EPA’s NPDES program. This program carries significant regulatory and administrative burdens for states and the regulated community beyond merely developing and then issuing permits.*” For example, in Wyoming alone, permit requirements have redirected up to 5 % of Mosquito District funds annually from their public health mission, and costs for applications have increased 5 to 10-fold for some Districts.

Furthermore, the NPDES permitting processes may impact or delay treatments in situations involving communities adversely impacted by acute or sporadic outbreaks of mosquitoes. NPDES processes would hinder those areas from initiating a timely response to effectively protect the public’s health and welfare in situations in which there is no officially declared public health emergency.

In summary, the current NPDES general pesticide permit program adversely impacts 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 while providing no measurable benefit to the environment.

In an effort to address unnecessary, duplicative regulations and provide certainty to impacted natural resources, public health, and our nation's farmers and ranchers, we strongly endorse these NPDES provisions within the *Agriculture Creates Real Employment* "ACRE" Act. We look forward to the Committee's timely approval of this measure so it may be favorably acted on by the U.S. Senate. Thank you for your consideration.

Sincerely,

Agricultural Retailers Association  
American Farm Bureau Federation  
American Mosquito Control Association  
American Soybean Association  
Aquatic Plant Management Society  
Associated Executives of Mosquito Control (NJ)  
Association of Equipment Manufacturers  
California Specialty Crops Council  
CropLife America  
Council of Producers and Distributors of Agrotechnology  
Dairy Producers of New Mexico  
Delaware Mosquito Control Section  
Exotic Wildlife Association  
Georgia Mosquito Control Association  
Golf Course Superintendents Association of America  
Idaho Mosquito and Vector Control Association  
Illinois Mosquito & Vector Control Association  
Louisiana Mosquito Control Association  
Montana Mosquito and Vector Control Association  
Mosquito & Vector Control Association of CA  
National Alliance of Forest Owners  
National Alliance of Independent Crop Consultants (NAICC)  
National Association of Landscape Professionals  
National Association of State Departments of Agriculture  
National Association of Wheat Growers  
National Agricultural Aviation Association  
National Cotton Council

National Corn Growers Association  
National Council of Farmer Cooperatives  
National Onion Association  
National Pest Management Association  
National Potato Council  
National Sorghum Producers.  
New Jersey Mosquito Control Association  
North Carolina Mosquito and Vector Control Association  
North Central Weed Science Society  
Northeastern Mosquito Control Association  
Northeastern Weed Science Society  
Northwest Mosquito and Vector Control Association  
Ohio Mosquito & Vector Control Association  
Oregon Mosquito and Vector Control Association  
Pennsylvania Vector Control Association  
Professional Dairy Managers of Pennsylvania  
Responsible Industry for a Sound Environment (RISE)  
Southern Weed Science Society  
Texas Mosquito Control Association  
Upstate Niagara Cooperative, Inc.  
USA Rice  
USApple Association  
Utah County Mosquito Abatement  
Washington State Potato Commission  
Weed Science Society of America  
Western Society of Weed Science  
Wyoming Mosquito Management Association

## Mosquito Abatement Districts

Ada County Mosquito Abatement (ID)  
Adams County Mosquito Control (WA)  
Alameda County Mosquito Abatement District (CA)  
Alamosa Mosquito Control District (CO)  
Anastasia Mosquito Control District (FL)  
Animas Mosquito Control District (CO)  
Antelope Valley Mosquito & Vector Control District (CA)  
Ascension Parish Mosquito Control (LA)  
Atlantic County Office of Mosquito Control (NJ)  
Bannock County Mosquito and Vector Control Assoc. (ID)  
Bay County Mosquito Control (MI)  
Beach Mosquito Control District (FL)  
Bear Lake Mosquito Control, LLC (ID)  
Benton County Mosquito Control District, (WA)  
Bergen County Mosquito Control New Jersey  
Box Elder Mosquito Abatement District (UT)  
Burney Basin Mosquito Abatement District (CA)  
Butte County Mosquito and Vector Control District (CA)  
Cache Mosquito Abatement District (UT)  
Caddo Parish Mosquito Control (LA)  
Calvert County Mosquito Control (MD)  
Camano Island Mosquito Control (WA)  
Camden County Mosquito Extermination Commission (NJ)  
Cameron Parish Mosquito Abatement District (LA)  
Canyon County Mosquito Abatement District (ID)  
Cascade County Weed & Mosquito Division (MT)  
Chambers County Mosquito Control (TX)  
Charlotte County Mosquito & Aquatic Weed Control (FL)  
Chatham County Mosquito Control (GA)  
Churchill County Mosquito, Vector and Noxious Weed Abatement District (NV)  
Clark County Mosquito Control District (WA)  
Coachella Valley Mosquito & Vector Control District (CA)  
Colusa Mosquito Abatement District (CA)  
Compton Creek Mosquito Abatement District (CA)  
Consolidated Mosquito Abatement District (CA)  
Contra Costa Mosquito and Vector Control District (CA)  
Cumberland County Mosquito Control Division (NJ)  
Curlew Mosquito Control District (WA)  
Douglas County Mosquito Abatement District (NV)  
East Side Mosquito Abatement District (CA)  
Edwards Mosquito Abatement District (ID)  
Essex County Mosquito Control (NJ)  
Florida Keys Mosquito Control District (FL)  
Fort Henry Mosquito Abatement District (ID)  
Franklin County Mosquito Control District (WA)  
Fresno Mosquito and Vector Control District (CA)  
Gainesville Mosquito Control (FL)  
Gem County Mosquito Abatement District (ID)  
Glenn County Mosquito & Vector Control District (CA)  
Gloucester County Mosquito Control (NJ)  
Grand River Mosquito Control District (CO)  
Grant County Mosquito Control District (NJ)  
Hill County Weed & Mosquito District, Montana (MT)  
Iberia Parish Mosquito Abatement District (LA)  
Indian River Mosquito Control District (FL)  
Kings Mosquito Abatement District (CA)  
Lee County Mosquito Control District (FL)

Madera County Mosquito & Vector Control District (CA)  
Manatee County Mosquito Control District (FL)  
Marin/Sonoma Mosquito & Vector Control District (CA)  
Mason Valley Mosquito Abatement District (NV)  
Master Mosquito Control, LLC (NH)  
Merced County Mosquito Abatement District (CA)  
Mercer County Mosquito Control (NJ)  
Metropolitan Mosquito Control District (MN)  
Miami Dade County Mosquito Control (FL)  
Michigan Mosquito Control Association (MI)  
Middlesex County Mosquito Extermination Comm. (NJ)  
Mosquito Control Services, LLC (LA)  
Municipal Mosquito (TX)  
Napa County Mosquito Abatement District (CA)  
Nassau County Mosquito Control Unit (NY)  
North Shore Mosquito Abatement District (IL)  
Northern Salinas Valley Mosquito Abatement District (CA)  
Ouachita Parish Mosquito Abatement District (LA)  
Orange County Mosquito & Vector Control District (CA)  
Orange County Florida Mosquito Control (FL)  
Owens Valley Mosquito Abatement Program (CA)  
Pasco County Mosquito Control District (FL)  
Pine Grove Mosquito Abatement District (CA)  
Placer Mosquito and Vector Control District (CA)  
Prince William Mosquito Forest Pest Management (VA)  
Sacramento County -Yolo County Mosquito & Vector Control District (CA)  
Saginaw County Mosquito Abatement Commission (MI)

Salt Lake City Mosquito Abatement District (UT)  
San Gabriel Valley Mosquito & Vector Control Dist. (CA)  
San Joaquin County Mosquito & Vector Control Dist. (CA)  
San Mateo County Mosquito & Vector Control Dist. (CA)  
Shasta Mosquito and Vector Control District (CA)  
South Salt Lake Valley Mosquito Abatement District (UT)  
South Walton County Mosquito Control District (FL)  
SouthLake Mosquito Abatement District (IL)  
Southwest Mosquito Abatement & Control District (UT)  
St. Tammany Parish Mosquito Abatement (LA)  
Sussex County Office of Mosquito Control (NJ)  
Sutter-Yuba Mosquito & Vector Control District (CA)  
Tehama County Mosquito & Vector Control District (CA)  
Tulare Mosquito Abatement District (CA)  
Turlock Mosquito Abatement District (CA)  
Uintah Mosquito Abatement District (UT)  
Vermilion Parish Mosquito Control (LA)  
Warren County Mosquito Extermination Commission (NJ)  
Weber Mosquito Abatement District (Ogden, Utah)  
West Baton Rouge Mosquito Control (LA)  
West Side Mosquito & Vector Control District (CA)  
West Umatilla Mosquito Control District (OR)  
Yakima County Mosquito Control District (WA)