



National Association of Conservation Districts

March 30, 2011

The Honorable John Boehner
Speaker
U.S. House of Representatives
Washington, D.C. 20515

Dear Speaker Boehner:

On behalf of the National Association of Conservation Districts (NACD) and America's 3,000 conservation districts, I write to voice our support for H.R. 872 to allow farmers, ranchers, and foresters to continue pesticide use in compliance with the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA). We appreciate your recognition of this important issue and encourage bipartisan congressional action to address the significant regulatory concerns arising from a 2009 court ruling.

In 2009, the U.S. Sixth Circuit Court of Appeals ruled that Clean Water Act (CWA) National Pollutant Discharge Elimination System (NPDES) permits are required for pesticide applications made "in, over, or near" water. Prior to this ruling, the Environmental Protection Agency (EPA) has not required CWA permits for pesticides applied according to the FIFRA label. This ruling creates confusion, uncertainty and increased regulatory burdens.

EPA conducts a rigorous analysis of the health and environmental effects of a proposed use of a pesticide; when used in compliance with the EPA-approved label, FIFRA-registered pesticides have already been proven safe. Rather than spending precious time and resources on duplicative permitting efforts, EPA should instead be focused on working with landowners to support on-the-ground conservation solutions with true environmental value. Forcing producers to go through an additional burdensome permitting process will only increase production costs and add stress on already overburdened state resources, without providing any additional environmental benefits.

H.R. 872 would continue to ensure the protection of water during routine, FIFRA-label pesticide use, while clarifying that applicators abiding by these strict standards do not need to go through the unnecessary and burdensome process of obtaining CWA permits.

Thank you for your leadership on this important issue. We look forward to working with you as we continue to provide the benefits of locally-led natural resource conservation across the country.

Sincerely,

A handwritten signature in black ink, appearing to read 'Gene Schmidt', is written in a cursive style.

Gene Schmidt
President

Cc: The Honorable Frank Lucas
The Honorable Collin Peterson
The Honorable Bob Gibbs

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