

November 12, 2013

The Honorable Sherrod Brown
United States Senate
Washington, DC 20510

Dear Senator Brown:

As negotiations of the Conference Committee on the five-year farm bill continue, the undersigned Ohio based organizations reiterate the need for Congress to once and for all remove the burden and liability of the duplicative regulation of EPA approved pesticides used to protect public health, the nation's food supply, natural resources, infrastructure and green spaces.

HR 2642, the Federal Agriculture Reform and Risk Management (FARRM) Act of 2013, includes the 'Reducing Regulatory Burdens Act' (HR 935). The provision - *in Section 10013* - corrects the duplicative requirement by specifying that Clean Water Act National Pollutant Discharge Elimination System (NPDES) permits are not needed for the lawful application of pesticides already regulated under Federal Insecticide, Fungicide & Rodenticide Act (FIFRA). This legislative language is nearly identical to the Senate's bipartisan 'Sensible Environmental Protection Act' (S 802). As a conferee, we ***ask that you support inclusion of this important provision in the final version of the farm bill.***

We support this provision because pesticides are critical tools we use to protect crops from destructive pests, and to manage mosquitoes and other disease carrying pests, and invasive weeds that choke our waterways and shipping lanes, impede power generation, and damage our forests and recreation areas. State regulators have stated on the record their belief that the permits are not needed to protect water quality because *all* pesticide applications are stringently regulated through FIFRA, including applications to and near water. Most significantly, EPA's pesticide registration program already contains *specific protections for water quality, fish and aquatic wildlife.*

We believe that the permitting of pesticides under the CWA jeopardizes public health protection, food security and the economy as regulators and businesses expend time and resources to implementation and compliance. Moreover, the permit exposes all pesticide users – *even those not currently subject to the permit* - to citizen law suits. All this duplication, paperwork, time, money and legal risk for no measureable environmental benefit!

The time has come for Congress to remove the permits' burden and risk. As Ohio pesticide stakeholders, we ***ask you to include this widely supported provision in the final version of the farm bill to make it clear that the lawful application of pesticides is not subjected to double regulation and citizen suit liability.***

Thank you very much for your consideration.

Sincerely,

Central Ohio Golf Course Superintendents Association

Miami Valley Golf Course Superintendents Association
Northern Ohio Golf Course Superintendents Association
Ohio AgriBusiness Association
Ohio Forestry Association
Ohio Pest Management Association
Ohio Pesticide Applicators for Responsible Regulation
Ohio Rural Electric Cooperatives, Inc
Ohio Manufacturers' Association
Ohio Chemistry Technology Council
Ohio Corn and Wheat Growers Association