



March 30, 2009

The Honorable Lisa Jackson, Administrator
U.S. Environmental Protection Agency
Ariel Rios Federal Building
1200 Pennsylvania Avenue, NW
Room 3000
Washington, D.C. 20460

Subject: The National Cotton Council of America, et al., v. United States Environmental Protection Agency, Nos. 06-4630; 07-3180/3181/3182/3183/3184/3185/3186/3187/3191/3236 (6th Cir. Jan. 7, 2009).

Dear Administrator Jackson:

The Weed Science Society of America, Aquatic Plant Management Society, North Central Weed Science Society, Northeastern Weed Science Society, Southern Weed Science Society, and the Western Society of Weed Science ask that your agency **request a rehearing** of the Sixth Circuit Court of Appeals decision defining pesticides as a pollutant and requiring Clean Water Act permits before they can be applied in or near water sources.

Our scientific societies are nonprofit professional associations of academic research, extension, government and industrial scientists committed to improving the knowledge and management of weeds in agricultural, aquatic, forest, horticultural, rangeland and natural area environments. Our science societies fully support government regulation of pesticide use. In fact, we believe the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) represents a significant government success story. Thanks to the extensive research and risk assessments that FIFRA requires, we've been able to safely improve crop yields, hold down food costs, reduce tillage and erosion, protect natural habitats and keep our drinking water safe.

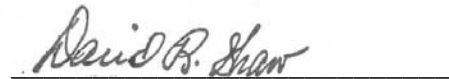
If the Court of Appeals ruling stands, though, we run the risk of unraveling the more than 60 years of progress we've made under FIFRA. Here are a few points we ask you to consider:

- Any pesticide marketed in the U.S. has undergone an extensive, science-based risk assessment and carries a very specific label governing its safe and effective use.
- A new permitting system would impact tens of thousands of growers and gardeners and leave them open to legal action – without offering any additional protective value.
- A new permit system will be an unfunded mandate that places an unfair and costly burden on the states further eroding our economy at a time when they can least afford it.

- The new permits could delay effective treatment times and allow invasive plants to spread like a biological wildfire that could reduce crop yields, clog irrigation ditches, overrun bodies of water and impact millions of acres of federally managed natural habitats that have been protected for future generations.

Ultimately, we believe this new process holds the potential to derail our longstanding, science-based successes in weed and invasive plant management – negatively impacting U.S. agriculture, our food and water supply and our nation's economy. We strongly urge you to file a petition for rehearing before the April 9 deadline.

Sincerely,



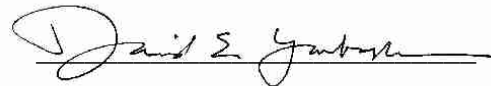
Dr. David Shaw
President
Weed Science Society of America



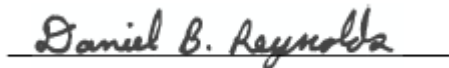
Dr. Carlton Layne
President
Aquatic Plant Management Society



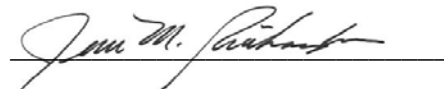
Dr. Mick Holm
President
North Central Weed Science Society



Dr. David Yarborough
President
Northeastern Weed Science Society



Dr. Dan Reynolds
President
Southern Weed Science Society



Dr. Jesse Richardson
President
Western Society of Weed Science

cc: House Committee on Agriculture
Senate Committee on Agriculture, Nutrition & Forestry
U.S. Department of Agriculture Secretary Tom Vilsack
U.S. Department of Interior Secretary Ken Salazar
Dr. Harold Coble, USDA Office of Pest Management Policy