

June 24, 2025

The Honorable Sam Graves
Chair, House Committee on
Transportation & Infrastructure
U.S. House of Representatives
1135 Longworth House Office Building
Washington, DC 20515

The Honorable Rick Larsen
Ranking Member, House Committee on
Transportation & Infrastructure
U.S. House of Representatives
2163 Rayburn House Office Building
Washington, DC 20515

The undersigned agricultural stakeholders support the House Transportation and Infrastructure Committee's legislative package which provides important reforms to the Clean Water Act (CWA) permitting process. Clean water is essential to the viability of all agricultural operations and farmers go to great lengths to protect the natural resources they've been entrusted with. However, the current permitting framework under the CWA often presents unnecessary delays, regulatory uncertainty, and administrative burdens that hinder agricultural production, conservation, and environmentally beneficial projects. Thoughtful reform is urgently needed to ensure that the permitting process remains both environmentally responsible and efficient.

Specifically, our agricultural organizations strongly support the following provisions:

- *The Promoting Efficient Review for Modern Infrastructure Today (PERMIT) Act* (H.R. 3898) codifies longstanding Waters of the United States (WOTUS) exclusions for ephemeral features, groundwater, and prior converted cropland that have been included as part of WOTUS regulations over the years. This legislation will provide important predictability and consistency for farmers.
- *The Farmers Undertake Environmental Land Stewardship (FUELS) Act* (H.R. 3909) eases burdens on America's farmers and ranchers, as well as the EPA, by raising the exemption level for a single container of up to 10,000 gallons of fuel, while adjusting the aggregate level for an entire production facility to 42,000 gallons.
- *The Reducing Regulatory Burdens Act* (H.R. 3824) eliminates a duplicative regulatory process at the EPA for the use of pesticides, saving taxpayer money and reducing regulatory burdens on pesticide users, while maintaining the same level of environmental protection. The bill prohibits the EPA or states from requiring permits under the National Pollutant Discharge Elimination System (NPDES) program for discharges of pesticides into navigable waters if the pesticides are registered, used for their intended purposes, and used in compliance with their pesticide label requirements, as already required.
- *The Reducing Permitting Uncertainty Act* (H.R. 3935) prevents the EPA from vetoing a Section 404 dredge and fill permit before a permit application has been filed or after a

permit has already been issued by the U.S. Army Corps of Engineers. Under CWA Section 404(c), the EPA has the authority to veto a pending permit application.

- *The Confidence in Clean Water Permits Act* (H.R. 3897) clarifies that NPDES permits must include only clear, objective, concrete limits on specific pollutants or waterbody conditions, and that as long as permit holders are adhering to these clear effluent limitations, they are in compliance under the law, as outlined in the 2025 *San Francisco v. EPA* case. Additionally, this bill codifies the longstanding EPA policy that permit holders are shielded from liability as long as they are following the terms in their NPDES permits and have provided all relevant information to the permit writer during the application process.
- The agriculture stormwater discharge legislation recognizes and reaffirms that runoff resulting from natural rainfall on agricultural lands should not be classified as a point source discharge under the Clean Water Act. This statutory exemption remains a vital component of federal environmental policy, ensuring that responsible farming practices are protected while maintaining the integrity of our nation's water resources.

We appreciate the Committee's incorporation of these bills that directly assist our nation's farmers, and we urge you to swiftly pass this legislative package.

Sincerely,

American Farm Bureau Federation
National Cattlemen's Beef Association
National Council of Farmer Cooperatives
National Milk Producers Federation
National Pork Producers Council
National Turkey Federation
United Egg Producers
U.S. Poultry & Egg Association