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June 18, 2025

The Honorable Sam Graves, Chair  
Transportation & Infrastructure Committee  
U.S. House of Representatives  
Washington, DC 20515

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

The Honorable Mike Collins, Chair  
Water Resources & Environment Subcommittee  
Transportation & Infrastructure Committee  
U.S. House of Representatives  
Washington, DC 20515

The Honorable Fredericka S. Wilson, Ranking Member  
Water Resources & Environment Subcommittee  
Transportation & Infrastructure Committee  
U.S. House of Representatives  
Washington, DC 20515

Dear Chairs Graves and Collins, and Ranking Members Larsen and Wilson:

The American Mosquito Control Association ("AMCA") strongly supports H.R. 3824, "To amend the Federal Insecticide, Fungicide, and Rodenticide Act and the Federal Water Pollution Control Act to clarify Congressional intent regarding the regulation of the use of pesticides in or near navigable waters, and for other purposes." We urge quick consideration in Congress. This legislation will eliminate costly, duplicative, and unnecessary Clean Water Act National Pollutant Discharge Elimination System (NPDES) permit requirements that impact our members' ability to adequately control mosquitoes. We understand that the Committee intends to include this legislation in a larger package of Clean Water Act permitting reform measures and appreciate your attention to this critical issue.

AMCA is a not-for-profit professional association of over 1,200 public health officials, academicians, county trustees/commissioners, and mosquito control professionals dedicated to providing leadership, information, and education leading to the enhancement of health and quality of life through the suppression of mosquito- and other vector-transmitted diseases and the reduction of annoyance levels caused by mosquitoes and other vectors.

As you are aware, the robust regulatory program administered cooperatively by the Environmental Protection Agency (EPA) and State lead agencies includes extensive requirements for registrants to conduct comprehensive scientific studies, and for the EPA and State lead agencies to base final determinations on science-based risk assessments to ensure that the products do not cause adverse effects to the people and the environment. This review process culminates in developing a legally binding product label that includes strict use instructions, first aid, storage and disposal, and other information. Pesticides that are approved for use in, over, or near water require additional studies to ensure that the products are safe for aquatic use. Requirements related to environmental concerns derive from the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), which is the principal statute.

While the NPDES permit process amounts to an administrative nightmare, it does not add to or in any way improve the scientific review and approval process that EPA and state lead agencies administer under FIFRA. Further, the permit exposes applicators to liability attendant to CWA-based citizen lawsuits. NPDES-related complaints in Ohio, Washington, Utah, and Vermont cost thousands of taxpayer dollars without any additional environmental benefit that wasn't already covered under FIFRA. NPDES permits for vector control only add significant costs and paperwork requirements, making it more expensive to protect people from mosquitoes that can transmit various viruses.

Another challenge with NPDES permits for vector control is the inefficiencies associated with adding new, effective, environmentally-compatible mosquito control products to the list of approved materials. For example, when the EPA registers new products available to protect public health, the latest product may not be available for use by the local entity because it now has to be “approved” by the issuing NPDES authority. Waiting for this “approval” increases the risk of disease transmission by unnecessary delays in the fight to protect public health. Having two federal laws and multiple agencies regulating the same pesticide use prior to implementation is both inefficient and irresponsible.

To determine the effects caused by mosquito control applications, the State of California, which has one of the nation's most robust water quality programs, required mosquito control districts within the state to report all applications and conduct extensive water quality testing. Based upon this monitoring and testing of water samples, the State of California determined that applying mosquito control pesticides in accordance with approved application rates does not impact beneficial uses of receiving waters. Actual chemical sampling of receiving water for mosquito control pesticides occurred in 2011 and 2012. The California State Water Resources Control Board, through Order 2014-0038-EXEC, found that the “continuation of the existing monitoring requirements provides redundant information and is unnecessary”. Visual observation, monitoring, and reporting of application rates, and reporting of non-compliant applications, consistent with FIFRA, were deemed to be sufficient.

In closing, AMCA has noted in many previous comments that the requirement for NPDES permits to conduct pesticide applications under the Clean Water Act is duplicative of protections to water quality and aquatic organisms already addressed under FIFRA. Through a consultation process with the Services, the EPA's Office of Pesticide Programs ensures that registered pesticides will not present an unreasonable risk to people or the environment, including the Nation's water supplies and aquatic organisms in the associated environment. The introduction of H.R. 3824 is designed to eliminate a duplicative regulatory process. It is timely, as our members are seeing an increase and expansion of invasive mosquito species and a reintroduction of locally acquired malaria and dengue virus. Eliminating NPDES permits for the lawful application of pesticides will allow our members to maintain and enhance critical public health protections from mosquito-borne diseases for the communities they serve. The use of the NPDES permit to regulate broad mosquito control decisions is highly problematic in a number of ways. The lawsuits against the states and federal agencies that challenge the issuance of the permits cause a general uncertainty that forces agencies to hesitate to take all the actions needed to protect public health. Whether at risk of direct suit, the loss of the permit, or operating under expired permits, it serves only as a tool to interfere with expert decisions on public health vector control while providing no additional environmental protections.

It's time we sunset this duplicative regulation because we've demonstrated with over a decade of reporting that these permits are ineffective for protecting the environment, yet highly burdensome for the national public health professionals. AMCA looks forward to working with you and your colleagues to advance this bill and correct the duplicative regulatory process.

Thank you for your consideration

A handwritten signature in blue ink, appearing to read 'Herff Jones', with a long horizontal flourish extending to the right.

Herff Jones  
AMCA President