

September 12, 2003

The Honorable James L. Connaughton
Chairman, Council on Environmental Quality
730 Jackson Place, N.W.
Washington, DC 20503

Dear Mr. Chairman:

We wish to thank you for your leadership in ensuring publication of an Advance Notice of Proposed Rulemaking outlining the Administration's intent to promulgate counterpart regulations between the Fish and Wildlife Service, National Marine Fisheries Service and Environmental Protection Agency for pesticide actions involving endangered species.

There is an immediate, compelling need for rules for coordination among these agencies on endangered species issues. Activist organizations have exploited the vacuum resulting from the absence of a counterpart rule by seeking judicial intervention in the agencies' endangered species programs. They have filed numerous "cookie-cutter" lawsuits claiming inadequate consultation among the agencies, and they have sought, and most recently obtained, injunctions that would severely restrict agricultural, industrial and consumer access to vital pest control products.

If these lawsuits prevail, the consequences could be devastating -- removing critical products from crop-pest management plans, impacting trade, taking land out of agricultural production and driving small growers out of business. Public health protection will be compromised if access to mosquito and other disease-vector controls and consumer pest control products are restricted. The ability to effectively protect the nation's infrastructure by controlling vegetation along roads and power transmission rights-of-way, to control exotic and invasive species that pose threats to water resources for drinking, irrigation and transportation would also be impaired. In summary, growers, homeowners and businesses involved in caring for farms, grounds, forests and other important resources might be denied useful and essential tools without scientific or factual basis.

It is important to note that these lawsuits relate only to the absence of a definitive administrative process for consultation, not any actual threat to endangered species. We are seeking a science-based solution, legally developed through the rulemaking process, not through court orders with potentially devastating arbitrary restrictions on pesticide use.

It has been almost eight months since the Administration announced its intent to initiate rulemaking. We ask your assistance to see to it that the proposed rule establishing counterpart regulations is issued as expeditiously as possible. Further delays in the rulemaking process will only penalize growers and consumers and place public health at risk.

Sincerely,

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| A & B Cranberries | Crop Data Management Systems Inc. |
| A & L Supply Inc. | Crop Protection Association of North Carolina |
| A& L Western Ag Laboratories | CropLife America |
| Ag 1 Source, LLC | Cygnnet Enterprises, Inc. |
| Ag Concepts Corp | D & D Service Inc. |
| Ag Retailers Association | Daniel B. Wilson Cranberry Company |
| AG Specialties, LLC | Davis Wright Tremaine LLP |
| Ag-Chem Equipment Company Inc. | Dusty Farm Co-op Inc. |
| Agribusiness Association of Iowa | Edwall Chemical Corporation |
| Agri-Check Inc. | El Paso / Coastal Chem Inc. |
| Agris Corporation | Far West Agribusiness Association |
| Agrium | Farmers Supply Co-op |
| Alabama Forestry Association | Florida Fertilizer & Agrichemical Assn |
| Amalgamated Sugar Company LLC | Florida Forestry Association |
| American Farm Bureau Federation | Forest Resources Association |
| American Forest & Paper Association | Freres Lumber Company, Inc. |
| American Forest Resource Council | G & R Ag Products |
| American Soybean Association | Glen Flora Bogs |
| Applied Biochemists | Glen Flora South |
| - a division of Advantis Technologies, Inc. | Great Salt Lake Minerals |
| Arizona Crop Protection Association | Green Star Inc. |
| Arkansas Forestry Association | Green Valley Inc. |
| B & B Custom Inc. | Greenacres Plant Food Center |
| Barber Engineering Company | H & R Ag Inc. |
| Basin Fertilizer and Chemical Company | HARTS Hawaii |
| Bay Zinc Company Inc. | HJ Baker & Brothers Inc. |
| Best Sulfur Products | Hop Growers of Washington |
| Bi-En Corp | Horizon Ag Products Inc. |
| Bieyhl Farm Service Inc. | Husch & Husch Inc. |
| BKW Farms | Hydro Agri North America |
| Bonide Products, Inc. | Illinois Fertilizer & Chemical Assn. |
| C F Industries | IMC |
| California Citrus Mutual | Implementation Working Group |
| California Cotton Growers Association | Independent Agribusiness Professionals |
| California Farm Bureau Federation | Indiana Plant Food and Ag Chem Association |
| California Forestry Association | Industrial Aviation Services, Inc. |
| California Grape & Tree Fruit League | Inland Chemical Service |
| California League of Food Processors | Inland Empire Distribution Systems Inc. |
| California Plant Health Association | Intermountain Farmers Association |
| Cascade Analytical Inc. | Intermountain Forest Association |
| Chemical Producers and Distributors Association | International Raw Materials Ltd |
| Colfax Grange Supply | Interstate Pesticide Applicators Association |
| Compliance Services International | -Oregon Chapter |
| Consumer Specialty Products Association | Iowa Alliance of Environmental Concerns |
| Cranberry Connection | IXL Transportation Services |

J & L Transport
J C Watson Co.
James J. Williams Bulk Service Transport
Jim Hicks & Company
Kansas Agribusiness Retailers Assn
Kelly Hurst Agricultural Consulting, Inc.
Kuo Testing Labs Inc.
Land View Fertilizer Inc
Langlois International Airport Farm
Laughlin Trucking Inc.
Lincoln Mutual Service #1
Linear Grain Inc.
Liphatech, Inc.
Lone Rock Timber Company
Louisiana Forestry Association
Maine Forest Products Council
Marion Ag Service Inc.
Michigan Agri-Business Association
Micro Flo Company
Mid America CropLife Association
Midstate Co-op
Minnesota Forest Industries
Minnesota Pesticide Information & Education
Mississippi Forestry Association
Missouri Forest Products Association
Montana Agricultural Business Assn
Monterey Chemical Co.
Morrow County Grain Growers
Murray Equipment Co.
Na-Churs/Alpine Solutions
National Association of Wheat Growers
National Barley Growers Association
National Corn Growers Association
National Cotton Council of America
National Council of Forestry Association Executives
National Endangered Species Act Reform Coalition
National Hardwood Lumber Association
National Sunflower Association
National Potato Council
Norm Nelson Inc.
NORPAC
North Carolina Forestry Association
North Central Ag
North Pacific Ag Products
Northwest Alloys Inc.
Northwest Horticultural Council
NuChem
Ohio AgriBusiness Association
Oklahoma Agribusiness Retailers Association
Oregon Agricultural Aviation Association
Oregon Association of Nurseries
Oregon Cranberry Farmers' Alliance
Oregon Cranberry Supply
Oregon Dairy Farmers Association
Oregon Farm Bureau Federation
Oregon Forest Industries Council

Oregon Potato Commission
Oregon Seed Council
Oregon Wheat Growers League
Oregonians for Food and Shelter
Pacific Bogs
Pacific Coast Resources Corporation
Pacific Harvest Supply Co.
PCS Sales
PD&R Associates
Pendleton Grain Growers
Pete's Ag Inc.
Pomeroy Grain Growers Inc.
Pratum Co-op Warehouse
Primeland Co-op
Producers Supply Co-op Inc.
Q C Corporation
Quincy Farm Chemicals
Ranco Feriservice Inc.
Randolph Cranberries, Inc.
Reilly Industries
Responsible Industry for a Sound Environment
Ritzville Chemicals Inc.
Ritzville Warehouse Company
Roseburg Forest Products
Round Butte Seed Growers Inc.
RSA MicroTech
Rule Steel Tanks Inc.
Russell Cranberry Company
Saddle Mountain Supply Company
Simplot Grower Solutions
Simplot- Jacklin Seed Company
Sipcam Agro USA Inc.
Skagit Farmers Supply
Skinner Tank Company
Smith-Kem Ellensburg Inc.
Snider Trucking Service Inc.
Software Solutions Integrated LLC
South Carolina Forestry Association
South Dakota Agri-Business Assn
Southeastern Lumber Manufacturers Assn
Southern Crop Production Association
Sprague Grange Supply Inc.
St. John Grange Supply Inc.
Stukenholz Laboratories, Inc.
Superior Steel Products Inc.
SureCrop Farm Service
TeeJet Mid-Tech
Tessengerio Kerley Inc.
The Gooding Seed Company
The McGregor Company
Tidewater Barge Lines
Tiger Industries
Tobiska Family Farm
U.S. Apple Association
U.S. Canola Association
United Co-op Inc.

USA Dry Pea & Lentil Council
USA Rice Federation
Valley Ag Service Inc.
Virginia Agribusiness Council
Walla Walla Farmers Co-op
Washington Alfalfa Seed Commission
Washington Asparagus Commission
Washington Assn of Wine Grape Growers
Washington Contract Loggers Association
Washington Cranberry Alliance
Washington Farm Bureau
Washington Floricultural Association
Washington Forest Protection Association
Washington Friends of Farms and Forests
Washington Growers Clearing House Assn
Washington Mint Commission
Washington Potato & Onion Association
Washington Red Raspberry Commission
Washington State Horticultural Association
Washington State Pest Control Association
Washington State Potato Commission
Watts Brothers Fertilizer
Western Farm Service Inc.
Western Growers Association
Western Washington Agricultural Association
Western Washington Golf Course Superintendents Assn
WestLink AG
Whatcom County Agriculture Preservation Committee
Whatcom Farmers Co-op
Wilco Farmers
William Reed & Associates
Windflow Fertilizer Inc.
Wolfkill Feed & Fertilizer
Woodburn Fertilizer Inc.
Wyoming Ag-Business Association