



June 17, 2009

The Honorable Max Baucus
United States Senate
511 Hart Senate Office Building
Washington, DC 20510

Dear Senator Baucus:

On behalf of the family farmer, rancher and rural resident members of National Farmers Union (NFU), we write with regard to the efforts of the Senate Environment and Public Works committee concerning the Clean Water Restoration Act. NFU recognizes that the original purpose of the Clean Water Act (CWA) was to provide clean, safe and useable waters for citizens of the United States.

As a result of much litigation, the original intent and scope of the CWA has been confused. Subsequently, determining jurisdiction and completing the permitting process has become burdensome, timely and uncertain. A clear and concise method of determining jurisdiction and permitting would allow farmers and ranchers to continue to be proactive stewards of all environmental resources.

Through a deliberative and constructive process, your compromise amendment both maintains the integrity of the CWA and clarifies its original intent. The amendment codifies all existing regulatory exemptions for agriculture and provides a clear statutory exemption for prior converted cropland. By placing existing regulatory exemptions in legal statute and legislatively clarifying the exemption for prior converted cropland, farmers and ranchers will be able to predict what resources are subject to CWA regulation with greater certainty. This amendment's clarification is paramount for our members.

We encourage the Environment and Public Works committee to adopt the Baucus amendment to the Clean Water Restoration Act in order to restore the original intent of the CWA, minimize costly litigation and expedite the permitting process for agricultural producers. We look forward to working with you as the legislation is debated.

Sincerely,

National Farmers Union Board of Directors