



FOR IMMEDIATE RELEASE

December 12, 2006

Contacts

Deb Self, Executive Director, Baykeeper: (415) 856-0444 x102 (o); (510) 882-1882 (c)

Charlie Tebbutt, Attorney, Western Environmental Law Center: (541) 485-2471

Peter Dill, Saint John's Organic Farm: 208-365-3463

Environmental Groups Sue US EPA for Deregulating Pesticide Spraying

Today, environmental groups sued the U.S. Environmental Protection Agency for a decision that spraying of pesticides into the nation's waters should no longer be regulated by the Clean Water Act. Baykeeper, along with five other groups, filed suit in the United States Court of Appeals for the Ninth Circuit to overturn the new rule, which re-defines the word "pollutant" to exclude pesticides.

Of particular concern are certain types of aerial spraying and other direct applications of pesticides that contaminate creeks, rivers and wetlands. Pesticide contamination of waterways from such sources would be allowed without agency oversight under the new rule. Pesticides are known to cause cancer, birth defects, reproductive damage, liver and kidney damage and central nervous system disorders. EPA's rule completely contradicts prior agency positions and represents a departure from their duties under the Clean Water Act.

"Congress was quite clear in directing EPA to regulate pesticide pollution," said Deb Self, Executive Director of Baykeeper. "Rather than enforcing laws as Congress wrote them, once again the Bush administration has simply interpreted the law to suit its purposes."

"For EPA to say that pesticides are not pollutants is like saying poison is good for you," said Charlie Tebbutt of the Western Environmental Law Center, lead counsel for the petitioners. "EPA is ignoring the requirements of the Clean Water Act and cannot go unchallenged." The groups claim that EPA's rule, if left in place, would put our waters, fish, wildlife and human populations at greater risk without the opportunity for local input into specific polluting projects and by eliminating monitoring and reporting requirements. "This is not what the Clean Water Act intended," continued Tebbutt.

Joining Baykeeper in its challenge are Californians for Alternatives to Toxics, California Sportfishing Protection Alliance, National Center for Conservation Science and Policy, Oregon Wild, and Saint John's Organic Farm. The groups, which represent a farm in Idaho and a cross section of environmental groups from California and Oregon, are asking the court to find that EPA's rule violates the Clean Water Act.

Founded in 1989, Baykeeper is a non-profit environmental advocacy group dedicated to protecting the water quality of the San Francisco Bay-Delta Estuary and its tributaries for the benefit of its ecosystems and human communities.

The Western Environmental Law Center is the West's leading public interest environmental law firm and uses litigation and advocacy skills on behalf of conservation organizations to protect the natural environment and way of life of the West.