



**National Cattlemen's  
Beef Association**

Cattlemen • Leadership • Solutions



March 22, 2012

The Honorable Robert Hurt  
1516 Longworth House Office Building  
Washington, DC 20515

Dear Congressman Hurt:

The National Cattlemen's Beef Association (NCBA) and the Public Lands Council (PLC) would like to thank you for introducing the *Preserving Rural Resources Act*. NCBA and PLC strongly support passage of this legislation, which would clarify Congress' intent in providing regulatory relief to farmers and ranchers under the Clean Water Act's (CWA) Dredge and Fill Section 404 program.

NCBA is the nation's oldest and largest organization representing the cattle industry. Its members are also one of the largest land-owning sectors in the country. PLC represents ranchers who graze livestock on the public lands of the western United States. Public land ranchers own nearly 120 million acres of the most productive private land and manage vast areas of public land that constitute critical wildlife habitat and natural resources important to the nation. Our members constantly feel the pain of regulatory burdens stemming from the Environmental Protection Agency (EPA) and the Army Corps of Engineers (Corps) implementation of the CWA's Sec. 404 program.

For far too long, the EPA and the Corps have disregarded congressional instructions that normal farming and grazing activities are exempt under Section 404. Instead, the agencies have relied on the so-called "recapture provision" under Sec. 404(f)(2) to effectively remove the statutory exemption from the Act. Your legislation stops this misinterpretation and clarifies to the agencies that the exemption has meaning and that they are not permitted to supersede the intent of Congress. Your legislation reiterates that this all-important exemption was to provide regulatory relief for farming and ranching activities under the dredge and fill permit program, and that the agencies can no longer go around that exemption through clever interpretations.

Again, NCBA and PLC would like to thank you for your leadership on this issue.

Sincerely,

Handwritten signature of J.D. Alexander in black ink.

J.D. Alexander  
NCBA President

Handwritten signature of John Falen in black ink.

John Falen  
PLC President