



March 21, 2023

Representative Rick Hansen, Chair
 Environment and Natural Resources Finance and Policy Committee
 Minnesota House of Representatives
 407 State Office Building
 Saint Paul, MN 55155

Re: Support for HF 1130

Dear Chair Hansen and Committee Members:

The undersigned 18 groups write in support of protections for pollinators from toxic pesticides, especially systemic insecticides like neonicotinoids (“neonics”)—the most ecologically devastating pesticides since DDT. Neonics widely contaminate the environment and are driving a disappearance of bees and other insect life. **We urge your support for HF 1130, a bill to allow municipalities to decide whether they want to allow neonics and other pollinator-harmful pesticides in their neighborhoods.**

Bees—critical pollinators of crops and wild plants—are disappearing. Minnesota beekeepers lost 58% of their honey bee colonies, despite months of additional beekeeper labor to keep them alive.¹ And insect life more broadly is declining,² including many of the more than 450 species of wild bees in Minnesota.³ These losses threaten profound harm to agriculture and ecosystems. A recent study estimates that pollinator declines have already led to a 3-5% decline in fruit, vegetable, and nut production worldwide, reducing access to healthy foods and increasing the number of premature deaths by 500,000 per year.⁴

Neonics are largely to blame for these pollinator losses. Neonics were the first class of “systemic insecticides,” meaning they are designed to be absorbed by plants and transported throughout their tissues, making whole plants toxic to insects. Since the mid-2000s—when neonic use and honey bee losses both suddenly skyrocketed—an overwhelming body of research reveals neonics as a leading cause of bee and broader pollinator declines. This includes comprehensive literature reviews by internationally renowned experts, a Cornell University review of over 1,100 peer-reviewed studies, and the largest bee colony field study to date.⁵

But neonics impact far more than bees. They also contribute to mass bird losses and decimate aquatic ecosystems,⁶ and mounting evidence highlights serious threats neonics exposure poses to human health. A recent study of 171 pregnant women nationwide found that over 95% had been recently exposed to neonics⁷—a disturbing statistic given research linking exposure to neonics in the womb to increased risk of malformations of the developing heart and brain.⁸ Animal studies echo these findings, connecting neonics to birth defects and higher rates of death in white-tailed deer, and neurological and reproductive harms in other mammals.⁹

Minnesota is no stranger to widespread neonic contamination, with the Minnesota Department of Agriculture (MDA) frequently detecting neonics in both surface water and groundwater in the state.¹⁰ And just last year, the Minnesota Department of Natural Resources (DNR) released data showing neonics in the bodies of 94% of white-tailed deer tested in the state, with 64% containing levels associated with higher rates of birth defects and stillbirths.¹¹ These numbers increased from 61% and 29%, respectively, just two years before. In other words, neonic contamination is ubiquitous in Minnesota's environment—and the problem is getting worse.

Minnesota must take swift action to protect its pollinators, ecosystems, and people. The undersigned organizations urge your support for **HF 1130, a bill to allow municipalities to make decisions about what pesticides are used in their neighborhoods**. Currently, state law prohibits local governments from regulating pesticides. This bill would end that policy and extend power to local communities who want to protect themselves and their local ecosystems from neonics and other toxic pesticides.

We therefore urge your support for HF 1130, which will empower Minnesota communities to give pollinators a fighting chance against an onslaught of toxic pesticides.

Respectfully,

In Alphabetical Order:

Thomas E. Casey
Chair, Board of Directors
Friends of Minn. Scientific and Natural Areas

Michael Chaney
Co-Founder, Midwest Farmers of Color Collective

Aimee Code
Pesticide Program Director, Xerces Society for Invertebrate
Conservation

Lori Cox
Owner, Roots Return Heritage Farm, LLC

Claudia Egelhoff
Representative to Minn. Environmental Partnership
Minnesota Ornithologists Union

Michael Happ
Program Associate, Climate and Rural Communities
Institute for Agriculture and Trade Policy

Zoe Hollomon
Organizing Co-Director, Pesticide Action Network

Jan Joannides
Executive Director and Co-Founder
Renewing the Countryside

Lee Ann Landstrom
At-Large Board of Director and the Environmental Action &
Conservation Chair
Minnesota River Valley Audubon Chapter

Margaret Levin
State Director, Sierra Club North Star Chapter

Barbara Lindeke
Board Member, Saint Paul Audubon Society

Howard Markus
Co-President, St. Croix Oak Savannah Chapter Wild One's Native
Landscaping

Sarah Mooradian
Government Relations and Policy Director
CURE (Clean Up the River Environment)

Mark Owens
President, A.C.E.S.

Lucas Rhoads
Attorney, Pollinator Initiative
Natural Resources Defense Council

Erin Rupp
Executive Director and Founder, Pollinate Minnesota

Laurie Schneider
Executive Director, Pollinator Friendly Alliance

Laura Schreiber
Policy Organizer, Land Stewardship Project

¹ Bee Informed Partnership, Open Research, <https://research.beeinformed.org/loss-map/> (select "Survey Year" 2021/22, "Loss Calculation" Weighted Average, and "Season" Annual).

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- ² See, e.g., Casper A. Hallman, *More than 75 Percent Decline Over 27 Years In Total Flying Insect Biomass in Protected Areas*, PLoS ONE 12(10): e0185809 (Oct. 18, 2017), <https://doi.org/10.1371/journal.pone.0185809>
- ³ See, e.g., Michael Greshko, *First U.S. Bumblebee Officially Listed as Endangered*, National Geographic (Mar. 22, 2017), <https://www.nationalgeographic.com/science/article/bumblebees-endangered-extinction-united-states> (rusty patched bumble bee disappeared by nearly 90% since the 1990s).
- ⁴ Damian Carrington, *Global Pollinator Losses Causing 500,000 Early Deaths a Year – Study*, The Guardian (Jan. 9, 2023), <https://www.theguardian.com/environment/2023/jan/09/global-pollinator-losses-causing-500000-early-deaths-a-year-study>.
- ⁵ See, e.g., Lennard Pisa et al., *An Update of the Worldwide Integrated Assessment (WIA) on Systemic Insecticides. Part 2: Impacts on Organisms and Ecosystems*, Env'tl. Sci. Pollution Research Int'l (Nov. 9, 2017), <https://bit.ly/2HqqHwB>; Thomas Wood & Dave Goulson, *The Environmental Risks of Neonicotinoid Pesticides: A Review of the Evidence Post 2013*, Env'tl. Sci. Pollution Research Int'l, 24(21): 17285–17325 (Jun. 7, 2017), <https://bit.ly/2Hpn8T5>; Ben A. Woodcock et al., *Country-specific Effects of Neonicotinoid Pesticides on Honeybees and Wild Bees*, 356 Science 6345, 1393–1395 (Jun. 30, 2017), <https://politi.co/2HrEnDl>; Ben A. Woodcock et al., *Impacts of neonicotinoid use on long-term population changes in wild bees in England*, 7 Nature Communications 12459 (Aug. 16, 2016), <https://go.nature.com/2EU6Xho>; Travis A. Grout et al., *Neonicotinoid Insecticides in New York State*, Cornell University (June 23, 2020), <https://bit.ly/2XIB2cA>.
- ⁶ See, e.g., Masumi Yamamuro et al., *Neonicotinoids Disrupt Aquatic Food Webs and Decrease Fishery Yields*, Science (Nov. 1, 2019), <https://bit.ly/34rKCSG>; Yijia Li et al., *Neonicotinoids and Decline in Bird Biodiversity in the United States*, Nat. Sustain. (Aug. 10, 2020), <https://go.nature.com/2F3Mz0u>.
- ⁷ Jessie Buckley et al., *Exposure to Contemporary and Emerging Chemicals in Commerce among Pregnant Women in the United States: The Environmental influences on Child Health Outcome (ECHO) Program*, Environ. Sci. Technol. 56(10), 6560–6579 (2022), <https://pubs.acs.org/doi/10.1021/acs.est.1c08942>.
- ⁸ See generally Jen Sass, NRDC, *Neonic Pesticides: Potential Risks to Brain and Sperm* (Jan. 6, 2021), <https://on.nrdc.org/3ARUxRw>.
- ⁹ *Id.*
- ¹⁰ Minn. Department of Agriculture, 2021 Water Quality Monitoring Report (June 15, 2022), <https://wrl.mnpals.net/islandora/object/WRLrepository%3A3880/datastream/PDF/view>.
- ¹¹ Dan Gunderson, *Data Show Increasing Insecticide Levels in Minnesota Deer*, MPR News (Aug. 23, 2022), <https://www.mprnews.org/story/2022/08/23/data-show-increasing-insecticide-levels-in-minnesota-deer>.



March 21, 2023

Dear Chair Hansen and Members of the Environment Committee:

Metro Cities, representing the collective interests of cities in the metropolitan area, supports HF 1130 (Tabke), which is being heard in the Environment Committee on Wednesday.

City officials must have an adequate level of local decision-making authority in order to serve the local needs of the community. HF 1130 allows cities to regulate pollinator-lethal pesticides in a manner that best suits the needs of their local jurisdiction. Metro Cities appreciates that the language in this bill is permissive, leaving the choice to regulate these pesticides up to the people who live where these products may be used. Metro Cities also supports and appreciates language in the bill that directs the Department of Agriculture to maintain a list of pollinator-lethal pesticides on their website for cities to reference if they choose to regulate the use of these products within their jurisdictions.

Thank you for your consideration of this letter. Please contact me if you have any questions.

Sincerely,

A handwritten signature in black ink that reads 'Michael Lund'.

Mike Lund
Government Relations Specialist
Metro Cities

Chair Hansen, committee members, thank you for allowing me to speak in opposition to HF 1130. My name is Dan Papineau, and I am the Director of Government Affairs for TruGreen. In the interest of being as efficient and as brief as possible, I provided more information and background about our business with my testimony.

HF 1130 looks to grant local governments the ability to regulate certain pesticides in order to protect pollinators. The policy goal of protecting pollinators is an admirable one. We know the threat pollinators face. It is evidenced by countless studies identifying lack of habitat, parasites, the transporting of pollinators long distances for mass pollination events like that of almond trees, and yes, pesticide use as threats to pollinator health.

Reviewing testimony, amendments and engaging with many of the proponents of this policy I feel it was necessary to come before you to raise a few concerns, pose a few questions and provide some clarification on HF 1130, all of which are meant to promote a better bill and not to dissuade you from your continued effort to protect pollinators from pesticides.

First, pollinators all over Minnesota are important, not just the ones in cities and statewide solutions that protect pollinators exist that do far more for pollinator health than this bill. I urge the committee to consider these options.

Second, the bill as introduced exempted many uses of pesticides and amendments continue to be offered to exempt more. This process seems piecemeal and suggests a more thoughtful, collaborative approach is necessary. Pollinator lethal pesticides are used everywhere from your backyard to your child's head when they get headlice. Before we give local governments the ability to regulate the widespread use of these pesticides, let's make sure we have a thorough understanding of how and where they are used and then discuss potential exemptions.

Third, TruGreen's specialists are all licensed, certified and trained in pesticide use and there is special emphasis within this process on pollinator protection. Specialists are trained, educated and tested on pollinator health every year and throughout the season. The outline of our pollinator protection plan is attached to my testimony and comes out of our specialist training manual. While we are licensed, certified and trained, Trugreen doesn't use anything different than what an everyday homeowner could pick up at their local retail store. If a city bans a pesticide within their border, it will only lead to a massive increase in applications being performed by unlicensed, unprofessional and unaware individuals who, likely unwittingly, buys the product at retail in a neighboring municipality. Please consider this when deliberating on the benefits of a statewide solution versus a local one.

Fourth, when it comes to protecting human health from disease borne insects like mosquitoes and ticks, there are no other effective options than synthetic pesticides that, if not used properly per the label instructions, could be harmful to pollinators. TruGreen is the largest lawncare company in Minnesota and in many other states. We have tested organic or natural options when it comes to protecting homeowners from disease borne insects and if they were effective, we would be the first to use them taking advantage of our size and scale. The fact public mosquito control districts are exempt from this bill, I believe, speaks to this reality. Why are private licensed applicators doing residential treatments treated differently than public applicators?

Fifth, the legislation needs to be clarified on what its actual intent is. According to testimony by the sponsor and the League of Minnesota Cities, it appears that the only local control being afforded a local government in this bill is the ability to say yes or no to a certain pesticide being allowed within their borders. Described to me as a light switch, the bill is requiring the Department of Agriculture to develop a list of pesticides and then a local government can allow the use of a pesticide on the list or not. When I and others read the legislation, I do not come up with the same narrow conclusion. The ability to regulate a pesticide is far greater than just banning their use or not.

I will close by saying TruGreen is serious in its commitment to pollinators and is more environmentally conscience than ever before. Now, standing on our own and not a part of a large conglomerate, we have distributed 350,000 pollinator friendly wildflower seed packets for free to residential customers, local governments, schools and others. 25,000 will be distributed in Minnesota this season alone. We are going into our third year partnering with the University of Minnesota to fund research on a more drought resistant turfgrass mix. We invest in understanding more about how healthy turfgrass sequesters carbon, cools the environment, and prevents runoff. We are testing things like electric equipment, flexible scheduling and new products to continue our efforts in being an innovative and cutting edge provider of lawn and landscape services.

For these reasons and others, I sincerely hope to be provided the opportunity to work with the sponsor and other proponents on this legislation. While we believe that pesticides are well regulated in Minnesota, we are not opposed to working with any legislator on thoughtful ways to strengthen statewide protections for pollinators. I know a better and more thoughtful policy can come about through working together.



To: Members of the Environment and Natural Resources Finance and Policy Committee

From: Concerned Industries

Date: March 22, 2023

Subject: Please Oppose HF 1130, legislation allowing for local control of pesticide regulations.

On behalf of agricultural producers, crop production retailers, certified crop advisors, landscape professionals, pest management businesses, golf course owners, arborists, and the businesses that support these industries in Minnesota, we respectfully ask that you oppose HF 1130, legislation that jeopardizes the state's successful and existing regulatory framework for pesticides.

Since 1987, the Minnesota Department of Agriculture (MDA) has had sole substantive regulatory authority over pesticides, including sale, distribution, application, use, education and enforcement. Minnesota is one of 45 states that has this statutory preemption over local regulation of pesticides. The professionals at the MDA regulate and control the use of pesticides and enforce violations of state statute. All pesticide applicators are certified and licensed by the Minnesota Department of Agriculture. Significant State and Federal oversight ensure industry compliance and the proper use of pesticide products according to the label which is equal to law.

The cited provisions in HF 1130 would undermine MDA and U.S. Environmental Protection Agency (EPA) regulatory authority. This provision would allow 853 Minnesota cities to regulate and ban certain pesticides (for now) without any uniformity. Adding another layer of regulation by cities who lack the necessary expertise and scientific training would be moving responsible regulation several steps backward. While local control makes sense in many areas, the highly technical field of pesticide and chemical use is clearly not one of them. Pesticides are one of the most studied and regulated products on the market.

We are aware of no data suggesting there is a human health threat in Minnesota from the proper application and use of pesticides. In fact, properly applied pesticides are effective in preventing threats to human health coming from mosquitos, ticks and rats as well as preventing environmental damage from crop destroying insects and tree/shrub destroying beetles, the Emerald Ash Borer and other invasive pests.

Additionally, when applied responsibly, per the instructions on the label (which have the force of law) the EPA has found the use of pesticides not to be harmful to beneficial insects. As professional applicators who are trained, pass state exams, and undergo continuing education, we understand the importance of proper and responsible use of these products.

As the committee deliberates on HF 1130, please know that pollinator health is a vitally important issue to us, however this legislation ignores stakeholder input and support and works at cross purposes to efforts already underway to preserve and support pollinator populations by the state and EPA. Similarly, pesticide registrants have invested both time and resources into bee health and supporting stewardship initiatives. General information on these efforts can be found at www.growingmatters.org. The U.S. Environmental Protection Agency (EPA) also provides extensive pollinator information and guidance to support pollinator health.

Thank you,

State Associations:

Cooperative Network

Minnesota Agricultural Aircraft Association

Minnesota Golf Course Superintendents Association

Minnesota Grain and Feed Association

Minnesota Nursery and Landscape Association

Minnesota Pest Management Association

Minnesota Pesticide Information and Education

Midwest Food Products Association

Midwest Hardware Association

National Federation of Independent Business - Minnesota

National Associations:

Agricultural Retailers Association

CropLife America

Golf Course Superintendents Association of America

National Agricultural Aviation Association

National Association of Landscape Professionals

National Pest Management Association

RISE

March 21, 2023

The Honorable Rick Hansen, Chair
The Honorable Sydney Jordan, Vice Chair
House Committee on Environment and Natural Resources Finance & Policy
Minnesota State Capitol
St. Paul, MN 55155

RE: HF 1130: Cities authorized to adopt pesticide control ordinances. - OPPOSE

Dear Chair Hansen, Vice Chair Jordan, & Honorable Committee Members:

On behalf of the Household & Commercial Products Association (HCPA), we are respectfully opposed to provisions in HF 1130 relative to the regulation of pesticides.

The Household & Commercial Products Association (HCPA) is the premier trade association representing the interests of companies engaged in the manufacture, formulation, distribution and sale of more than \$180 billion annually in the U.S. of familiar consumer products that help household and institutional customers create cleaner and healthier environments. HCPA member companies employ hundreds of thousands of people globally. Products HCPA represents include disinfectants that kill germs in homes, hospitals and restaurants; air fresheners, room deodorizers, and candles that eliminate odors; pest management products for home, lawn and garden, and pets; cleaning products and polishes for use throughout the home and institutions; products used to protect and improve the performance and appearance of automobiles; aerosol products and a host of other products used every day.

Proposal will lead to a maze of regulations and enforcement

The precedent HF 1130 sets for local regulation of pesticides identified in the bill is unnecessary and would lead to troubling consequences. Federal law requires that before selling or distributing a pesticide in the United States, a person or company must obtain registration, or license from the U.S. Environmental Protection Agency (EPA).¹ Before registering a new pesticide or new use for a registered pesticide, EPA must first ensure that the pesticide, when used according to label directions, can be used with a reasonable certainty of no harm to human health and without posing unreasonable risks to

¹ According to the EPA, "The process of registering a pesticide is a scientific, legal, and administrative procedure through which EPA examines the ingredients of the pesticide; the specific site or crop where it is to be used; the amount, frequency, and timing of its use; and storage and disposal practices. The agency evaluates registration applications to assess a wide variety of potential health and environmental effects associated with use of the product. EPA evaluates and approves the language that appears on each pesticide label to ensure the directions for use, including safety measures, appropriately address potential risks."

the environment. EPA risk assessment is a process guided by scientific advisory panels. Localities do not have the expertise of chemists, scientists, or legal resources to effectively regulate pesticides compared to the EPA or Minnesota Department of Agriculture. Furthermore, this approach would establish a maze of regulations across the state for common consumer products, making compliance incredibly difficult.

Bill would lead to restrictions on common and important pest management tools

With respect to the scope of the restrictions, by including any pesticide with a precautionary statement about bees or pollinators, HF 1130 would capture a wide range of commonly used pesticides without an appropriate evaluation. HCPA appreciates the recognition within the bill that different application and use types are important to distinguish, such as pet products and indoor use. Not all products or uses are the same.

However, the approach HF 1130 uses to regulate pesticides is flawed because it seeks to authorize a ban on all forms of insecticides with a pollinator label, and then attempts to enumerate all the possible instances that would be acceptable for use – presumably because they won't impact pollinators. This approach assumes the Legislature will successfully identify and capture all the possible uses it believes is appropriate. The language in the bill continues to restrict common consumer pesticidal products used outdoors such as fly abatement strips, scatter bait, and other important household insect pest management tools that do not interact with pollinators.

Finally, a comprehensive report by U.S. Department of Agriculture (USDA) and the USDA National Agricultural Statistics Service (NASS) describe a broad range of issues or “stressors” negatively affecting bees, including habitat loss, parasites and diseases, lack of genetic diversity, climate change, pesticides, reduced forage options and pathogens. The research and data collected nationally and specific to Minnesota shows the leading stressor to honeybee colonies is overwhelmingly varroa mites. Any legislation seeking to protect pollinator populations that ignores the most influential stressors will not be successful.

We support continued research on the risks to bee health and readily acknowledge the critical importance of pollinators to the agricultural economy and environment, however, in recognition of the work by the US EPA and lack of adequate science to support the measure, HCPA urges the Legislature to reject local regulation of pesticides.

Sincerely,



Christopher Finarelli

Director, State Government Relations & Public Policy - Western Region



22 March 2023

The Honorable Chairman Rick Hansen
Minnesota House Environment and Natural Resources Finance and Policy Committee
75 Rev. Dr. Martin Luther King, Jr. Blvd.
Saint Paul, MN 55155

RE: Please oppose HF 1130—Legislation that preempts statewide and federal regulation of pesticides.

Dear Chairman Hansen, Vice-Chairwoman Jordan, and members of the Environment and Natural Resources Finance and Policy Committee:

The Minnesota Pest Management Association (MPMA) is the primary trade group representing the structural pest management industry in Minnesota. Our member companies manage pests including rodents, ants, cockroaches, bed bugs, mosquitoes, spiders, stinging insects, termites, and other pests in countless commercial, residential, and institutional settings.

Approximately 97% of pest control companies in Minnesota are small businesses.

As an essential workforce protecting Minnesota's public health, safety, and property, we feel that HF 1130, which in part has the well-intended goal of protecting pollinator health, would unintentionally make it difficult for pest management professionals to effectively do their work.

We are concerned about HF 1130 as written. Since 1987, the Minnesota Department of Agriculture (MDA) has responsibly regulated the sale and use of pesticides as the sole regulatory authority over pesticide application in Minnesota. Minnesota is one of 46 states across the nation that has this statutory preemption over local authorities. The MDA has professionals on staff to regulate and enforce Minnesota's pesticide laws. Our members are licensed by the MDA and, if found to be misusing pesticides, face fines, loss of their licenses, and other disciplinary actions – unlike the everyday homeowner, who can purchase and use these pesticides with no oversight.

The Federal Insecticide, Fungicide and Rodenticide Act (FIFRA) grants individual states the authority to license, train and regulate pesticide applicators, and to set certain statewide policies on pesticide registration and use. By contrast, HF 1130 would allow all of Minnesota's cities to usurp the authority of MDA and make their own rules pertaining to pesticide use. Consequently, those cities would lose the guidance and supervision of the professionals and scientists that the U.S. Environmental Protection Agency (EPA) and the Minnesota Department of Agriculture rely upon to create science-based pesticide policy across all states. The result of this would be a confusing patchwork of local jurisdictions, each with its own regulations.

The average pest control service technician makes between 8 and 10 service visits per day across multiple local jurisdictions. Even small companies with a single owner-operator will be



challenged to comply with the various regulations as they typically cover a 60-mile radius (over 11,000 sq. miles). If every jurisdiction had its own arbitrary rules, prohibitions and exemptions, the lack of uniformity would create an unnecessary burden affecting the ability of pest management professionals to safeguard public health and protect property from pest infestations. Additionally, pests like mosquitoes, ticks, and rodents do not abide by jurisdictional boundaries, so varying regulations in one town might conflict with those in place in adjacent communities. Compliance with such a jumble of regulations would be nearly impossible.

Another concern the structural pest management industry in Minnesota faces is that **HF 1130 would eliminate our industry's ability to apply pesticides around building foundations, even though structural pest control uses are unlikely to impact pollinators:** The structural pest management industry utilizes neonicotinoids to control infestations in homes, food service and food processing facilities, schools and daycare centers, hospitals, senior care facilities and hotels. These insecticides are effective and useful in protecting residential, commercial, and institutional facilities from bed bugs, cockroaches, rodents, and various other pest infestations. Applicators read and follow EPA-approved label directions to ensure that their applications are effective and do not cause any adverse environmental harm. Due to the nature of our applications both indoors and in close proximity to structures, our industry is unlikely to pose a threat to pollinators. A recent [Cornell University study](#) on neonicotinoid pesticides has found that structural pest control applicators pose “**negligible risk to pollinators,**” and concludes that “[s]uch applications are unlikely to lead to substantial exposure for insect pollinators.”

MPMA stresses that the impact that the structural pest management industry has on pollinators is minimal; however, HF 1130 as written does not reflect this reality. MPMA members support, train for, and implement [Best Management Practices \(BMPs\)](#) developed by the National Pest Management Association, which helps to ensure that applicators use pesticides safely, in a manner that doesn't impact pollinators.

We ask that HF 1130 be amended, with language similar to that used in many other states' pesticide regulations (e.g., NJ) to allow for **both** indoor treatments and outdoor treatments for pests within 7 feet of a structure.

We applaud the efforts of your committee to make determinations about the regulation of pesticides in our state to protect pollinators. However, HF 1130 as written would prevent the structural pest management industry from doing routine safety services in our communities under the oversight of MDA and the United States EPA. **MPMA respectfully asks that you do not support HF 1130 unless amended.** We would welcome and gladly answer any questions you may have about our concerns.

Respectfully,

THE MEMBER FIRMS OF THE MINNESOTA PEST MANAGEMENT ASSOCIATION
minnpest1@gmail.com



3/21/2023

The Honorable Chairman Rick Hansen
Minnesota House Environment and Natural Resources Finance and Policy Committee
75 Rev. Dr. Martin Luther King, Jr. Blvd.
Saint Paul, MN 55155

RE: HF 1130—Allowing Local Regulation of Pesticides Will Lead to Unintended Consequences and Put Minnesotans at Risk – NPMA Opposes

Dear Chairman Hansen, Vice-Chairwoman Jordan, and members of the Environment and Natural Resources Finance and Policy Committee:

The National Pest Management Association (NPMA), founded in 1933, is the only national trade group representing the structural pest control industry with over 5,000 members from around the world. We are proud to represent a multitude of small businesses through our members; over 80% have an annual revenue of less than \$1 million. We appreciate the opportunity to share our thoughts on HF 1130, as we want to be constructive in the policymaking process. **Also, we commend the legislature's efforts to protect the health of residents and pollinators in Minnesota.**

The professional structural pest management industry and our certified commercial applicators, operators, and technicians use pesticide products in, on, and around structures to protect public health and property. Our industry professionally manages a wide range of structural pests with these products that include ants, bedbugs, mosquitos, ticks, and termites, among many other pests. Our member companies take pride in their role as protectors of public health, food, and property extremely seriously and welcome further dialogue on this topic. We wish to work alongside the legislature to ensure thoughtful, science-based regulation wins the day.

The Minnesota Department of Agriculture (MDA) has responsibly regulated the sale and use pesticides as the sole regulative authority of pesticide application in Minnesota since 1987. Minnesota is one of 46 states across the nation that has this statutory preemption over local authorities. The MDA has professionals on staff to regulate and enforce Minnesota's pesticide laws. Our members are licensed by the MDA and, if found misusing pesticides, face fines, losing their licenses, and other disciplinary actions, unlike the everyday homeowner, who can purchase and use these pesticides with no oversight. **Undercutting the existing science-based regulatory framework would have a negative impact on the health and safety of all Minnesotans as well as residential, agricultural, and commercial spaces.**

This bill would allow all of Minnesota's cities to usurp the authority of MDA, along with the guidance and supervision of their professional staff and scientists in our field, creating a patchwork of regulation. **The average service technician conducts between 8 to 10 services per day across multiple jurisdictions.** If every jurisdiction had its own arbitrary prohibitions and exemptions, the lack of uniformity creates an unnecessary burden on the ability of pest management professionals to safeguard public health and property from pest infestations. Additionally, pests like mosquitos, ticks, and rodents do not abide by jurisdictional boundaries, so these varying regulations in one town might increase pest pressures on adjacent communities. Once cities begin to wrest control of pesticide regulation from the MDA, these cities will also become the licensing, enforcement, and testing bodies for these pesticides, an undertaking that localities cannot manage like the existing, statewide framework.

If the bill as written is passed, some of the products used by our members that are most likely at risk include the most effective tick, termite, and fly treatments. NPMA would like to remind the committee that tick season is just around the corner, termite treatments are required for FHA loans in most of Minnesota, and innocuous things like outdoor uses of fly baits to trash cans and dumpsters could be unintentionally banned by cities. Ticks carry the debilitating Lyme Disease, termites do more damage in this country than floods and fires combined, and their populations are growing in Minnesota. Additionally, flies are known to be disease carriers and losing access to fly baits would allow their populations to flourish and result in the diseases they carry to become more widespread.

In conclusion, we want to be constructive in the policymaking process and applaud efforts to protect pollinators. Our members are keen stewards of the environment and pollinator health and abide by our recommended best management practices for pollinators, which we are happy to provide to the committee. This bill will remove the ability of pest management professionals to proactively protect Minnesota's public health, safety, and property. We firmly believe that your zip code should not determine your level of protection from these dangerous and destructive pests.

Thank you for the opportunity to inform the House Environment and Natural Resources Finance and Policy committee as to how the professional pest management industry protects public health and property. Do not hesitate to contact me at jreynolds@pestworld.org if you have any questions and would like to discuss further.

Best regards,



Josh Reynolds
Manager of Legislative and Regulatory Affairs
National Pest Management Association
Direct: 703.688.9450



March 8, 2023

Dear **Senator Boldon and Rep Tabke and members of the Committee**

Thank you members of the Committee. My name is Michael Chaney and writing on behalf of Project Sweetie Pie a network of Urban Farmers in North Minneapolis. I live in Minneapolis, MN. PSP in concert with other urban farmers created the first urban farm legislation in the nation. We worked in concert with the Minnesota Department of Ag to pass that legislation. I am also a founding member of the Midwest Farmers of Color Collective, a group of 100 farmers of color in urban, suburban and rural communities in MN and a member of the City of Minneapolis Green Zone Task Force.

As cultivators of food and land stewardship in Minneapolis, we know the importance of protecting our ecosystems and pollinators, that the health of our food system and so our people is inextricably linked with theirs. We need to stop separating agriculture and environmental policy because our realities are not separate. We need higher protections of our communities and animals against pesticides, herbicides and harmful chemicals and deserve the right to set standards for hazards to our health to the highest levels. Recently PSP received funding from the USDA/NRCS to coordinate The People's Garden Initiative on behalf of the state of Minnesota. We are one of 17 cities addressing global warming/food access/food security. One of our collaborative partners on that project is Xerxes Society. We are working diligently installing pollinator gardens on all of our scattered garden sites. Our sustainability as farmers is hinged to the sustainability of our bee population.

Our members agree that communities need strong local control—and we know from experience that rights that are not defended are lost, and that we keep them strong by standing together.

We learned that Minnesotans lost our local control over pesticides in the 1980s, around the time an industry-led preemption campaign was carried out in multiple states. MN was one of them.

Communities of color and low-income communities have so often been sacrificial communities when it comes to toxic development, brown fields, bus depots, and incinerators, already have air and water quality concerns—health concerns—but because of pre-emption can't act to reduce pesticides locally. And communities can't help take on the burden of pollinator protection from pesticides, even if they want to.

SF608 / HF1130 is a first step in restoring local control, allowing cities to protect pollinators and people from toxic pesticides.



Many communities have unique needs and problems related to pesticides that should be addressed on a local level. Currently, mayors and city governments have their hands tied when they are faced with a problem related to pesticides.

Our youth and families are already dealing with a lot of health issues, food insecurity, Lupus, Lymes Disease, Asthma, Diabetes, among others. We want to know that we can take efforts to protect our communities and natural systems from harmful pesticides and chemicals. Please support local control for our communities today.

Thank you for your time.

Michael Chaney/Project Sweetie Pie
(763)227-4881
mvchane@aim.com

"We're growing good in the neighborhood."



March 10, 2023

Honorable Chair Samantha Vang
Minnesota House
Agriculture Finance and
Policy Committee
Capitol Room 120
State Office Building
St. Paul, MN 55155-1298

Landscape Industry Opposition to HF 1130 – Pesticide control ordinances adoption by cities authorization

Madame Chair and Committee Members,

The National Association of Landscape Professionals (NALP) is the national trade organization representing the \$98 billion landscape industry employing over 1.4 million employees in the United States. Member companies specialize in lawn care, landscape maintenance, tree care, irrigation and water management. Landscape professionals throughout the nation work daily performing essential services to homes and businesses to maintain their landscapes, sustain the environment and enhance and maintain healthy and safe green spaces.

Since 1987, the Minnesota Department of Agriculture (MDA) has had sole substantive regulatory authority over pesticides, including sale, distribution, application, use, education and enforcement. Minnesota is one of 44 states that has this statutory preemption over local regulation of pesticides. The professionals at the MDA regulate and control the use of pesticides and enforce violations of state statute. All pesticide applicators are certified and licensed by the Minnesota Department of Agriculture. Significant State and Federal oversight ensure industry compliance and the proper use of pesticide products according to the label which is equal to law.

HF 1130 seeks to shift regulatory power to municipalities that lack the resources, experience, and expertise to effectively regulate pesticide and chemical use. Furthermore, A shift to local regulation would create a complicated and confusing patchwork of inconsistent standards that would make it nearly impossible for applicators to effectively protect and maintain work and recreational spaces that all Minnesotans enjoy.

NALP shares the desire to protect Minnesota's residents and ecosystems from pests and invasive species. Certified applicators satisfy state training and examination requirements, and use products in accordance with their federal and state approved label which is equal to law. The health and

safety of pollinators, and their habitats are always the top priority of registered applicators; and when applied by responsible and registered applicators, pesticides benefit pollinator ecosystems by providing safeguards against invasive species.

The reality is that local jurisdictions lack the resources and expertise to effectively regulate pesticides. EPA employs more than 900 experts to review information on pesticide safety and efficacy before making a decision to register the product for sale and use. After EPA completes the extensive review the Minnesota Department of Agriculture also reviews each pesticide registration in relation to Minnesota. Municipalities cannot replicate the high standard of expertise, effective regulation, vast resources, and safety of these two entities. Would we trust a locality to test and authorize the use of a vaccine? Of course not, Pesticide registration is a highly technical and extensive regulatory process that should be left to the experts at the federal and state agencies that have the knowledge and resources to approve products used by landscape professionals.

The professional landscape industry implores the committee to consider the ramifications that local pesticide regulation would have on applicators who operate across city and county lines and in turn, the effects that inconsistent restrictions will have on mitigation efforts across the state. The MDA and EPA have established processes and a regulatory framework that maintains the safe use of pesticides based on scientific evaluations and reviews, and regulatory power should remain vested in them. The National Association of Landscape Professionals implores members of the committee to maintain statewide uniformity and vote against HF 1130.



March 22, 2023

Representative Rick Hansen, Chair

House Committee on Environment and Natural Resources Finance and Policy

10 State Office Building

RE: HF 1130, Cities authorized to adopt pesticide control ordinances.

Chair Hansen, Members of House Committee on Environment and Natural Resources Finance and Policy:

Thank you for the opportunity to submit testimony on HF 1130, which would remove existing state authority that ensures safe and consistent regulatory standards for residential, commercial, and agricultural pesticides in the state. We **Oppose HF 1130** a bill that would weaken the State's ability to effectively regulate pesticides in Minnesota.

Pesticides in Minnesota are registered and regulated by the Minnesota Department of Agriculture. These regulations enforced by the Department of Agriculture ensure safe and proper pesticide use in the state through registration of pesticides, licensing of pesticide applicators, and through research and enforcement activities. Uniform state law comprehensively regulates virtually every other aspect of labeling, distribution, sale, storage, transportation, use and application, and disposal of pesticides in the state.

State regulation of pesticides also ensures uniformity with federal regulation, and between states and their municipalities to avoid confusion that may endanger public health or the environment from differing requirements. HF 1130 would remove this authority and weaken important standards, increase costs to Minnesotans due to a patchwork of compliance and additional needed resources, and create confusion and the potential for endangering people and natural resources.

Pesticides are important public health and environmental tools, protecting people, pets, and property from pests and insect-borne diseases, invasive and non-native plants, and providing safe and healthy places to live, work and play. Pesticides are rigorously reviewed, evaluated, and approved for sale and use at the state and federal levels on an ongoing basis, ensuring they meet the most current scientific and safety standards. The manufacture, sale, and use of pesticides is extensively regulated by the Minnesota Department of Agriculture, and U.S. Environmental Protection Agency.

Pesticides are among the most highly regulated products in the nation. Overriding the authority of the Minnesota Department of Agriculture would create a patchwork of local rules and regulations in Minnesota across the 107 Home Rule cities and the 746 Statutory cities. HF 1130 removes this authority therein weakening public health and safety standards, environmental protection options for harmful and invasive insect and plant species, consistency in regulation and labeling of products, and other licensing and training standards currently set forth and implemented by the state. Both state and Federal pesticide regulatory agencies have significant staff resources devoted to reviewing and understanding proper uses, risks, and benefits of pesticides before registering them for use.

Instead of allowing local governments to regulate or ban use of pesticides, we ask the committee to consider measurable actions to support pollinators and to mitigate proven stressors such as loss of habitat and forage, climate change, viruses, and diseases. Actions that can make a real difference for bees include:

- Amplifying existing public outreach activities about supporting pollinators.
- Ensuring plans and actions are evidence-based to make a difference in pollinator health.
- Investing in public land management strategies that maximize available nutrition and forage.
- Investing in data-gathering and research to determine the best course of action to support pollinators.
- Supporting programs for increasing flower space and plant species diversity by planting bee-attractive gardens that include nectar rich plants, fruit-bearing trees, hedgerows, and flowering shrubs in urban and suburban residential and commercial settings. Bees with access to an abundant food supply are more resilient to other stressors.
- Addressing varroa mite challenges and mitigation efforts in the state.

Thank you for the opportunity to comment on this matter as the Committee undertakes its deliberations about pesticide authority in Minnesota. At this time, we urge the Committee to oppose HF 1130 in its current form.

Sincerely,

Jon Gaeta

JGaeta@pestfacts.org

Director, State Affairs

4201 Wilson Blvd. Suite 700

Arlington, VA 22203

RISE (Responsible Industry for a Sound Environment) is the national trade association representing manufacturers, formulators, distributors and other industry leaders engaged with specialty pesticides.



My name is Gary W. Hampton, I am a farmer and farming advocate writing on behalf of myself and the Urban Farm & Garden Alliance and the Midwest Farmers of Color Collective. I live at 48th Ave. S. Apt.1 in Minneapolis, Minnesota and work with both urban and rural farmers around the Twin Cities in particular Minneapolis and St. Paul. In addition to working with the Urban Farm and Garden Alliance (UFGA), I also work with the Commons Land initiative, the Twin City Agricultural Land Trust and Project Sweetie Pie. I urge you to pass HF 1130, the Local Control Pesticide preemption devolution for municipalities.

I am personally affected by this issue because of the effects that pesticides can have on the human body, in particular internal organs. As a person with chronic kidney disease, I have heavy concerns as to the cumulative impacts that pesticides have on the body and the threat they pose to exacerbate my condition and others with similar chronic conditions. It would be a travesty to think that we are eating healthy, and trying to live a responsible lifestyle with intention, yet pesticide exposure can harm my friends and family or reduce the quality of our lives by being in our water, soil and places we think of as safe.

Our work in urban farming and gardening is life affirming, and knows the importance that pollinators play with our food and ecosystem. We plant pollinator habitats and encourage others to support a healthier and safer community in doing so. But pollinators are endangered with a lack of protections and the use of hazardous pesticides in our urban, suburban and rural areas. With consideration of the public health and environmental health impacts, we have to be responsible on what and how we allow pesticides to be used in our communities. Local voice is important and critical to the quality of life at the local level as it is those individuals who understand the needs and impact through experience and observation of climate, cultural and community changes to the local natural environment.

HF1130 is a first step in restoring local control, allowing cities to protect pollinators and people from toxic pesticides.

Many communities like ours have air, water and soil quality issues and unique needs and problems related to pesticides that should be addressed on a local level. Currently, mayors and city governments have their hands tied when they are faced with a problem related to pesticides. For now, pollinators and people deserve a chance at healthy communities—and passing HF 1130 would be a step towards that.

Thank you for your time.

Gary W. Hampton and Melvin Giles
Urban Farm and Garden Alliance

March 21, 2023

Testimony for HF 1130 Local Control

Hello and thank you to the Chair and members of the committee for reading my testimony. I work during the day and am unable to testify by Zoom.

My name is Bonnie Wirtz, I live at 1425 Jessamine Avenue West #212 Saint Paul, MN 55108. I am writing on behalf of myself, my family, and others like me who have been negatively impacted by pesticides and want to see HF 1130 Local Control Pesticide Preemption Devolution for Municipalities bring more protections for families and children.

Before I lived in St. Paul, I lived in Melrose, MN. My husband and I were beginning our dream of farming and renting a homestead with our young son Jayden.

One summer day we were outside and the neighboring farm was spraying their Alfalfa field by plane. As it flew closer my husband and I took shelter in our house and closed all of our windows. Our son was just 8 months old.

Moments later we heard the plane fly over. It sounded so close we thought it was going to crash. Seconds passed when suddenly the room I was in began to fill with a white mist, which was coming in around the air conditioner unit. I stumbled out coughing and I was having trouble breathing. My husband rushed me and my infant son to the ER. That night I fought for my life as I had been exposed to extremely high levels of chlorpyrifos, a deadly neurotoxin. We all experienced so much harm from that day and the real physical and emotional consequences have impacted our lives in many ways. My son who was meeting all of his milestones developmentally before the crop dusting has since been diagnosed with Autism. I have since developed Post Traumatic Stress Disorder (PTSD) and for years struggled with planes flying overhead triggering flashbacks.

The MDA did investigate the poisoning, but nothing was done, a nominal fine was given, funds that went to the state, not to my family for all the pain and suffering the ordeal caused.

My experience and the lack of real accountability with the state and MN Department of Agriculture, who should be protecting us from harmful pesticides, shows that communities need strong local control—and we know from experience that rights that are not defended are lost, and that we keep them strong by standing together.

In my research on Local Control, I found out that as Minnesotans, we lost our right to local control over pesticides in the 1980's, around the time an industry-led preemption campaign was carried out in multiple states. MN was one of them. The companies that sell pesticides should have no place in government, and in a state where we care so much about food and farming, we need to take a stand.

HF 1130 would give our local communities back local control of health-impacting chemicals, allowing cities to protect pollinators and people from toxic pesticides.

Many communities have unique needs and problems related to pesticides that should be addressed on a local level. Currently, mayors and city governments have their hands tied when they are faced with a problem related to pesticides.

I have been deeply affected by this issue and hope that you will vote to pass HF 1130 today to give our local areas control to have safe homes and communities.

Thank you for your time.

Respectfully,

Bonnie Wirtz

March 22, 2023

Representative Rick Hansen
Chair of the Committee on Environment and Natural Resources Finance and Policy

Re: HF 1130—Tabke: Cities authorized to adopt pesticide control ordinances.

Dear Chair Hansen and Members,

The City of Minneapolis appreciates the opportunity to comment in support of HF 1130.

This bill would allow cities to regulate pollinator-lethal pesticides in a manner that best suits the needs of their local jurisdiction. In addition, we are supportive of the language in the bill that directs the Department of Agriculture to maintain a list of pollinator-lethal pesticides on their website for cities to reference if they choose to regulate the use of these products within their jurisdictions.

In 2015, our City Council unanimously passed and adopted a resolution declaring Minneapolis a pollinator-friendly community. With this resolution, we celebrated current policies and practices that protect and support pollinator health including reducing the City's pesticide use. We also encouraged our residents and businesses to adopt pollinator-friendly practices, such as committing to not using pesticides, including systemic insecticides, on their property and avoiding planting flowering plants that are treated with systemic insecticides.

We know that pollinators are a necessary component of a healthy ecosystem and food system, providing essential pollination of plants in order to grow vegetables, herbs, and fruits. Local food production is needed to improve the health and food security of Minneapolis residents and insect pollination is an essential component of local food production. HF 1130 would complement the resolution and pledge that the City of Minneapolis has made to ensure that we protect pollinator populations, by allowing all Minnesota cities to prohibit the use of pollinator-lethal insecticides within their borders.

Thank you for your time and thoughtful consideration of this important piece of legislation for our great state.

Sincerely,



Patrick Hanlon
Deputy Commissioner: Sustainability, Healthy Homes and Environment
City of Minneapolis Health Department