

March 25, 2022

Minnesota House of Representatives
Agriculture Finance and Policy Committee

Testimony in Support of HF 766

The Xerces Society for Invertebrate Conservation (Xerces Society) is pleased to support HF 766. We work with farmers across Minnesota to identify pollination and pest control needs, create habitat, and mitigate pesticide impacts to pollinators. These farmers range from fruit growers in need of pollination services, to large row crop farmers committed to supporting wildlife on marginal lands, to livestock operations interested in bringing in more forage for bees to their pasture and rangeland. **As a conservation organization working directly with farmers, we are well-versed in the importance of balancing pest management and wildlife conservation.**

North America's wild pollinators are facing precipitous declines: 28% of our bumble bee species are at risk of extinction, most notably the rusty-patched bumble bee - formerly one of Minnesota's most common bumble bees and now lost from 87% of its range. Similarly, roughly 17% of North American butterflies are at risk of extinction, including the well-known monarch butterfly, which has declined in numbers by ~90% since the 1990s.

Pollinators need both habitat and protection from pesticides. Habitat goals tend to be non-controversial and it can be tempting to focus solely on creating habitat. But if habitat isn't protected from harmful pesticide contamination, it is not truly supporting pollinator conservation. We need to focus on increasing habitat *and* reducing pesticide exposure.

Neonicotinoid insecticides, or neonics, are a priority concern for pollinators because they are long-lived, highly toxic, and systemic. They are also very prevalent in our landscape, as they are applied to the vast majority of corn and soybean seed planted. Neonics can have both lethal and sublethal impacts on pollinators, including direct mortality, impaired navigation, reduced growth and reproduction, and more. Pollinators are faced with numerous pathways for neonicotinoid exposure from treated seed, including uptake into crop or non-crop plants, soil contamination, dust-off at planting, and movement through waterways into off-field areas.

Clearly, planting of neonic-treated seed poses risk to pollinators. In addition, another risk that came to light last year relates to the disposal of neonic-treated seed in ethanol plants. In response to severe neonicotinoid contamination at and around an ethanol plant in Nebraska that processes treated seed, **HF 766 prohibits the use of treated seed in ethanol production.** Processing treated seed into ethanol in Nebraska resulted in highly contaminated wastewater and distillers grain byproducts, with neonicotinoid concentrations up to 554,000 ppb -- far above levels that can harm

pollinators or aquatic species (invertebrates can be negatively affected at levels as low as 1 ppb). This extensive contamination has been linked to bee die-offs and illnesses in local pets and wildlife.

Although ethanol processing is clearly an inappropriate disposal method for treated seed, industry guides intended to advise farmers and seed dealers on how to handle excess treated seed *still recommend ethanol plants*. These guides also include vague language about the permits that plants need to accept treated seed - but in reality, these permits do not exist. In the year since this issue was uncovered, the seed industry has not provided any information about how excess seed is now being handled to avoid contamination. Clearly, industry guidance is inadequate to prevent disasters on this scale. **Because treated seed is exempted from federal pesticide regulation, a similar situation could arise in Minnesota if this activity is not expressly prohibited.** HF 766 does just that, and also calls for the seed industry to create a product stewardship program to collect excess seed.

A stewardship program would help ensure that excess treated seed is handled appropriately without placing a burden on farmers or seed dealers. These programs have been implemented successfully to deal with other challenging waste categories, including some types of electronic waste. This program might also lead the industry to consider eventual disposal costs in their production costs, hopefully limiting the quantity of excess seed that must be disposed of each growing season.

Unfortunately, the impacts of neonicotinoid treated seed can extend far beyond its use in fields, and there are heavy costs from the growing trend of planting seeds pretreated with systemic insecticides. **HF 766 is a small, but critical, step forward to reduce the risk that unplanted treated seed can pose to pollinators and communities across Minnesota, and the Xerces Society is pleased to support the bill.**

Thank you,

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Background on the Xerces Society

The Xerces Society is an international nonprofit organization that protects wildlife through the conservation of invertebrates and their habitat. We have offices throughout the United States, including in Minnesota. The Xerces Society is a global leader in pollinator conservation, and has the largest pollinator conservation team worldwide. The Society's work is based on the latest science and is increasingly recognized as the standard for pollinator conservation by organizations such as the United Nations Food and Agriculture Organization, the White House, the U.S. Department of Agriculture's Natural Resources Conservation Service, members of the U.S. Congress, the organic and natural foods industry, and the sustainable agriculture community, including farmers and farm organizations from across the United States and abroad. Our work has led to 1.25 million acres of pollinator habitat restored on farms over the last decade. Through our Bee City USA initiative, more than 200 city and campus communities are improving habitat for pollinators and spreading awareness about these essential animals. We have also conducted hundreds of workshops and short courses on native pollinators; over 21,000 people have learned how to conserve invertebrates through our outreach and education programs.