



AGRICULTURAL PRESERVATION ADVISORY BOARD

January 5, 2015

The Honorable George Leventhal, President
Montgomery County Council
100 Maryland Avenue
Rockville, Maryland 20856

RE: Agricultural Preservation Advisory Board (APAB) Written Testimony:
Bill 52-14 Pesticides-Notice Requirements-Non-Essential Pesticides-Prohibitions

Dear Council President Leventhal:

On behalf of the Agricultural Preservation Advisory Board (APAB), please accept this correspondence as APAB testimony in opposition to Bill 52-14 – Pesticides-Notice Requirements-Non-Essential Pesticides-Prohibitions.

As with most legislation, there are generally individuals and special interest groups that take positions of both for and against and Bill 52-14 is no exception. Some view the Bill as being of paramount importance because it takes steps to provide for the safety and protection of our children. Others view concerns that this Bill as being unnecessary as pesticides are already regulated at the State and Federal level where labeling and other required record keeping practices for use are already in place. Thereby ensuring the safe use and handling of these pesticides. Bill 52-14 however goes much further than state and federal regulations by outright prohibiting the use of certain non-essential pesticides within the County.

While Bill 52-14 currently provides for an agricultural exemption, if this legislation is adopted and becomes law, nothing can prevent future council's from introducing amendments for the purpose of prohibiting the use of certain pesticides on agricultural land despite being approved for use by State and Federal Government.

While the APAB believes the intent behind Bill 52-14 is to provide a means to reduce exposure of certain pesticides among at risk individuals, it also provides for a slippery slope

whereby public perception could influence lawmakers to ignore the scientific research on how to safely use and handle pesticides for agricultural use.

This potential outcome is of great concern to the agricultural community. The agricultural community in partnership with Montgomery County has worked to make the County's Agricultural Reserve a cherished resource. Through making the agricultural reserve a working agricultural landscape in tandem with perpetual agricultural and conservation easements, we have over 70,000 acres that have been protected for agricultural use for future food and fiber production. As our population continues to grow, the need for boosting yield production on a per acre basis will be driven by an ever growing and hungry population. Over the past 100 years, efficiency in agricultural production has increased significantly and this outcome can be directly linked to both advanced agricultural research and the use of pesticides to reduce losses brought on by agricultural pests. The APAB understands that the Agricultural Advisory Committee recommends that more education and less regulation are needed in the County for Pesticide usage. The APAB is also in agreement with this recommendation.

Pesticides if properly applied can result in improved agricultural crop production. They can reduce productions costs; increase crop yields which results in increased agricultural profitability. No one knows better than the agricultural community that if pesticides are not properly used that they can create negative impact to the environment. It is important to understand, that regulations for pesticides applications and applicators are already a matter of State and Federal law. Just as with any commercial applicator, farmers also must be certified to use pesticides.

While the Bill's sponsors cannot guarantee what the future may hold for this Legislation and its impact on agricultural land uses, we can say with some degree of certainty that any pesticide approved for use by the State and Federal Government on agricultural land that becomes prohibited under a future amendment to this Bill would be disastrous for Montgomery County agriculture. It could provide a catalyst for landowners to abandon agricultural operations in favor open space preservation thereby jeopardizing the viability of this working agricultural landscape. It is for these reasons APAB is opposed to Bill 52-14 due to the ramifications and unintended consequences this legislation could create in the future. These concerns must be thoroughly vetted before adopting Bill 52-14 into law. In reality, the only way to ensure these prohibitions do not result in mission creep effecting agricultural lands in the future would be not to adopt Bill 52-14.

The APAB would like to thank you for the opportunity to present our views on Bill 52-14 Pesticide Legislation. The APAB will participate in the Council Work Sessions on this important issue to better understand the legislation and to address the questions and concerns that we have raised in this testimony. Please let us know if you have any questions.

Sincerely,



Robert Cissel, Chairman
Agricultural Preservation Advisory Board.

cc: Montgomery County Council
Joseph Hamlin, Legislative Attorney
AAC Board Members
APAB Board Members