



---

**Montgomery Soil Conservation District**

18410 Muncaster Road - Derwood, MD 20855 - Phone (301) 590-2855 - Fax (301) 590-2849

November 21, 2014

The Honorable Craig Rice, President  
Montgomery County Council  
100 Maryland Avenue  
Rockville, MD 20850

Re: Bill 52-14, Pesticides

Dear Council President Rice and Council Members:

The Montgomery Soil Conservation District Board of Supervisors would like your consideration regarding the following comments on Bill 52-14, Pesticides-Notice Requirements-Non-Essential Pesticides Prohibitions. While we question the rationale and need for the bill, we also greatly appreciate that agriculture has been completely exempted from the provisions of the legislation. As we are sure you are aware, a bill of this nature would have devastating impacts for the agricultural industry and our conservation efforts in Montgomery County. However, even though agriculture is exempt we are concerned that the Bill will have a number of unforeseen consequences and a negative economic impact, and for these reasons we are opposed to the bill.

We would like to recommend one minor change to the wording of the agricultural exemption contained in Section 33B-10. Exceptions and Exemptions. Under subsection (a) (3) we recommend changing the words "pest control" to "applications". The agricultural exemption would then read "(3) for applications while engaged in agriculture; and ". This change is important because there are many instances where pesticides are used for purposes other than controlling pests. In fact, many of the Federal and State Conservation programs farmers participate in require the use of these valuable resources. One example is the Maryland Department of Agriculture Cover Crop program, which requires that the cover crop grain, often wheat, barley or rye (which are not considered "pests"), must be killed down by a herbicide to comply with the program guidelines.

The MSCD Board of Supervisors feels that this legislation creates a number of conflicts for current landscape management practices. In particular, we have serious concerns regarding the spread of noxious weeds and the implications this could have for agriculture. While we recognize there is language in the bill pertaining to noxious weed control, we still believe that this legislation could be used as a loophole for residential lot owners not to control their noxious weeds. This would then allow the weeds to spread onto agricultural land where farmers would be required by state law to address them at their expense. This creates a direct conflict with State noxious weed control laws, and represents one example of unforeseen consequences created by Bill 52-14.

*Craig Rice, Council President*

*November 21, 2014*

*Page Two*

In addition, Federal and State regulations and staff are already in place to address pesticide issues. Anyone in Montgomery County with a pesticide concern can contact the Maryland Department of Agriculture and get assistance with these regulations. In fact, MDA employs over 50 staff, whose main job is pest control, regulation and oversight. Without any staff trained in pesticide regulation, will Montgomery County now have to develop a similar cadre of employees to implement this bill? At what expense and for what perceived benefit?

We again thank you for exempting agriculture from these regulations, including agricultural production on county owned land, but we worry that the costs and unintended impacts of the legislation may be greater than the benefit. We also request that you thoroughly consider the impacts this Bill will have on our other industries and residents. We appreciate your consideration of our suggested changes and we look forward to participating in the future discussion regarding this bill.

Sincerely,



George Lechliden, Chairman  
Montgomery Soil Conservation District

Enclosure

Cc: Montgomery County Councilmembers  
Jeremy Crisis, Director Agricultural Services-DED  
Lonnie Luther, Montgomery County Farm Bureau-President