

September 13, 2018

The Honorable Pat Roberts
Chairman
109 Hart Senate Office Building
Washington, DC 20510

The Honorable Debbie Stabenow
Ranking Member
731 Hart Senate Office Building
Washington, DC 20510

The Honorable K. Michael Conaway
Chairman
1301 Longworth House Office Building
Washington, DC 20510

The Honorable Collin C. Peterson
Ranking Member
1010 Longworth House Office Building
Washington, DC 20510

Dear Chairman Roberts, Ranking Members Stabenow, Chairman Conaway, and Ranking Member Peterson,

On behalf of the undersigned cities, counties and local governments, we write to oppose a provision in the House Farm bill that would preempt local pesticide protections. As House and Senate conferees negotiate a final agreement, we urge you to reject this provision.

While we may have differing views on pesticides, we take very seriously our duty to protect our constituents. Section 9101 of the House measure is a direct assault on this authority. This provision prohibits local governments from adopting pesticide laws that are more protective than federal rules. It overturns decades of precedent and Supreme Court rulings and could prevent local governments from tailoring laws to the specific needs of the community.

To date, over 150 communities across the country have passed policies to restrict the use of pesticides in response to emerging evidence about potential human and environment impacts. The exact concerns differ by pesticide, but include links to cancer, developmental challenges, lower IQ, and delayed motor development. Many of these laws work to protect the most vulnerable among us, such as children, who take in more pesticides relative to their body weight than adults and have developing organ systems. Others focus on the safeguarding precious water resources, or the protection of wildlife like declining pollinator species critical to our environment and food supply.

Local governments have responded to the scientific evidence, their residents' concerns, and their area's unique ecological conditions through prudent measures to reduce exposure to hazardous pesticides. This includes actions such as creating a list of approved or prohibited pesticides, restricting toxic pesticide use around parks and playgrounds, negotiating commodity contracts and service agreements that prevent suppliers from offering products that contain pesticides harmful to pollinators, and keeping habitat along rights-of-way and other areas of management property free of pesticides harmful to pollinators. In states that have passed preemption laws, local governments must bend over backwards to pass local legislation that fits our community's needs. These restrictions keep us from doing our job as policymakers. We urge you not to strengthen these already-harmful laws.

While not every city has taken these actions, we strongly support our right to do so and oppose forfeiting this right for the indefinite future. In fact, Section 9101 undermines the key role that local governments play across the country. As local officials, we are highly attuned to the needs of our constituents and adept at calibrating our protections accordingly. Local governments are also nimbler than their state or federal counterparts and can quickly respond to emerging health hazards when federal protections may take years to achieve. Finally, we are concerned that Section 9101 will set a precedent to upend local autonomy on other important issues.

We urge you to oppose the pesticide preemption provision in the House Farm Bill to protect public health and the environment and reach agreement on a final 2018 Farm Bill that does not include this provision.

Sincerely,

Andrew Pruski
Councilman
Anne Arundel County, MD

Megan Dunn
Planning Commissioner
Everett, WA

Mark Andre
Environmental Services Director
Arcata, CA

Tyler Rourke
Chair, Transportation Advisory Committee
Everett, WA

Davina Duerr
Deputy Mayor
Bothell, WA

Peter Lacques
Mayor
Fairfax, CA

Elise Jones
County Commissioner
Boulder County, CO

Emmet V. Jordan
Mayor
Greenbelt, MD

Rella Abernathy
Integrated Pest Management Coordinator
Boulder, CO

Jeanne Kohl-Welles
Councilmember
King County, WA

Dan Carson
City Councilmember
Davis, CA

Rick Mullen
Mayor
Malibu, CA

Dennis Shanahan
City Councilor
Dover, NH

Charles Osborbe
Chair, Recreation and Park Commission
Marblehead, MA

Nancy Tyra-Lukens
Mayor
Eden Prairie, MN

Council Member Elle Cochran
County Council, West Maui
Maui, HI

Council Member Alika Atay
County Council member, Wailuku-Waihe'e
Maui, HI

Council Member Kelly King
County Council Member, South Maui
Maui, HI

Ross Conrad
Addison County Regional Planning Commission
Middlebury, VT

Mark Gamba
Mayor
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Cam Gordon
Council Member, Ward 2
Minneapolis. MN

George Leventhal
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Montgomery County. MD

Anne Watson
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