

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

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Councilmember  
King County, WA

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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

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1<sup>st</sup> Ward Councilman  
Ocean City, NJ

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

Suza Francina  
City Councilmember  
Ojai, CA

Ross Conrad  
Addison County Regional Planning Commission  
Middlebury, VT

William Wierick  
City Councilmember  
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