

To: Members of the Senate Committee on Natural Resources

Room 2144
Legislative Building
401 S. Carson St.
Carson City, NV

From: Jon Gaeta, Responsible Industry for a Sound Environment
Scott Dahlman, CropLife America

Date: May 4, 2023

RE: *AB 162; Provisions governing restricted-use pesticides containing certain chemicals*

Chair Pazina, Vice Chair Scheible, and distinguished members of the Senate Committee on Natural Resources:

Thank you for the opportunity to submit written testimony about AB 162, which would put new bans on the use of neonicotinoid pesticides. We respectfully oppose this legislation and request an unfavorable vote.

The United States Environmental Protection Agency is reviewing neonicotinoids as part of its pesticide registration review program. Requirements for this regular review of all pesticides to ensure they meet the most current scientific standards passed into law in the Food Quality Protection Act of 1996. The current registration review for neonicotinoids began during the Obama Administration in 2011. U.S. EPA published draft assessments in 2017 for imidacloprid, clothianidin, thiamethoxam and dinotefuran, finding “most approved uses do not pose significant risk to bee colonies.” U.S. EPA published in January 2020, the Proposed Interim Registration Review Decision for these neonicotinoids and is scheduled to finalize its assessments between 2023-2024. This forthcoming information can provide substantive context for the discussion in Nevada.

The neonicotinoid-based products available to consumers are among the safest insecticides for people and the environment and are the latest innovation in insecticides. This aspect of these products should not be overlooked – neonicotinoids may often be the best solution due to their lower environmental impact and their safety for people and pets. Because of their selective control, neonicotinoids help ensure beneficial insects remain available to keep other potential pests in check.

Pesticides in Nevada are regulated at both the State and Federal level. The Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) governs pesticide regulation to protect applicators,

consumers, and the environment. FIFRA enforcement is focused on the sale, distribution, and use of pesticides. Before a pesticide may be sold in the US it must be registered with the EPA. Neonicotinoid insecticides have been registered by the EPA due to their favorable environmental profile and their low risk to human health.

There is unanimous agreement in the scientific community that the primary stressors to wild and native bees are varroa mites, loss of habitat and forage. Climate change, particularly warming temperatures, is also a factor. However, it is important to note wild and native bees found in the landscape do not appear to be impacted by Colony Collapse Disorder as managed bees are impacted. This distinction between what is known about managed honeybees that are pollinating crops and what is known and not known about wild and native bees is important because their stressors are not the same.

Instead of putting strict barriers on neonicotinoid use, we ask the committee to consider measurable actions to support bees and to mitigate proven stressors such as loss of habitat and forage, climate change, viruses, and diseases. Actions that can make a real difference for bees include:

- Amplifying existing public outreach activities about supporting pollinators.
- Ensuring plans and actions are evidence-based to make a difference in pollinator health.
- Investing in public land management strategies that maximize available nutrition and forage.
- Investing in data-gathering and research to determine the best course of action to support pollinators.
- Supporting programs for increasing flower space and plant species diversity by planting bee-attractive gardens that include nectar rich plants, fruit-bearing trees, hedgerows, and flowering shrubs in urban and suburban residential and commercial settings. Bees with access to an abundant food supply are more resilient to other stressors.
- Addressing varroa mite challenges and mitigation efforts in the state.

It is important to note certain plants are not visited by pollinators, so the risk for exposure to neonicotinoids or other insecticides is zero. Many bee species are specific in their foraging and may feed on only one or a small number of plant species. There is great potential through education to influence consumers' plant selection to increase pollinator habitat and nutrition.

We believe the best way forward will be collaborative, focusing on increased outreach and engagement with all residents, including professional applicators, consumers, growers, commercial property owners, land managers and beekeepers, about positive steps each can take to increase forage and habitat and to prevent diseases such as Varroa mite and Nosema in managed hives. Evaluating and supporting pollinator health is complex, which means there is no simple, one-step solution for this multi-factor issue.

Our industry continues to support national, state, and local efforts to meaningfully support pollinator health, including through education with our Bee Responsible information campaign that provides information to consumers at www.debugthemyths.com. Thank you for your consideration and for the opportunity to share our perspective about meaningful and data-driven support for pollinators. We ask the committee for an unfavorable vote on AB 162.

Sincerely,



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RISE (Responsible Industry for a Sound Environment) is the national trade association representing manufacturers, formulators, distributors and other industry leaders engaged with specialty pesticides and fertilizers used by professionals and consumers.

CropLife America (CLA) represents the manufacturers, formulators, and distributors of crop protection products in the United States. CLA member companies produce, sell, and distribute virtually all the crop protection products used by American farmers. Learn more at www.croplifeamerica.org.

May 4, 2023

Nevada Senate Natural Resources Committee
Attn. Senator Julie Pazina, Chair
401 South Carson St.
Room 2144
Carson City, NV 89701

Subject: Opposition to AB 162

Dear Chair Pazina and Committee members,

On behalf of the Golf Course Superintendents Association of America (GCSAA), we write to you today strongly urging your opposition of Assembly Bill 162 which, as currently written, seeks to remove neonic-based pesticide products from the Turf & Ornamental market, even for state-licensed pesticide applicators.

The Golf Course Superintendents Association of America represents over 19,000 members nationwide and abroad and 99 affiliated chapters, including the Sierra Nevada and Southern Nevada Golf Course Superintendent Associations and the state of Nevada's 88 golf facilities.

The concerns around pesticide use and potential effects on the environment are very important to all pesticide applicators, but especially those involved in turf management, such as golf course superintendents. Neonicotinoids provide a high degree of worker and player safety (low toxicity, Category III), and flexibility in application. They are selective and often require low use rates to achieve sufficient pest control, which reduces both environmental and human exposure and are also used to help grow healthy plants that make a positive contribution to pollinator forage and habitat. Honeybees are not interested in turf (no pollination) and turf applications present the lowest risk of both runoff and impact to pollinators of any outdoor usage of neonicotinoids as dense turf traps and binds chemicals.

These products, although used sparingly on golf courses and other recreational turf, are critical to the control of destructive pests such as white grubs, flea beetles, armyworms, cutworms and more. Infestations of such pests have the ability to kill acres of turf at a time.

Golf course superintendents place a high degree of importance on pesticide product stewardship which has been codified and demonstrated in the Nevada Golf Industry's Best Management Practices Guide for golf courses in the state. This guide, recently published in 2019 and including contributions from the Univ. of Nevada Cooperative Extension, the Nevada Division of Environmental Protection, the Southern Nevada Water Authority, and many more environmentally focused groups, can be viewed here: https://www.gcsaa.org/docs/default-source/environment/nevada-bmps.pdf?sfvrsn=5226f83e_2.

A comprehensive report by U.S. Department of Agriculture (USDA) and the USDA National Agricultural Statistics Service (NASS) describes a broad range of issues or "stressors" negatively affecting bees,

including habitat loss, parasites and diseases, lack of genetic diversity, climate change, pesticides, winter loss, wildfires, reduced forage options and pathogens. The research and data collected nationally shows the leading stressor to honeybee colonies is overwhelmingly varroa mites, not neonic use.

When considering additional pesticide regulations, it is important to have a full understanding of existing policy designed to safeguard use within the state. All pesticides available in Nevada must go through the U.S. Environmental Protection Agency (EPA) and the Nevada Department of Agriculture (NDA) registration processes. Respectfully, we submit that labeling and use of these products are for the NDA to address, not the state legislature. Indeed, in considering a similar bill last year that would have banned neonic products in the state of California, Gov. Newsom vetoed the bill, stating, "By statutorily prohibiting a pesticide and its use, this bill would circumvent California's regulatory process of establishing restricted materials." The same principal holds true in the state of Nevada.

The effectiveness of neonic-based products, their breadth of activity and utility in controlling difficult pests would be hard to replace, and some of the alternatives have significant economic and environmental disadvantages. For the reasons stated within these comments, we respectfully ask you to oppose AB 162 and welcome the opportunity to meet to discuss any questions, comments, and concerns you may have regarding neonicotinoid use in the turf industry.

Thank you for your consideration,

Jeff Jensen
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