

Environment Committee JOINT FAVORABLE REPORT

Bill No.: SB-839

AN ACT CONCERNING ELECTRONIC DOCUMENTS AND PESTICIDE

Title: REGULATION IN THE STATE.

Vote Date: 2/26/2021

Vote Action: Joint Favorable Substitute

PH Date: February 10, 2021

File No.:

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SPONSORS OF BILL:

Rep. Gary A. Turco, 27th Dist.

Rep. David Michel, 146th Dist.

REASONS FOR BILL:

The public cannot currently search effectively to show what restricted use pesticide applications have been applied in their local. SB839 seeks to provide records retention and search for those person(s) interested in restricted pesticide applications.

RESPONSE FROM ADMINISTRATION/AGENCY:

Commissioner Katie S. Dykes, Department of Energy and Environmental Protection

Department of Energy and Environmental Protection (DEEP) opposes SB839. SB839 as written is vague with the statement of "each notice of pesticide application". DEEP is not notified of each pesticide application. To accomplish the input of each application, which is a manual process with paper for most entries, the resources required do not currently exist.

DEEP is modernizing the data management process for reporting pesticide management and projects the project is complete this spring.

Executive Director Peter Hearn, Council on Environmental Quality

Council on Environmental Quality (Council) support SB839. DEEP is currently updating their online document search portal. This implies DEEP has the capacity to comply with SB839.

SB839 is consistent with the Council's recommendation per it's special report, Environment Enforcement in Connecticut, Part 1: Pesticides to "to implement electronic record keeping".

NATURE AND SOURCES OF SUPPORT:

Executive Director Lori Brown, Connecticut League of Conservation Voters

Connecticut League of Conservation Voters (CTLCV) supports SB839. DEEP currently uses an antiquated method paper filing method for pesticide applications. Modernizing the system makes the information readily available.

Pesticides and chemicals pose high risk health threats to persons and wildlife. A 2017 report by the Council showed enforcement and inspections for pesticides fell to a fifteen-year low.

CTLCV encourages the creation of an electronic database for pesticide applications, reinstatement of environmental monitoring fund and create a dedicated pesticide program fund, that may generate up to three million dollars annually.

Executive Director Patrick Comins, CT Audubon Society

CT Audubon Society supports SB839. The impacts of various pesticides may not be understood currently, and as society becomes aware of the impacts of the human health and environmental risks, a better system is required to track pesticides.

Better information leads to alternatives and concentrate priority efforts on cleanup of pesticide issues.

Tara Cook-Littman

Supports SB839. Tara Cook-Littman filed a Freedom of Information Access (FOIA) and was given the choice of spending thousands of dollars for DEEP to get the information for her or she spend \$20 / day to use a handheld device to take photos of the Chloropyrifos pesticide applications she was looking for. Tara opted for the latter.

Tara reviewed and organized the reports from 2018 and 2019. This process took over 35 volunteer hours to accomplish. Tara describes DEEP neither having the time or the personnel to organize the pesticide application folders.

Tara personal experience DEEP's pesticide unit has the bandwidth, is in desperate need of resources and cannot accomplish to convert paper to electronic filings. Tara suggests amending SB839 to address the recommendations by the Council of Environmental Quality.

Louise washer, President, Norwalk River Watershed Association

Supports SB839. The Norwalk River Watershed Association (NWRA) supported efforts to discover where Chlorpyrifos was used. DEEP could not answer that question directly. A Fairfield mother filed a FOIA and volunteer hours to go through the boxes of pesticide applications at DEEP.

NWRA learned chlorpyrifos largest application is on golf courses. NWRA with this information, was able to begin discussion with local golf courses to help curtail the use of chlorpyrifos and its detrimental environmental impacts.

Nine additional testimonies in support of SB839

REQUEST FOR TECHNICAL CHANGE:

CT Nursery & Landscape Association

Department of Energy and Environmental Protection requires commercial licensed pesticide applicators to submit a yearly report. The CT Nursery & Landscape Association requests an amendment in line 3 from "notice of pesticide application" TO "private applicator restricted use pesticide summary report and commercial applicator pesticide use summary report"

Joan Nichols, Executive Director, Connecticut Farm Bureau Association

Requests amendment to SB839:

Remove "notice of pesticide application". Replace with Private Applicator Restricted Use Pesticide Summary Report and Commercial Applicator Pesticide Use Summary Report.

NATURE AND SOURCES OF OPPOSITION:

None

Reported by: Steve Smith

Date: 3/9/2021