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February 19, 2020

In Support of: HB614 Environmental Accountability and Transparency Act

Dear Mr. Chairman and members of the committee:

As the executive director and on behalf of the Maryland Pesticide Education Network (MPEN), and the Smart on Pesticides Coalition (SOPC) comprised of 105 organizations and businesses that MPEN facilitates, we urge your support of HB614

The notable staff reductions in our state agencies, has consequently severely reduced their enforcement activities and the ability to best serve the residents of Maryland. In our efforts to monitor pesticide use and impacts in Maryland, we are aware that the handicap of staffing cuts and inattention to the public's environmental concerns are impacting the health of the environment and Marylanders. For example:

- The 2016 Maryland Pollinator Protection Act, banning the sales of consumer garden products containing the pollinator-harming pesticide class neonicotinoids, went into effect in 2018. Due to a shortage of inspectors, MDA was unable to adequately monitor compliance. The Smart on Pesticides Coalition offered to assist, and created a volunteer Pollinator Protection Squad to monitor illegal sales and report them to MDA. To date, the Squad has found that over 30% of retailers (including major big box stores) were continuing to sell such products illegally. While this information was submitted to MDA, the agency's inspectors have not had the capacity to follow up on these illegal sales, which continue to threaten our seriously declining bee and other pollinator populations needed for pollinating our food supply. In addition, the \$250/day fine for illegal sales has not been implemented.
-- An Office of Environmental and Natural Resources Ombudsman can play a critical role in addressing this urgent issue that, according to our Squad, continues.
- A 2014 Maryland law established a dedicated fund for MDA to use to identify, assess and monitor pesticide use in the state. The dedicated fund, created by increasing annual product registration fees by \$10/product, generated approximately \$130,000 additional funding annually for MDA to create a scientifically viable pesticide use database, currently based on a voluntary survey of farmers and commercial applicators. A 2013 legislative work study group provided MDA with specific guidance as to what data was needed. MDA, not only did not provide the needed data that public health and Bay-related researchers and the work group specified was needed to adequately monitor pesticide use and impact, but produced to date just one survey conducted in 2014 and only released data in October, 2016. The 2014 survey received an even lower survey response than previous periodic MDA surveys conducted without the additional dedicated funds; only 800 farmers responded to the surveys out of 12,800 farmers in the state—even though MDA's contractor USDA/NASS promised an 89% response. MPEN has requested, via a PIA, data on how the annual collection of these \$130,000 funds have been used, given only one poorly constructed and poorly implemented survey has been conducted to date. The agency has not been appropriately responsive to our requests regarding the allocation of these funds.
-- An ombudsman would be of great assistance in this and similar situations that impact the well-being of our babies, bees and the bay.

We need public access to pollution information and enforcement and ensure transparency and accountability to protect the health of all life in Maryland. The agency has not been appropriately responsive to our requests regarding the allocation of these funds.

We urge your favorable report on HB614.

Ruth Berlin, LCSW-C, Executive Director, Maryland Pesticide Education Network