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**HB 472**

February 3, 2021

**TO:** Members of the House Environment and Transportation Committee

**FROM:** Natasha Mehu, Director of Government Relations

**RE:** House Bill 472 - Agriculture - Use of Glyphosate - Prohibition

**POSITION: SUPPORT WITH AMENDMENTS**

Chair Barve, Vice Chair Stein, and Members of the Committee, please be advised that the Baltimore City Administration (BCA) **supports with amendments** House Bill (HB) 472.

Baltimore City Recreation and Parks (BCRP) recognizes a need for responsible use and application of Glyphosate as it applies to public park land management. The Department maintains over 335 parks and 2,300 acres of forested natural. Considering our current resources and capacity, the use of Glyphosate is an important tool used to care for Baltimore's public parks. Our Department abides by state-level regulations and appreciates that current laws are already quite strong. Most outstanding glyphosate pollution problems are a result of misuse, overreliance or misapplication, and can be corrected by enforcement or regulation as opposed to additional legislation with an outright ban of this chemical.

For these reasons, Baltimore City Recreation and Parks is opposed to House Bill 472 as it is currently drafted and recommends revisions to specifically address the overreliance on Glyphosate in commercial industries from which pollution is primarily sourced. Upon revision of scope, our Department would then, conditionally support greater restrictions on the use of Glyphosate.

Pesticide regulation is just that, a regulatory process. Pesticides are reviewed and approved by the Environmental Protection Agency (EPA) through an extensive scientific process and at the state level in Maryland by the Maryland Department of Agricultural (MDA). The expertise of health experts, scientists working in the field, and other subject matter experts should lead the discussion.

Our Department does not support a total ban on Glyphosate and request its continued use be permitted in limited situations to control non-native invasive plants in our natural areas and forests, to restore ballfields, and to control weeds in cracks on basketball courts, tennis courts, and curb lines and sidewalks. Out of an abundance of caution we will no longer use Glyphosate on playgrounds and near vegetable gardens, despite numerous governmental publications addressing risk assessments about Glyphosate—with findings that it is unlikely to cause cancer in humans when used according to label directions as required. Referenced studies include:

- US Environmental Protection Agency, December 18, 2018
- European Food Safety Authority, November 12, 2015
- Australian Pesticides and Veterinary Medicine Authority, March 15, 2017
- New Zealand Environmental Protection Authority, August 2016
- Health Canada, 2015
- International assembly of experts: FAO/WHO May 16, 2016

Use of Glyphosate at BCRP is deliberate and critical to our work, particularly within the Forestry Division for Integrated Vegetation Management (IVM) conservation practices. To specifically articulate how Glyphosate is used within the agency, this unabridged testimonial from the Divisions of Forestry is included as a detailed illustration:

### **Glyphosate is Essential for Non-Native Invasive Herbaceous Plants & Grasses in Conservation**

Glyphosate is an essential chemical for the treatment of particular non-native invasive plant species. This systemic herbicide inhibits an important enzyme needed for plant processes, and is thus used for treatments requiring absorption through plant foliage. We rely on Glyphosate for certain herbaceous plants and grasses.

Brand-specific Glyphosate categorized as “aquatic-safe” is essential for the treatment and management of the prolific, invasive grass, *Phragmites spp.* (or Common Reed). This plant is found along waterways and increasingly around many of our City lakes and reservoirs. *Phragmites* requires decades of repetitive cutting to control it—or alternatively, aquatic-safe treatments of Glyphosate over the course of only several seasons. The use of Glyphosate is essential if we want to inhibit the spread of this aggressive invasive species.

Another grass, Japanese Stiltgrass, has overtaken the understory of various MD state parks, including Elk Neck State Park, and is abundantly present in the forests surrounding the City managed reservoirs. BCRP can prevent the spread of this plant by hand pulling small patches and chemically treating larger patches of the grass with incredibly low concentrations of Glyphosate. This plant should be treated in summer, before it sets seed—and Glyphosate is the primary chemical compound available to systematically treat this plant during the heat of summer.

While Glyphosate alternatives may be applicable in certain scenarios, Glyphosate is a cost-effective and efficient chemical that is used sparingly to protect and enhance forested natural areas. By prohibiting this chemical, the cost of our operations would increase significantly, reducing our ability to properly manage and protect additional forests on parkland.

### **Preventing Herbicide Resilience Requires Diversified Chemical Use**

While applying IVM practices, a diversity of tools is important for treating problematic vegetation. Regarding the application of herbicides, best management practices recommend the occasional alternation of chemical compounds and herbicide brands to prevent local vegetation from developing a resistance to certain chemicals and treatments. If the Forestry Division's access is limited to fewer chemical compounds, we will eventually face stronger, more resilient non-native invasive plants, with fewer means for preserving "good woods" in our City parks.

### **Messaging Around Agriculture vs. Environmental Conservation**

In 2014, over 90% of total Glyphosate use in the U.S. was related to Agricultural purposes (<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC5044953/>). Thus, we would like to stress that the use of Glyphosate for Forestry related practices and park renovations, has been used sparingly and responsibly in Baltimore City and we would appreciate the continued ability to use the chemical as an important tool in our repertoire for programmatic operations.

Baltimore City Recreation and Parks was able to address local regulatory concerns regarding the use of Glyphosate with an amendment specifying that the application of the chemical would be used under the scope of an Integrated Vegetation Management Program and with prior notification to our City Health Commissioner. We believe this type of concession for the use of this chemical is a responsible approach for aiding in the regulation of Glyphosate, though in regards to the impacts of non-native invasive vegetation on Maryland's natural areas, the use of Glyphosate can also be an important tool for homeowners in managing invasive vegetation.

For the foregoing reasons, the BCA asks for a **favorable with amendments** report on HB 472.