



Assateague Coastal Trust – PO Box 731, Berlin, MD 21811 – 410-629-1538

Testimony in Support of SB 158

This testimony covers these three key points:

1. **Problems with pesticides and how they affect the flora/fauna and water quality**
2. **PFAS are already found in MD waters with fish consumption advisories**
3. **How pesticides affect watermen, hunters, and aquaculture businesses on the shore**

February 2, 2023

Dear Members of the Committee:

Thank you for this opportunity to submit testimony in support SB 158, on behalf of Assateague Coastal Trust (ACT), the Waterkeeper program for the lower Eastern Shore of Maryland. ACT protects and defends the health of Delmarva's coastal waters through advocacy, education, science, and the enforcement of just and equitable clean water laws. If enacted, SB 158 will be vital for citizens of the lower Eastern Shore of Maryland.

The severity in which pesticides are affecting our bay and coastal waterways are vast. This legislation, **SB 158 Pesticide Regulation – PFAS Testing – Requirements** will require manufacturers test pesticide products for PFAS by an approved lab and provide lab certification they are PFAS-free, as part of annual pesticide registration in the state. This bill will help protect the health of Maryland residents and the environment amidst an emerging PFAS crisis.

Per- and polyfluoroalkyl substances ("PFAS") are a dangerous class of chemicals linked to cancer and other long-term health impacts. Their strong carbon-fluorine bond makes them unable to break down in the environment and are known as "forever chemicals". There is also no known way to destroy or safely dispose of PFAS. This forever quality and the lack of disposal methods means that these chemicals have already made their way into our water systems, our food, and eventually, our bodies.

These forever chemicals have been found at dangerously toxic levels in pesticides used to grow crops and in pesticides widely used for mosquito control, including the Maryland Department of Agriculture's (MDA) mosquito control program which sprays often weekly in 2,100 Maryland communities. In the case of a study that found 6 of 10 common pesticides containing PFAS in the millions of parts per trillion from Texas Tech University, the results are especially chilling for Maryland's eastern shore, given that millions of pounds of pesticides are applied to Maryland farmland annually.

- **With increasing severity of rain events happening over the past few years, we are seeing an increase in nutrients, pollutants, PFAS, and declines in important species in our coastal waterways from the runoff and over application of these pesticides.** More than three-quarters of the Chesapeake Bay's tidal waters are impaired by chemical contaminants. From the insecticides put on farm fields to the cleaners we use to disinfect our homes and hospitals, contaminants enter the Bay and its tributaries and harm the health of both humans and wildlife.

In October 2021, MDE issued its first fish consumption advisory related to PFAS/PFOS in Prince George's County. MDE collected fish from routine monitoring, or core, stations. MDE also added two fish tissue sample locations in Piscataway Creek. MDE found elevated concentrations of PFOS in redbreast sunfish, yellow bullhead catfish and largemouth bass, leading to the new guidelines. MDE is also expanding sample collection in the larger Potomac area between fall 2021 and fall 2022. While this is not my watershed that I live and work in, the likelihood that this will affect me and other watersheds in the state of Maryland is certain if we do not regulate these forever chemicals better and ban them once and for all in pesticides.

- **Watermen, hunters, and aquaculture businesses are seeing a direct impact on how they make a living.** Pesticides accumulate the tissue of blue crabs and remains there for a long time because it is very difficult for crabs to metabolize.¹ This results in long-term health impacts that may eventually lead to death of the crabs. We are also seeing this in fish, deer, as well as bivalves. Not only does this affect watermen and their ability to make a living but the health of every Marylander who eat these species are greatly impacted by having the pesticides, PFAS/PFOS transfer over to our bodies through the process of biomagnification. Many watermen have even told me that as they were pulling their pots down along the western shores of Chincoteague Bay, they've had spray planes go over top of them and deposit spray on them!

The Time to Act Is Now

Over the years we have seen the misuse, overapplication and misrepresentation of how these pesticides affect the health of Maryland residents, its flora and fauna and ultimately impacts on environment. Our organization has supported several very needed pesticide protections which have passed the Maryland General Assembly to become law, but then experience problems with implementation and enforcement.

Eastern shore residents want to see change and better implementations when it comes to pesticide use. Maryland is far behind on legislation that will ultimately protect its' citizens and it's economic well- being. The state needs to act fast to make the necessary changes that affect our waterways and communities.

We are urging you to please pass this legislation, the SB 158 Pesticide Regulation – PFAS Testing – Requirements, ensuring that no pesticide product containing PFAS is used in the state.

For all these reasons, Assateague Coastal Trust urges a favorable report on SB 158

Sincerely,



Gabrielle Ross
Assateague Coastkeeper, Assateague Coastal Trust

ⁱ Horst, *supra* at 124.