



New York Farm Bureau
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MEMORANDUM OF OPPOSITION

S. 8378-A (Senator Harckham)/A. 9079-A (Assemblyman Burdick)

AN ACT TO AMEND THE ENVIRONMENTAL CONSERVATION LAW, IN RELATION TO ENACTING THE BIRDS AND BEES PROTECTION ACT; AND PROVIDING FOR THE REPEAL OF CERTAIN PROVISIONS UPON EXPIRATION THEREOF

Date: 5/2/2022

New York Farm Bureau, the state's largest general farm advocacy organization opposes this legislation that would authorize local governments to adopt local laws or ordinances to ban the application of pesticides to certain local freshwater wetlands.

Pesticide registration, use and applications in the State are already strictly controlled and enforced at the federal and state levels. The EPA regulates pesticides under a comprehensive, science-based regime pursuant to its authority under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA). In addition, any pesticide used in New York must also first be registered with the Department of Environmental Conservation, Bureau of Pest Management under applicable provisions of state law and regulations to ensure that its use and application is not deleterious to human health or the environment.

Expanding regulatory power to ban pesticides applied to local freshwater wetlands to nearly 1600 municipal entities would completely decentralize pesticide application rules which would devalue pesticide registrations and create confusion as to what applications are permitted and where.

Enactment of this bill would create a patchwork quilt of conflicting local laws throughout New York, based upon considerations other than scientific study. Moreover, enactment of this bill would undermine sound public policy and the good scientific research and fieldwork already provided by the dedicated experts at NYSDEC's Bureau of Pesticide Management.

The bill threatens the ability of informed agency decisionmakers in the scientific arena to protect the environment through the established regulatory process. For these reasons, New York Farm Bureau respectfully requests your opposition to this legislation.