MINUTES OF THE MEETING
OF THE
ASSEMBLY COMMITTEE ON NATURAL RESOURCES

Eighty-Second Session
March 1, 2023

The Committee on Natural Resources was called to order by Chair Lesley E. Cohen at 4:02 p.m. on Wednesday, March 1, 2023, in Room 3143 of the Legislative Building, 401 South Carson Street, Carson City, Nevada. The meeting was videoconferenced to Room 4401 of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada, and to Room 130, Greenhaw Technical Arts Building, Great Basin College, 1500 College Parkway, Elko, Nevada. Copies of the minutes, including the Agenda [Exhibit A], the Attendance Roster [Exhibit B], and other substantive exhibits, are available and on file in the Research Library of the Legislative Counsel Bureau and on the Nevada Legislature's website at www.leg.state.nv.us/App/NELIS/REL/82nd2023.

COMMITTEE MEMBERS PRESENT:

Assemblywoman Lesley E. Cohen, Chair
Assemblywoman Natha C. Anderson, Vice Chair
Assemblywoman Shannon Bilbray-Axelrod
Assemblywoman Tracy Brown-May
Assemblywoman Venicia Considine
Assemblyman Rich DeLong
Assemblywoman Bea Duran
Assemblyman Bert Gurr
Assemblywoman Alexis Hansen
Assemblywoman Selena La Rue Hatch
Assemblyman Howard Watts
Assemblyman Toby Yurek

COMMITTEE MEMBERS ABSENT:

None

GUEST LEGISLATORS PRESENT:

Assemblywoman Melissa Hardy, Assembly District No. 22
Assemblywoman Michelle Gorelow, Assembly District No. 35

STAFF MEMBERS PRESENT:

Nicolas C. Anthony, Committee Policy Analyst
Nancy Davis, Committee Secretary
Cheryl Williams, Committee Assistant

OTHERS PRESENT:

Warren Hardy, representing Air-Conditioning, Heating, and Refrigeration Institute
Mike Nerozzi, Director of Government Affairs, Air-Conditioning, Heating, and Refrigeration Institute, Arlington, Virginia
Chaunsey Chau-Duong, Public Affairs, Southern Nevada Water Authority
David Cherry, Government Affairs Manager, City of Henderson
Jeffrey Rogan, representing Clark County
Kelli Kelly, Executive Director, Fallon Food Hub, Fallon, Nevada
Matthew Forister, Foundation Professor, Biology Department, University of Nevada, Reno
Drew Toher, Community Resource and Policy Director, Beyond Pesticides, Washington, D.C.
Bari Levinson, representing Toiyabe Chapter, Sierra Club
Ray Hopper, Treasurer, Help Save the Bees Foundation, Reno, Nevada
Melissa Gilbert, Board Member, Reno Food Systems, Reno, Nevada
Patrick Donnelly, Nevada State Director, Center for Biological Diversity
Fauna Tomlinson, Private Citizen, Reno, Nevada
Christi Cabrera-Georgeson, Deputy Director, Nevada Conservation League
Tray Abney, representing American Chemistry Council
Doug Busselman, Executive Vice President, Nevada Farm Bureau Federation
Steve Walker, representing Eureka County
Elliott King, representing National Association of Landscape Professionals
Ashley Jeppson, Administrator, Plant Industry Division, State Department of Agriculture

Chair Cohen:
[Roll was called. Committee rules and protocol were reviewed.] I will open the hearing on Assembly Bill 97.

Assembly Bill 97: Revises provisions relating to government administration. (BDR 22-526)

Assemblywoman Melissa Hardy, Assembly District No. 22:
I introduce this bill at the request of the Air-Conditioning, Heating, and Refrigeration Institute. The bill became necessary due to the passage of the American Innovation and Manufacturing Act by the United States Congress. The so-called AIM Act provides authority to the U.S. Environmental Protection Agency (EPA) to regulate the production and consumption of hydrofluorocarbons (HFCs). Hydrofluorocarbons are chemicals typically

used as refrigerants, solvents, propellants, and fire suppressants, among other applications. The AIM Act specifically directs the EPA to phase down the supply of HFCs, which are harmful to the environment, and authorizes the EPA to restrict the use of HFCs as we transition to HFC substitutes, which are far better for the environment. Unfortunately, these HFC replacements are not permitted under Nevada's codes. Assembly Bill 97 is intended to address that problem. Here to explain the bill further and answer any questions you might have are Mr. Hardy and on the telephone is Mr. Nerozzi.

Warren Hardy, representing Air-Conditioning, Heating, and Refrigeration Institute:
This bill is an example of where good policy may get a little bit ahead of our state laws and our state codes. I prefer not to do these kinds of things in state law. We just simply do not have a choice in this instance, which Mr. Nerozzi will explain. I also want to point out that you should have an amendment from the Southern Nevada Water Authority which we consider a friendly amendment [Exhibit C]. I did not know that water is considered a refrigerant and that this might jeopardize their ordinances to prohibit the use of coolers. We certainly do not want to interfere with that ordinance. I think the Southern Nevada Water Authority is here to speak to the amendment. I will turn it over to Mr. Nerozzi to describe the legislation. [Written testimony was also provided, Exhibit D.]

Mike Nerozzi, Director of Government Affairs, Air-Conditioning, Heating, and Refrigeration Institute, Arlington, Virginia:
Thank you for allowing me to speak with you today to convey our strong support for Assembly Bill 97, sponsored by Assemblywoman Hardy, which includes language that is going to help provide our industry with the certainty needed to comply with forthcoming federal regulations phasing down the use of HFCs and refrigerants. Air-Conditioning, Heating, and Refrigeration Institute (AHRI) represents 330 manufacturers of air-conditioning, heating, commercial refrigeration, and water-heating equipment. Our member companies, some of which operate factories headquartered here in Nevada, produced more than 90 percent of the residential and commercial air-conditioning, heating, and commercial refrigeration equipment made in North America.

We are also pleased to share with you that the heating, ventilation, air-conditioning, and refrigeration (HVACR) industry supports nearly 2,000 jobs in Nevada and more than 571,000 jobs nationwide. As Assemblywoman Hardy and Mr. Hardy mentioned, the AIM Act is a federal act that is phasing down the use and the production import of a class of chemicals known as HFCs, which are primarily used in the applications that Mr. Hardy mentioned. The EPA is in the process of implementing the AIM Act in a way that will guide an orderly market and a consumer-friendly and environmentally friendly transition to a new range of substitute refrigerants. Hundreds of substitute refrigerants exist and are commercially available for all major uses of HFCs. United States manufacturers are already planning the transition to the new refrigerants which are creating jobs, stimulating new investments, and positioning the U.S. to sustain its technological leadership in our industry across the world. The challenge our industry and U.S. consumers face is that many state building codes do not currently allow the use of certain substitute refrigerants, including Nevada.

Air-Conditioning, Heating, and Refrigeration Institute and its member companies are working diligently to amend state building codes to allow these substitute refrigerants and avoid any marketplace disruptions as the EPA transition begins. To date, more than 20 states have adopted changes to their state building codes substantially similar to the language included in Assembly Bill 97, including Arizona, Colorado, and Utah. Most other states, including New Mexico, are in the process of doing so either through legislation or regulatory action. By the end of this year, if not sooner, AHRI is expecting that all 50 state building code changes will be complete. The most important issue right now is time. New regulations proposed by EPA will significantly restrict the upstream supply of HFCs beginning in 2024, and separately prohibit the use of certain HFCs in most new air-conditioning refrigeration product categories in 2025. As manufacturers start to transition product lines to these HFCs substitutes, they need to know that they could sell the products with these HFCs substitutes in U.S. markets, including in your state.

The most significant barrier these manufacturers face in doing so is the state's building code. Essentially what A.B. 97 does is amend the state's building code to allow any HFC substitutes that have already been approved by EPA to be used in air-conditioning and refrigeration equipment. If the change is not made this year, manufacturers face significant risk of being unable to sell new air-conditioning and refrigeration equipment into the state, once the new EPA regulations take effect. Assembly Bill 97 does not make any other changes to state law; it simply removes the barrier to ensure Nevada consumers and businesses enjoy uninterrupted access to HVACR equipment with the latest, most advanced, and most climate-friendly technologies.

The climate benefits of the AIM Act implementation are considerable because many HFCs are thousands of more times powerful than the carbon dioxide that is warming the planet. The transition from HFCs will reduce U.S. greenhouse gas emissions by approximately 2.4 billion tons of carbon dioxide equivalent by the year 2036. Globally, the federal AIM Act assures U.S. compliance with the Kigali Amendment to the Montreal Protocol, which phases down HFCs worldwide and avoids up to a 0.5 degree Celsius of projected warming by 2100. I look forward to continuing to work with the Nevada Legislature to achieve both the economic and environmental benefits of the phaseout of HFCs.

Assemblywoman La Rue Hatch:
I have a question in section 1 of the bill. It says that no city or county governmental entity can ban these alternatives. Are there any current cities or counties that are banning these substitutes?

Warren Hardy:
We do have certain codes that do not permit these, which is the reason for us doing it legislatively. I think it is pretty certain to say that as local governments update their codes, they will adopt these, and it will not be a problem. Currently there are bans on the use of these HFC replacements.

Mike Nerozzi:
Mr. Hardy is correct. The main problem here is a timing issue between when states or localities update their building codes and the mismatch between that and the federal transition that is going to be shrinking the supply of HFC-based refrigerants. The problem is not that municipalities or localities are trying to ban some of these new substitutes. The building code cycle is often several editions behind the most recent version, which is the 2024 International Code. I am from the state of Pennsylvania, and we just passed our 2018 model codes last year. There is a lag time between when the 2024 building codes, which contain this language and permit these substitutes, would actually be in effect in local governments in Nevada.

Assemblywoman Anderson:
I am not sure if this question is something from the bill language or more based upon the answers that were just given. Regarding the supply chain, are these items available, or is this going to cause everybody to rush out and get the right things? I know that we have a supply chain issue in many other areas. I do not know if that is part of the bill; it is just something that, based upon the answers, made me connect some dots.

Warren Hardy:
The old technology, the old refrigerants, are still in the pipeline and can be used. The manufacturers of both the refrigerant and the equipment to run the refrigerant are rapidly being discontinued, and they are starting to go with the new technology. That stuff will remain in the pipeline; people will still have access and still be able to use it. As far as new construction, they are moving over to these new applications. The refrigerant itself will remain available for those who do not have new equipment. There is no requirement to replace the equipment under the federal law. We just have to make sure that as we go forward, this stuff is available.

Mike Nerozzi:
Mr. Hardy is one hundred percent correct. The manufacturers of HVACR equipment are one hundred percent ready to go in terms of the supply of these new refrigerants. There are hundreds of new substitute refrigerants; many of them are made by our manufacturers here in the United States. We do not anticipate any supply chain issues with the new refrigerants. As Mr. Hardy mentioned, our manufacturers will be gradually phasing in and incorporating these new refrigerants into new equipment beginning next year. I think others may have the same question. This is not mandating that you replace your existing equipment. It is for when you get to the end of life of the HVAC system in your home, and you will obviously install a new HVAC system that will have this refrigerant already inside. The average consumer is not going to notice a difference in price. They are not going to notice any supply chain disruptions. This should be an orderly process provided we can get the building codes updated and be able to sell the equipment.

Chair Cohen:
Just to be clear, I want to repeat what you said: The average consumer is not being required to change anything. As the technology changes, as it is being phased out, when what the

consumer already has dies and he needs to get something new, it will be replaced with the new technology.

Mike Nerozzi:
Yes, that is correct.

Assemblyman Watts:
When I first looked through the legislation, I was wondering about the language and the mechanism. I think that some of the information you provided was helpful. Having had some experience with building codes and appliance standards myself, I appreciate the fact that building codes are adopted on a different cycle. There are three-year cycles, and even though the state adopts building codes, different local governments have different timelines to do that. I was originally wondering why section 1 of the bill says, "shall not adopt a building code," but now I see, "or take any other action." That helps to allow the local governments to update the building codes on their existing schedule. I was wondering why not just change the building codes, but that could take a lot of time. It sounds like this will iron out those supply chain issues and timeline issues so that the local governments can go through their building code process on whatever timeline they have. This will ensure that while they are going through that, as these products are coming to market, there is no potential legal barrier to deploying them. I really appreciate the way this is structured to implement this, and I hope my understanding of that is all correct.

Warren Hardy:
That is one hundred percent spot on. Well done, Assemblyman.

Mike Nerozzi:
I would sum it all up by saying this is simply a bridge until municipalities can adopt the 2024 building codes. It is simply a bridge to prevent any type of disruption or prevent the sale of this equipment and these refrigerants in your state.

Chair Cohen:
Would the Southern Nevada Water Authority like to come up and present your amendment?

Chaunsey Chau-Duong, Public Affairs, Southern Nevada Water Authority:
Regarding the amendment, the changes are adding section 7.1 and section 7.2 [page 3, Exhibit C]. When we were reviewing this bill, some of our folks had concerns that this bill would negate some of our local rules that we have on evaporative cooling. The Southern Nevada Water Authority and its member agencies passed a moratorium on new evaporative cooling last year. Water is a type of refrigerant classification, and the concern was this bill would negate some of those local rules that we have implemented. We spoke with the sponsor, and we certainly appreciate them working with us and we appreciate them adopting our friendly amendment.

Chair Cohen:
With that, I will move on to those wishing to provide testimony in support of A.B. 97.

Chaunsey Chau-Duong:
Southern Nevada Water Authority serves 2.3 million residents in southern Nevada and more than 50 million visitors annually. We are in support of A.B. 97 with the proposed amendment [Exhibit C]. The amendment keeps intact conservation efforts we spearheaded at the local level. We were concerned that the current version would negate those provisions. We appreciate the sponsor working with us and we encourage you to approve the bill with the amendment.

David Cherry, Government Affairs Manager, City of Henderson:
I want to also express the city of Henderson's appreciation to the bill sponsor and to the Southern Nevada Water Authority for working together to create the amendment that will allow the preservation of the city of Henderson's recently enacted ordinance that has to deal with evaporative cooling. We hope that you will adopt the amended version of the bill as presented at today's hearing.

Jeffrey Rogan, representing Clark County:
Clark County is also in support of the amendment that has been proffered by Southern Nevada Water Authority for the reasons stated by Mr. Chau-Duong and the reasons set forth by the city of Henderson. We urge you to adopt the amendment.

Chair Cohen:
Seeing no one else in support in Las Vegas or Elko, is there anyone in support on the phones? Hearing no one, is there anyone in opposition in Carson City, Las Vegas, or Elko? Seeing no one, is there anyone on the phones? Hearing no one, I will move to neutral in Carson City, Las Vegas, or Elko. Seeing no one, is there anyone on the phones? Hearing no one, would the presenters like to make some closing remarks?

Warren Hardy:
The wonderful thing about this business is we get to learn a lot about new stuff. A couple of sessions ago, working for the restaurant association, I learned that gravy is not actually a beverage, who knew? Now I learned that water is actually a refrigerant. We are very grateful to Southern Nevada Water Authority for working with us. I was remiss in my initial comments, not thanking Assemblywoman Hardy for taking this on and working with us to get this passed and allowing the Hardy family to play just a small role in saving the world.

Chair Cohen:
I will close the hearing on Assembly Bill 97. [Also provided but not discussed is Exhibit E.] We will take a brief recess before we hear Assembly Bill 162 [at 4:26 p.m.].

We will come back to order [at 4:29 p.m.]. I will open the hearing on Assembly Bill 162.

Assembly Bill 162: Revises provisions governing restricted-use pesticides containing certain chemicals. (BDR 51-97)

Assemblywoman Michelle Gorelow, Assembly District No. 35:
I am pleased to be here today to present Assembly Bill 162 for your consideration. With me today is Kelli Kelly, Executive Director of the Fallon Food Hub; Matt Forister, professor of biology with University of Nevada, Reno; and Drew Toher, with Beyond Pesticides. This bill, as amended [Exhibit F], addresses the overuse of neonicotinoid pesticides by nonlicensed, noncommercial users in cases where alternative pesticides would be just as effective. Negligent overuse of neonicotinoid pesticides has been associated with health problems in humans and most importantly, a reduction in the population of pollinators, notably bees.

I will first provide some brief background information before I discuss the proposed amendment. With the Chair's permission, I will then turn it over to my copresenters. Neonicotinoid pesticides first emerged in the 1990s and were marketed as a safe and environmentally friendly alternative to more traditional insecticides. They have been widely used in agriculture, landscaping, and veterinary medicine. While neonicotinoids have been praised for their effectiveness against pests, they have also been linked to a significant harm to the environment and human health.

One of the most concerning effects of neonicotinoids is their impact on bees and other pollinators. Neonicotinoids are systemic, meaning that they are absorbed by plants. When pollinators feed on contaminated plants, they can suffer from disorientation, impaired navigation, and reduced reproductive success. The loss of pollinators can have a cascading effect on ecosystems, leading to declining plant populations, reductions in biodiversity, and negative impacts on food security.

Neonicotinoids have also been linked to negative impacts on other nontarget species, such as birds, fish, bats, and beneficial insects. Studies have shown that exposure to neonicotinoids can cause behavioral changes, reproductive failures, and mortality in these species. For example, per volume 163 of *ScienceDirect*, imidacloprid impairs the echolocation system of bats by damaging vocal, auditory, and spatial memory functions and causes flight orientation problems.

Furthermore, neonicotinoids are known to persist in soil and water, leading to long-term environmental contamination. They can also accumulate in the food chain with potential risks to human health. Some neonicotinoids have been classified as potential carcinogens while others are suspected of causing developmental and neurological disorders.

Given the growing evidence of the harmful effects of neonicotinoids, it is important to limit their use on the landscape. Alternatives to neonicotinoids, such as integrated pest management practices, biological controls, and nontoxic insecticides, can be effective in managing pests while minimizing harm to the environment and human health.

In conclusion, neonicotinoid pesticides pose significant risk to the environment and human health. The use of these neonicotinoid should be minimized to protect pollinators, nontarget species, and the long-term health of our ecosystem.

Instead of discussing the bill as written, I am going to talk about the amendment [Exhibit F]. The proposed amendment is a result of discussion with various industry stakeholders. As such, it addresses concerns of agriculture, builders, veterinarians, and indoor pest control groups.

The proposed amendment removes the provision requiring neonicotinoids to be classified as a restricted use pesticide along with the prohibition to apply them on state lands. Instead, it defines neonicotinoid pesticides and prohibits their sale or use on plants not grown for commercial agricultural purposes. In defining the pesticide, we also added two chemicals that we missed when originally drafting the bill.

The proposed amendment also makes certain exceptions to this prohibition. Specifically, section 1.5, subsection 3 [page 2, Exhibit F] lists the following products as permissible uses of neonicotinoids, as long as they are used as specifically directed by the product label or instructions: "pet care, veterinary, personal care, indoor pest control pesticide products; outdoor products used around structures provided that the product is not intended to be sprayed or applied on any plant; wood preservative pesticides or pesticide-treated wood products." I do want to bring to your attention that earlier today I had another conversation with a stakeholder who let me know that insulation apparently also has neonicotinoids. That would be an amendment to our amendment.

The proposed amendment also defines "commercial agricultural purposes" in section 1.5, subsection 4, as "the cultivation of plants and/or the use of farm and agricultural land for the purposes of obtaining through lawful means a monetary profit from cash income by producing an agricultural product."

Lastly, I want to note, as amended, sections 1 to 8, inclusive, of this bill become effective upon passage and approval for the purpose of adopting any regulations and performing any other preparatory administrative tasks that are necessary to carry out the provisions of this act, and on January 1, 2024, for all other purposes. While this is not the money committee, I want to point out that the fiscal note for the bill as originally written came back to zero from the State Department of Agriculture. In reviewing A.B. 162, the Department decided that there would not be a significant added cost to them to enforce the proposed provisions. At this point, I would like to turn it over to my copresenters. [Also provided but not discussed is Exhibit G.]

Kelli Kelly, Executive Director, Fallon Food Hub, Fallon, Nevada:
The Fallon Food Hub is a nonprofit that works to support small- to medium-sized agricultural producers in northern Nevada. We aggregate, sell, and distribute fresh fruits and vegetables that are raised right here in our communities and by our neighbors. The Nevada farmers that I work with grow a wide variety of produce and they do it using all sorts of different methods. Some grow plants that are flood-irrigated with surface water, some are dry-farmed, and others are fed through drip irrigation. The farmers grow plants conventionally, organically, and with no-till regenerative systems. There are many things that our Nevada

produce growers have differing opinions on, but the one thing that brings them all together is the importance of bees and other pollinators.

Bees are keystone species, which are species on which others in an ecosystem largely depend, organisms that help hold the whole system together. Since 2018, beekeepers in the state of Nevada have reported the highest levels of bee colony collapse in the country, with 71 percent colony loss reported in 2019, and an additional 53 percent colony loss in 2020. Bees are among the most important pollinators of fresh fruits and vegetable plants, as well as silage field crops like alfalfa. In the United States, the economic value of pollination services provided by native insects alone is estimated at $3 billion annually. At least one-third of the world's crops and 90 percent of all plants require cross-pollination or self-pollination to spread and thrive.

In Fallon, we really love our cantaloupes. Whether or not you look forward to the yearly harvest of Hearts of Gold, those cantaloupes, along with apples, asparagus, broccoli, squash, tomatoes, cucumbers, and watermelons, just to name a few, grow and put out fruit thanks to bees. In order for these plants to produce the food items that we rely upon, pollen must be transferred from the male part of the flower to the female part of the flower. This work is completed by bees and other pollinating insects. In fact, bees are directly responsible for one in every three bites of food that humans consume.

By some science-based and peer-reviewed accounts, the use of neonicotinoid pesticides is connected to triggering colony collapse disorder in beehives, including data that demonstrated that exposed hives had a 50 percent chance of surviving the winter after exposure.

Currently in the state of Nevada, a person is able to buy neonicotinoid pesticides for application to plants outside without even really knowing about the implications of that pesticide, or the fact that it is an ingredient in the products that they are buying. The Environmental Protection Agency (EPA) allows consumer retail products to include neonicotinoids as an ingredient at rates 120 times higher than what is typically applied in a farm agricultural setting. Aside from a small "bee hazard" label, there is no requirement to communicate the harm that the inclusion of neonics as an ingredient causes to pollinators. Neonicotinoids are added as ingredients to fertilizers and other products that are not even marketed for the purpose of treatment of pest infestations.

When the treatment of pests is necessitated, there are a number of alternatives to the use of neonicotinoids that are effective and significantly less dangerous. In fact, a French study that was published in the National Library of Medicine was conducted before the country of France completely outlawed the outdoor application of neonicotinoids to plants. The study found that in 96 percent of the 3,000 case studies that were evaluated there was an effective alternative to neonicotinoids that was readily available. In 78 percent of those cases, there was at least one nonchemical alternative method that could replace the neonic.

As we were leaving this chamber after presenting to this body last week about healthy soils, I asked my friend, farmer Joe Frey, about neonicotinoids. His words stuck with me. He said that after doing some research into neonics, he called his agronomist and said that he wanted to ensure that neonics were one hundred percent eliminated from any product that he used on his agricultural property. I think that says just about everything that needs to be said; neonics are a solution to a problem in which the solution is even more problematic than what it was created to fix. With that, I will turn it over to Mr. Forister.

Matthew Forister, Foundation Professor, Biology Department, University of Nevada, Reno:

I am an insect ecologist at the University of Nevada, Reno, where I have been since 2008. Among other things, my research group studies insects responding to modern stressors, including climate change, pesticides, and habitat degradation. You may have heard the phrase "insect apocalypse" used in the media. It is a rather extravagant phrase, but it reflects the fact that in various parts of the world, insects are now observed to be less abundant. Roughly 1 to 2 percent declines per year have been observed everywhere from Rome, Italy, to pastures in Ohio. Until recently, it was unknown what this meant for us in the Intermountain West because we have such vast open lands.

One thing that my lab has contributed is a study of butterflies across this region. We study butterflies because we have data on them; they are easily observed. One thing that we do is maintain the world's longest-running observational study of butterflies. There is a network of sites in California and Nevada, some of them have been visited every two weeks for more than 50 years, which is kind of a remarkable resource. We use that resource to understand what these insects are doing. What we have discovered is that insects in the arid west have been declining at the rate of about 1.6 percent per year, which is a compounded annual loss. It sounds like a small number, but you would not be happy if your bank account was declining at that rate.

Over the course of 20 years, it means that one mountain meadow where you could imagine seeing 1,000 butterflies flying around 20 years ago now has about 725 butterflies, a 25 percent reduction, roughly speaking; that is quite dramatic. It was a surprise to the scientific community when we reported that for the open spaces of the West. But it is not a mystery. We know what is going on. It is a three-pronged problem: climate change, habitat destruction, and habitat degradation. Those are all really challenging things that we all should be worried about. The one that we can do the most for immediately is habitat degradation in the form of pesticide overuse, misuse, and being used in places that we do not need to use them, which is what we are talking about here today.

I am particularly concerned with the overuse of neonicotinoids, or we can say neonics, which is a lot easier to say. As we have heard, they are a problem because they are long-lasting in the environment, and they go systemic into plants. You might think, as a home gardener, you are putting them only on leaves, but they migrate through the plant and end up in nectar and pollen. You might think that you are soaking the ground for root treatment, but again, the neonics can end up in the nectar and pollen and have devastating effects on pollinators that

are visiting your yard. That systemic nature has encouraged the abandonment of some smarter pesticide practices that existed a generation ago among home gardeners and in agriculture. We can be less discriminate now; you can just spray these very powerful poisons in your environment. They do an amazing job of taking care of the pests, but killing so many other things. It is, as mentioned, having cascading effects. Up the ecosystem, we see declines in insectivorous birds, in areas where insects are declining, which is most places we look these days.

You might wonder, Why do we need to worry about this in Nevada? Because again, we have these vast open spaces. I talk to the general public and I often get this as a very perceptive question: "I understand I am putting a poison in my yard that is maybe too powerful or it is more powerful than it needs to be, but I look out my window and I see these mountains in the distance, so does it matter what I do in my yard?" It does matter because the main thing we have discovered in my lab is that climate change across the West is leading to reductions in insect density out in those open places. There is an interesting sort of irony, the fact that climate change is having a pervasive impact in the open spaces elevates the importance of everything we do on the lands that are immediately under our control. Our yards, our city parks, and our public lands can actually be a really important habitat for pollinators upon which ecosystems depend. We need to make smart choices about the lands that we manage and not just look to the mountains. The mountains are facing their own challenges from the mega drought that we are experiencing. [A letter was also provided, Exhibit H.]

Drew Toher, Community Resource and Policy Director, Beyond Pesticides, Washington, D.C.:

I have a master's in science and environmental management from George Mason University. I am here representing the federal nonprofit Beyond Pesticides. Our members and supporters in Nevada urge passage of A.B. 162 as amended. As DDT was to birds of prey, neonicotinoids are to pollinators. Neonicotinoids are potent systemic insecticides. They can be taken up by flowering plants and expressed in the pollen and nectar and dewdrops that pollinators feed upon, even at low levels. Studies show these chemicals impair foraging, navigation, and learning behavior in bees as well as suppress their immune system. Research shows that these chemicals increase bees' susceptibility to mites, pathogens, and other diseases.

Once-common pollinators are declining at rapid rates. The western monarch butterfly has declined by an astounding 99.9 percent from 10 million butterflies in the 1980s to just under 2,000 by some recent counts. A study published last month identified neonics pesticides as the most impacting factor in the decline of the western bumblebee, which is predicted to see population losses up to 97 percent over the next 30 years without intervention.

These species are the bald eagles and osprey of our time. We know that the reason why we now see increasing populations of these animals are because we protected them from toxic pesticides when it was most needed. We also know that the consequences of inaction do not just harm pollinators, they hurt us as well. Emerging data show neonics can act as hormone disruptors, increasing risk of breast cancer. They can readily transfer from mother to fetus

through the placenta, increasing risk of birth defects. They are associated with liver damage and neurological impacts like memory loss. The bill before you today would take an important step towards addressing these grave concerns. In light of inaction by the Environmental Protection Agency, the states of Maine and New Jersey have already enacted functionally similar legislation. We urge the Committee to protect pollinators, public health, and the wider environment by passing A.B. 162 as amended. [Written testimony was also provided, Exhibit I].

Chair Cohen:
To make sure I am clear, the neonics can still be used by farmers and professionals. This bill relates just to household use. I could not go buy it, mix it up in a bucket in my backyard, and use it.

Assemblywoman Gorelow:
You are correct. Agriculture and those who have training on how to use these products will still be able to use it. It is the general public who does not understand that you really should not be applying the stuff; for example, putting a glug of it in a bunch of water, or using in wind conditions that are 40 miles per hour. Even a wind of 10 or 20 miles per hour can spread it in places that we do not want it. That is why we want to keep it out of the hands of the general public.

Assemblywoman Anderson:
In section 12 of the bill, regarding when it actually becomes effective, based upon the information that was presented, it sounds like there are some seriously dangerous things happening, and the sooner we can get some of these things out of the system, the better. However, you have it starting January 1, 2024. I am just wondering why that date was utilized instead of July based upon the growing seasons that we traditionally think of.

Assemblywoman Gorelow:
We opted for January 1, 2024, versus July to help some of the supply that is already there get out. We are helping those who already have it so they will not get stuck with it.

Assemblywoman Anderson:
With part of the process with that longer time frame, has there been any discussion about educating the public about why this will no longer be available, or perhaps working with others as to why it should only be utilized in very specific regions? Are there any plans for that?

Assemblywoman Gorelow:
We have not really talked about the education part of making sure people understand what this product actually does. We will work on that.

Kelli Kelly:
I think that the stakeholder coalition that has been working with Assemblywoman Gorelow on this bill is very well positioned to discuss with our communities, the harms from neonics

and why this legislation is being passed. In fact, I think that a lot of that messaging has already started with the efforts by the city of Reno, Bee Friendly, also Carson City being a bee-friendly municipality, the word will spread quickly.

Assemblyman DeLong:
In my research on neonics I identified another chemical on the list of neonics, Nitenpyram. I am wondering why it is not included.

Assemblywoman Gorelow:
I did not know about that, but we can add it.

Matt Forister:
It is a neonic, and there are a lot of them. I think we have written this to encompass neonics without limitation. It is impossible to keep track of them all.

Assemblyman Watts:
Based on this new amended language, can you talk about how you expect the details of the implementation and enforcement to go for this? I know that some of the restricted use pesticides are regulated and run through the State Department of Agriculture.

Kelli Kelly:
Our thought and approach with this legislation is to get neonicotinoids out of the commercial retail space. The agricultural producers that I spoke to about this legislation, I asked them, How do you get your pesticides? Through what avenue are you acquiring them? They all identified that they were working with agronomists, and they were sourcing many of their supplies through companies like Rocky Mountain Agronomics or Farm Supply. These are being purchased in larger quantities and at different strengths and ratios than what is available in a commercial retail space. There is already going to be an access point that is for larger quantities for folks who are applying these, for example, to control an aphid infestation in alfalfa over hundreds of acres. They are not typically buying 32-ounce or one-gallon containers. Ideally, we are looking at industry self-regulation and removing access for the vast majority of commercial consumers who do not need a product that is as strong, potent, and harmful as neonicotinoids, and limiting that access for those commercial agricultural producers through their farm supply sources. If that proves to not be effective, if the industry is not good at regulating, then we can circle back down the road. For now, it seems like industry self-regulation is the way to go for a first step.

Assemblywoman Hansen:
I appreciate the conversation because I was in a panic that my Scotts Weed and Feed had these in it. I did a little research and the good news, Ortho quit using these products in 2017. Lowe's has not carried any neonicotinoids since 2017. It looks like consumer retail is getting the word. I read an article in *Chemical & Engineering News* from 2016 which said that at the time the EPA was conducting a risk assessment of the pesticides and had temporarily stopped granting new permits for their use. I am feeling good about this legislation, but is it already being taken care of on a federal level that will trickle down?

Drew Toher:
The EPA has announced that they are not registering any new neonicotinoid chemistries. As far as their current review of these chemicals, they have been in perpetual review of the neonicotinoids for over a decade, and they have identified hazards to human health, pollinators, birds, and aquatic wildlife. The problem with this situation is that even when the agency identifies harm, it has not yet acted meaningfully to avert it. For example, in the agency's recent interim decision—a final decision is not yet even on the agency's work plan—it identified high risks to applicators when applying neonicotinoids to turf. The agency's solution to this is to propose language on the label advising homeowners not to use these products. They want the label of a product to say not to use it. The Environmental Protection Agency endorsed a product for sale that it does not believe is safe for people to use. We have clear evidence on the danger of these chemicals, much of it developed by the EPA. We believe it is incumbent on state lawmakers at this time to finish the job that the EPA appears to have no intention of doing, unfortunately.

Assemblywoman La Rue Hatch:
My question follows up a little bit on Assemblyman Watts' and Assemblywoman Hansen's. I noticed that there is no enforcement agency listed or enforcement mechanisms. Could you speak to Assemblywoman Hansen's assertion about the commercial vendors? Are these not on the shelves in Home Depot and Lowe's and everywhere else? If that is true, awesome, that is exciting. If it is not true, what happens if those places have neonics on the shelves?

Kelli Kelly:
These large retailers—the big guys, the big box stores—are very well fleshed-out organizations that have government affairs teams that follow policy changes. What we saw when other states implemented neonicotinoid prohibitions, the retailers were well aware of the changing laws and took action to ensure that those chemicals were not in products that were sold within the state. That being said, there will be other products. Nature abhors a vacuum, and there will be other pesticides that are available to control pest outbreaks for the retail customer. Our hope is that the new products will be less dangerous and certainly will not include neonics.

Drew Toher:
In addition to that, we have a situation where industry is getting ahead of many of the policies. Certainly, that is a result of the science, as mentioned, and consumer pressure around this as well. I would note within the amended legislation that it does prohibit a person to sell or deliver any neonicotinoid pesticide for the purpose of application of plants that are not grown for commercial purposes, except provided in the exemptions within section 1, subsection 3 [page 2, Exhibit F].

Chair Cohen:
Seeing no further questions, I will move on to support. We will start with support in Carson City.

Bari Levinson, representing Toiyabe Chapter, Sierra Club:
I am a medical doctor, and I am a chemical engineer. On behalf of the Sierra Club and our more than 30,000 members and supporters statewide, I am speaking in support of A.B. 162. Assembly Bill 162, with its amendment, bans all nonagricultural use of neonicotinoid pesticides. For the sake of our food supply, we must save our pollinators. Bees are essential for producing our fruits, vegetables, nuts, and seeds—the most healthful foods on the planet. These foods are packed with phytonutrients that are key in preventing many dreaded diseases including diabetes, heart disease, autoimmune disease, and cancer.

It is very scary that our bee populations are in severe decline. In Nevada we lost 53 percent of bee colonies in 2019 and 70 percent in 2018. The loss of bees in the world has been shown to cause over 500,000 deaths per year due to lack of healthful foods.

There are many causative factors in the bee colony collapse, but a major cause is the use of neonics pesticides. They are systemic, as you have heard, and they get into every part of the plant. When bees drink the nectar, they get a dose of this neurotoxic pesticide which causes impaired navigation, impaired foraging, immune dysfunction, and directly can cause death. Neonics are water-soluble, as you have also heard, and seep into our soils and waters, killing aquatic insects, fish, and amphibians. They kill birds when contaminated seeds are eaten. They have been found in 94 percent of white-tailed deer in Minnesota.

Neonics have also been linked to human disease. They have been proven to transfer from a pregnant woman to her fetus and cause serious birth defects. They are causally linked to autism, memory loss, and breast cancer. The good news is that there are many safe alternatives to using neonicotinoid pesticides. If we switch to these safer methods, we could save the pollinators, save other animals, and improve human health. For these reasons, we urge you to support this bill. [Written testimony was also provided, Exhibit J.]

Ray Hopper, Treasurer, Help Save the Bees Foundation, Reno, Nevada:
I am a Vietnam veteran, a master beekeeper, and founder of Help Save the Bees Foundation. We want you to support A.B. 162. As amended, this bill seeks to remove neonicotinoid insecticides from noncommercial, ornamental use. While neonics are an important agricultural tool when used by trained licensed professional pesticide applicators, it is a threat to the environment in the hands of the consumer. Products containing neonics are readily available at home and garden stores where the product labels themselves state that it is highly toxic to bees and pollinators. The EPA knows that neonics kill bees and requires that notice on the label. It is there, in small print at the bottom along with detailed instructions to time its use according to weather conditions to avoid runoff or wind drift. We know that using pesticides and not adhering to the instructions is a federal offense. Consumers pay little attention to that detail and will use it any way they like, probably on the weekend, whenever it is convenient. The label goes on to warn that runoff will kill aquatic invertebrates. But it does not tell you that it can stay in the soil for a long time and the next time it rains, it will run off into our streams and tributaries. We remember the days of DDT, a most wonderfully effective insecticide, but once these toxins enter the food chain, they have far-reaching, unintended consequences. We ask the Committee on Natural Resources to endorse the

amended A.B. 162 to keep these toxic chemicals off the shelves and out of the hands of consumers. Save the bees, save the environment, and save the earth.

Melissa Gilbert, Board Member, Reno Food Systems, Reno, Nevada:
I run a campaign called Bee Friendly Reno to help educate people on this issue. As a volunteer with Help Save the Bees Foundation, I am in the process to rebrand that statewide. To answer your earlier question, we do have plans to help with the education once this is passed. It is a difficult topic for me to talk about because I get so emotional. I do not personally have children, but I do this work for future generations. In building the stakeholders, one of the things that I have done is reach out to golf courses, and I have some encouraging news for you about this. Talking to the landscaping company that takes care of the Washoe Golf Course, he said they have decided not to use neonics, partly because it is difficult to get registered and to have inspections by the EPA. There already is this structure and I believe he said, If I lived in Louisiana and was a groundskeeper for a golf course, I would have to worry about grubs. That is not something we are dealing with, and lawns do not need neonics. For the sake of our future generations being able to have healthy pollinators and agriculture, I urge you to vote yes on A.B. 162 as amended.

Patrick Donnelly, Nevada State Director, Center for Biological Diversity:
We are in support of the amended A.B. 162. I want to highlight that some of the letters that are posted on the Nevada Electronic Legislative Information System in opposition are from the original bill. The amended version [Exhibit F] has large exemptions for veterinary use, for medication use, and other types of uses that are not really the intent of this bill. For a number of the letters in opposition, the issues have been addressed through the amended version of this bill. I think also the big elephant in the room is agriculture, which is the entity that uses the most neonics. This bill will not touch agriculture. I think it is very important to recognize that neonics play a role in the agricultural sector in this state, and the intent of this bill is not to touch that at all. I think it is a very narrow and tailored bill to address a very specific issue without causing ancillary impacts on other sectors. We would encourage you to support A.B. 162 and save the bees.

Fauna Tomlinson, Private Citizen, Reno, Nevada:
I support A.B. 162 and hope you do too. Why? Because fresh fruit is important to me. For the sake of fresh fruit and vegetables, let us give bees a break.

Christi Cabrera-Georgeson, Deputy Director, Nevada Conservation League:
I am here in support of A.B. 162. As you have heard, neonics can have significant disruptions in our food supplies and collapse critical ecosystems. For those reasons we urge your support on the bill.

[Also submitted but not discussed are Exhibit K, Exhibit L, Exhibit M, Exhibit N, and Exhibit O.]

Chair Cohen:
Is there anyone else in support in Carson City, Las Vegas or Elko? Seeing no one, is there anyone in support on the phones? Hearing no one, I will move on to opposition in Carson City.

Tray Abney, representing American Chemistry Council:
I am going to term this "very friendly opposition" in regard to Assemblywoman Gorelow's amendment. You heard her mention a stakeholder that reached out to her that wanted to add structural insulation to the exemptions which I believe you will find in section 1.5, subsection 3 of the amendment [page 2, Exhibit F]. We have been working with her on that. Since it is not written in the amendment yet, we are in opposition. If that were added, it would move us to neutral. I want to thank Assemblywoman Gorelow for her time and help with this.

Doug Busselman, Executive Vice President, Nevada Farm Bureau Federation:
Nevada Farm Bureau Federation policy opposes the legislative proposal A.B. 162 as written. We have met with Assemblywoman Gorelow and expressed our reasons for our opposition to the bill as it was written. Nevada farmers have a need for the types of insect control which these chemicals provide. We are aware of the proposed amendment [Exhibit F] that Assemblywoman Gorelow has provided, and we understand that through the language of this amendment, agricultural producers will not be affected by the proposed ban that the new language provides for sale or delivery of the identified chemicals.

Although agricultural producers and others identified as being covered in the permissible uses will be able to continue to use the products, we are uncertain what provisions in the law will provide for acquiring the products. I believe that it has been suggested that these products will be available to be purchased from wholesale providers, but that is not actually always the normal process for purchases.

We would hope that by working with those advocating the amended version of A.B. 162, we will be able to make provisions for agricultural supply channels, will be recognized, and those systems would be maintained as they are now in process. I am certain that the others covered in section 1.5, subsection 4 [page 2, Exhibit F] of the amendment would also be able to purchase and resale the products that they use through the traditional channels as well.

The two products that have been added to the list—I cannot pronounce chemicals either—so I am going to say section 1, subsection 4 and subsection 7 [page 1, Exhibit F] of the amended language, in my research, neither of these are identified as being neonicotinoids and are technically in a different class of product than neonicotinoids. You can Google that information for yourself and find out like I did, that neither subsection 4 nor subsection 7 are neonicotinoids. Actually, I found out that subsection 4 is actually used as a substitute for a neonicotinoid project.

Our main reason for our opposition to the original language and somewhat is still a concern for the amended language, both the federal Environmental Protection Agency and the State Department of Agriculture have the authority to list these as all forms of restricted-use

pesticides. They go through a science-based process of determining whether there is a reason for such a list. We will go neutral if the amendment is adopted, and we would hope that those concerns about being able to be supplied will be addressed.

Steve Walker, representing Eureka County:
Eureka County is in opposition as the Farm Bureau is, but looks at the amendment as mostly the solution. I think we still have the issue of how to access the chemicals for agricultural uses. But I think we can work that out and we can move to a neutral or a supporting position.

Chair Cohen:
Is there anyone else in opposition in Carson City, Elko, or Las Vegas? Seeing no one, is there anyone in opposition on the phones?

Elliott King, representing National Association of Landscape Professionals:
We are in opposition of A.B. 162. Congress, through the passage of the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA) as enforced by the EPA, has already spoken to how pesticides are to be evaluated, registered, and used in the United States. Together with the Department of Energy and the Environmental Protection Agency, this two-tiered system approach to ensuring pesticides are used wisely in Nevada is highly effective. Under this two-tiered system we currently have, at any time, either agency can promulgate changes to label directions, restrict their use, or ban pesticides altogether.

There is no need for intervention on the part of the Legislature. Indeed, with Legislature intervention and decisions that should be made by qualified scientists, unintended consequences follow. As part of a periodic statutory review of all pesticides to the EPA, they are already reevaluating neonics, not only under FIFRA, but under the requirements by the Endangered Species Act. At the conclusion of this, through the rigorous process, regulated uses of the neonics insecticides will be such that no endangered species or their critical habitat will be in jeopardy from misuse. Pests persist regardless of politics. Absent the neonics, less effective, more toxic, and antiquated pesticides must be employed to stem infestations after significant damage to landscapes have occurred. In 2020, the nation of Sri Lanka suddenly made the use of synthetic fertilizers and pesticides illegal in their country. Unsurprisingly, crop yields crashed with inflation soaring and availability of food waned. While A.B. 162 specifically excludes agricultural crops under the amendment, what happened in Sri Lanka should serve as an object lesson for what happens when politics attempt to substitute their opinions for the expertise of scientists and regulators, the very people empowered by the Legislature to make this determination. Using formulas for neonics such as neonics impregnated on fertilizers is a highly effective method of application that immediately places the product out of reach of pollinators. We are in opposition of this bill, and we look to further measures moving forward. [Written testimony was also provided, Exhibit P.]

[Also submitted but not discussed is Exhibit Q.]

Chair Cohen:
Is there anyone else in opposition on the phones? Hearing no one, we will go to neutral in Carson City.

Ashley Jeppson, Administrator, Plant Industry Division, State Department of Agriculture:
I have with me Bret Allen who oversees our pesticide compliance program. I want to quickly provide some brief information on the programs that we administer with the Department of Agriculture under *Nevada Revised Statutes* Chapter 586 and Chapter 555. We do oversee the retail and distribution of all restricted-use pesticide retailers. That is a specific component of this as it is currently limited to restricted-use pesticides. We also oversee the registration of all pesticides that are used within the state of Nevada. This adds context to some of the concerns that we have in the enforcement end of this amendment as proposed.

One of the things I want to note is the amendment [Exhibit F] that we have before us would create a fiscal note. In the original language that was proposed, we said that there was not a fiscal note, but that was based on the assumption that we could still charge the fees that were in statute for all of those pesticides, being that we oversee the registration of all pesticides. I just want to provide that as clarification. The fiscal note, as it pertains to the amendment, would be because it would add a new retail requirement for most big box stores as they are selling these products as it stands now. We would actually have to go to all of these retailers of general use pesticides and confirm that they are verifying the end user, which is the big piece. This is imposing the requirement on how the product is used and making sure that the retailer is verifying that upon sale. With that we would have to go in, audit their records, and make sure that they are verifying the end use of these products. Again, that is different than restricted-use pesticides, which we oversee on the retail end now. There are well over 1,000 products that are sold in Nevada with these ingredients. So that is a big determination.

Chair Cohen:
I will remind the Committee that if the bill makes it out of this Committee, and if there is a fiscal note, it will be addressed in the Committee on Ways and Means.

Assemblywoman Anderson:
I kind of feel like I am a broken record with the date of how it is supposed to be enacted, but with that new date, is that enough time for you to be able to come up with different policies and/or procedures that might be necessary based upon the new information that you are bringing forward about the process of making sure that this is being followed correctly? Is this date still workable, or is this something that you might need to talk with the sponsor of the amendment to verify that it is still something you could do?

Ashley Jeppson:
I think we can reasonably come up with a process considering we have some of that foundational language. The bigger concern is the implementation and outreach to the retailers. It is a whole new process. They are not looking at end use; they are just selling what is on the shelf and expecting the user to apply it appropriately. If the retailer is having

to ask how it is being used, that adds another element. It is a tight turnaround for sure. I think we need to converse more with industry, too, on what that would look like.

Chair Cohen:
Is there anyone else in neutral in Carson City, Las Vegas, or Elko? Seeing no one, is there anyone on the phones? Hearing no one, I will invite the presenter back up to make any final comments.

Assemblywoman Gorelow:
I want to thank you again for hearing this legislation and we will continue to work with stakeholders.

Chair Cohen:
With that, I will close the hearing on A.B. 162. I will now move on to public comment. Is there anyone wishing to provide public comment? [There was no one.] With that, we are adjourned [at 5:24 p.m.].

RESPECTFULLY SUBMITTED:

_____
Nancy Davis
Committee Secretary

APPROVED BY:

_____
Assemblywoman Lesley E. Cohen, Chair

DATE: _____

EXHIBITS

Exhibit A is the Agenda.

Exhibit B is the Attendance Roster.

Exhibit C is an amendment to Assembly Bill 97, presented by Chaunsey Chau-Duong, Public Affairs, Southern Nevada Water Authority.

Exhibit D is written testimony submitted by Warren Hardy, et al. representing Air-Conditioning, Heating, and Refrigeration Institute, in support of Assembly Bill 97.

Exhibit E is a letter dated March 1, 2023, signed and submitted by Aviva Gordon, Chair, Legislative Committee, Henderson Chamber of Commerce; Emily Osterberg, Director of Government Affairs, Henderson Chamber of Commerce, in support of Assembly Bill 97.

Exhibit F is an amendment to Assembly Bill 162, presented by Assemblywoman Michelle Gorelow, Assembly District No. 35.

Exhibit G is a fact sheet titled "Alternatives for Neonicotinoids in a Range of Agricultural Crops (collected from national extension services in Italy, UK and NL)," presented by Assemblywoman Michelle Gorelow, Assembly District No. 35.

Exhibit H is a letter dated February 27, 2023, presented by Matthew Forister, Foundation Professor, Biology Department, University of Nevada, Reno, in support of Assembly Bill 162.

Exhibit I is written testimony dated March 1, 2023, presented by Drew Toher, Community Resource and Policy Director, Beyond Pesticides, Washington D.C., in support of Assembly Bill 162.

Exhibit J is written testimony dated February 27, 2023, presented by Bari Levinson, representing the Toiyabe Chapter, Sierra Club, in support of Assembly Bill 162.

Exhibit K is a letter dated February 28, 2023, submitted by Willa Childress, Organizing Co-Director, Pesticide Action Network North America, in support of Assembly Bill 162.

Exhibit L is a letter dated March 1, 2023, submitted by Olivia Tanager, Environmental Justice Program Manager, Progressive Leadership Alliance of Nevada, in support of Assembly Bill 162.

Exhibit M is a letter dated February 28, 2023, submitted by Lucas Rhoads, Attorney, Pollinator Initiative, Natural Resources Defense Council, in support of Assembly Bill 162.

Exhibit N is a compilation of emails received in support of Assembly Bill 162.

Exhibit O is a compilation of emails received in support of Assembly Bill 162.

Exhibit P is written testimony dated February 28, 2023, presented by Elliott King, representing National Association of Landscape Professionals, in opposition to Assembly Bill 162.

Exhibit Q is a compilation of letters received in opposition of Assembly Bill 162.