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December 31, 2025

Lindsey Schreier, LCAR Committee Assistant
Legislative Committee on Administrative Rules
by email

RE: Comments on LCAR Rule No, 25P031, Best Management Practices for
Neonicotinoid-treated seeds and Neonicotinoid Use.

Dear Members of the Legislative Committee on Administrative Rules:

Act 182 (H.706) 2024 had thirty-seven (37) sponsors, expressing the deep concern of many in the Legislature and in the State for the plight of pollinators affected by the widespread use of neonicotinoid (neonic) insecticides in Vermont.

Act 182 allows the use of neonicotinoid-treated seeds until 2029 and provides for exemptions to use neonic pesticides beyond 2025. It also charges the Agricultural Innovation Board (AIB) with developing Best Management Practices (BMPs) for these uses.

According to criteria stated by Legislative Counsel for accepting or rejecting rules, you can reject rules if they are contrary to the intent of Legislature.

The intent of Legislature in Act 182 is to severely curtail and eventually ban the use of these endocrine-disrupting¹, neurotoxic, persistent, mobile pesticides in Vermont in order to protect pollinators, wildlife, the environment^{2 3} and public health.⁴

A. The BMPs appear *contrary to the intent of Act 182* in the following ways.

1. Allowing aerial use (whether by drone or by airplane), against the advice of Xerces Society et al (October 2024 letter⁵), will endanger pollinators and birds.

2. Failing to provide adequate notice to beekeepers of intended neonic application within *one mile* when pollinators are least active, or *two miles* when plants are blooming will further endanger pollinators and the livelihoods of beekeepers.

¹ Baines, D et al, 2017 <https://doi.org/10.1038/s41598-017-10489-6>

² https://biologicaldiversity.org/w/news/press-releases/epa-neonicotinoid-pesticides-harm-vast-majority-of-all-endangered-species-2021-08-26/?gad_source=1&gad_campaignid=20613662605&gbraid=0AAAAAD3I-HPFRQNHYPfM7OxyVqfD4T_J&gclid=Cj0KCQiAsNPKBhCqARIsACm01fSFaiChEMJfgBE6HRPUWJ9yJkYzM
[Khttps://data.usgs.gov/datacatalog/data/](https://data.usgs.gov/datacatalog/data/)

³ <https://data.usgs.gov/datacatalog/data/USGS:627954a8d34e8d45aa6e3c0a>

⁴ <https://www.nrdc.org/bio/jennifer-sass/two-new-papers-reveal-startling-human-health-risks-neonicotinoid-pesticides#:~:text=Data%20obtained%20from%20the%20EPA,for%20children%20and%20pregnant%20women.&text=I%20recently%20coauthored%20two%20articles,water%2C>

⁵ https://agriculture.vermont.gov/sites/agriculture/files/doc_library/2024_1028%20XercesUVM_Recommended%20BMPs%20for%20Neonic%20Application%20and%20Seed%20Treatments.pdf

B. The BMPs fail to recognize the *environmental impact* in the following ways:

1. allowing aerial use which can kill birds and beneficial insects with minute amounts of neonics and endanger aquatic life as well.
2. allowing use of neonics within designated buffers to water resources with notice, which fails to protect water resources from these persistent, mobile and cumulative toxic pesticides.

C. The Economic Impact Analysis fails to recognize or even mention the substantial economic impact of these BMPs to beekeepers' livelihoods and the bees they care for.

D. While Act 182 does not mention per- or polyfluoroalkyl substances (PFAS), their increasing use as unidentified ingredients in pesticides makes pesticide reduction more urgent than ever.

Please note that at least one member of the Agricultural Innovation Board has used his influence as a pesticide salesperson (or crop consultant) to advocate FOR aerial spraying, contrary to the advice of pollinator experts. Members of AIB must not allow persons with conflict of interest to subvert the law meant to protect pollinators, wildlife and public health. Such persons with economic interests at stake may be able to provide useful information about pesticides, but must not undermine the legislative mandate of the Board, which is to establish ways to reduce pesticide use.

As a member of VT Pesticide and Poison Action Network, VT PFAS Coalition and A2, I recommend that you reject the BMPs for the reasons stated above. They are not consistent with Act 182, and allow neonics to continue harming us and the world we all share. The AIB must make significant changes to comply with Act 182.

Thank you for your attention to my comments.

A handwritten signature in cursive script, reading "Sylvia Knight". The signature is written in dark ink on a white background.