



# Senate

General Assembly

**File No. 65**

February Session, 2022

Substitute Senate Bill No. 116

*Senate, March 22, 2022*

The Committee on Environment reported through SEN. COHEN of the 12th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

## ***AN ACT CONCERNING NOTIFICATION OF PESTICIDE APPLICATIONS NEAR LAKES AND PONDS.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (h) of section 22a-66a of the general statutes is  
2 repealed and the following is substituted in lieu thereof (*Effective October*  
3 *1, 2022*):

4 (h) (1) Any pesticide application business or department, agency or  
5 institution of the state or municipality prior to making a pesticide  
6 application in any lake or pond with any public access owned by the  
7 state or municipality shall cause to be published notice of the  
8 application in a newspaper of general circulation in each municipality  
9 in which the lake or pond is located and shall post a sign notifying the  
10 public of the application at each place of public access. Such sign shall  
11 comply with regulations adopted by the commissioner pursuant to  
12 subsection (g) of this section.

13 (2) Any pesticide application business prior to making a pesticide

14 application on any private lake or pond with more than one owner of  
 15 shoreline property shall [cause to be published notice of such  
 16 application in a newspaper of general circulation in each municipality  
 17 in which the lake or pond is located.] provide notice of the time and  
 18 date of the application to any owner of such shoreline property that  
 19 abuts the lake or pond to be treated. A pesticide application business  
 20 shall make not less than two attempts to notify any such owner. Such  
 21 attempts shall be made as early as practicable but not later than twenty-  
 22 four hours before the application. Notice shall be made either by  
 23 personal notification or by leaving a conspicuous notice on an entry  
 24 door of the home located on such abutting property. If attempts at  
 25 notification by the applicator fail, an emergency application is necessary  
 26 or best management practices of integrated pest management, as  
 27 defined in section 22-11a, recommend an immediate pesticide  
 28 application to reduce the amount of pesticides that would otherwise be  
 29 necessary, the applicator shall attempt to notify each such owner in  
 30 person immediately prior to the application. Any person who provides  
 31 notice of an aircraft application of a pesticide pursuant to regulations  
 32 adopted under section 22a-66 shall not be required to provide notice  
 33 under this subdivision.

34 (3) The Department of Energy and Environmental Protection shall  
 35 provide any public official who makes inquiry concerning any  
 36 application scheduled or made pursuant to this section with any and all  
 37 information known to the department concerning such scheduled or  
 38 made application.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2022	22a-66a(h)

**ENV** Joint Favorable Subst.

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*The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.*

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### **OFA Fiscal Note**

**State Impact:** None

**Municipal Impact:** None

### **Explanation**

The bill requires privately-operated pesticide applicators to provide notice to owners of certain shoreline properties of the time and date of future pesticide treatments. It also requires the Department of Energy and Environmental Protection (DEEP) to provide notice of this information to public officials inquiring about pesticide applications. This is not anticipated to result in a fiscal impact as DEEP currently has staff with expertise for this purpose.

### **The Out Years**

**State Impact:** None

**Municipal Impact:** None

**OLR Bill Analysis****sSB 116*****AN ACT CONCERNING NOTIFICATION OF PESTICIDE APPLICATIONS NEAR LAKES AND PONDS.*****SUMMARY**

This bill eliminates the requirement that pesticide application businesses publish notice of a pesticide application on a private lake or pond with more than one shoreline property owner in a general circulation newspaper. The bill instead requires businesses to personally notify the shoreline owners or leave a conspicuous notice on an entry door of the home on the waterfront property. Anyone who gives notice of a pesticide application by aircraft according to state regulations is exempt from this provision. Under existing law, unchanged by the bill, if there is a state or municipally owned public access point, newspaper and signpost notice must still be given to the public.

Under the bill, the notice must give the time and date of the pesticide application. The pesticide application business must make at least two attempts to notify an owner, as soon as practicable but no later than 24 hours before the application.

If attempts to give notice fail, an emergency application is necessary, or best management practices of integrated pest management recommend an immediate pesticide application to reduce how much pesticide would otherwise be necessary, the bill requires the business to notify each owner in person immediately before the application occurs. Integrated pest management is a comprehensive pest control strategy that includes judicious pesticide use.

The bill also requires the Department of Energy and Environmental Protection to give a public official all information it knows about a

pesticide application scheduled or made to one of these lakes or ponds when the official asks about it.

EFFECTIVE DATE: October 1, 2022

**COMMITTEE ACTION**

Environment Committee

Joint Favorable Substitute

Yea 30 Nay 1 (03/04/2022)