

**LOCAL LAW NO.      OF 2008**  
**COUNTY OF ROCKLAND**  
**STATE OF NEW YORK**

(Introduced by: Hon. Connie Coker and Hon. John A. Murphy)

A local law requiring nontoxic landscape maintenance on land owned or leased by the county of Rockland, with exceptions and waivers in appropriate circumstances.

Be it enacted by the legislature of the county of Rockland as follows:

**Section 1.      Name of local law**

This law shall be known as “the Rockland county nontoxic landscape maintenance act”

**Section 2.      Definitions**

For the purpose of this local law the following are defined as follows:

**EMC** shall mean the Rockland county environmental management council.

**Natural, Non-Toxic, Least Toxic or Biological pesticide** shall mean a pesticide that is a naturally occurring substance or microorganism that controls pests in a non-toxic manner, or, if approved by the EMC, the least toxic method possible.

**Nontoxic pest management (“NPM”)** is a problem-solving strategy that prioritizes a natural, nontoxic approach to turf grass and landscape management without the use of toxic and synthetic pesticides. It mandates the use of natural, non-toxic, or, as a last resort with EMC approval, least toxic cultural practices that promote healthy soil and plant life as a preventative measure against the onset of turf and landscape pest problems.

Essential NPM practices include, but are not limited to:

- regular soil testing;
- addition of approved soil amendments as necessitated by soil test results, following, but not limited to, the recommendations of the Northeast Organic Farmers’ Association Massachusetts and Connecticut Chapters Organic Land Care Program and/or the Organic Material Review Institute of Eugene, OR;
- selection of plantings using criteria of hardiness; suitability to native conditions; drought, disease and pest-resistance; and ease of maintenance;

- using, with EMC approval, the least toxic organic, or non-toxic non-organic, products as some organic products are toxic;
- modification of outdoor management practices to comply with organic horticultural science, including scouting, monitoring, watering, mowing, pruning, proper spacing, and mulching;
- the use of physical controls, including hand-weeding and over-seeding;
- the use of biological controls, including the introduction of natural predators, and enhancement of the environment of a pest's natural enemies;
- through observation, determining the most effective treatment time, based on pest biology and other variables, such as weather and local conditions; and
- eliminating pest habitats and conditions supportive of pest population increases.

**Pest** means (1) any insect, rodent, fungus, weed or (2) any other form of terrestrial or aquatic or animal life or virus, bacteria, or other micro-organism (except viruses, bacteria or other micro-organisms ordinarily present on or in humans or living animals) which the commissioner of the New York State Department of Environmental Conservation declares to be a pest.

**Pesticide** means any substance or mixture of substances intended for preventing, destroying, repelling, or mitigating any pest; and any substance or mixture of substances intended for use as a plant regulator, defoliator or desiccant. It shall include all pesticide products registered as such by the United States Environmental Protection Agency and the New York State Department of Environmental Conservation, and all products for which experimental use permits and provisional registrations have been granted by the United States Environmental Protection Agency and the New York State Department of Environmental Conservation.

**Toxic** means any substance that is harmful to humans. It is recognized that, by their very nature, pesticides are toxic to those pests they are designed to eliminate. Obviously, the concern of this local law is to limit pesticides' toxicity to humans while preventing pests from multiplying and thereby endangering humans. A pesticides' relative toxicity to

humans is the standard that should govern the determination as to which pesticides should be utilized. Measures of relative toxicity have been determined by measuring their effect upon adult humans, who have greater mass and weights than children. Thus, children are at greater risk from exposures to even low levels of pesticides.

### **Section 3. Legislative intent.**

The county of Rockland agrees with the U.S. Environmental Protection Agency (EPA) that "all pesticides are toxic to some degree..., and the commonplace, widespread use of pesticides is both a major environmental problem and a public health issue."

The county of Rockland recognizes that all residents, (particularly children), as well as other inhabitants of our natural environment, have a right to protection from exposure to hazardous chemicals and pesticides in particular.

The county of Rockland recognizes that a balanced and healthy ecosystem is vital to the health of the town and its citizens; and as such is also in need of protection from exposure to hazardous chemicals and pesticides, in particular.

Furthermore, the county of Rockland recognizes that it is in the best interest of public health to eliminate the use of toxic pesticides on county-owned land; to encourage the reduction and elimination of the use of toxic pesticides on private property; and to introduce and promote natural, non-toxic, or as a last resort and with EMC approval, least toxic management practices to prevent and, when necessary, control pest problems on county-owned and leased land.

Therefore, the county of Rockland seeks to implement nontoxic pest management (NPM) on county-owned and leased lands.

