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Public Hearing

Re:

Suffolk County Legislature  
Homestead-A-Syst Task Force

11:00 a.m.

April 5, 2007

Held at:

725 Veteran's Memorial Highway  
Hauppauge, New York

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Public Hearing - Homestead-A-Syst

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Homestead-A-Syst Task Force

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Membership:

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Legislator Vilorina-Fisher,

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EPA Committee Chair

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Salvatore Scarpitta, SCDHS

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John Iruka, Long Island

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Arborists

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Lorraine Ditko

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H. Pat Voges, N-S Landscape

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Gardeners

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Amy Juchatz, County Executive Rep.

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Neal Lewis, Neighborhood Network

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Caroline Kiang, Cornell Cooperative

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Extension

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Padraic South, Suffolk County Water  
Authority

Frank Beyrodt, Long Island Farm  
Bureau

Eileen Anders, Masters Gardeners  
Program

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3           Speakers:

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5           Elsa Ford, Brentwood/Bay Shore

6           Breast Cancer Coalition

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8           George Boruch, Lebanon Seaboard

9           Corporation

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11          Beth Fiteni, Neighborhood Network

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13          Patrick Parker,

14          Sav-A-Tree/Sav-A-Lawn

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16          Sarah Anker, CHEC-LI

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18          David Von Schmittou,

19          Sav-A-Tree/Sav-A-Lawn

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21          George Starkie

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23          Charles Bergamo, Lesco, Inc.

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25          Chris Schmenk, Scotts Miracle-Gro

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Company

Megan Moses, Scotts Miracle-Gro  
Company

Bruce Karas, Custom Lawn Care, Inc.

Chris Hyman, UAP Distributions

Ralph Caturso

Andrew Cinque, Lebanon Seaboard  
Corporation

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(Record open at 11:10)

THE CHAIRPERSON: Okay. We have a number of cards today. I recognize the person whose card is the top one. Elsa Ford. Please come forward, have a seat or stand at the podium, whichever you prefer. Make sure the mic is on.

MS. FORD: I am Elsa Ford, President of the Brentwood/Bay Shore Breast Cancer Coalition. As a member of the Community Advisory Committee of the Suffolk County Pesticide Phase Out Committee, I am delighted to see the creation of this task force to address public education on pesticides.

The Community Advisory Committee is working on signs to declare no pesticide zones at Suffolk County facilities, thanking people for helping with prevention and inviting people to do the same at home, offering resource information.

1  
2 This task force can develop  
3 educational pieces in many forms  
4 tailored to our purpose and refer  
5 people to the many resources that are  
6 out there. The first question is:  
7 What would the message be? When I  
8 think of IPM and the organic method,  
9 I think of the two methods of giving  
10 up smoking; phase out and cold  
11 turkey. The IPM starts with current  
12 pesticide use, offers instructions on  
13 proper pesticide use and recommends  
14 ways to minimize the use.  
15 Maintaining appearance is the  
16 priority. With the organic method,  
17 pesticide use is stopped and health  
18 is the priority. The organic method  
19 starts with testing the soil life or  
20 organisms and cultivating  
21 beneficials. Next would be increased  
22 use of Long Island native species of  
23 plants, companion planting of  
24 beneficial insects. Our problem is  
25 that beneficial insects can not be

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used while pesticides are still in use, as in the phase out. Will this program offer training on both of these methods?

In case they are not already on your list, I would like to recommend consulting the following in the planning stages of this program: Pool Wager, of Soil Foodweb New York; Karen Boomer, a major source for information on Long Island native plants; Irene Virag, Newsday garden writer for method in outreach technique and organic landscaper. The education piece should spell out the basics in detail and refer people to the many resources.

The next question would be about outreach. I would say begin at all Suffolk County facilities to point out that the methods work and provide how to information. The task force pieces could be distributed wherever people work or visit,

1  
2 especially where they wait in line.  
3 Workshops could be offered at county  
4 sites and throughout the community.  
5 The media could provide ads and  
6 classes. This is a brochure from an  
7 earlier organic fair and educational  
8 forum and lecture series. I know  
9 that there are such forums each year.  
10 This is an Irene Virag calendar guide  
11 which is really very helpful as an  
12 approach to offer timely tips on what  
13 to do next to make it work.

14 THE CHAIRPERSON: I brought the  
15 Irene Virag calendar to my office  
16 this week because -- do you have it  
17 with you?

18 MS. FORD: Yes, I do.

19 THE CHAIRPERSON: If you look  
20 towards the end of the month, it says  
21 when you should apply nutrients to  
22 your lawn so you are not overfeeding  
23 your lawn. That is something that we  
24 spent a lot of time talking about.  
25 Can I get a copy of that?

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2

MS. FORD: Yes.

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THE CHAIRPERSON: Are there any  
questions by the panel to Ms. Ford?

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Thank you for being here Elsa.

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MS. FORD: You're welcome.

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THE CHAIRPERSON: I did forget  
to mention something when we began.

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Usually before we do the oral  
testimony we should mention the  
correspondence that we receive. We  
have received quite a bit of  
correspondence. Well, important  
correspondence. We have a letter  
from Scott's Miracle Grow. I would  
like to read it for the record so  
that those of you who are here in  
attendance will know the contents of  
it and not have to wait until the  
minutes are published.

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It says the following: I am  
writing on behalf of The Scotts  
Miracle-gro Company regarding  
legislation pending before the  
Homestead-A-Syst Task Force Number

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544-2006. I respectfully request that the comments provided herein be considered during the Task Force's Committee Meeting to be held today, March 22nd.

The letter came the day after or the same day as our last public hearing. So we didn't have it available for the hearing.

While Scotts is a global company headquartered in Marysville, Ohio, we have great interest and do business in the State of New York. Our Chairman and CEO Jim Hagedorn resides on Long Island, and his family business, The Miracle-Gro Company, has offices in Port Washington. Scotts has a large presence in the homeowner lawn and garden market in New York, through our "do-it-yourself" business in retail stores and our lawn care service business, Scotts Lawn Service. We also have research

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offices in Waterloo, New York.

Scotts shares your concerns about water quality and ground water issues, as expressed by County Executive Levy in his recent State of the County address. For several years, Scotts has had a focused environmental stewardship program that has concentrated on protecting our nation's waterways by ensuring that our products are environmentally responsible and that our customers apply our products in an environmentally responsible manner.

We also agree that properly educated consumers are the best allies in protecting and enhancing our environment. As a result, we have looked for innovative ways to give our customers the tools to best understand how to care for their lawns. Some of these effort have included:

These are the four bullets:

1  
2 Design innovations, including our  
3 EdgeGuard Broadcast Spreader, that  
4 helps consumers keep fertilizer off  
5 hard surfaces or other unintended  
6 areas; Labeling initiatives that  
7 include specific label communications  
8 advising consumers that they can make  
9 a difference in keeping our water  
10 resources clean, by applying  
11 fertilizers only to lawns and  
12 sweeping any fertilizer that lands on  
13 hard surfaces back onto their grass;  
14 Messages to consumers about  
15 stewardship, through full-page  
16 advertisements running in Chesapeake  
17 Bay area newspapers. We would like  
18 to run similar ads in New York if we  
19 can find local partners. Brochures  
20 on best management practices to  
21 maintain healthy lawns and waterways.  
22 We have distributed over three  
23 million of these brochures through  
24 partners such as Keep America  
25 Beautiful.

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2           While we agree that protecting  
3 New York's waterway is an important  
4 goal, we also believe that taking  
5 care of the environment starts with  
6 the proper application of basic  
7 agronomic principles. Many years of  
8 past research at Cornell University  
9 and other leading institutions tells  
10 us that maintaining the overall  
11 health of lawns actually reduces  
12 nutrient loss into waterways.  
13 Creating healthy turf grass requires  
14 at least three pounds per one  
15 thousand square feet per year of  
16 nitrogen each year. The proposed  
17 restrictions could actually reduce  
18 the health and vigor of local lawns  
19 to retain nitrogen in the soil based  
20 on the very low amount established in  
21 the legislation. Research shows that  
22 lawns that receive inadequate amounts  
23 of nitrogen become thin and sparse,  
24 actually increasing erosion and  
25 increasing the amounts of nutrients

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entering waterways.

I would also like to specifically address some of the concerns raised in County Executive Levy's press release titled "Suffolk County Nitrogen Load Reduction - Proposed Legislation" and some misconceptions about Scotts Four Step product line.

While it is correct that Scotts currently offers that program, our studies show that very few Americans actually follow that program in its entirety. Of roughly eighty million home lawns in the United States, approximately half of the homeowners do not apply fertilizer. For those who do take advantage of these products, those consumers usually only make one or two applications of fertilizer each year.

While we appreciate your efforts through the Homestead-A-Syst Task Force to develop and

1  
2 informational program that will  
3 educate the citizens of Suffolk  
4 County and provide instruction in the  
5 proper use of pesticides and  
6 fertilizer, we would respectfully ask  
7 the committee members to consider  
8 information from all sectors about  
9 importance of healthy lawns for a  
10 healthy environment.

11           Scotts continues to focus on  
12 nutrient issues, and we would very  
13 much like to work with your county  
14 and others in the New York City  
15 Watershed, similar to what we have  
16 done in the Chesapeake Bay area.

17           Enclosed is a copy of a Memo of  
18 Understanding that we entered into  
19 with various Chesapeake Bay  
20 stakeholders so that you can better  
21 understand how serious we are on  
22 these issues.

23           We hope to attend future task  
24 force committee meeting hearings on  
25 this pending legislation, and we

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would also like to meet with you on the issues of nitrogen, pesticides and best management practices. I will contact you within the next few days to discuss scheduling such a meeting.

If you have any questions, I can be reached at -- etcetera. Christiane W. Schmenk, Director of Government and Community Affairs.

We did get in touch with Ms. Schmenk. I don't know if we have a representative here today. I will look at the cards. We do. I just wanted to enter that into the record because we did receive that, as I said, the day of the last public hearing.

Another piece of information that I am including here, although it is going to be part of the Suffolk County record, is the IPM program for Suffolk County report for 2006. This is the report and this will already

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be on the published record and it will be on the public record and will be available for people to look at it.

I also just received in my office a packet from Grassroots. And when Elsa was speaking earlier I thought of what you said, having the specific types of methods of going into the reduction of pesticides, which IPM has already mentioned and Grassroots -- I will just read the cover letter. There is a lot of information here, including again a little placard here that people put on their own lawn which says, This lawn is safe. Grassroots Healthy Lawn Program for people and pets. That is just another piece of information.

Dear Legislator Viloría-Fisher, I understand that you are chairing a Homestead-A-Syst public hearing this Thursday. I'm sorry that no one from

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our office can attend, but considering the subject I thought I should send you some information about our non-profit and about the Grassroots Healthy Lawn Program, or "GHLP".

The GHLP is a comprehensive pesticide reduction program developed by Grassroots and conducted in cooperation with Nassau, Suffolk and Westchester Counties. The award-winning program is designed to alter the supply and demand for natural lawn care with a two pronged approach: we train professional landscapers in the techniques of natural lawn care, and we reach out to consumer with community programs and media advertising to stimulate demand.

As part of the program, we are also reaching out to Latino audiences with Spanish language materials regarding the dangers associated with

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pesticides and suggestions for managing exposures on the job and at home.

The GHLP has been operational in Westchester County for three years, and our program website now lists hundreds of professional landscapers who are offering natural lawn care programs there. This winter, working in partnership with both County Executives and the Nassau Suffolk Landscape Gardeners Association we were able to train more than 100 landscapers here on Long Island. Many have now converted their businesses to natural lawn care.

Our full-sized train posters are up at every Long Island Railroad station, and our radio advertising campaign will begin next week. The traffic on our website shows about 100 new visitors every day.

I am enclosing some of the

1  
2 literature about our program,  
3 including our Consumer Guide to  
4 Natural Lawn Care, our eleven minute  
5 DVD introduction to a professional  
6 lawn care, a tip strip for  
7 landscapers, in English and Spanish,  
8 a GHLP law sign, five thousand will  
9 be distributed on Long Island this  
10 spring, a promotional flyer and a  
11 reprint from a national magazine  
12 about our program.

13 I'm sorry that we didn't know  
14 about the Homestead-A-Syst initiative  
15 so that we could help contribute  
16 ideas for reaching out to the  
17 community with effective programs.  
18 We would be happy to meet with you at  
19 any time to discuss the GHLP or one  
20 of our other environmental health  
21 programs, and to explore how we could  
22 be helpful to you in your efforts.  
23 Sincerely, Doug Wood, Associate  
24 Director.

25 We will distribute copies to

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the committee and a copy will be included with the minutes of this meeting and we will be looking at the packet from Grassroots at our subsequent Task Force meetings.

That is the correspondence that I have here and members of the committee have the received the calendar, the Irene Virag calendar in which she lists on April 26, mow the lawn if grass is grown. Don't fertilized until Memorial Day. I thought that our Task force members would like to see this. I think the word is getting out that what we are trying to do here at the task force is to try to have a more systematic and more cohesive approach to getting the word out. That is all the correspondence I have. I will go to the second speaker, George Boruch.

MR. BORUCH: Good morning to the committee. My name is George Boruch. I am a former resident of

1  
2 Suffolk County. I currently reside  
3 in New Jersey. I am an employee of  
4 Lebanon Seaboard Corporation, a  
5 fertilizer manufacture. We are doing  
6 business here in Suffolk County and  
7 all of New York. I share everyone's  
8 desire for the best possible water  
9 quality for the county. I believe  
10 that any plan adopted by the county  
11 should have the primary goal of  
12 education all of us on how we can  
13 improve water quality by taking home  
14 some simple and measurable steps to  
15 reduce nitrogen in our water.

16 A first good step, that was  
17 mentioned earlier, is educating  
18 everyone who fertilizes their lawn  
19 and about ways to follow label  
20 directions and instructions on  
21 fertilizer and weed and feed and  
22 pesticide bags.

23 I urge the task force to  
24 consider how fertilizer is formulated  
25 by companies like ours. Products

1  
2 available to homeowners and  
3 professionals are typically designed  
4 or engineered, if you will, for the  
5 area of the country and the types of  
6 grass it will be used on. Our  
7 research and development work is done  
8 by our scientists and in consultation  
9 with university extension programs.  
10 As mentioned earlier, here in New  
11 York, we count on Cornell University  
12 for local soil and grass expertise.  
13 When applied by following the label  
14 directions there is no nitrogen run  
15 off of lawn fertilizer.

16 I understand everyone's concern  
17 and some of the misunderstandings of  
18 how nitrogen shows up in our water.  
19 Explaining the presence of nitrogen  
20 in the County's water is not simply a  
21 matter of settling on lawn fertilizer  
22 as the main cause. I would ask to  
23 consider other contributors, such as  
24 grass clippings, weeds, failing and  
25 leaks in cesspools, sewer systems,

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discharge from sewer treatment plants  
and actually even animal waste from  
dogs and geese, to mention a few  
other sources.

As far as lawn fertilizer  
facts, a single application of one  
pound of nitrogen per thousand square  
feet will not satisfy the nutrient  
use of grass, much less get the grass  
healthy enough to do its job  
preventing runoff, which I believe is  
a sentiment that was echoed by  
current colleagues in this industry.  
Basically grass provides filtering  
ground water and other environmental  
benefits, so if under fertilized  
could be a problem. The proposed law  
may be in the long run a cause of  
greater run off because fewer lawns  
with be healthy enough to prevent  
that runoff.

As far as addressing some of  
the signage issues that we have heard  
of, Mr. Levy has, I understand,

1  
2 proposed hazard signs be placed at  
3 retailers besides fertilizers that  
4 did not meet the outlined criteria.  
5 These signs, I think, sometimes can  
6 not only add to the confusion and not  
7 particularly educate on how we can  
8 improve the water quality. It will  
9 be a missed opportunity to make a  
10 real difference if the signs contain  
11 only warnings. I support increased  
12 awareness through education for those  
13 using lawn fertilizer because first  
14 people need to know what they can do  
15 to make sure they have an impact  
16 while still being able to maintain  
17 the property value.

18 My company is active in the  
19 industry trade association RISE,  
20 which is the responsible industry for  
21 sound environment. RISE has been  
22 working for the past two years with  
23 the largest national lawn and garden  
24 retailers, including Wal-Mart, Loews  
25 and Home Depot to promote consumer

1  
2 education in stores about using lawn  
3 and garden fertilizers. Actually  
4 Wal-Mart is participating in a  
5 program for the 2007 season. I  
6 believe that the task force will  
7 benefit from learning about the RISE  
8 effort to educate consumers, as an  
9 alternative to hazard signs that does  
10 little to educate people.

11 I would also like to thank the  
12 committee and everyone else for the  
13 opportunity to bring this matter  
14 before the task force.

15 THE CHAIRPERSON: Thank you Mr.  
16 Boruch. Are there any questions?  
17 Mr. Lewis.

18 MR. LEWIS: You mentioned  
19 specifically that the one pound per  
20 thousand square feet you didn't think  
21 was sufficient. Does your group have  
22 a specific number that would you give  
23 in response to that proposal?

24 MR. BORUCH: Different  
25 universities that we have worked with

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have usually a varied amount.

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Generally it is between two and a

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half to three and a half pounds. I

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think the letter from Scotts sort of

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illustrated their target was about

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three pounds. That falls squarely in

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the middle. Sometimes different

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species or specimens of grass require

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different amounts of nitrogen that

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would account for that variability in

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dosage, if you will.

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MR. LEWIS: You mentioned that

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there is a need for public education

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and you also indicated that your

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conclusions is that if people follow

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label instructions there wouldn't be

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any runoff problem. So when you

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speak about education, is the message

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essential to just read the label and

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do exactly what is on the label.

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MR. BORUCH: Labeling is always

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the fall back position, you know, as

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far as please read the label. As far

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as anything that needs to be reminded

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is on that label. I guess some of

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the problems are that some of these

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labels tend to be quite extensive,

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very wordy, small print. People

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think they know how to do it and fail

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to read that or they skim over it.

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We think there needs to be some kind

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of condensed versions of messages of

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those package labels, but the label

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does usually contain everything.

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MR. LEWIS: I think when other

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people are talking about education,

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they are talking about something a

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little bit different than what you

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are talking about. I wanted to be

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clear on that. You're in essence,

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your position flows from that the

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label is basically correct and if it

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is followed correctly you're not

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going to have nitrogen running off

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into the ground water and surface

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water body?

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MR. BORUCH: Not quite.

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MR. LEWIS: Not everybody is in

1  
2 agreement on that. That is what I  
3 want to clarify. You believe if the  
4 label is followed that is a  
5 sufficient guarantee that the  
6 thousand, you know the questions of  
7 setting a number limit on the amount  
8 of nitrogen, you don't think is  
9 necessary because all you have to do  
10 is follow the label instruction?

11 MR. BORUCH: Well, the label  
12 instructions would be an indicator of  
13 how much to apply, which is  
14 predicated on that how much per  
15 square feet. I am just saying that  
16 the label is the basis and take that  
17 and go from there and take other  
18 educational opportunities to take the  
19 label information and bring that into  
20 focus more. I am not saying the  
21 label is the only basis for  
22 education.

23 THE CHAIRPERSON: Okay. We  
24 have another question. Ms. Juchatz.

25 MS. JUCHATZ: Thank for you

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comments. I have a couple of  
comments if I could.

    You mentioned this RISE  
educational program or education  
effort or awareness. I am not  
exactly sure what that was. I just  
wanted to follow-up on that. We  
wanted to find out more information  
on that. Where could we go to find  
out information on that?

    MS. BORUCH: I think some  
members of the committee might have  
some information on that. I think I  
was speaking earlier with John Iruka,  
who, I think, I believe, has some  
information on the RISE group.  
Basically, it is an industry  
association. It allows, I guess,  
sort of a focus presence at certain  
opportunities, such as the Chesapeake  
Bay Watershed initiative, which we  
are also a co-signer on. Basically  
it puts us into an industry standard.  
I believe John has some information

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on that.

MR. IRUKA: I can provide you with a contact number.

MS. JUCHATZ: Thank you. So we can follow up with that. Again, just also to go back to the nitrogen. We did receive a lot of information at the last hearing on the nitrogen. I am wondering if, you know, we are focusing on the one pound per thousand square feet per year versus two and a half to three pounds per year. Again, we are looking at some many applications per year. What I am wondering -- I want to kind of break it down, I want to kind of assimilate all that together and am wondering what you would recommend, in terms if it is the three pounds per year, how many applications would that be per year? We want to target what the pounds per application would be.

MR. BORUCH: I believe it is a

1  
2 complex formula that we are talking  
3 about here. You are talking about  
4 the times of application. I think  
5 some of your other points address the  
6 percentage of slow release. That  
7 would also be a factor, as far as  
8 when it is applied and what sort of  
9 dosage or how many pounds and what  
10 the activity would be and what is a  
11 slow release characteristic. I guess  
12 a lot of things are multifaceted.  
13 They basically are all sort of tied  
14 together.

15 MS. JUCHATZ: That three pounds  
16 per year would not be the one shot?

17 MR. BORUCH: No. It would be  
18 rare you do that in one shot.

19 MS. JUCHATZ: I think that is  
20 important. I wouldn't want to get  
21 that message out to people that three  
22 pounds per year is okay and then they  
23 go hit their lawn in the springtime.  
24 That is one solid dose. I want to  
25 make sure that message doesn't get

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out to people. I think that is very important. Maybe the message is we have to target one pound per application or something like that. I want to pursue that a little bit more also.

MR. BORUCH: Some of these things are regionally influenced. That is why we have people refer to county extension services. That is always the best guide, based on local conditions that exist, climates, etcetera. I heard the comment, no fertilization after a certain period of time. Some of these have fundamental truths. Fertilization in the fall may be more appropriate as far as root development and things of that nature. It is going to be based on regional timing. Generally, there are times when not to put it down. I think I also read something about not putting fertilizer down on frozen ground. That sounds like common

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sense to us in the industry. Perhaps that is something that needs to get reinforced in the education process.

MS. JUCHATZ: Would you happen to have a cap? I mean, I hear what you are saying that maybe for our region -- it may vary for other regions. So, you may not be able to give us a specific, but would you happen to have a cap on what you might think would be a maximum amount.

MR. BORUCH: Once again, it would be hard to say. I really couldn't give you that cap.

THE CHAIRPERSON: Thank you very much. Beth Fiteni.

MS. FITENI: Hi. My name is Beth Fiteni. I am the programs director at Neighborhood Network. I do believe that pesticide education for Suffolk County residents is a wise idea, given the risks associated with certain types of pesticides and

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certain synthetic fertilizers. So, I just basically have a list of ideas and information that could be given out to the public. I will go through it quickly and submit my written notes.

First of all, one thing that I use as a reference regularly is a fact sheet that was produced by Beyond Pesticide, which is a national environmental organization. It basically charts for health and the environmental effect of certain pesticides. It shows in a chart form cancer effects, reproductive nerve toxicity, endocrine disruptors. They also have this one on the environment about which pesticides are more likely to leach, which ones are toxic to birds and fish, etcetera. I wonder if there could be a way that we could reproduce this somehow. It is all based on government data from the EPA.

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Another thing that I think the public would benefit from is an explanation for toxicity categories.

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Essentially what they need to know is on a label, where it says caution,

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warning and danger, what that really

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means. Based on animal tests there

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are four toxicity categories and they

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fall into those three labels. Just

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explain that to the public, to look

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for that and know what it means

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basically.

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The third thing I think the

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public would benefit from is how to

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look up a material safety data sheet,

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the MSDS. You know, most of these

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things are available online nowadays.

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You know, what it means, like maybe

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an explanation of what the difference

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is between an acute effect versus a

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chronic effect from a pesticide.

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Another categorization that the

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public should know about is cancer,

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carcinogen effects. There are four

1  
2 carcinogenicity categories. Category  
3 one is a known carcinogen, category  
4 two would be like or suspected,  
5 category three is inadequate  
6 information to assess the  
7 carcinogenic potential and category  
8 four is not likely to be  
9 carcinogenic. So, again, when people  
10 are looking at pesticide fact sheets  
11 online, so they just know what those  
12 categories mean.

13 Another great internet resource  
14 I would suggest is Extoxnet. It is a  
15 cooperative effort of several  
16 universities, mostly out on the west  
17 coast, the produce these tips or  
18 pesticide information profiles, which  
19 are also really excellent sources of  
20 information. Another issue that the  
21 public might not be aware of are  
22 inert ingredients. Inert ingredients  
23 -- it sounds so misleading. It  
24 sounds so benign. It could be water,  
25 but it could be other synthetic

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chemicals, which may also be harmful.  
They are not required to be listed on  
the label because it is considered a  
trade secret.

Given all these health effects  
from pesticides I would say a second  
issue would be exposure. The public  
should be aware that in addition to  
all the toxic and carcinogenic  
potentials of chemicals, the other  
factor is the amount of exposure.  
Exposure can take place dermally, via  
inhalation or via ingestion. I  
believe this is where the where  
advocates for and against the use of  
pesticide will differ because one  
side may say it is acceptable to use  
synthetic pesticides as long as  
exposure is minimized. As to what  
amount of exposure is harmful, this  
is a difficult area because there are  
some scientists would say that even  
small, chronic doses of certain  
chemicals maybe harmful.

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For example, a pregnant woman exposed to a certain chemical during certain critical stages of pregnancy can still effect the fetus. Which gets to a second issue, which is the vulnerable subpopulations. The public should be aware that children, the elderly people, with compromised immune systems, maybe more susceptible to the toxic pesticides.

Flipping the page and saying what should we be telling them to do and offering them alternatives to pesticides and synthetic fertilizers. Certainly when it comes to lawn care, Neighborhood Network has tons of information that we are happy to provide to you. We have got that covered. We have years of information we have collected from organic landscapers and through research. I have a few fact sheets that I brought with me.

We should be clear on what the

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definition of organic means, legally.  
There is a difference between food  
and horticultural products, which  
might be confusing to the public.

A final point is: I would just  
suggest, at least the key information  
provided to the public be provided in  
Spanish because we do have a growing  
population of Spanish speakers, many  
of whom work with pesticides. I  
probably have more ideas that I would  
be happy to help you with.

THE CHAIRPERSON: Thank you.  
Are there any questions?

MR. IRUKA: Yeah. I have one  
question or just a comment.

THE CHAIRPERSON: Can you use  
your mic, please. We have a  
stenographer that is recording this.

MR. IRUKA: Just a comment of  
the Hispanic workers. I don't know  
if you know, there was a law passed  
in New York State that tasked the DEC  
with providing training to Hispanic

1  
2 workers in the use of pesticides.  
3 Unfortunately they did not provide  
4 any funding for that, so that is kind  
5 of a moot point. But industry  
6 leaders have pressured and asked the  
7 DEC for years to fund that. And if  
8 any efforts can be made with the new  
9 commissioner to continue that, we  
10 would like to see it from an industry  
11 standpoint.

12 MS. FITENI: Thank you. I  
13 wasn't aware of that.

14 THE CHAIRPERSON: John, I am  
15 going to be asking you about that.  
16 You said there was legislation or  
17 there was an executive initiative?

18 MR. IRUKA: There was actually  
19 legislation passed that tasked the  
20 DEC to present training, but because  
21 the manuals and the whole process is  
22 very expensive, the DEC presently  
23 does not have the money to do so. So  
24 they can't go forward. It was a big  
25 step that happened --

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THE CHAIRPERSON: Statutorily,  
they are supposed to be doing it?

MR. IRUKA: Yes.

THE CHAIRPERSON: There is  
legislation?

MR. IRUKA: Yes. If they could  
only get legislation to fund it.

THE CHAIRPERSON: Thank you  
very much.

MR. VOGES: That legislation  
was supposed to be finished in five  
years and that five years is just  
about up and nothing has happened.

THE CHAIRPERSON: Thank you  
Beth. Lots of information that you  
have given. Thank you very much.

MS. FITENI: Everything I know  
about pesticide in under two minutes.

THE CHAIRPERSON: Our next  
speaker, Patrick Parker. I have to  
say it is very gratifying to see that  
there are people here coming from a  
number of different places outside of  
Suffolk County with information. The

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Memorandum of Understanding, that was brought to my attention at the last public hearing, it talks about the Chesapeake Bay MOU and you are from Bedford Hills.

MR. PARKER: Right.

THE CHAIRPERSON: Thank you for being here.

MR. PARKER: Thank you. My name is Patrick Parker. I am with Sav-A-Tree/Sav-A-Lawn. We do have a location here in Suffolk County, in Southampton and it serves the entire east end. We are a tree, shrub and lawn care company.

Just before I get started, I wanted to commend the previous speaker, Beth. She has some very great points. As certified applicators, we are trained in all these things that she is talking about; how to understand pesticides. I think a lot of the time I think the public doesn't get that. I think she

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makes some great points as far as to educate the public on what these materials do and how they work.

As far as the comments that I wanted to make. First of all, I wanted to say that I appreciate the difficult task that you guys have undertaken, being part of this task force. The issue of pesticide and fertilizer use is certainly a hot topic in this county and the rest of the state. You guys have to wade through a lot of information and try to make sense of it for the rest of us. I appreciate the difficulty of that.

I just want to keep it brief. I don't want to overburden you with a lot of facts. What I would do is just challenge you guys to use your power here to basically disseminate factual, unbiased information regarding pesticide and fertilizer use. It seems that a lot of times

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what we see come through legislation is based a lot on emotion and it doesn't take a lot of the good science into account that is out there. I just want to refer you guys, I know sometimes science is difficult to understand, but try to make sense of it and make sure the information that gets released is unbiased.

What concerned me when I read through the resolution that was written to form this task force, a lot of the language was negative towards pesticides. There are certainly a lot of documented benefits for the proper and appropriate use of pesticides and fertilizer. I just want to make sure that doesn't get lost in the education efforts that you make. I think it was mentioned before by one of the speakers that the fact that a healthy turf does a lot to reduce

1  
2 runoff, does a lot to reduce  
3 pollution from erosion and also  
4 nutrients that may have runoff of a  
5 lawn that is so sparse it can't stop  
6 the flow of water. There are  
7 certainly some benefits to using some  
8 of these products to keep lawns and  
9 garden healthy because they do  
10 benefit the environment.

11 That is basically all I had to  
12 say. I just wanted you guys to be  
13 sure. Make sure you look at both  
14 sides of the issue and present what  
15 is a fair, science based, educational  
16 effort versus something that is  
17 biased and based on emotion. Thank  
18 you.

19 THE CHAIRPERSON: Thank you Mr.  
20 Parker. You pointed out something  
21 that we have discussed a great deal  
22 on our task force, having certified  
23 and licensed applicators and making  
24 the public aware that they should be  
25 looking for a symbol on the truck

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that identifies someone as being certified in lawn care.

MR. PARKER: Right. That is a great point because like I said, we go through extensive training. All of our guys are extensively trained, as required by law. Of course most companies go above and beyond that. We are the people that actually understand what the products do, how they effect the plants.

The other piece you see and hear about, a lot of homeowners think if a little bit is good, a lot will be better. As professional applicators, as people who run businesses, we are certainly always looking at the bottom line. You know, we don't want to put down any more than is necessary. That is something we are constantly looking at, constantly adjusting rates.

As one of the previous speakers mentioned, looking at the regulations

1  
2 in different regions, recommendations  
3 through county extensions based on  
4 soil types and climatic conditions  
5 and what have you and adjusting our  
6 rates and application procedures to  
7 make sure what we put down that is  
8 definitely getting to the plants.  
9 Anything that ends running off the  
10 property is really just a waste of  
11 money for us.

12 THE CHAIRPERSON: Thank you.  
13 Are there any other questions? Thank  
14 you Mr. Parker.

15 MR. PARKER: Thank you.

16 THE CHAIRPERSON: Our next  
17 speaker, Sarah Anker.

18 MS. ANKER: I have some  
19 material here. Hello, I am Sarah  
20 Anker, Director of Community Health  
21 and Environment Coalition of Long  
22 Island. I want to thank you for  
23 allowing everyone to come here and  
24 speak. I think this is a really  
25 important issue that we are working

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with, as far as increasing awareness.

The Community Health and Environment Coalition was started about four years ago by myself and about twelve other women because we have an elevated level of breast cancer in our area. What I am giving to you today are some pieces that I feel are very informative and useful in your decision as far as creating your program.

The first piece I will talk about is a DVD. This DVD was created by Grassroots Environmental Education. That is the packet that you spoke about earlier, that is Patti and Doug Wood. I think it is excellent. Patti and Doug are, what I consider, one of Long Island's top children advocates. I hope you take the time to review this film.

The second piece is an informative guide. I have pulled a lot of information from that. Again,

1  
2 I agree, there has to be signs of  
3 medical study and research in  
4 evaluating pesticides. There is a  
5 lot in here. I highly suggest you  
6 read -- all the highlighted pieces  
7 talk about breast cancer and  
8 pesticide use. That is not all.  
9 There is a lot more in here as far as  
10 the research and I am just going to  
11 hit a couple of them and then I will  
12 close.

13 Page 24, in 1991 researchers at  
14 Tufts University discovered a  
15 chemical leaching from polystyrene  
16 laboratory tubes was causing breast  
17 cancer cells to grow. A lot of the  
18 chemical is used in plastics and  
19 pesticides. Again, that was 1991,  
20 that is new research. Here is a  
21 quote from Rachel Carson, Silent  
22 Spring 1962. "the argument for the  
23 indirect role of pesticides in cancer  
24 is based on their proven ability to  
25 damage the liver and reduce the

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supply of B vitamin, thus leading to an increase in indigenous estrogens. This combined effect is a matter that warrants the most serious concern." 1962. And I think we know a lot more now than in 1962.

Page 27 - From 1951 until 1970, the pesticide Aldrin and Dieldrin were widely used for crops including corn and cotton. EPA banned the use in 1975 except for the use of termite control. In 1987, years later, banned the use of these pesticides altogether. A study done in Copenhagen showed a clear relationship between breast cancer incidents and Dieldrin.

I am just reading the ones that I felt were interesting. Page 31 - 33, a 2003 New York study implicated PCBs in breast cancer recurrence.

Page 37 - Triazine Herbicides are the most heavily used agricultural chemical in the US and

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have been shown to cause mammary cancer in animals.

Page 46 - gives a list showing crop farmers and fruit and vegetable packers to have an increased risk of breast cancer.

I am just, you know, again, look at the details, look at this book. You may or may not agree with it. I am sure there are reports that may state the opposite for whatever reason. These are reports, this is research. I think it is very important to look at it.

I hope the education program you develop will educate Suffolk County residents about the detrimental effects that are associated the pesticide use. Suffolk County Water Authority, Neighborhood Network, Huntington Breast Cancer Action Coalition and Grassroots Environmental Education have been proactive with pesticide

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awareness.

I have a copy here of the former Attorney General Elliott Spitzer's 2000 publication, Pesticide Use in New York Schools: Reducing the risk. This publication shows the concern with the risk of using pesticides.

We all know there is a risk in using pesticides and other toxic chemicals. Chemicals affect us. Chemical may be beneficial at times, but too much of a good thing can be detrimental and can cause harm.

So again, I thank you again for allowing me to speak and I hope you review the material that I have given you. Thank you.

THE CHAIRPERSON: Thank you. Are there any questions for Ms. Anker?

MR. LEWIS: I don't have a question. I just want to point out to everyone that the report that is

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being handed up is entitled State of the Evidence. What is the Connection between the Environment and Breast Cancer. There are two different organization listed on it. First one is Breast Cancer Fund and Breast Cancer Action.

MS. ANKER: Right. I think one funded it and -- I guess they published it.

MR. LEWIS: And it is dated 2006.

MS. ANKER: Right. I think every year they publish what they consider the most updated information that they have.

THE CHAIRPERSON: Sarah, when we first met it was because at that time I was trying to push the State to finish the work they were doing in mapping breast cancer and you came to one of the public hearings then. I think it was at the library in Centereach. But I think that is when

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we met.

In any case, we have been working hard since then. Do you know whether or not there has been a reaction on the part of New York State to these reports in 2006?

MS. ANKER: Well, I think at this point, I know my organization has been waiting for the current administration to settle in. We are not quite sure who the Department of Health Commissioner will be. I think it is still in transition. We are hoping more will be done as far as research.

As far as I am concerned, as an advocate, Suffolk County -- and I have said this many times here to the whole legislature -- that you, as a government entity, are doing the most that I have seen with disease and environment correlation. We have the evidence. I have to say it is very important -- I forgot to put in there

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2 -- the precautionary principle. That  
3 is what a lot of the breast cancer  
4 and health advocates are supporting  
5 very strongly. That we may not know  
6 the complete history of what will  
7 happen, but we need to be conscious,  
8 especially for our children. I said  
9 on Brookhaven National Lab's CDC, and  
10 I will pretty much every month, that  
11 the remediation of hundreds of  
12 millions of dollars in iodizing  
13 radiation and you know that is  
14 decades ago -- Again, you know,  
15 Lawrence Aviation, I can give you a  
16 whole boatload of, oh I wish we would  
17 have thought about that before. So,  
18 again the reason I bring this  
19 information up is to hope that you  
20 seriously consider, again, yes there  
21 are applicators that are in business  
22 and feel they need to, you know,  
23 conduct their business, but we, you  
24 know, as consumers need to know,  
25 understand what is involved in using

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the products that may be toxic.

And again the bottom line is kids are much more vulnerable to the effects of pesticides. You will see that in Patti Wood's video. Again, you have got you know the Mount Sinai School of Medicine, Columbia University, Yale University, you know these are studies that are very important. So, I am really -- again I thank you for what you guys are doing.

THE CHAIRPERSON: We are trying different methods of communication.

MS. ANKER: Thank you.

MR. IRUKA: I wanted to know if you, as a group, are trying to keep aware of what industry and industry organization and applicators are doing or have been doing over the last decade to green up what they are doing? Many companies are, because of legislature and also the information, are changing the way

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they are doing things.

MS. ANKER: I am thoroughly impressed.

MR. IRUKA: I think that is a very important point.

MS. ANKER: Yes, with what the groups are doing. I get that information through environmental education. A lot came to the trade show. I am excited about the direction this is going. This is great. I think it is very positive.

Again, this task force, what you guys are doing, with myself, the other people that are in environmental activism are doing. I think if we all work together we will move in the same direction. It may be a little slower for some of us than others, but yeah, I think everybody -- I congratulate everybody for being here, being patient and being understanding on what each of have to -- the information that we

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have to give to you and just  
consider, you know, just weigh it.  
Thank you.

THE CHAIRPERSON: David Von  
Schmittou. The next person will be  
George Starkie.

MR. VON SCHMITTOU: Good  
afternoon.

THE CHAIRPERSON: Good  
afternoon.

MR. VON SCHMITTOU: My name is  
David Von Schmittou. I work for  
Sav-A-Tree and Sav-A-Lawn as well as  
the director of the Sav-A-Lawn  
program. My counterpart, Patrick  
Parker, who you just heard from a few  
minutes ago.

Today, I am here to voice  
things probably a little bit  
different than most people would.  
Unfortunately, I am not a very  
eloquent speaker. I'm here basically  
to tell you, just from -- not a  
Sav-A-Tree, Sav-A-Lawn employee, but

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as a scientist, an agronomist in the industry for twenty years.

I graduated from Clemson University. As a husband and a father of four children, how I feel about what is going on -- and hopefully you will take my feelings and consider them as you develop this task force as you go forward. I'm very passionate, so don't take me out the context if I get going a little bit.

The first thing I want to bring about is a balanced approach to what is going on with the task force, the education. I think a lot of the -- I guess a good saying to put in there, we don't want to throw out the baby with the bath water when comes to the use or the regulation of the use or the education or the information that is given concerning technical materials and pesticides.

Let me preface that by giving

1  
2           you a little history.  When I was in  
3           college, Dr. Jerome Kingsley, plant  
4           pathology professor, on the first day  
5           of class stood up and said to me --  
6           first of all, he was in his late  
7           eighties.  He was a very good  
8           instructor, by the way.  He said, I  
9           want all of you to know, if it wasn't  
10          for the use of synthetic fertilizers  
11          and modern day pesticides and  
12          fungicides that most of you would not  
13          be in this classroom today because in  
14          order to get enough food on the table  
15          you wouldn't have the time to study  
16          and learn about new things and study  
17          nature.  You would be just about  
18          getting food for your family.  That  
19          is very true.  It impacted me for  
20          years.

21                 As the movement has gone  
22          forward in the green industry --  
23          which has been very good, despite the  
24          extreme end of it and I yet have to  
25          figure out what the true motives are

1  
2 behind it -- has been good and by  
3 going back to what we learned a long  
4 time ago, that organics are good, but  
5 weren't really getting the job done,  
6 as far as feeding the family and  
7 giving people a long enough live span  
8 to get cancer, to live to their  
9 sixties or seventies or fifties or  
10 whenever it might hit. If someone is  
11 living to twenty five or thirty years  
12 old, that's it. Then you don't  
13 really get a chance to go through  
14 some of these things.

15 Now that we have gone forward  
16 as humans and the study of science  
17 and hopefully truth and reason being  
18 the guiding force, we have been able  
19 to see that maybe we went to one  
20 extreme with the use of pesticides  
21 and herbicides, but we don't want to  
22 -- in doing so, we learned the  
23 practices of sustainability by going  
24 back to our organic roots. So, the  
25 things that we kind of -- once we

1  
2 found the new magic pill to feed  
3 everybody, make sure things were  
4 going well, we threw it out. I think  
5 that is great. I think there is a  
6 synergy between the knowledge that we  
7 come up with in science and the  
8 practices that are really old school  
9 practices of organic farming and  
10 organic use of products -- and we  
11 need to bring those things together  
12 to have a more sustainable approach  
13 to things. I think sustainability is  
14 the key thing that we want to look  
15 for -- that I hope you would look for  
16 in your efforts to educate the  
17 public.

18 Other than that, I really think  
19 that the chemophobia that is out  
20 there today, for some reason -- and  
21 that is why I mentioned my family. I  
22 really want to harp on the fact there  
23 is not enough scientific evidence. I  
24 mean, I let my children play on the  
25 grass. I love them. I live on less

1  
2 so my wife can stay home and raise  
3 our children. I have a smaller house  
4 than my friends. I study  
5 scientifically everyday and I look at  
6 research and I look at both sides. I  
7 can't, in good conscience, say that  
8 this is the reason these things are  
9 happening. That this is the reason  
10 so and so has cancer because it is  
11 not really there in the research,  
12 even though some of the university  
13 experts might suggest to people that  
14 it could possibly be there over and  
15 over again. Especially, at my end  
16 the lawn industry, test after test  
17 after test has been done and the data  
18 never matches up to the opinions. It  
19 has been spun. It has been changed.  
20 I have seen a lot of it. I am saying  
21 this regardless of whether I work for  
22 this company or not, I want to know  
23 the truth. If we are doing something  
24 wrong, I don't want to do it.

25 I have developed organic lawn

1  
2 programs, certified, armory  
3 certified, which is probably the best  
4 certification for organic materials  
5 in the country, at least from the  
6 public point of view. I just want to  
7 let you know that if I thought it was  
8 the magic pill, to provide people  
9 with what they want for the  
10 investment of their landscape and  
11 sustaining it or that it was  
12 dangerous to use any of the products  
13 that we have used, as professionals I  
14 would never, ever -- I would walk out  
15 the door if that were the truth.

16 I hope that somehow you can  
17 balance this approach and not go  
18 forward with pesticides were bad. We  
19 were just stupid. We have to get rid  
20 of all of them. Let's figure out how  
21 to work this thing out in a  
22 reasonable manner. Not go from one  
23 extreme to the other and move forward  
24 and educate people with a balanced  
25 approach, the kind of what Patrick

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said earlier. I just wanted to get up and give you a little bit of my passion about it.

THE CHAIRPERSON: Thank you.

We value that. Is there anyone that has any questions.

MR. BEYRODT: I would like to make a comment. I don't think anybody is looking to ban pesticide use. Obviously the county uses it to take care of West Nile and Encephalitis outbreak. I think that your approach is probably a good idea, trying to find balance between the two. I mean the county uses it in regular practices and they are trained to do so.

MS. JUCHATZ: I had a couple of questions for you. One, do you practice organic methods also, sometimes?

MR. VON SCHMITTOU: Our company offers a certified organic program to the best of our ability. Patrick is

1  
2 the plant health director. So he  
3 deals on the tree and shrub side. He  
4 has developed that program. I deal  
5 with the lawn care organic program.  
6 One thing I will tell you is that we  
7 will not tell you, over promise what  
8 organic products can really deliver,  
9 which unfortunately I have seen some  
10 of my counter parts do.

11 Now, do I practice organic lawn  
12 care myself? Yes. Not one hundred  
13 percent though. I have a sustainable  
14 approach. That is the word I wish  
15 people would pick up on, is the  
16 proper soil, the proper water,  
17 property varieties of turf, they can  
18 help you avoid needless inputs of  
19 water, fertilizer and other inputs,  
20 whether they be technical materials,  
21 such as pesticides or herbicides all  
22 together. I haven't seen a reason  
23 why I should use the, you know,  
24 whether this product is actually the  
25 best to keep me from using other

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products more than others.

MS. JUCHATZ: If somebody did come to you and they wanted to maintain their lawn, the wanted to use, you to maintain their lawn organically; one: could they do that and two: what in your mind would be the cons of doing that? Could they maintain their lawn? Could you maintain their lawn organically and if you did do that, what would be the down side of doing that?

MR. VON SCHMITTOU: This is a great question and it is one that -- two things. Certain parts of it, you can't maintain organically, but their effectiveness is really just like with any lawn problem. It is based on the partnership of the homeowner and the practices they use in watering, how often they cut the lawn. If they are putting a plant under stress, they are asking for disease. It is like when you put

1  
2 people under stress, but you can have  
3 a good program organically for some  
4 diseases, some insect problems and  
5 definitely fertility. Fertility  
6 isn't an issue. I haven't see the  
7 research yet on weed control. There  
8 are people that will tell you, but I  
9 haven't seen a university that says  
10 we can control weed population. But,  
11 if you have an integrated approach,  
12 and you partner up with that  
13 homeowner, over time you can  
14 basically get rid of the need for  
15 weed control because you have such a  
16 healthy strand of turf that you won't  
17 need it. You might need it if you  
18 have a bad summer or a drought or  
19 something a few years later, but you  
20 can accomplish that goal.

21 MS. JUCHATZ: What I am  
22 actually thinking is that, you know,  
23 there might be some homeowners who  
24 will say I am willing to accept  
25 weeds.

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MR. VON SCHMITTOU: Right.

MS. JUCHATZ: Or I am willing to accept some threshold of that. That might be okay. They may not -- with an organic approach -- they may not need that perfect lawn. That is something that this group has talked about from time to time. That it may not be -- with an organic approach they may not need to compare that perfect lawn with -- you know, that may not be their goal. You know, that is what I am actually trying to look at. When you say that you might need to -- you know -- use an integrated approach, some people might not necessarily feel they need that because they might have a different goal in mind.

MR. VON SCHMITTOU: Or they might want to go out and pull the weeds themselves.

MS. JUCHATZ: Right.

MR. VON SCHMITTOU: If it is

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not bad, but there is a time for the sake of the crop itself, the turf, that if the weeds are too heavily infested, you won't win the battle if you don't --

MS. JUCHATZ: There may be a higher maintenance level.

MR. VON SCHMITTOU: Right.

MS. JUCHATZ: Whether there are -- I think that might be part of the Grassroots, from what I have seen, from their effort, from their educational effort, is that their thing is that those landscapers that offer that -- and I'm not sure that is the kind of thing that you do -- is that there is actually, you know, there is more maintenance. So the landscapers that offer that, there are fees for them in that because there is more maintenance. So, I guess there is that effort.

I was just trying to pull from you what your knowledge base would

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show, the difference of organic versus you know, non organic and what you felt there differences were.

MR. VON SCHMITTOU: One of the differences that I don't want to not tell you about is the cost. Most organic products cost a lot more. They have to be used more often. That gets back to having the money to having an organic lawn. Most people couldn't afford -- I couldn't afford a program like that, personally. I would hate for someone to be limited in having a nice lawn to guard their investment for their property because a nice landscaped lawn could add fifteen, twenty percent to the value of a house. I am sure you all know that. I would hate for them to be limited. So only the people who have the wealth to pay the people to come pull weeds in their yard or mow two times a week or whatever it takes for that group of people to be the ones

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who can do that. That would be a very small group of people and it just doesn't seem right.

If it were truly dangerous and if it were truly proven that it was that significant a risk, I mean a significant risk, where you know people -- it is proven over and over again, then yes, that would be the only way to go. It is just not there yet and I don't want to penalize people and punish people unless there is a severe risk involved. That is where I am at with that.

THE CHAIRPERSON: Thank you Mr. Von Schmittou.

MR. VON SCHMITTOU: Thank you for your time.

THE CHAIRPERSON: Next is George Starkie.

MR. STARKIE: Hi. George Starkie. 49 Dowd Street, Farmingdale, New York 11735.

I came very prepared. Last

1  
2 week you had a stop watch and I felt  
3 rushed. I took all of my notes. I  
4 just wanted to tell Amy that I was up  
5 in Albany at one of the events up  
6 there, lobby day and State Senator  
7 Ken LaValle, we were talking about  
8 this issue. It was funny. I knew  
9 the person who took care of his lawn.  
10 And he did it organically and he  
11 said, you know, I paid twice as much  
12 and I have the worst looking lawn on  
13 the block. That was his choice. But  
14 he will tell you that story.

15 I wanted to start off with a  
16 question that I don't want answered  
17 yet, but I want to go back to it.  
18 Has the Board's mandate changed since  
19 Mr. Levy's letter became public?  
20 Originally, it was my understanding  
21 that this was about education and  
22 getting information to the consumers.  
23 The industry, as we are well aware,  
24 is probably the most regulated  
25 industry in the world when it comes

1  
2 to the safe use and application of  
3 pesticides. Mr. Lewis and the  
4 Neighborhood Network were a  
5 participant on some level in all the  
6 proposed legislation of not using  
7 pesticides for aesthetic purposes. I  
8 find this process suspect due to the  
9 conflict I see between your stated  
10 mandate, the Boards, of how to  
11 educate and the stated goals of Mr.  
12 Levy's letter and Mr. Lewis'  
13 organization, which are basically,  
14 you know, do it organically. Is this  
15 a nitrogen issue or a pesticide issue  
16 or both? Is this just another way to  
17 pass the legislation that was soundly  
18 defeated in the legislature?

19 THE CHAIRPERSON: The  
20 legislation that has formed this task  
21 force still has the legislative  
22 intent with which I introduced it,  
23 which was to educate the public on  
24 their on best management and  
25 practices in protecting our

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environment.

The legislation from Mr. Levy was something that was brought to us, as a task force, for our input. And, in fact, I think it was a very good idea that before Mr. Levy introduced that legislation, knowing that we are going to have public hearings, knowing that we have, as Mr. Von Schmittou talks about, sustainability. You can see the balance of this task force. It is not an all or nothing.

As far as the conflict of interest on the part of Mr. Lewis, he represents an advocacy group that has been very well educated and on the other hand, we have people in the industry on the task force. So we have a balance.

MR. STARKIE: I agree. It is a very, very well balanced board. I appreciate that.

THE CHAIRPERSON: I did that

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purposely so we have a balance.

MR. STARKIE: I applaud you for that. I think you did a wonderful job.

THE CHAIRPERSON: With regard to changing the mandate, no. Mr. Levy's legislation doesn't change our mandate, but I think he did a very wise thing. As the commissioner of Department of Environment of Energy, came to the task force meeting to present to us their proposal to the legislation. One of the really good, I think, unintended consequences of it is it gave us a tremendous number of people coming to our public meeting in Riverhead. That was very welcome.

MR. STARKIE: That letter was suspect in my mind. It could have been better. Also, I wanted to point out that the proposed legislation was, no use for esthetic purposes and as far reaching and subjective as I

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can possibly think.

And to address Amy's comment before about how people are doing or not doing or growing organic or not, I think in the Scott's letter pointed out that fifty percent of the people do nothing. Also, when you were at the other County building, I pointed out that the lawn outside is a perfect example of doing nothing. Right outside your building.

THE CHAIRPERSON: There were other problems with the Riverhead building too.

MR. STARKIE: What I wanted to do was go over some ideas for the record, if this is an educational issue.

I would propose that minimal educational requirements for staff members for any retailer that sell products that carry an EPA number. I think it is a no brainer. I think there are people in the industry

1  
2 right now that are offering that  
3 education and the retailers don't  
4 take advantage of it because they are  
5 too busy. All my staff members go to  
6 a Scott's program called STI, that I  
7 have attended myself many times.  
8 They pay the fees. There is no cost  
9 to the retailer to attend. Granted  
10 it is slanted towards their products  
11 and rightly so. It is also a good  
12 educational value so when the retail  
13 customer comes in, they can get the  
14 right information and insist they  
15 read the label and read it with them.

16 We do know that more is not  
17 better. Going back to Amy's point of  
18 the three pound event at one time.  
19 That is why the sod industry  
20 represented that is how they sell  
21 their product. They kill their lawn,  
22 you see people stripe their lawns  
23 from misapplication. We drive  
24 through the neighborhood and we see  
25 it. The flags we call it.

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Also, I mentioned and I wanted to give you a little more detail. The Nassau County Department of Health was mandated to have retailers that sell pesticides and herbalizers post signage in there. The basic concept of the sign is letting the consumers know that there could be an alternate product available with lower environmental impact and basically inquire and ask the staff. We have had people utilize that information and come to me and say, could you explain this. It makes them question us. It makes them ask the questions. Unfortunately, in some retail environments it is a warehouse type set up. There is very little anyone there to answer any questions. They just load up the wagon and out the door.

THE CHAIRPERSON: That was a piece of Mr. Levy's legislation, that signage.

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MR. STARKIE: I think the information on there, from what I have heard in testimony, is scary to me because is it educational or is it a scare. I think it is a fine line between --

THE CHAIRPERSON: We are not going for the skull and cross bones.

MR. STARKIE: Thank you. We personally, and this was also mentioned from someone from one of the environmental groups. We personally employ bilingual staff. Our Latino customer base is approaching ten percent of our sales at this time. Shame on any retailer that doesn't realize that. I have one man for fifteen years that probably knows as much about turf just from listening to me over the years. He is a wonderful addition to the business, I think. I don't know if you can legislate it, but I think it is a no brainer. Shame on the

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retailer. They are missing out on an opportunity. I think that enhances my business.

Now, I could be breaking a law here and I don't know if I want this on the record, but we personally give out the placards to our customers so they are as compliant as a professional in letting their neighbors know that they have put pesticide down.

THE CHAIRPERSON: That is something that we have been recommending.

MR. STARKIE: By law, if I do an application on someone's lawn, I have posting requirements. They are very specific and stringent. It is a double edged sword and I will tell you why. You have to have it this far from this, this far from that and that and that and that. If the homeowner just puts one in the center of his lawn, he is not compliant.

1  
2 That would make a DEC agent suspect  
3 that someone didn't follow the  
4 placarding laws. So this is what  
5 scares me and why I said it from a  
6 legal standpoint. If I am using  
7 these signs as a service to not only  
8 my customers, but their neighbors and  
9 yet there is a potential liability.  
10 You can maybe go a long way in  
11 clarifying that. I want to get on  
12 the record, I don't know if it was  
13 addressed. I think it was somewhat  
14 addressed.

15 The amount of nitrogen, you  
16 keep going back to how much and how  
17 much could you propose. I heard  
18 species of grass. One thing I didn't  
19 hear is that when you are  
20 establishing new turf, when you are  
21 seeding the lawn, that's when the  
22 lawn need phosphorous. You know in a  
23 lot of states there is a ban on  
24 phosphorous. Especially in  
25 Minnesota, the land of a bizillion

1  
2 lakes. Unfortunately, when seedlings  
3 are young, that is when they need  
4 phosphorous. You have to -- you  
5 can't -- there is not a one size fits  
6 all. This is where the education  
7 comes in. We tell people don't use  
8 Turf Builder. You use Turf Builder  
9 when you are seeding in order to  
10 start it. It has a little less  
11 nitrogen, but more phosphorous. The  
12 new growings are a big issue.

13 I just wanted to put on the  
14 record also that Peter King, years  
15 ago, I know there were millions of  
16 dollars spent, extensive studies were  
17 done that were inconclusive. I don't  
18 think that we have been sitting on  
19 our hands when it comes to studying,  
20 effects and issues and correlations  
21 and you know, our way we live and  
22 cancer. I remember when that study  
23 came out. I also pointed out about  
24 the county trying to go organic and  
25 it has been an impossibility.

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I just want to mention the  
Neighborhood Network will be looking  
into our kitchen cabinets next and I  
will tell you why. Soap is very  
toxic. I also asked that we have in  
a meeting soaps. Soaps that we use  
on our counter that say kill germs.  
If we were to use those for soaps for  
spraying and it said kill something,  
we would be required by laws, the way  
they are written, if you are  
misapplying something. No one wants  
to go in the kitchens yet. I am  
wondering if that is coming. Then  
you look at Clorox. Clorox is  
extremely dangerous in a lot of ways,  
yet you find it in everyone's home.  
Drain openers, if you go into a  
kitchen cabinet you would have a  
field day. Again, it is a slippery  
slope of education versus legislation  
and I hope you take all of these  
points into consideration.

THE CHAIRPERSON: Thank you,

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George.

MR. LEWIS: I wanted to say, I thought there was a lot that you covered that I thought was helpful. I just wanted to respond to one or two things.

The laws that created this committee, some laws that are proposed are laws that we take a position on and speak at the hearing in favor on or even play some kind of a role in medial legislation and supporting and perhaps even suggesting the idea. None of that applied to this one. This law somehow got in under the radar as far as my efforts to follow what is going on in the county and I didn't really follow this. I had some inkling of it, but we really did not play any role in proposing it or recommending it. Just like other members of the committee, at the first meeting we were all just kind of looking at the

1  
2 laws and asking the question, what is  
3 exactly our charge and that mesh the  
4 County Executive has announced as  
5 some of his proposals? I just wanted  
6 you to know that I had the same  
7 questions that you were asking. I  
8 think it was already spoken to that  
9 there was a balance of people on the  
10 committee. I am always operating  
11 under my general understanding that  
12 the State would do in regulating  
13 pesticides is a power that the County  
14 doesn't share. For example, you  
15 mentioned the esthetic pesticide ban,  
16 which has been carried by Assemblyman  
17 DeNapoli, and yes we have encouraged  
18 people to write letters and we did  
19 support that effort. That bill is  
20 somewhat in question since the  
21 Assemblyman is now State Comptroller,  
22 so we don't have him carrying the  
23 Bill for us anymore. I know you are  
24 upset about that. Nonetheless, we  
25 can't do esthetic banning of esthetic

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pesticide ban Bill here in Suffolk County. It is just not an option under how I understand the way these things are regulated. I am not attempting to use this committee to get such Bill passed. I just wanted to respond to that.

The other thing is, I still very strongly -- neglect is not the same thing as an organic lawn care maintenance program. I think that many times people have a false impression. Okay, if we are going to go with organics, just leave it alone, do nothing. If that is what the county is doing on property that you walk by and say that is organic, I would agree with you, there is an example of doing nothing or an example of neglect. Many of our programs we go to great lengths to point out to people, if you are going to have grass growing on the island and not do any kind of maintenance

1  
2 work with it, you are going to get  
3 stuff that looks like what you see in  
4 our reserves, which does not look  
5 like a lawn you can play ball on.  
6 You need to understand you have to  
7 change the soil. You really have to  
8 work to get various organic inputs in  
9 order to have a successful program  
10 and there is a lot about how to  
11 maintain in terms of cultural  
12 practices. I feel strongly that  
13 neglect is not organics and that we  
14 need to be clear about distinguishing  
15 the two.

16 You also mentioned the study on  
17 golf courses and I am not  
18 particularly thrilled with how the  
19 different golf courses have  
20 approached this issue. I think many  
21 times they write a list, here is the  
22 kind of chemicals we have been using  
23 and in theory the idea is we are  
24 going to stop using that. Well, you  
25 have to do inputs because otherwise

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to me I would define it as neglect.

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There was a study done in a golf

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course and there was a picture of

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guys looking around at the green that

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had died. Largely what they did was

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neglect it. They just pulled back on

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the chemicals. I don't think it is a

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surprise to anybody in this field,

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particularly a golf course that has

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existed for many years and there is a

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reason why that is more challenging,

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is not going to do well.

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MR. STARKIE: Are we talking

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about Bethpage Green, for the record?

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MR. LEWIS: That is correct. I

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think that study has been

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mischaracterized, whether

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intentionally or unintentionally,

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maybe both, as a study of organics

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and it is not. I just wanted to

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mention those two items.

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In terms of the indoor, I think

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that you are correct. We are using

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things around the homes that children

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2           come in contact with and on a regular  
3           basis and others that might be  
4           particularly at risk and we have to  
5           do things to get the word out to the  
6           public that there are safer products  
7           for household. Also, cosmetics is a  
8           big concern. They did a thing on  
9           News 12 on that subject. I often  
10          find it pleasurable to meet members  
11          of the industry. You are all well  
12          educated on this stuff and keep  
13          everyone on their toes, if you want  
14          to say anything critical about this  
15          subject.

16                 One of the things is it is not  
17          just pesticides applications and  
18          landscapers. There is a lot of ways  
19          we are exposed to everyday toxic  
20          substances and it is not fair,  
21          frankly to only focus on, you know,  
22          landscapers or the industry, so to  
23          speak, the green industry. So, I  
24          definitely agreed with your last  
25          comment on that.

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MR. STARKIE: I hope, again,

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that some of my suggestions for some

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of the educational things be taken

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into consideration and Mr. Lewis'

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organization, Neighborhood Network,

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has really changed our industry. We

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are participating in the organic

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shows that they sponsor. There is a

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-- we are treading that way. The

11

thing is I don't think it should be

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legislated that they go that way. I

13

think if naturally people want to go

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that way, put the effort in, spend

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twice the money, that we should give

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them the choice. I think that people

17

realize that those options are out

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there because of your organization.

19

Thank you.

20

THE CHAIRPERSON: Just some

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information regarding those indoor

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chemicals, I introduced legislations

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that our own Suffolk County buildings

24

move in the direction of being green

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buildings. Part of that green

1  
2 building is that we don't use  
3 chemicals in our buildings that have  
4 those chemicals. We are governing  
5 ourselves and legislating for  
6 ourselves as a county to show that we  
7 can clean without having to use a  
8 chlorine bleach as is used in other  
9 areas. So, we are regulating  
10 ourselves.

11 MR. STARKIE: Thank you very  
12 much.

13 THE CHAIRPERSON: Charles  
14 Bergamo.

15 MR. BERGAMO: Good afternoon.  
16 I would like to thank the committee  
17 for the opportunity to speak to day.  
18 Mr name is Charles Bergamo and I am a  
19 vice president from Lesco  
20 Incorporated. We are a major  
21 supplier of fertilized products and  
22 products in the green industry and we  
23 operate on Long Island and the rest  
24 of New York State. I was unable to  
25 attend the meeting in Riverhead on

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the 22nd. I had a conflict. I had submitted a position paper. I brought a revised copy of that revision paper today, which I will provide to Ms. Chairperson. I am going to read it. It is normally what I do, but I want to keep it as brief as I can and to the point.

THE CHAIRPERSON: Thank you.

We are getting hungry.

MR. BERGAMO: Lesco

Incorporated acknowledges the good intentions underlying the proposed regulations limiting nitrogen applications in Suffolk County, New York but contends that unintended consequences of the proposed regulations will create more harm than benefit to the environment and the residents of Suffolk County. Consider the following facts which are well-documented by university research and scientific data. Many of these were mentioned by other

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speakers.

A healthy stand of established turf requires more than pound of nitrogen per year to maintain itself. The normal recommended rate of nitrogen for maintenance is four pounds per one thousand per year. Limiting the amount of nitrogen to one pound per thousand per year will allow weeds, detrimental fungus and insects to invade the turf, thereby necessitating the use of additional herbicide, fungicide and insecticide applications.

Healthy turf acts as a filter for pollutants and converts tons of carbon dioxide to oxygen. It also filters nitrogen from rain water and irrigation water before it reenters the water cycle. A weakened strand of turf will exert a much less positive impact on air and water pollution. A healthy stand of turf prevents soil erosion and

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contamination of the waters of  
Suffolk County with silt and other  
foreign material.

During the establishment of  
turf, increased quantities of plant  
nutrients are required. The proposed  
limitations on nitrogen applications  
will retard establishment and allow  
excessive soil erosion by rainfall  
and wind. Turf quality correlates  
directly to the frequency and  
severity of athletic injuries. Thin  
turf provides no cushion or buffer  
for the athlete. Thin turf also can  
cause athletes to loose footing or  
trip.

There are steps the County can  
take to reduce the unnecessary  
introduction of nitrogen into County  
waters. We agree that nitrogen  
fertilizer should not be applied to  
frozen ground. We also agree that a  
minimum of thirty percent of the  
nitrogen applied should be in a slow

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release/water insoluble form, thereby limiting the amount of nitrogen that dissolves after an application. LESCO Incorporated would volunteer its services to the County to sponsor educational seminars for turf professionals on proper application techniques.

As a side note, we already do that. We have a large seminar every year. I know several of my competitors do the same thing. That is recognized by the State of New York. Applications -- core credits and category credits for applicator permits are awarded at that seminar. We would take on the responsibility to continue to do that and maybe expand what we are doing today.

We believe that enhanced signage at the retail points of sale could educate consumers on proper application methods and provide suggestions for limiting the total

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amount of nitrogen applied in a year while maintaining healthy turf.

On the back I have sited all the research and there were many other researchers, university data that were available, but I sited the five that are I think. If anyone in the industry are familiar with researchers in our field they will recognize the names. I will submit that to the committee.

I wanted also to make note of two other things. There was one question asked about a cap on applications. I think that that is dependant on the circumstance and there are many, many factors. The species of the turf, the usage of the turf area. Certainly it is going to be different if it is an athletic environment versus a residential lawn. A golf course versus parks and recreation. There are new technologies that might allow an

1  
2 application of over a pound of  
3 nitrogen in one single application,  
4 but the release characteristics would  
5 be over a twenty week period of time.  
6 So there is new technology that is  
7 available. There is certainly a  
8 trade off as with any of the  
9 programs. The organic applications  
10 and programs that were mentioned,  
11 there is trade offs. The trade off  
12 of the amount of nutrient that you  
13 are putting down versus the quality  
14 of the turf area that is result.  
15 Some of the new technologies work  
16 very effectively and they are also  
17 much more expensive. We have to find  
18 balance. I heard that mentioned  
19 several times. I think that is  
20 important to keep in mind too. Those  
21 are my comments and I appreciate the  
22 time.

23 THE CHAIRPERSON: Thank you  
24 very much Mr. Bergamo. The  
25 gentleman who spoke before you, Mr.

1  
2 Starkie, suggested that training  
3 should be required of people that  
4 work in retail establishments that  
5 are selling these products. If there  
6 were to be such a requirement in  
7 Suffolk County and we could settle on  
8 a couple of sessions a year, would  
9 LESCO be willing to work along side  
10 other companies and put together a  
11 workshop where the retailers could go  
12 to different sessions? I am going to  
13 ask Scotts the same question. You  
14 said Scotts has that training. If we  
15 were to provide a venue could there  
16 be a series of workshops in one day  
17 or a couple of days that these  
18 retailers could go to? I am just  
19 trying to envision this.

20 MR. BERGAMO: Right. Without a  
21 lot of details --

22 THE CHAIRPERSON: There are no  
23 details. I am just thinking out  
24 loud.

25 MR. BERGAMO: Right. In

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principle, yes. We would be  
delighted to participate.

THE CHAIRPERSON: Thank you Mr.  
Bergamo. Chris Schmenk. You came  
the furthest.

MS. SCHMENK: I want to thank  
you for having us today. In the  
interest of growling stomachs and  
with respect to your time, I will be  
very brief. I thank you for reading  
our letter that we sent in for the  
last meeting. That really, I think,  
said it all or said a lot. You have  
heard, I think, a lot of good  
information today. I think the most  
important thing that I can say on  
Scotts behalf is a big yes to your  
question that you just asked the  
gentleman from LESCO. Scotts would  
be happy to partner with others in  
our industry for more retail  
training. In fact, I think it is the  
state of Indiana that has mandatory  
training for retail employees who are

1  
2 going to be selling the products. We  
3 actually worked with the, I think, it  
4 was the Indiana Department of  
5 Agriculture to develop that training  
6 and put out all kinds of training  
7 videos. That is something that we  
8 would be very happy to do. One of  
9 the previous speakers, Mr. Starkie,  
10 talked about our program that we call  
11 Scotts Training Institute, where --  
12 we do it two ways. We bring in  
13 people from all over the country, if  
14 they want to come for three days of  
15 training in our corporate  
16 headquarters in Ohio. We also have  
17 regional training, where we take them  
18 out to various parts of the country  
19 as well. So, we try to make it  
20 accessible. We would be happy to  
21 help with that here.

22 The other thing I want to  
23 emphasis is that Scotts, and I am  
24 sure others in our industry would be  
25 very willing and in fact would like

1  
2 to work with you on consumer  
3 education. That is something we have  
4 been focusing on. The letter you  
5 read talks about the Chesapeake Bay  
6 memorandum of Understanding. That is  
7 a binding agreement and we have  
8 committed in there to do that kind of  
9 consumer education through full page  
10 ads in area newspapers. Also public  
11 service announcements on radios.

12 One thing I will share with you  
13 is we added, starting this year,  
14 environmental labeling on top of our  
15 fertilizer bags. I will just hand  
16 these copies to you, if you would  
17 like to take a look at it. Our main  
18 focus on this is to really  
19 communicate with consumers, I think  
20 what we try to do is make them feel  
21 ownership of the environment. That  
22 they can play an active role. What  
23 this says, it is Scotts and your  
24 environment. We care. And because  
25 green is good -- it talks about a

1  
2 healthy lawn cleans the air, produces  
3 oxygen and prevents run off. Then we  
4 say to the consumers, you can make a  
5 difference. We ask them to help keep  
6 our water resources clean. Apply  
7 this product only to your lawn and  
8 sweep up any product that lands in  
9 the driveway, sidewalk or street back  
10 on to your lawn or the turf. The  
11 point there, as you have heard from a  
12 lot of the previous speakers, our  
13 research shows that consumers aren't  
14 really over applying. I know there  
15 is that kind of urban myth, you put a  
16 little down consumers think more is  
17 better. We have statistics. I will  
18 take blame for our industry. I think  
19 sometimes we are too tight with those  
20 statistics. We haven't shared them  
21 enough. We really pledge to change  
22 that. Our statistics show that for  
23 many years we have this program  
24 called the four step program, where  
25 we are encouraging people to put down

1  
2 four different applications of  
3 product on their lawn. Fifty percent  
4 of all homeowners do nothing. They  
5 put no fertilizer or no products on  
6 their lawn. Of that fifty percent  
7 that do, they typically apply between  
8 1.6 and 1.8 applications. So  
9 basically they are out there two  
10 times a years. So what is actually  
11 going down on lawns is typically well  
12 below the University recommendation.  
13 What the labeling does is it kind of  
14 hits a sweet spot of how products can  
15 get into the water ways. It is  
16 typically if they misapply onto hard  
17 surfaces and they don't sweep it back  
18 onto the lawn.

19 One other thing that we have  
20 done to develop a spreader, which is  
21 called the Edgeguard Spreader. We  
22 are continually trying to just come  
23 up with new things that help with the  
24 environment. What this spreader does  
25 is it has a guard that person using

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2           it can put up or take down and it  
3           makes the fertilizer come out in one  
4           direction. So if they are walking  
5           along the driveway, driveway on the  
6           left, the put the guard up on and it  
7           is going to stay off of the driveway.  
8           We have really focused on things like  
9           product innovation.

10                   I think the biggest thing I  
11           want to say to you today is we are  
12           very happy and willing, we would like  
13           to come here -- in fact I think this  
14           is my third or fourth trip to Suffolk  
15           County over the last several years.  
16           I have come and I have met with your  
17           former commissioner of the  
18           environment, Michael Dering. I did  
19           have a conversation last week with  
20           Kerry Meade Gallagher. We reached  
21           out to your office. I think we would  
22           be very, very happy to come and  
23           either in this task force, or if you  
24           would like to go larger, like we did  
25           in the Chesapeake Bay, you know, try

1  
2 to pull together the whole New York  
3 watersheds. It would be a great  
4 effort and it took us a while. It  
5 took us probably a year, year and a  
6 half to get that document signed in  
7 the Chesapeake Bay. We had partners  
8 like Lebanon, which we really  
9 appreciated, and we would be willing  
10 to commit to things like we are in  
11 there with your body. Thank you very  
12 much.

13 THE CHAIRPERSON: Thank you  
14 very much for being here and coming  
15 this way to join us at our hearing  
16 today. I do have a couple of  
17 questions. I am concerned about the  
18 four step program, because as you  
19 heard, because of the reaction to the  
20 legislation that is proposed by the  
21 County Executive that really got a  
22 lot of people coming here. We have  
23 had a lot of discussion vis a vie the  
24 one pound per square foot. If you  
25 have a four step program that would

1  
2 bring us to four pounds a year, which  
3 is far beyond where we want to be. I  
4 know that you said that people aren't  
5 applying, my question is then -- it  
6 is really a two part question.  
7 Wouldn't it be then advisable to  
8 lower the four step program and  
9 change -- look systematically at the  
10 program that you are prescribing to  
11 customers and perhaps lower that  
12 threshold so that overall the  
13 nitrogen load is lessened? The  
14 second question is: in the MOU in  
15 Chesapeake Bay, are you still  
16 advocating that four step program  
17 within that area?

18 MS. SCHMENK: Good question. I  
19 would respond on the four step  
20 program. There has been some  
21 misinformation out there. If  
22 consumers used our typical program it  
23 would be closer to three pounds,  
24 probably about 3.3. I have a  
25 colleague Megan Moses that can verify

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that.

THE CHAIRPERSON: Her card is next.

MS. SCHMENK: As far as the four step program in Chesapeake Bay, I think we are looking into ways that it emphasizes less. It has been something -- we have a dedicated environmental stewardship program and it is something that we have been changing the way we talk about our projects for a couple of years. We used to have on the back of our label this wheel that was intended to simplify application and it told consumers in the early spring do this and the summer do that and we stopped using that wheel. I think what we are really trying to encourage is to use the product wisely, don't over apply. Typically, like I said, the average homeowner either does nothing or maybe makes two applications per year. Perhaps the advertising hasn't

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been as successful as we would like  
over the years and it probably is  
time to rethink that.

THE CHAIRPERSON: Speaking of  
advertising, I just saw a Scotts  
commercial this week. I wondered if  
the method is articulated through all  
of the different messaging that  
Scotts is doing. I had read your  
letter, I read some of your  
literature, I looked on the website,  
there are many components, but when I  
saw the T.V. commercial, it said, the  
weather is nice, we are dying to get  
outside and we have the greenest lawn  
and the earliest greenest lawn in our  
neighborhood. And that is completely  
contrary to the message we are trying  
to get out there. You know, don't  
race out there and put out the  
fertilizer out while the ice is still  
on the ground because you want the  
first lawn. This isn't really a  
question. I am just asking you to

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2 take this message back. That all of  
3 the messages be articulated in the  
4 same direction. I hope that some of  
5 the messaging you are pointing out  
6 here be part of the nationally  
7 televised commercial. That is what  
8 people are watching. It is a  
9 beautiful commercial, but it is not  
10 the message I wanted to hear. It is  
11 not the message you are articulating  
12 in some of your other messaging.

13 MS. SCHMENK: I am nodding in  
14 agreement because we are a large  
15 company and sometimes we are not as  
16 integrated as I think we should be.  
17 I think our industry tends to  
18 sometimes, you know, speak sometimes  
19 without getting the message across  
20 the different parts of the industry  
21 or the company ourselves. It is a  
22 very important message that I will  
23 take back. That is what causes  
24 change to occur. We saw it happen in  
25 Chesapeake Bay, taking the messages

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2 back from there to the rest of the  
3 company and saying they are demanding  
4 changes and we need to do that for  
5 sustainability that other people  
6 have talked about. So I will take  
7 that message back.

8 THE CHAIRPERSON: Thank you.  
9 Any other questions?

10 MR. VOGES: That family from  
11 Scotts, they used the right fall  
12 fertilization. That's why they got  
13 the early spring green.

14 THE CHAIRPERSON: Yeah, except  
15 the commercial is in the spring.  
16 Okay. Megan Moses.

17 MS. MOSES: Good afternoon.  
18 Thank you for the opportunity to  
19 speak today. Again I was writing  
20 down some of the feedback that you  
21 gave us and I really appreciate that.  
22 The reason why we have the  
23 environmental label on the top of the  
24 bag is because we have other people  
25 go around the United States and get

1  
2 feedback like that and one of the  
3 things people recommended was an  
4 environmental label on the top of the  
5 bag. I am part of the environmental  
6 stewardship team and we believe in  
7 being strategic and proactive in  
8 transparency and full disclosure. We  
9 are willing to provide information to  
10 you so make sure and ask for  
11 information when ever you need it. I  
12 brought some examples of our first  
13 environmental stewardship report  
14 which we just issued this year.  
15 Again, I think that is an example of  
16 our transparency.

17 We have heard a lot about the  
18 MOU today and I think it demonstrates  
19 the value and success of a public,  
20 private partnership. We have worked  
21 with many different groups. We work  
22 with the EPA and state governments as  
23 well as environmental advocates and  
24 academic groups. I think it shows  
25 that when all of these different

1  
2 groups work together and, you know,  
3 come out together with the same  
4 message it becomes very effective and  
5 efficient. We found that both of  
6 these different groups are required  
7 to do some sort of outreach, so why  
8 not do it together. We do have a lot  
9 of relationships with the retailers.  
10 We are trying to work with them even  
11 more. We just recently developed  
12 this signage. I don't know exactly  
13 what we wanted to say, but we have  
14 been working with Wal-Mart and here  
15 is an example of point of sale  
16 signage that we do have going now in  
17 Wal-Mart. I have an example of some  
18 of the messaging we do do with our  
19 partners in Chesapeake Bay. We are  
20 interested in working on educational  
21 messages with you and it talks about  
22 the seven tips of lawn care  
23 stewardship and protecting the bay  
24 and healthy lawns, clean waters  
25 starts in your own backyard. This

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communication was developed in conjunction with our company with the Metropolitan Washington Council of Governments an academic group that is not listed in here it is also supported by Chesapeake Bay program office, which is the EPA of Chesapeake Bay.

We do believe in cooperation and partnerships. We would appreciate if you would like to be partners with us and collaborate or give us more feedback. We would appreciate hearing that. We would like to continue the dialogue. Thank you.

THE CHAIRPERSON: Ms. Moses, if you could just walk us through the four step program, because as we mentioned earlier we are trying to keep that nitrogen lower, so if your company has a four step program and it doesn't come to four pounds per year, what kind of formula do you

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2 propose when you articulate that four  
3 step program to the consumer?

4 Earlier Ms. Schmenk said you would  
5 tell us how that four step program  
6 worked. The instructions are one  
7 pound per one thousand square feet,  
8 right, per application? If there are  
9 four applications, that would be four  
10 pounds a year, per thousand square  
11 feet. We certainly don't want to  
12 reach that level of nitrogen load.

13 THE MOSES: I have information  
14 about the four step program. I do  
15 want to tell you I am not the  
16 agronomic expert of this company, but  
17 I do have all the information written  
18 down here. We do have a four step  
19 program. The information that I have  
20 includes five different types of our  
21 products in the turf builder line. I  
22 will give this information to you to  
23 keep. All the different bags that we  
24 have that are pounds per thousand  
25 square feet, the amount of nitrogen

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that goes down per application is about -- it ranges from .63 pounds to .9 pounds per square feet, per application.

THE CHAIRPERSON: So it doesn't reach four pounds per year.

MS. MOSES: Right.

THE CHAIRPERSON: So, it is not one pound.

MS. MOSES: Right. If you use any combination of any four of the five products in this line, it totals about three to 3.3 pounds of nitrogen per square feet per year. And, again, we do space out the program so, it would be approximately eight weeks between each application. You put the application down and it doesn't get used right away, it feeds over the eight week time period. You are probably sick of hearing this, but we do a lot of marketing research, we pay for marketing research and we do have sales

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2 information we can share with you.  
3 We do know that fifty percent of  
4 consumers, average consumers -- it is  
5 average for your state as well -- do  
6 nothing and fifty percent do some  
7 sort of application and that is  
8 usually 1.6 to 1.8 applications per  
9 year.

10 THE CHAIRPERSON: Thank you  
11 very much. Are there any questions  
12 for Ms. Moses? Amy Juchatz.

13 MS. JUCHATZ: Thank you for  
14 coming. I guess the one concern that  
15 I have is if somebody had a bag of  
16 the turf builder in their shed or  
17 they went -- they don't really know.  
18 They want to try to maintain their  
19 lawn and I guess your four step  
20 program is really geared towards  
21 homeowners, not towards the  
22 commercial applicators, right?

23 MS. MOSES: Right.

24 MS. JUCHATZ: So, they might  
25 not know, maybe they had a commercial

1  
2 applicator in the past and now they  
3 want to do it themselves. So they go  
4 to someone that is a reputable, you  
5 know, someone they feel trust, they  
6 feel like, I don't know what I am  
7 doing. I am going to go with Scotts  
8 four step program. They will start  
9 with the turf builder. They read  
10 what it says here, everything I need  
11 for fertilization and for weed  
12 control and I use it in the spring.  
13 But, they may not need weed control.  
14 It seems to me that they are just  
15 kind of blindly putting it down.  
16 They might need the fertilization,  
17 but they might not need the weed  
18 control. I kind of feel that they  
19 are putting down pesticides whether  
20 they are really needing it or not.  
21 You know, they are using it because,  
22 oh, Scotts says to use this, kind of  
23 in this time period.

24 MS. MOSES: We do have a  
25 straight fertilizer product. One

1  
2           thing we do have consumer hot lines  
3           that takes over one million calls per  
4           year and we do encourage consumers to  
5           use this hotline to figure out what  
6           their needs are.  If the consumer --  
7           the environment is our business and  
8           we want to help consumers get the  
9           environment they want.  A typical  
10          call would ask -- the consumer, where  
11          is your problem?  Is it inside?  Is  
12          it on the pavement?  Is it on the  
13          lawn?  What is your problem?  Is it a  
14          weed problem or is it a bug problem  
15          and how big is it?  Is it a small  
16          problem or is it a big problem?  That  
17          would help determine the type of  
18          application that they would want.  We  
19          assume the consumer has made the  
20          decision to make an application  
21          because they have called and they are  
22          interested in knowing that  
23          information.

24                   MS. JUCHATZ:  That is getting  
25          to somebody that is taking the

1  
2 initiative to call. I am worried  
3 about the people who are just going  
4 to pull something off the shelf and  
5 say Scotts is a reputable company,  
6 they are recommending to use this  
7 product in the spring or whatever and  
8 they are just going to take it off  
9 the shelf not realizing they may not  
10 really need that pesticide in there.  
11 They are going to say, they are  
12 recommending, this is what I use in  
13 the spring, without first asking that  
14 question, do you really need to use a  
15 weed control? That is the question  
16 in my mind about having the two  
17 together. They might see that, that  
18 you put the two together and they are  
19 going to think, this is what I need  
20 to do in the springtime. I need to  
21 put down fertilizer. I need to put  
22 down herbicides, without asking the  
23 question, maybe I really don't.  
24 Maybe I need fertilizer. If the two  
25 are together, they may think this is

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2           what I need to maintain my lawn. I  
3           guess it is more of a comment than a  
4           question.

5                    MS. MOSES: Right. I think --  
6           I mean we could be more clear with  
7           the consumer. That might be  
8           something that we need to point out.  
9           We do also have the straight  
10          fertilizer available all season.  
11          That is what we just talked about,  
12          feeding your lawn for a healthy lawn.

13                   THE CHAIRPERSON: Any other  
14          questions?

15                   MR. VOGES: Not a question.  
16          Amy, that goes back to what has been  
17          talked about all day, having  
18          knowledgable people at point of  
19          purchase would be one of the best  
20          ways to educate the public.

21                   THE CHAIRPERSON: Thank you  
22          very much Ms. Moses. Thank you for  
23          coming down here today. The next  
24          speaker is Bruce Karas. I think we  
25          may have seen you before Mr. Karas.

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MR. KARAS: Yes, I was at the meeting in Riverhead. I came again just to see if there are any more questions that I can answer and reemphasize the point that it is the professional certified applicators that are men in business doing work and women in business doing work that are doing the job right. The problems that occur with misapplications with applications of pesticides and fertilizer are often the target area and things like that are mainly the result of people that aren't trained. It would definitely help to add more training to people at the level of selling products to homeowners, but the homeowners, even at that point, most of them don't know how many square feet are in their lawn. They don't know how to calibrate a sprayer. They don't know how to use a guard which will direct the fertilizer in a direction where

1  
2           it won't go all over the street, the  
3           driveway or the swimming pool or  
4           anything else. The point that I am  
5           trying to make is that the  
6           professional applicators on Long  
7           Island need to be regulated in such a  
8           way that you know we can live with  
9           the recommendations of the committee  
10          or laws that are passed.

11                 I am glad to see that there are  
12          some people in the industry on the  
13          board, because I have seen laws  
14          passed that are counterproductive.  
15          One of them is the neighbor  
16          notification law that forces you to  
17          notify neighbors when you are  
18          spraying, but not when you are  
19          spreading. My company sprays the  
20          first two applications and when we  
21          spray, we can direct our product  
22          specifically onto the lawn and not  
23          get it on anything but the lawn. It  
24          doesn't matter what shape the lawn  
25          is. It doesn't matter if there is a

1  
2 little strip of grass between the  
3 sidewalk and the street. We can  
4 spray on just that strip, which is  
5 very difficult to do with granular  
6 products. I felt like that law  
7 penalized companies like myself who  
8 are trying to do the right thing and  
9 get the product where it needs to be  
10 and not where it doesn't need to be.  
11 We have to notify the neighbor and  
12 the toxicity of the products is the  
13 same. You get the same product and  
14 put it down in a sprayer, put it down  
15 in granular. I would just caution  
16 the committee to be sure and listen  
17 to the industry before passing any  
18 regulations to make sure that the end  
19 result is what we want and nothing  
20 that would be counterproductive.

21 THE CHAIRPERSON: Thank you. I  
22 just want to ask you something for my  
23 own information. Don't the spray  
24 product have more of a possibility of  
25 being airborne and going to the

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person next door?

MR. KARAS: If you are talking about a tree spray application where you are spraying high up into high trees, then it is going to go next door. There is no way to control it. If you are talking about a lawn application, you are using a large droplet sprayer and you are directing from waist height to the ground. I can spray it two to three inches of a tomato plant and not damage it at all. That plant, if I was to get those droplets on the leaves, it would kill it. It would at least damage it. It will damage shrubs, it will damage flowers. You can't put weed control on those types of plants. We can spray right up to them without hurting them. If you want to take things to the extreme, which people who are for the environmental side do, they will start talking about measuring air in

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2 parts per billion and they will say  
3 through evaporation or through you  
4 know other forms that there is going  
5 to be some amount that is going to be  
6 airborne and go into the neighbor's  
7 property. You know, it is true, when  
8 you are talking about such a minute  
9 quantity and it is almost  
10 immeasurable and something that makes  
11 absolutely no difference in real  
12 life, then it really doesn't matter.  
13 If you are not doing any damage, if  
14 you are not hurting anyone, if you  
15 are not hurting the environment, then  
16 I don't really see where that really  
17 comes into play. When you are doing  
18 a granular application, then the  
19 product as it is coming from the  
20 spreader is in its unpolluted form.  
21 If any of those granulars are flying  
22 into the street or into the neighbors  
23 yard, unpolluted, they are going in  
24 there at the toxicity level that they  
25 are designed to be put down at.

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THE CHAIRPERSON: Thank you  
very much. Are there any questions?

MR. IRUKA: Just a comment.  
Looking at it from the arborists  
standpoint, I have to take a little  
issue with your comment about tree  
sprayers and the necessity to drift  
onto neighboring properties. It is a  
violation of both federal and state  
law to cause and drift onto  
properties that are not the  
application property. I think that  
most responsible people involved  
hopefully take as much care as  
possible to not allow that to happen.

MR. KARAS: That is the way the  
industry has gone. I am really more  
referring to what most people think  
about when they think about tree  
sprayers. The guys in the past that  
were spraying the thirty foot high  
trees and the trees that hung over  
onto neighbor's property. I think  
nowadays most people are trying to

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limit their applications that are not harmful. If they are going above that height and a lot of applications are being done to lower plants.

THE CHAIRPERSON: Thank you again. Any other questions? Our last speaker is Chris Hyman.

MR. HYMAN: Thank you very much. My name is Chris Hyman. I am with UAP Distributions. UAP is a distribution company for fertilizer, pesticides and seed. Not only in the grass of golf courses and landscape, also farm industry, we are also in forestry, as in our timberline and as in pest control as per residential homes and stuff.

Talking about the last gentleman there about the spraying UAP -- I have to apologize. I just heard about this yesterday. I am very unprepared, but I happen to have this in my bag with me when I am selling door to door to golf courses

1  
2 and landscapers. I will give this to  
3 you, which is called ABC of Spring.  
4 It talks about the use of products  
5 like adjuvants to help enhance the  
6 quality and designed to target your  
7 product to the plant itself, allowing  
8 it to get into the plant. I think it  
9 would help with drift control  
10 qualities like that which we offer.  
11 I know some of our competitors who  
12 offer products in their lines that  
13 too. I just wanted to bring that to  
14 your attention. I will leave a copy  
15 of that for you.

16 Getting to the question of the  
17 nitrogen levels. My background is I  
18 have been in the golf course industry  
19 for about nineteen years. I started,  
20 out when I was in high school. I  
21 went to the State University of Delhi  
22 for turf management degree. I am  
23 originally from the Rochester, New  
24 York area. Since then, I have been  
25 in four different states. I have

1  
2           been in Pennsylvania, Ohio and  
3           Michigan, as well as New York.  
4           Certified pesticide applicator in all  
5           of those states. New York State has  
6           one of the toughest, the most  
7           extensive reporting process that is  
8           out there. Now that I have moved to  
9           Long Island where we distribute out  
10          of Brookhaven, I have learned there  
11          is more restrictions and I questioned  
12          some of my colleagues in the industry  
13          and questioned, how do they do it? I  
14          find it very tough as a turf manager  
15          myself to try and come out here from  
16          outside the system and try really  
17          manage from practices and products  
18          that I have used in other areas, even  
19          Upstate New York.

20                    THE CHAIRPERSON: You know we  
21                    are taking this as a great  
22                    compliment.

23                    MR. HYMAN: Well, it is true.  
24                    In the regulations and sometimes  
25                    regulations are great and I

1  
2 understand that and sometimes it gets  
3 a little expensive, it gets a little  
4 overreactive sometimes. I just moved  
5 to the Island recently and I am going  
6 around and talking to customers door  
7 to door and a lot of these guys, they  
8 don't know me from a hole in the wall  
9 and I don't know them either. The  
10 landscape side, the notification has  
11 become a great thing. A lot of guys  
12 have gotten out of it and like the  
13 previous gentleman just mentioned,  
14 with the spraying it does allow the  
15 product to get directly to the  
16 target, whereas a lot of these guys  
17 have abandoned that program that they  
18 have used in the past because of the  
19 regulation notification, not because  
20 of its intent, but because they can't  
21 afford it. They have to hire a  
22 second person or a staff to go out  
23 there and the paperwork process and  
24 some of the smaller companies that  
25 are well educated just don't see it

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is feasible so they have just gone to a granular, strictly program. Tough thing for them.

One pound of nitrogen, per thousand per year, really raises the question myself as an agronomist and as a turf grower and now in the sales, is really hard to grow grass because at that level, what you are doing is you are stressing out the plant. I have experienced this myself as a grower trying to reduce the amount of nitrogen in the golf industry. We try to keep them low, especially on greens to help keep ball roll because that is a big thing in the golf industry, a flat surface and smooth and fast and there have been some great reductions on those areas, as well as fairways because of clipping control. When we mow, not all of us can afford to have the staff with baskets and collect the clippings and properly dispose of

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2           them, so we incorporate them, so we  
3           try to minimize the amount of  
4           nitrogen in growth and we use both  
5           regulators to help us on that aspect.  
6           What I have learned from my education  
7           at SUNY Delhi and that was back in  
8           '92 to '95, the healthiest strand of  
9           turf is going to help you reduce the  
10          amount of pesticides that are used.  
11          When you start reducing that rate  
12          down to one pound per thousand per  
13          year, you are going to start seeing  
14          pesticide uses going up because the  
15          plant will get a disease issue from a  
16          low nitrogen causing problems. The  
17          customer, whether it be a homeowner  
18          or the committee at the golf course,  
19          that owns the property is pressuring  
20          the superintendent and stuff like  
21          that to have a perfect lawn.  
22          Typically the organic way to go,  
23          someone from my landscape -- from my  
24          business is expensive. I had a  
25          gentelman come right into my office

1  
2 and say, I just went to a seminar,  
3 they say organic is the way to go.  
4 How can you help me? I looked into  
5 it and as a distributor, we aren't  
6 currently doing those products just  
7 because nationwide being a national  
8 distributor, it is not feasible for  
9 us to isolate with the Nassau/Suffolk  
10 County area. It is expensive. A lot  
11 of these guys I helped look into it  
12 and some of these products are very  
13 expensive. As some mentioned  
14 earlier, there has to be repeated  
15 application, so now you get the cost  
16 of labor going out there to do that.  
17 A lot of them don't look as healthy.  
18 When we start applying the  
19 fertilizers at low rates too, they  
20 are just not going to be healthy. I  
21 lost my train of thought there.  
22 Sorry. Back to organics there,  
23 sorry. They can't afford to do that  
24 and a lot of customers won't go for  
25 that because they want what they see

1  
2 on T.V. They see the Scotts  
3 commercials or they see whatever  
4 commercials that are out there. That  
5 is what people want. Listening to  
6 the customer, that is what we do in  
7 the industry. I listen to my  
8 superintendents, I listen to my  
9 landscapers and they are listening to  
10 the homeowners, such as yourselves,  
11 they want a perfect lawn. To the  
12 person that wants to do an organic  
13 lawn, great. More power to them, but  
14 there is a majority of people that  
15 want a green, soft lawn that is going  
16 to provide a good strand of turf to  
17 play on for their children. So, you  
18 know, I guess my concern is that with  
19 the low nitrogen, the increase of  
20 pesticides and stuff.

21 The one lady talked about some  
22 of her studies from breast cancer  
23 from 1951, those are back then. Of  
24 course, you know the regulations as  
25 well, even in the medicines that we

1  
2 use for our health are regulated  
3 totally different now then they were  
4 back when. Technologies have greatly  
5 improved. This morning I met with  
6 one of my representative that produce  
7 pesticides. They spend over a  
8 hundred and twenty million dollars in  
9 research and study on most of their  
10 products before they even consider  
11 getting it into the market. There is  
12 a lot of technology going into it to  
13 make sure it is safe and beneficial  
14 not only for turf, but for everybody.  
15 You know, like we mentioned before,  
16 with the nitrogen, three to four  
17 pounds is becoming the standard.  
18 That is when I was educated back when  
19 and if used in a proper amount,  
20 obviously not all at once, like was  
21 trying to be misunderstood in the  
22 beginning. Obviously you wouldn't do  
23 that. You wouldn't take all of your  
24 medicine for your illness all at  
25 once. That is why it says one per

1  
2 day or one every other day. The same  
3 thing with fertilizer, as with the  
4 Scotts, they have four steps so you  
5 go out there on a regular basis so  
6 that you don't over do it. A lot of  
7 these fertilizers are time released  
8 to help control what is being allowed  
9 out onto the lawn itself. Some of  
10 them are held up in the soils and are  
11 to stay within the soil and are  
12 designed not to leach into the water  
13 system. I think education is a very  
14 important thing.

15 I went to three home shows  
16 these last couple of months here on  
17 Long Island because I am trying to  
18 redesign my basement. I only noticed  
19 one or two landscape companies there.  
20 I though home shows would be a great  
21 opportunity to gain some customers.  
22 I was really surprised to see how few  
23 are really there. I thought home  
24 shows to improve your lawn, that  
25 could be an excellent venue for these

1  
2 home shows that are numerous  
3 throughout the Island in educating  
4 the consumer, whether it is somebody  
5 at the door handing them a pamphlet  
6 or whether there is an actual booth  
7 sponsored by vendors such as myself.  
8 An education platform of that nature,  
9 and I know within the industry, the  
10 golf course superintendents here on  
11 the Island and the landscape  
12 association. They have regular  
13 meetings, monthly, to educate, give  
14 credit towards pesticide  
15 certification and they hold trade  
16 shows. I know I was just at the  
17 Nassau/Suffolk Landscapers  
18 Association and I was very impressed  
19 with the education that was going on  
20 at that show for the professional  
21 landscapers and anyone else that does  
22 landscaping on Long Island.

23 THE CHAIRPERSON: We are  
24 running --

25 MR. HYMAN: Yes. I know we are

1  
2 running -- I'm sorry. I just wanted  
3 to make those statements and get them  
4 out there that there are technologies  
5 out there to help control pesticide  
6 uses and make sure it gets taken into  
7 the plant properly. Then the  
8 recommendation of one pound, really,  
9 as an agronomic person, it is absurd,  
10 I will even go out there, to try and  
11 grow grass at those levels.

12 THE CHAIRPERSON: Just so we  
13 are very clear. That is something  
14 that was proposed. It is not  
15 legislation. That was by the County  
16 Executive for us to look at here.  
17 The time was very good because we had  
18 these public hearings, but the main  
19 thrust of this task force, of this  
20 panel is to educate the public on the  
21 use.

22 MR. HYMAN: Right.

23 THE CHAIRPERSON: Welcome to  
24 Suffolk County. We take our  
25 Ecosystem very seriously. We have a

1  
2 very fragile ecosystem here. We are  
3 an island. We have to protect our  
4 water source. Although we know lawn  
5 care is not the only source of  
6 nitrogen, we have to do better with  
7 our systems and a lot of other  
8 elements that feed nitrogen into our  
9 water system. We are trying to look  
10 at all of the different ways that we  
11 can control that. So, environmental  
12 concerns are the primary concern of  
13 the people of Suffolk County, but  
14 having a beautiful lawn is too.

15 MR. HYMAN: Right. Right. I  
16 mean that is what is it all about,  
17 especially in certain parts of the  
18 Island. I do have one question, I  
19 just heard about this and I have no  
20 prior information. My question is:  
21 Who made this one pound  
22 recommendation and what do they back  
23 it up with?

24 THE CHAIRPERSON: I thought I  
25 just told you.

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MR. HYMAN: Well, I guess how  
did they come up with that.

MS. JUCHATZ: The Peconic  
Estuary Program. It was a  
recommendation of the Peconic Estuary  
Program. I was part of that, but it  
was my understanding that that  
program has a committee that supports  
the Environmental Protection Agency  
as well other partnerships. So it  
was deliberated at that forum. So it  
was not something that was just  
pulled out of thin air. Again, I am  
not sure exactly how that came  
together, but it was a bunch of  
groups that put that together.

MR. HYMAN: I am just trying to  
make sure because it seems odd that  
Cornell was involved or anything like  
that --

MS. JUCHATZ: I believe they  
were involved with that too.

THE CHAIRPERSON: Cornell  
didn't agree with the recommendation.

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MR. HYMAN: Okay. Thank you.

THE CHAIRPERSON: Thank you for coming. Is there anyone in the audience that would like to address the panel? Beth, come on up. A second bite at the apple.

MS. FITENI: I just wanted to respond to some of the comments about organic lawns not looking as good as lawns dependant on chemicals. I have worked with a lot of organic landscapers over the years and we do have a list that we produce. It is a list of forty six companies that do organic lawn care, many of whom who have been in business for many years. What I have learned from them is they say it does take a couple of years to transition from a chemical lawn program to an organic one. That may be one of the problems that some of the folks are seeing. Also, I would kind of suggest if you are seeing organic lawns after three or four

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2           years that don't look good, you are  
3           probably not doing the program  
4           correctly. So you can add that to  
5           the mix. We certainly have organic  
6           lawns on Long Island that look  
7           terrific and we have photos that we  
8           can show you.

9                   THE CHAIRPERSON: You should  
10           call Ken LaValle.

11                   MS. FITENI: I will. Thank  
12           you.

13                   THE CHAIRPERSON: Thank you.  
14           Is there anyone else who would like  
15           to address the panel. Please come up  
16           and if you could state your full name  
17           and spell your last name. We don't  
18           have a card for you.

19                   MR. CATURSO: My name is Ralph  
20           Caturso. I wanted to talk about the  
21           advertising campaigns that you are  
22           going to hear on the radio. You are  
23           going to be hearing -- I have heard  
24           it already, about using weed and  
25           feeds at this time of the year, which

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2 is not the right time of the year.  
3 So people are going to be putting  
4 products down and not getting results  
5 and reapplying later on when they  
6 should be doing. Scotts is one that  
7 does it, Home Depot does it. You  
8 will hear it. We all listen to the  
9 radio. From this point on you will  
10 pick it up. It has to do with  
11 educating the consumer on when to use  
12 the product.

13 I have a garden center and I  
14 have customers that come into me  
15 looking for a specific product that  
16 was advertised on the radio. I will  
17 have to explain to them that this is  
18 not the time to use the product. I  
19 have to tell them, this is what you  
20 should be using now and this is what  
21 you use later on. That is just the  
22 few that come into me and I speak to.  
23 I think of all the people that listen  
24 to the radio and go into stores that  
25 do sell these products and that are

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2           putting the product down and not  
3           getting the results. They are just  
4           pouring herbicides into the ground  
5           and not getting anything out of it.  
6           So that goes into the education of  
7           it.

8                   THE CHAIRPERSON: Thank you.  
9           Were you trained at any of these  
10          seminars?

11                   MR. CATUSO: I have been to the  
12          Scotts one. I have been to -- I have  
13          done the -- I don't go to it every  
14          year because it is a lot of  
15          repetitive. So if there is a new  
16          product out I will go.

17                   THE CHAIRPERSON: Although you  
18          went to the Scotts seminar you are  
19          still educated in not using the wrong  
20          product at the wrong time.

21                   MR. CATUSO: I sell products --  
22          Scotts is a big name in the industry.  
23          It is a product that I have to carry  
24          because people come in for it and it  
25          is something that I have to have. It

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2 is not the only product that I do  
3 sell.

4 THE CHAIRPERSON: I'm sorry. I  
5 must not have stated my question  
6 correctly. Although you went to the  
7 Scotts seminar and you are saying  
8 that some of the advertising you are  
9 hearing for Home Depot or Scotts to  
10 put down weed and feed, at that  
11 seminar you did learn that there are  
12 appropriate times to put down  
13 appropriate products like feeding  
14 your lawn now and not doing the weed  
15 control now? Is that what you are  
16 saying? I am just trying to  
17 understand what you are telling the  
18 customers.

19 MR. CATUSO: Well, basically the  
20 lawn programs, the first program is a  
21 crab grass preventer and fertilizer.  
22 Crab grass is a weed that has to be  
23 prevented. It is very difficult to  
24 kill once it is up. It grows in the  
25 very early part of the season. That

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is something that should be applied  
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THE CHAIRPERSON: That is  
something you tell people that has to  
be done pre-emergence?

MR. CATURSO: Right. If you  
haven't done that already, this is  
what should be going down now. The  
biggest problem and it is not just  
with the weed and feeds. The whole  
idea with -- using the products right  
the first time, you are going to get  
the results. There is a lot of  
people that put stuff down for the  
sake of putting stuff down. You see  
someone else putting it down --

THE CHAIRPERSON: So we are  
back to the training of the retailer?

MR. CATURSO: Yes. And I have  
been to other companies trainings and  
-- I have got a lot of the education  
I have from reading the packages  
because it is very detailed. That is  
where I get a lot of the information

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2 from. A lot of times I will have  
3 customers, do you have a weed problem  
4 when they -- I mean there are  
5 alternatives. It has to do with  
6 education of the consumer.

7 THE CHAIRPERSON: Thank you.

8 MS. JUCHATZ: I have a  
9 question. I think it goes even  
10 beyond training the retailers because  
11 it puts you in a difficult spot. If  
12 they are getting a message through  
13 advertising, you are in a spot where  
14 you are telling them a different  
15 message. So, you know, I think it  
16 puts you and other retailers in a  
17 difficult spot. It really goes  
18 beyond the education of retailers to  
19 something --

20 THE CHAIRPERSON: It is easier  
21 to get our retailers educated than --  
22 I spoke to Scotts about getting their  
23 marketing messages -- these national  
24 companies have certain advertising.  
25 Suffolk County can suggest to these

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big companies, but we can go back to that concept of training the retailers.

MS. KIANG: I just wanted to comment.

THE CHAIRPERSON: Sure.

MS. KIANG: My name is Caroline Kiang. I am educator with Cornell Cooperative Extension. My problem there is in community and environmental horticulture. I do a lot of public education in horticulture. I have been offering a training school for garden center employees for probably about ten, fifteen years. Unfortunately our attendance is not great. When we first started is when Home Depot first came to the area. They requested and I did that with Nassau County. We had a great attendance like over ninety, a hundred people. At that time Frank's also joined that.

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Nevertheless, I am very pleased to hear that several distributors are telling us that they would get involved with training garden center employees. I also want to know if I can have your business card because this last spring I offered a program. I only had twenty two people attend and one of them was a garden center employee. Thanks to Pat Voges, publicized the program for me through Landscape Gardeners. I had a lot of landscapers. The program is more for landscapers than the garden industry, but I do see the important link for us to educate the public because a lot of gardeners go to garden centers for whatever they need. If I can get your card. I still want to offer another one next year. Perhaps if we all work together maybe we can more garden center employees to come. Thank you very much.

THE CHAIRPERSON: Is there

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anyone else that would like to  
address the panel? Yes, sir. Come  
on up. As I said before state your  
name and spell your last name.

MR. CINQUE: My name is Andrew  
Cinque. I am also with Lebanon. I  
grew up in the retail establishment.  
Spent most of my life doing that and  
for the past twenty years I have been  
working with the NSLGA, through Pat  
and through others. Basically there  
are three meetings a month that  
everybody from our end of it, the  
industry end of it, attend on a  
regular basis and do a lot of  
education with that. Education I  
feel is the way. I basically go to a  
lot of big places, Home Depots and  
places like that. It is amazing when  
I walk up and down the aisle and see  
a homeowner with a product in his  
basket and just suggest, are you  
using that now? Why? And because  
that is what is on sale now. That is

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2           what the person told me. He used to  
3           be in plumbing, now he is in garden  
4           and next time he will be in electric.  
5           They don't have one set area. That  
6           is where I think a lot of the  
7           problems with the homeowners are. He  
8           is dealing with someone who is  
9           uneducated.

10                    I know through our sister  
11           company, the Greenvview, we do a lot  
12           of training as does Scotts. I was  
13           out in Marysville on a couple of  
14           different occasions, having attended  
15           the school out there. Again, I know  
16           through the professional end and a  
17           lot of people have said here, there  
18           is a lot of training. I mean I am  
19           actually going to be talking at the  
20           next meeting, which is in what? Two  
21           weeks. From a professional end we  
22           are constantly talking about the new  
23           concepts that our company and other  
24           companies are bringing up; different  
25           types of nitrogen, slower releases of

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2 nitrogen that don't take and leach as  
3 quick. They are micorobial they  
4 break down by soil temperatures.  
5 When you put them down they wait for  
6 the soil to warm up. There are a lot  
7 of educational things that can be  
8 done that would make it a lot better  
9 for the homeowner to really have an  
10 idea of when to put the right product  
11 down.

12 THE CHAIRPERSON: Thank you.  
13 Are there any questions? Thank you  
14 very much. Is there anyone here who  
15 has not yet spoken or addressed the  
16 panel and would like the opportunity?  
17 If not, I would like to thank all of  
18 you for being here. It really has  
19 been an education for us to sit on  
20 this task force. Again, I put this  
21 group together because I saw -- with  
22 the agricultural industry in Suffolk  
23 County I set the task force, have a  
24 volunteer program where farmers would  
25 voluntarily lower the introduction of

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2 pesticides and fertilizers and  
3 completely respecting that this is  
4 their livelihood and their families  
5 heritage, so I have respected that  
6 and the farmers have come to the  
7 table and there has been a reduction  
8 in fertilizer and pesticide being  
9 reduced to the environment by our  
10 farmers. We have made a commitment  
11 in Suffolk County to put the money  
12 into technical help. We would help  
13 the farmers to do that. With that as  
14 a model I thought we could find a way  
15 to work with the industry, work with  
16 the environmentalists and help to  
17 educate our public. We are trying to  
18 find a way to get the best message  
19 out there to the public.

20 There have been a lot of good  
21 suggestions today. I heard someone  
22 mention putting up signs at home  
23 shows. I think that suggestion  
24 hasn't been talked about before. So  
25 each of you that has come up and

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talked to us has come up and given us  
a little bit of a different slant, a  
little bit more information. We  
truly appreciate it. Thank you very  
much.

And thank you for all those  
that sit on the task force. You are  
all volunteers. Thank you very much.

(Record closed: 1:36 p.m.)

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C E R T I F I C A T I O N

STATE OF NEW YORK  
COUNTY OF SUFFOLK

I, Barbara D. Schultz, a Notary  
Public within and for the State of  
New York, do hereby certify:

THAT the foregoing is a true  
and accurate transcript of my  
stenographic notes.

IN WITNESS WHEREOF, I have  
hereunto set my hand

---

Barbara D. Schultz