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**Testimony of Eric Delzer
Pesticide and Fertilizer Division Director
House Energy and Natural Resources Committee
Coteau AB
March 16, 2023**

Chairman Porter, and members of the House Energy and Natural Resources Committee, my name is Eric Delzer, Pesticide and Fertilizer Division Director here on behalf of Commissioner Doug Goehring. The Commissioner supports Concurrent Resolution 4017 and would like to emphasize how important this issue is to agriculture and industry in North Dakota.

Ever since the EPA has abandoned previous administration's policy against sue and settlement it has put activists in the driver's seat when it comes to federal policy and the environmentalists that have been appointed to run the EPA are actively conspiring with them. In the last two years we've seen friendly lawsuit settlements reopen and in some cases overturn sound registration review decisions previously made by the agency. As a result, numerous pesticide chemistries that have been safely used in North Dakota for decades will now be saddled with additional use restrictions and in some cases uses will be completely canceled.

Now the EPA is proposing unworkable and unenforceable land use restrictions on pesticide labels in the guise of Endangered Species

protection which will have to be enforced by state agencies. When these unworkable, dictated land management practices do not achieve their desired result it will make it that much easier for environmentalists to bring additional citizen suits that will bring further restrictions.

The Commissioner has been very engaged with other state leaders and our Congressional Delegation in efforts to push back against these new unworkable policies. Attached with my testimony is some example information as well as correspondence from Commissioner Goehring to the EPA regarding some recent decisions.

Commissioner Goehring urges you to please consider this resolution and give it a do pass. Thank you, Chairman Porter, and committee members. I would be happy to answer any questions you might have.