
2019-2020 Priority Issues Agenda



How the Agenda is developed

The GCSAA Board of Directors, Government Affairs Committee members and staff receive ongoing feedback on golf course management issues through communication with members, affiliated chapters (boards, executives, GCSAA Grassroots Ambassadors), regional turfgrass and green industry coalitions, allied associations, industry partners, university scientists, advocacy consultants, and government agencies. Input and feedback is also gathered from the GCSAA Member Needs Assessment, as well as issue-specific member surveys.

Based on this feedback, the GCSAA Government Affairs Committee biannually develops a recommended Priority Issues Agenda. While staff actively monitor and take action on many issues impacting golf course management, the Priority Issues Agenda outlines the legislative and regulatory “priorities” for GCSAA—those that are likely to require the greatest amount of association resources and staff time.

For each priority issue, the Agenda contains an informational overview, a GCSAA Board-approved position statement, current GCSAA activity on the issue, information on official GCSAA position papers, and information on coalitions in which GCSAA participates.

The recommended Agenda is submitted to the GCSAA Board of Directors for approval. Upon approval, the Agenda is distributed to members through the GCSAA Website and other association communication vehicles.

GCSAA staff utilize the Priority Issues Agenda to take action on golf course management issues. They are guided by the official GCSAA position statement for each issue.

The use of sound science in decision making is important to GCSAA. Throughout the Priority Issues Agenda, the term sound science is referenced frequently. Sound science includes the recognized/accepted science methodologies and practices for research that follow the high standards of the scientific method. These standards include important investigational attributes and practices such as the formulation of a readily testable hypothesis; the use of systematic and well-documented experimental or analytical methods; the application of appropriate data analysis tools (e.g., statistics and mathematical models) to the data; and the articulation of conclusions that address the hypothesis and are supported by the results. Sound science is also reproducible until there are no discrepancies between observations and theory.

2019-2020 Priority Issues:

- Americans with Disabilities Act (ADA)
- Fertilizers
- Labor and Immigration
- Pesticides
- Value of Golf
- Water

For more information on any government issues that affect the golf industry, please contact the GCSAA Government Affairs department at (800) 472-7878, or visit GCSAA Online at www.gcsaa.org.

The Americans with Disabilities Act (ADA)

Issue information:

The Americans with Disabilities Act (ADA) requires reasonable modifications to golf course policies, practices or procedures to serve people with disabilities (as defined by the law) on an equal basis with the rest of the general public. A reasonable modification is one that does not present an undue burden to the golf course or alter the fundamental nature of the game. GCSAA has been active in working with golfers, lawmakers and regulators to address ADA issues since the law's inception. GCSAA and its members have taken a proactive stance on golf course accessibility issues through the use of best practices to accommodate golfers with disabilities; through modification of policies; and through education and outreach to golf course owners and operators. On September 15, 2010, the U.S. Department of Justice (DOJ) released final rules to update its ADA regulations and implement new accessibility standards for golf courses and other recreational facilities. The rules impact municipal and commercial entities and codify the architectural guidelines for barrier removal. The rules impact new golf course development and renovations to existing facilities. Alterations to existing golf courses include the redesign of teeing grounds and greens. Mowing and other general maintenance activities are not considered an alteration. After March 15, 2012, all new golf facilities must be accessible in accordance with the golf course accessibility guidelines and existing courses must remove barriers when it is "readily achievable" over time (easy to accomplish without much difficulty or expense). The golf course accessibility standards cover: accessible routes and/or alternative golf car passages; teeing grounds; putting greens; weather shelters; and driving ranges. Further, on July 26, 2010, DOJ issued an Advanced Notice of Proposed Rulemaking (ANPRM) specific to accessible golf cars. DOJ is considering issuing regulations requiring golf courses that provide golf cars, when replacing or acquiring additional standard golf cars, to provide accessible golf cars for use by individuals with disabilities.

GCSAA position statement:

GCSAA recognizes and supports the standards set forth in the Americans with Disabilities Act (ADA) of 1990, as amended, and similar state laws, which are designed to eliminate discrimination against qualified individuals with disabilities. As golf course management professionals, the members of GCSAA will work to make golf accessible to all persons by promoting policies and practices that consider the needs and safety of all golfers, promote the growth and vitality of the game and maintain the agronomic integrity of the golf course. Every golf facility in the U.S. has a stake in growing the game of golf. The growth of the game is dependent upon new golfers of all abilities coming into the game. The purchase of single rider golf cars should be the decision of each individual golf facility weighing multiple factors including customer service considerations, safety of the devices, market demand and economic impact to the facility.

Coalitions/affiliations: National Alliance for Accessible Golf

Fertilizers

Issue information:

Efforts by states, municipalities and counties across the United States to ban or restrict the use of fertilizers continue as elected officials and citizens attempt to address concerns of nutrient loading in waterways. These efforts are taking place in all areas of the country including the Northeast, Florida, Great Lakes, and Mississippi River Basin. While these efforts encompass all aspects of fertilizer use, primary focus is phosphorus and nitrogen. A federal focus on cleanup of the Chesapeake Bay watershed during the Obama Administration brought greater attention to agricultural and urban nutrient management. The Chesapeake Bay cleanup efforts serve as a “model” for watershed cleanup efforts elsewhere. EPA has pushed state and local governments to regulate fertilizers to control nutrient runoff as well as pushed states to adopt more stringent numeric nutrient water quality standards. As a result, activists are attempting to overturn state preemption laws. Golf course fertilizer use remains a target due to public perception that the amounts used to manage courses are a source of the nutrient loads. State-mandated restrictions and nutrient management plans can have a detrimental impact on golf courses if they are not developed with input from the golf course management industry and without consideration of existing environmental best management practices for golf courses.

Golf course superintendents significantly decreased nutrient use rates and the number of acres being fertilized, according to the *2015 Nutrient Use and Management Practices on U.S. Golf Courses* survey that compared totals from 2006 and 2014. The survey was the second in the latest series of the Golf Course Environmental Profile reports, conducted by the Golf Course Superintendents Association of America (GCSAA) and funded by the United States Golf Association (USGA) through GCSAA’s Environmental Institute for Golf (EIFG). In 2015, conservation practices account for 90 percent of the reduction in nutrient use on U.S. golf courses. U.S. courses have seen an annual reduction in the usage of the three key nutrients found in fertilizer: nitrogen (33.6 percent), phosphate (53.1 percent), and potassium (42 percent) since 2006.

GCSAA position statement:

Fertilization practices in golf are part of a science based nutrient management scheme that only uses the amount necessary to produce healthy turfgrass and quality playing surfaces. Healthy turfgrass allows communities to enjoy many benefits including: creation of critical “greenspaces”; providing wildlife habitat; and ensuring recreational opportunities. In addition, many entities both public and private rely on healthy greenspaces like golf courses as a key component in maintaining financial revenues. There are also many environmental benefits to healthy turf including the capture of run-off pollutants in stormwater, temperature buffer, erosion control, and serving as a protective barrier for groundwater.

GCSAA supports the development and use of science-based best management practices (BMPs) for fertilizer applications through superintendent–regulator–university partnerships at the local and state levels of government. To support this, the GCSAA launched in 2017 the 50 by 2020 BMP initiative. The goal is to have all 50 states with a BMP program in place by 2020 to ensure protection of human health and the environment and demonstrate the industry’s commitment to environmental stewardship. GCSAA supports golf course superintendents partnering with watershed groups and conservation organizations to develop their state BMP programs.

Fertilizer laws and regulations should be based on sound science supported by credible peer reviewed data and university recommendations. Science-based nutrient management for turfgrass leads to healthy quality turfgrass and thereby leads to more effective and efficient management of other inputs.

GCSAA supports the enactment of state laws preempting regulation of the use of fertilizers and prohibiting local governments from adopting such laws. Local regulation of the use of these products is both costly and unnecessary. Only state designated regulatory agencies should be vested with the authority to regulate the use of nutrients. These agencies have the scientific expertise to properly determine nutrient requirements for each geographic region within a given state. Laws and regulations involving fertilizer applications should recognize golf properties engaged in environmental stewardship practices, and/or programs that address nutrient management through science-based BMP plans.

Coalitions/affiliations: Responsible Industry for a Sound Environment (RISE)

Labor and Immigration

Issue information:

An available, legal and trained workforce is vital to the economic success of golf facilities and a top priority for the golf industry. Bureau of Labor Statistics data demonstrates the demographic reality that the U.S. population is aging, growth in the young workforce is declining, young workers are increasingly educated and disinterested in unskilled labor jobs, and major worker shortages are forecasted especially for seasonal and less-skilled positions. Significant labor shortages will make it difficult for many golf facilities to fill both their permanent and temporary/seasonal labor needs. Additionally, 95% of golf facilities either fall at or under the threshold for small business, as determined by the Small Business Administration (\$15 million in revenue annually). These facilities often face slim profit margins and rely on access to a safe, legal and affordable workforce to operate. Further, many depend on foreign, seasonal labor due to the difficulty in finding U.S. workers willing to take seasonal, unskilled jobs. Proper documentation of workers presents its own set of unique challenges. The U.S. labor shortage, comprehensive immigration reform and mandatory use of E-Verify are issues Congress continues to debate as they try to address the need for a stable, legal workforce to ensure the nation's economic security. Specific labor and immigration issues include:

- H-2B Visa Program
- Patient Protection and Affordable Care Act (PPACA)
- Overtime Pay

GCSAA position statement:

Comprehensive immigration reform includes four pillars of reform: legalization; employment verification systems; temporary worker programs; and border security. GCSAA does not engage in the debate over legalization or border security. Due to the difficulty many golf facilities have in finding permanent and seasonal U.S. workers, GCSAA supports comprehensive immigration reform that includes guest worker provisions. Reform measures should safeguard seasonal worker programs and not place undue economic burdens on employers. Reform should create an immigration system and guest worker program that functions efficiently for employers, workers and government agencies. Reform should create a program that ensures U.S. workers are not displaced by foreign workers and ensures that all workers enjoy the same labor law protections. Reform should strengthen national security by providing for the screening of foreign workers and creating a disincentive for illegal immigration. Enforcement of immigration laws is critical for the economic vitality of the country, national security and for successful comprehensive immigration reform. GCSAA supports reform that creates a fair employment eligibility verification system for new hires that functions efficiently, effectively, and inexpensively for employers, workers and government agencies.

Coalitions/affiliations:

Essential Worker Immigration Coalition; ImmigrationWorks USA

H-2B Visa Program (Sub-Issue)**Issue information:**

The federal H-2B visa program is used by U.S. golf facilities to secure legal employees when they cannot fill seasonal jobs with American workers despite intensive recruitment efforts. The U.S. Department of Labor (DOL) must certify that qualified workers are not available in the U.S. and that the foreign worker's employment will not adversely affect wages and working conditions of similarly employed U.S. workers. The program's congressionally mandated cap of 66,000 (33,000 for each half of the fiscal year) has been consistently inadequate to meet the seasonal needs of small businesses in a strong economy. For Fiscal Year 2018 for example, the Department of Labor certified the bona fide need for 89,275 H-2B workers for the first half of 2018 which is more than what is available for the entire year. On March 31, 2018, the Department of Homeland Security released an additional 15,000 visas under discretionary authority provided by Congress. However, high demand resulted in a lottery being implemented to distribute workers. As a result, 52% of H-2B positions for the second half cap went unfulfilled. This jeopardizes golf courses nationwide who have exhausted efforts to find workers for their facilities, including offering salaries that often exceed the prevailing wage for their respective areas.

According to DOL statistics, in 2006, golf facilities (including resorts) asked for approximately 26,000 H-2B visa workers – of that number over 7,700 were for golf course maintenance positions. The number of H-2B visa workers in the golf industry declined with the country's economic decline. Requests for H-2B visa workers at golf facilities are increasing as the economy rebuilds and there is more competition for seasonal labor.

The H-2B visa program has been under attack since 2009. DOL has finalized a series of regulations that significantly increase the hourly wages that must be paid to H-2B workers as well as revamped the program entirely thereby making it difficult if not impossible for small, seasonal employers to use. Congress has held many of these regulations at bay. Further, there are many in Congress and the Administration who wrongly believe the program takes jobs from Americans when instead it fills jobs that would otherwise remain vacant. A continued lobbying effort is necessary to ensure it provides valuable workers for golf.

By filling temporary jobs, H-2B workers not only keep businesses open, they contribute to the creation of year-round jobs for American workers. Studies show that every H-2B position supports 4.6 American jobs.

GCSAA position statement:

GCSAA supports bipartisan H-2B Cap relief language included in Appropriations bills passed by Congress. The language should exempt H-2B workers from the 66,000 annual cap if they received an H-2B visa during one or more of the previous fiscal years; allocate the 66,000 visas for new H-2B workers on a quarterly basis to assist employers whose seasons do not align well with the current biannual allocation; and create a system in which 66,000 H-2B visas for new workers would be allocated on a proportional basis if the cap is reached so that all employers will receive a percentage of H-2B workers.

GCSAA supports long term H-2B relief that will ensure that seasonal employers such as golf will be able to rely on the H-2B visa program to plan for future business growth. This includes raising the H-2B visa annual cap or making the H-2B Returning Worker Exemption permanent. Seasonal employers also need the certainty of a well-run H-2B program to reduce processing delays and ensure access to a safe, legal and reliable temporary workforce. The DOL should streamline and expedite processing of H-2B visa applications. GCSAA also supports the use of private wage surveys to help set the mandatory minimum wages paid to H-2B workers.

Coalitions/affiliations:

H-2B Workforce Coalition; Save Small Business Coalition

Patient Protection and Affordable Care Act (Sub-Issue)

Issue information:

The Patient Protection and Affordable Care Act (PPACA), commonly called the Affordable Care Act or "Obamacare" is a United States federal statute signed into law by President Barack Obama on March 23, 2010. It represents the most significant regulatory overhaul of the U.S. healthcare system since the passage of Medicare and Medicaid in 1965. Golf facilities are closely monitoring implementation of the PPACA for any impacts to the bottom line. Golf facilities are preparing for increased administrative and paperwork requirements as they comply with the new mandates. In addition, health care costs will likely increase at golf courses.

Seasonal employers across the golf industry are confused about their obligations to their seasonal employees under the PPACA. Unfortunately, different aspects of the law are based on varying definitions for their seasonal staffers. Currently, there are two different definitions of "seasonal" staffers which must be used and understood when determining whether a business falls under the law and when determining which employers must be offered health insurance. The STARS Act would provide one clear definition of a seasonal staffer, ensuring that seasonal employers have the tools and understanding necessary to comply with the PPACA. The bill does not repeal or defund any provision of the law.

Position statement:

GCSAA supports the STARS Act – a technical correction bill - to create one definition of seasonal employment in the ACA employer mandate. This bill amends the Internal Revenue Code to exclude seasonal employees from the definition of "full-time employee" for purposes of the employer mandate to provide employees with minimum essential health care coverage. The bill defines a "seasonal employee" as an employee who is employed in a position for which the customary annual employment is not more than six months and which requires performing labor or services that are ordinarily performed at certain seasons or periods of the year.

Coalitions/affiliations:

None at this time.

Overtime Pay (Sub-Issue)

Issue information:

In the summer of 2015, the Obama Administration proposed new overtime pay regulations. The regulations were an attempt to update overtime rules under the federal Fair Labor Standards Act (FLSA). FLSA guarantees overtime pay at a rate of one and one-half the employee's regular rate of pay for hours worked in excess of 40 in a workweek. The current FLSA has a salary threshold of \$23,660 annually (\$455 per week), meaning ANY employee making less is eligible for overtime. Employees making over the \$23,660 annual threshold are eligible for overtime unless they fall under a specific industry exemption (teachers, doctors, lawyers) or the "white collar exemption." These exemptions include; executive/managerial, administrative, professional, outside sales and computer employees. The Obama Administration proposed setting the standard salary level at the 40th percentile of earnings of full-time salaried workers in the lowest-wage Census Region, currently the South, meaning an increase in the annual threshold to \$47,476 annually for a full-year worker). The Obama Overtime rule was struck down in 2017 by a federal district court in the State of Texas. The Trump Administration is considering a new rule.

In the wake of court rulings curtailing the Obama Administration's 2016 Overtime Pay rule, and the Trump Administration's signals that it will propose a new rule, the golf industry has maintained a strong interest in how this issue will be addressed by the federal government. Like many other industries that would have been heavily impacted by the 2016 rule's new threshold for the executive, administrative and professional (EAP) employee exemption, the golf industry seeks a renewed dialogue with the federal government on this issue.

GCSAA position statement:

GCSAA would like a fair, sustainable and reasonable approach in proposing a new minimum salary threshold for the EAP exemption. We acknowledge the hard work the Department of Labor has already put into crafting an Overtime Pay rule and appreciate the agency's efforts to modernize overtime pay regulations. GCSAA wants to see a gradual approach to the increase to the annual salary threshold also. GCSAA members also need time for employers to ensure compliance, communicate changes and accurately reclassify employees. GCSAA encourages the Department of Labor to examine the benefits and feasibility of applying county-based adjustments in high-cost markets to the selected standard salary threshold as a way of adjusting for differences in cost-of-living.

The golf industry supports the DOL: setting an appropriate standard salary threshold; maintaining the existing duties test and balance with the salary threshold; including certain fees and incentive payments; examining regional adjustments to the standard salary level; and ensuring criteria for seasonal businesses reflect industry realities.

Coalitions/affiliations:

None at this time.

Pesticides

Issue information:

Golf course superintendents utilize pesticides in conjunction with integrated pest management (IPM) practices to best control pests and maintain healthy turf. Best management practices, continuing education, peer-reviewed research and technology are important elements for an IPM approach for golf course superintendents. The latest technology in application equipment is used on golf courses which allows for precise application of pesticides. Pesticide production is highly regulated in the U.S. through the Federal Insecticide, Fungicide and Rodenticide Act which requires that pesticides cause 'no unreasonable adverse effect' to humans or the environment – including water quality and aquatic species. Pesticides used to maintain healthy golf course turf have been thoroughly tested by EPA. As a result, use labels are crafted to protect these resources and must be strictly followed: the "label is the law". The safe and responsible use of pesticides, and the continued availability of effective products, is a top priority for GCSAA and its members. This priority was reinforced in 2000 when GCSAA members passed an addition to the association's bylaws creating new entry and maintenance membership standards for Class A members. As of July 1, 2003, to maintain their membership status, Class A members must obtain a state pesticide applicator license or successfully complete a GCSAA-developed IPM exam which tests on principles of pesticide usage. Specific pesticide issues include:

- State Preemption/Pesticide Bans
- Pesticide Regulation
- Endangered Species Act Litigation
- Pollinators

Over the past several years, U.S. golf courses have increased their reliance on non-pesticide pest control practices such as cultural control, plant growth regulators and biological control. In addition, there has been a significant downward trend, since 2007, in the degree to which superintendents feel that pesticide restrictions influenced their pest management programs. The 2016 Golf Course Environmental Profile (GCEP) Pest Management Practices Survey showed that reliance on conventional chemistries such as fungicides, herbicides, insecticides and nematicides has either decreased or showed little change. The data suggests that turf managers are using non-pesticide control practices in conjunction with conventional chemistries, rather than as substitutes for them.

Position statement:

The responsible use of pesticides is essential to maintaining healthy turfgrass. Healthy turfgrass allows communities to enjoy many benefits including: creation of critical "greenspaces", providing wildlife habitat, and ensuring recreational opportunities. There are many other environment benefits to healthy turfgrass including the capture of run-off pollutants in stormwater, temperature buffer, erosion control, and serving as a protective barrier to groundwater. In addition, many entities both public and private rely on healthy greenspaces like golf courses as a key component in maintaining financial revenues.

Pesticide laws and regulations should be based on sound science supported by credible peer reviewed data and university recommendations. Golf courses employ licensed pesticide applicators that are required to pass state administered exams and complete continuing education each year. These applicators are trained in the safe and proper use of pesticides within an integrated pest management (IPM) system. Golf course superintendents follow best management practices for proper pesticide management on the course. GCSAA launched in 2017 the 50 by 2020 BMP initiative. The goal is to have all 50 states with a BMP program in place by 2020 to ensure protection of human health and the environment and demonstrate the industry's commitment to environmental stewardship.

Coalitions/affiliations:

U.S. EPA Pesticide Environmental Stewardship Program (PESP); Responsible Industry for a Sound Environment (RISE); Pesticide Policy Coalition (PPC)

State Preemption/Pesticide Bans (Sub-Issue)

Issue information:

Many cities and counties across the country are debating ordinances to ban/restrict the use of chemical pesticides on city/public property. This includes parks, city office buildings and government-owned recreation facilities such as golf courses. Local bans/restrictions on pesticide use is a trend that has gained momentum ever since the city of San Francisco, Calif., adopted such an ordinance in 1996. This ordinance has been used as a model by anti-pesticide activists to try to enact similar laws in other locations. Bans on pesticide use by local governments has also been a precursor to efforts to totally ban the use of all pesticides in a community—including applications by private citizens to their homes and lawns, applications to commercial property, privately owned golf courses, sports fields and other recreational facilities.

Many states have preemption (or “state primacy”) laws to prohibit municipalities from adopting local laws and regulations on the use of pesticides and fertilizers. Without such laws, the more than 80,000 municipalities in the U.S. could adopt and enforce their own unique ordinances, including use and applicator certification, making compliance virtually impossible. Local pesticide restrictions hinder the ability of golf course superintendents to control pests that have a detrimental effect on healthy turf.

GCSAA position statement:

GCSAA supports the development and use of science based best management practices (BMPs) collaboratively developed through superintendent-regulator-university partnerships at local and state levels of government. Integrated pest management (IPM) practices and plans are an integral part of the golf course BMPs developed by GCSAA for superintendents. GCSAA also supports the enactment of state laws based on sound science preempting regulation of the use of pesticides and prohibiting local governments from adopting such laws.

Local regulation of the use of these products is costly, unnecessary and interferes with professional pest management on the golf course. Local pesticide bans/restrictions hinder the ability of golf course superintendents to control pests that have a detrimental effect on healthy turf, trees and ornamentals. Restricting the use of effective pesticides can curb the ability to control disease carrying pests and can jeopardize public health and sanitation. Local pesticide bans/restrictions also require the use of resources for investigation of violations and enforcement, creating an unnecessary drain on community funds. Pesticides are professionally used in accordance with the label and subsequent to IPM practices. They are integral to successful golf landscapes. Localities lack the resources and expertise to effectively regulate pesticides. EPA and state lead agencies are the only entities with the statutorily mandated expertise and resources to make scientifically informed decisions about pesticide use.

When used properly, pesticides promote healthy turfgrass which provides many environmental benefits including wildlife habitat and a natural water filter.

GCSAA supports language pending in the 2018 “Farm Bill” which would restore the cooperative federalism under FIFRA and ensure that state environmental agencies are the final deciders as to the registration and use of pesticides.

Coalitions/affiliations:

Responsible Industry for a Sound Environment (RISE) - www.pestfacts.org
Pesticide Policy Coalition (PPC)

Pesticide Regulation (Sub-Issue)

Issue information:

The 1996 Food Quality Protection Act (FQPA) fundamentally changed the way EPA regulates pesticides. FQPA mandated a single, health-based standard for all pesticides in all foods; provided special protections for infants and children; expedited approval of safer pesticides; and required periodic re-evaluation of pesticide registrations and tolerances to ensure that the scientific data supporting pesticide registrations will remain up-to-date in the future. Under FQPA, EPA was required to reevaluate, within 10 years, all food tolerances that were in place as of August 1996. The agency completed over 99% of the required tolerance reassessments on Aug. 3, 2006. This review resulted in changes to how golf course chemicals are regulated including elimination of certain uses and changes in labeling for others. In August 2006, EPA issued a final rule, which implemented a new Registration Review process. Starting in 2007, every pesticide active ingredient must be reviewed at least once every 15 years. The review of organophosphates began in 2008, and the review of the carbamates class started in 2009.

The Consolidated Appropriations Act of 2004 established a new system for registering pesticides, called the Pesticide Registration Improvement Act, or PRIA. Under PRIA, the pesticide industry pays over \$40 million in pesticide registration and maintenance fees, which supplement federal appropriations, to provide timely resources for EPA's registration and registration review efforts. About 1 of every 4 dollars available to the EPA Office of Pesticide Programs is derived from PRIA fees.

A Sixth Circuit Court of Appeals ruling in January 2009 in the *National Cotton Council vs. U.S. EPA* case overturned the EPA's Aquatic Pesticides Rule from 2006, which held that pesticides applied in accordance with Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) labels are exempt from the Clean Water Act's (CWA) permitting requirements. Effective October 31, 2011, pesticide applications made in, over or near "waters of the U.S." require a CWA National Pollutant Discharge Elimination System (NPDES) permit. Never in the 65 years of FIFRA or 40 years of the CWA has the federal government required a permit for chemical spraying activities for control of such pests as mosquitoes, algae and invasive aquatic weeds. Congress omitted pesticides in 1972 when it enacted the CWA, and despite major rewrites since, has never looked beyond FIFRA for the regulation of pesticides. Unnecessary permitting places a significant economic burden on golf facilities who comprise a large group of small businesses. States spend significant resources in implementing and enforcing a permit that most regulators believe does little if anything to further protect water quality. Citizen action lawsuits can disrupt operations and jeopardize businesses. Future expansion of the permit is of concern.

GCSAA position statement:

GCSAA believes that all pesticide uses should be under the legal primacy of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA). GCSAA supports the goals of the Food Quality Protection Act (FQPA). GCSAA supports the use of real data and sound scientific methodology to assess pesticides for risk. GCSAA and its members have and will continue to provide accurate and usable data to the regulatory and scientific communities for use in Registration Review implementation decisions. The continued availability of safe, effective and economically viable pesticide products is a top priority for GCSAA and its members.

GCSAA supports a long-term reauthorization by Congress of the Pesticide Registration Improvement Act (PRIA) to create a more predictable and timely pesticide registration and registration review evaluation process of active ingredients used on golf courses. GCSAA supports EPA collecting PRIA fees to register new and innovative pest control products in a timely manner.

GCSAA supports standalone legislation pending in Congress, as well as language in the 2018 Farm Bill, that would remove the NPDES Clean Water Act permit and restore FIFRA supremacy.

Coalitions/affiliations:

Responsible Industry for a Sound Environment (RISE) - www.pestfacts.org
Pesticide Policy Coalition (PPC)

Endangered Species Act Litigation (Sub-Issue)

Issue information:

To meet the conservation and species recovery goals of the Endangered Species Act (ESA), the EPA's Office of Pesticide Programs must consult on each "action" to register or re-register a pesticide use. This consultation process is outlined in Section 7 of the ESA. During the past 35+ years, EPA has not successfully implemented ESA obligations for pesticides. However, it has been EPA's intention to integrate ESA into the Registration Review process. Instead, activist-driven litigation is now driving the ESA consultation process for pesticides.

The ESA Section 7 consultation process is flawed, and the lack of a clear and transparent ESA consultation process is seriously jeopardizing the availability and use of effective products to the golf industry. In 2011, EPA, the U.S. Department of Agriculture (USDA), Fish and Wildlife Service (FWS), and NMFS asked the National Academy of Sciences (NAS) to evaluate the ESA consultation review process for pesticide registration actions related to endangered species. In November 2013, the NAS released its much-anticipated report on pesticides and endangered species stating that EPA, the NMFS, and the FWS should use a common approach when determining the potential effects a pesticide has on an endangered species and its environment. In 2014, the EPA began holding workshops to provide a forum for stakeholders to offer scientific and technical feedback on the joint interim approaches issued in November 2013. These stakeholder meetings continued throughout 2015.

The most serious challenge to the integrity of pesticide registrations approved under FIFRA is ESA litigation. The new ESA consultation process as currently coordinated between EPA, USDA and other agencies has led to a years-long evaluation process of over 30,000 pages of material for the first three pesticides alone. This new assessment process is time consuming, costly and not practical. It will cost hundreds of millions in taxpayer dollars and take decades to complete. But it is currently the template of what it takes to conduct an ESA consultation for pesticide products.

GCSAA position statement:

GCSAA shares in EPA's commitment to ensure that actions carried out by it and other federal agencies should not harm endangered species or threatened species or result in the destruction or adverse modification of their critical habitat. GCSAA and its members have long-standing support, involvement and implementation of environmental stewardship programs that protect wildlife species and habitat throughout the U.S. GCSAA supports EPA and USDA working with federal fish and wildlife agencies to promulgate new rules that establish clear and equitable procedures for notice and comment on the EPA's pesticide effects determinations for endangered species and subsequent actions including draft Biological Opinions and potential product restrictions. The new consultation process should be responsible, streamlined and sustainable.

GCSAA supports language in the 2018 Farm Bill that would streamline the consultation process between federal agencies under the ESA and would also limit the abilities of litigation efforts to cause unnecessary delays and burdens in the pesticide registration process.

GCSAA also supports implementation of the Trump Administration's January 31, 2018 Memorandum of Agreement between EPA-Interior-Commerce which establishes an interagency Working Group to evaluate and improve the Endangered Species Act consultation process for pesticide registration.

Coalitions/affiliations:

Responsible Industry for a Sound Environment (RISE) - www.pestfacts.org
Pesticide Policy Coalition (PPC)

Pollinators (Sub-Issue)

Issue information:

GCSAA recognizes the importance of native pollinators in our ecosystem and their significant contribution to our quality of life. GCSAA is aware of and concerned about the issue of pollinator decline. Researchers are working to determine exact causes of decline and the association supports expedited review of the many potential factors that contribute to pollinator issues. GCSAA will continue to support use of best management practices that provide habitat through native areas as well as the professional use of inputs through training and education and the use of IPM practices. There are golf facilities providing apiaries that provide a great education platform to create awareness of pollinator issues Americans face.

In 2015, the White House Pollinator Health Task Force published its report, *National Strategy to Promote the Health of Honey Bees and other Pollinators*. EPA's portion of the strategy reviewed its current and planned actions on pollinators, including its plan for pollinator risk assessments, new testing guidelines and mitigation through state pollinator plans. EPA issued a proposed rule to adopt mandatory pesticide label restrictions to protect managed bees under contract service. EPA also issued a proposed rule regarding *Risk Management Approach to Identifying Options for Protecting the Monarch Butterfly*. There has been a steady increase in the number of "pollinator free" cities across the country and big box retail stores have been phasing out the use of neonicotinoids.

GCSAA position statement:

Golf course superintendents need to conduct pest control activities and those should be done in accordance with comprehensive IPM strategies while also complying with labeling laws set forth by FIFRA and EPA rulemakings. GCSAA will continue to monitor and engage in regulatory activities that directly impact active ingredients used on golf courses. GCSAA will monitor indirect activities but will engage only if impacts to golf courses are imminent.

Golf facilities contribute valuable green space within any watershed and community. Within the golf course, natural and/or native areas provide opportunities to provide habitat for wild pollinators and honey bees. Golf course superintendents should continue to develop, protect and manage areas for wildlife and pollinator habitat. One key guide is the resource provided by the USGA and Xerces Society, "Making Room for Native Pollinators." Honey bees will benefit from these efforts as well.

Coalitions/affiliations:

Responsible Industry for a Sound Environment (RISE) - www.pestfacts.org
Pesticide Policy Coalition (PPC)

Value of Golf

Issue information:

Golf is a sport played by more than 24 million Americans and enjoyed as a favorite spectator activity by millions more. But it is far more than a game: golf is a leading U.S. industry that makes a wide variety of positive contributions to society. 76 percent of golf facilities are open to the public. Approximately 8 of 10 golfers play on public courses.

Turfgrass comprises 60+ million acres; 4th largest crop in the U.S. Turf is horticulture's most omnipresent crop worldwide. The 2 million acres on our nation's golf courses provide golfers with playing conditions that promote health and well-being while serving as important green spaces in communities.

In 2016, the golf industry released new health and wellness data. A regular game of golf is likely to increase life expectancy and lead to better physical health, according to University of Edinburgh researchers. The review of 5,000 studies on golf and wellbeing found physical benefits increased with the player's age. The study is part of the Gold and Health Project, which is led by the World Golf Foundation. Walking 18 holes is equal to a 5-mile walk or 3.5-to-4-mile run. Playing golf and walking 18 holes can burn up to 2,000 calories. Golfers exceed 10,000 steps in a typical round of golf, meeting the recommended guidelines for daily exercise.

Most golf facilities in the U.S. qualify as small businesses according to the Small Business Administration. The golf facility size standard to be qualified as a small business is \$15 million in average annual receipts. Unfortunately, golf has been excluded from receiving benefits from several prominent pieces of federal legislation including relief for the victims of Hurricanes Katrina and Rita, relief to victims of natural disasters across the country in 2008 and 2009, and in 2009 with the federal economic stimulus bill. Continued exclusion of the golf industry – a major generator of jobs and tax revenue across the country – from relief and stimulus measures being considered by Congress is a serious challenge facing the industry.

Collectively golf is big business, but as an industry comprised mostly of small businesses, its longevity and sustainability are sensitive like other industries to the uncertainty of economic conditions and impacts of unnecessary regulation. Many individual golf facilities often operate on small profit margins.

GCSAA position statement:

Golf is more than a game – the 2016 U.S. Golf Economy Report quantified golf's annual direct economic impact as \$84.1 billion, the industry provides nearly 2 million jobs and \$58.7 billion in wage income. In total, the U.S. golf economy exceeds \$191.9 billion in direct, indirect and induced impacts. The golf industry produced \$25.7 billion in travel expenditures in 2016. Golf's core industries exceed the charitable impact of the Major League Baseball, National Football League, National Basketball Association and National Hockey League combined. As a significant contributor to the U.S. economy, the continued health and growth of the golf industry has a direct bearing on jobs, economic development and tax revenues for thousands of communities across the country.

Golf facilities are good for the communities they serve. Golf contributes to society by providing economic, human, health/wellness and environmental benefits. Golf facilities are professionally managed by individuals who have achieved various levels of certification, they serve as managed open green space providing habitat for wildlife, and they generate \$3.9 billion for charity each year. Golf as a fundraising vehicle includes an estimated 12,700 golf facilities, 143,000 events, 12 million participants and raises \$26,300 average per function. Golf courses are a valuable use of land and can provide solutions to problems resulting from land degradation and urban development, including stormwater management, wetland mitigation and brownfield redevelopment.

GCSAA supports partnerships and collaboration with federal and state commerce departments and federal, state and local chamber of commerce organizations to advance the growth of the game of golf. Golf should be included in federal catastrophic relief targeted at businesses following natural disasters. Golf should have access to federal incentives and funding that stimulates the golf industry. Local and

state golf associations should continue to invest in economic impact reports as a means to educate local, state and federal policymakers on the values of the golf industry.

GCSAA and the National Turfgrass Federation need support to promote turfgrass research and its many benefits, aided by academia, competitive government grants, and private industry. Turfgrass should be recognized as an important specialty crop by the USDA and Congress. GCSAA urges Congress to prioritize future turfgrass research funds via the Farm Bill and annual Agriculture Appropriations legislation. Farm Bill funding will support research that encourages discovery of solutions in areas ranging from drought and water conservation to soil erosion mitigation and enhancing commercial, recreational and residential spaces.

Coalitions/affiliations:

We Are Golf

Water

Issue Information:

Water availability, water quality, water rights, water use and water costs are significant issues for golf courses at all levels of government. Some areas of the U.S. require golf courses to use reclaimed, effluent or other nonpotable water sources for irrigation and it is important that there is access to water suitable for use on turfgrass. Many golf course superintendents monitor water quality of streams and groundwater. Golf courses can also have a significant impact on groundwater recharge, especially in suburban areas. Proper management and conservation of water resources is an important issue for golf course management.

Efficient water use and water quality management on golf courses requires up-to-date technologies, continuing education, scientific research, and sound management practices by golf course superintendents. Innovations at golf facilities include the use of soil sensors, reclaimed water, sophisticated weather instruments such as weather stations, weather sensors, wetting agents, irrigation controls, VFD pump controls, drought- and salt-resistant grasses, water conservation and water protection practices. Golf facilities are making significant capital investments in these water conservation technologies in order to demonstrate their commitment to environmental stewardship. Specific water issues include:

- Water Quality - surface and groundwater protection, nutrient loading, non-point source pollution, reclaimed water
- Water Quantity - effluent/reclaimed water, drought, conservation of water resources

GCSAA position statement:

Golf course superintendents are responsible stewards of water resources. GCSAA supports collaboration with all levels of government to address water use and quality issues and for golf course superintendents to be involved in the construction of productive public policy related to water issues. GCSAA supports water conservation and water quality protection laws and regulations that are based on sound science and credible data and promote the values of turfgrass and professionally managed landscapes.

GCSAA supports the development and use of science-based best management practices (BMPs) for water conservation and water quality through superintendent–regulator–university partnerships at the local and state levels of government. To support this, the GCSAA launched in 2017 the 50 by 2020 BMP initiative. The goal is to have all 50 states with a BMP program in place by 2020 to ensure protection of human health and the environment and demonstrate the industry’s commitment to environmental stewardship.

Public policy can help accelerate the adoption and implementation of water management on golf properties through incentives, including cost sharing, regulatory relief, tax credits, rebates and technical assistance. GCSAA supports the development and promotion of environmentally responsible economic and regulatory incentives for: installation of efficient irrigation products and systems; retrofits of existing irrigation systems with water-efficient technologies; and design and maintenance practices that foster and support efficient irrigation.

Coalitions/affiliations:

U.S. EPA Pesticide Environmental Stewardship Program; Irrigation Association; WateReuse Association
Waters Advocacy Coalition

Water Quality (Sub-Issue)

Issue Information:

Water quality is a critical issue for golf facilities for both surface water and groundwater. Golf courses serve as important water treatment systems. Healthy turfgrass is a filter that traps and holds pollutants in place; golf courses serve as catch basins for residential and industrial runoff; many courses are effective disposal sites for effluent wastewater and have agreements with local municipalities for this purpose.

Modern turfgrass management practices greatly reduce the potential for leaching or runoff into water supplies. Independent university research supports the fact that well-managed golf courses do not pose significant risks to environmental quality, wildlife or human health.

Some areas of the U.S. require golf courses to use reclaimed, effluent or other nonpotable water sources for irrigation and it is important there is access to water suitable for use on turfgrass. Many golf course superintendents monitor water quality of streams and groundwater. Golf courses can also have a significant impact on groundwater recharge, especially in suburban areas. The turfgrass system acts as a living filter for reclaimed wastewater as measured by the leachate that percolates below the rootzone. This leachate helps with the recharging of aquifers.

In April 2014, the U.S. EPA and the Army Corps of Engineers issued a proposed rule that would redefine “waters of the United States” under all Clean Water Act (CWA) programs. The proposed regulation broadened the scope of CWA jurisdiction beyond constitutional and statutory limits established by Congress and recognized by the Supreme Court. In addition to raising serious legal issues, the proposed rule failed to provide clarity or predictability, and raised practical concerns with regard to how the rule would be implemented. The Clean Water Rule would result in duplicative and incongruent regulatory requirements inconsistent with the purpose and structure of the CWA.

The Trump Administration is in the process of repealing and replacing the Obama Administration’s Clean Water Rule. Since the 2015 Clean Water Rule (commonly known as “WOTUS”) was first proposed by EPA and the Corps, GCSAA has repeatedly argued that its sweeping scope over rivers, streams, wetlands and ditches would result in an expensive, unpredictable and unnecessary permitting process for golf courses across the country. GCSAA supports efforts by EPA and the Corps and within Congress to repeal WOTUS and replace it with a rule that protects water while providing clarity to golf course superintendents regarding the inputs they use at their facilities.

GCSAA position statement:

GCSAA supports water quality protection laws and regulations that are based on sound science and credible data and promote the benefits of turfgrass and professionally managed landscapes. GCSAA supports the use of reclaimed, effluent or other non-potable water for golf course irrigation when the water quality is suitable for plant growth and there are no public health implications. GCSAA does not support mandated use of reclaimed water when the water quality or water quantity is not adequate, when use is not cost effective or when the golf course superintendent does not play a key role in the decision-making process for the development of effluent water standards.

Properly maintained turfgrass provides many community benefits including: critical “greenspaces”; habitat for birds and other wildlife; temperature buffer, recreational opportunities; capture of run-off pollutants in stormwater, and carbon sequestration and oxygen production. In addition, many entities both public and private rely on healthy greenscapes such as golf courses as a key component in maintaining financial revenues.

GCSAA does not support Congress, EPA or the Army Corps of Engineers expanding the jurisdictional reach of the federal Clean Water Act. This would be an unprecedented expansion of the regulatory authority of the federal government. Expanded federal jurisdiction would pre-empt traditional state and local government authority over land and water use decisions and alter the balance of federal and state authority. Increased delays in securing permits will raise costs of and impede many economic activities. GCSAA supports efforts by the Trump Administration to repeal and replace WOTUS to protect the principles of cooperative federalism in the Clean Water Act and recognize the role that golf course superintendents play as responsible stewards of water resources.

Coalitions/affiliations:

EPA Pesticide Environmental Stewardship Program; WateReuse Association; Waters Advocacy Coalition

Water Quantity (Sub-Issue)

Issue Information:

Among the most important issues facing the future of the game of golf is that of water use. Golf courses rely on water to irrigate the landscape on which the game is played. Often, golf courses are highly visible features in communities and are targets for criticism during periods of drought when homeowners and others are restricted in their use of potable water.

The Golf Course Environmental Profile (GCEP) Water Use and Conservation Survey showed that golf facilities nationally account for one-half of one percent of all water withdrawn annually and just one and one-half percent of all irrigated water applied. In 2014, U.S. golf course superintendents were using 21.8 percent less water on average and just 1.44 percent of all irrigated water in the U.S. to maintain their courses. The 2014 Water Use and Conservation Practices on U.S. Golf Courses survey results, phase 2 of the GCEP, were from more than 1,900 golf course superintendents. The study shows us that the golf industry has been addressing water issues for an extended period of time and is realizing positive results.

Golf facilities must proactively conserve water. Conserving water on golf facilities is essential to becoming a sustainable business. Optimizing the acreage of irrigated turfgrass, implementing best management practices, utilizing technology to make water application decisions, conducting an irrigation system audit along with an audit of the non-golf course water uses at the entire facility are key to becoming responsible users of water. The golf industry takes steps to responsibly use water and reduce the reliance on potable water.

- Superintendents utilize information from multiple sources as part of their decision to apply water. Most facilities utilize direct observations of turfgrass and soil conditions. They also utilize weather and evapotranspiration data (2014: 17.9% of golf courses overall).
- Utilizing improved grasses that rely on less water.
- New irrigation system technologies.
- Irrigation best management practices.
- Alternate water sources.

GCSAA position statement:

GCSAA supports water conservation and the utilization of irrigation/water use best management practices (BMPs). GCSAA supports golf facilities utilizing irrigation system audits as a means to increase the effectiveness of the irrigation system and conserve water. GCSAA supports active collaboration with state and local officials to enact appropriate drought restrictions. GCSAA supports the creation and use of written drought management plans by golf facilities that are subject to drought cycles.

Regulatory agencies and golf courses should work together to develop conservation plans and BMPs. Regulations need to be based on sound science. Regulatory agencies need to look at golf courses as small businesses and important members of the community.

Properly maintained turfgrass provides many community benefits including: critical "greenspaces"; habitat for birds and other wildlife; recreational opportunities; temperature buffer; capture of run-off pollutants in stormwater; and carbon sequestration and oxygen production. In addition, many entities both public and private rely on healthy turfgrass as a key component in maintaining financial revenues.

Golf facilities should continue to take advantage of technology as part of the irrigation decision-making process to conserve water. The utilization of data from soil sensors for irrigation scheduling decisions is likely to increase in the future as the equipment becomes more reliable and affordable. GCSAA supports the development and promotion of environmentally responsible economic and regulatory incentives for water conservation: installation of efficient irrigation products and systems; retrofits of existing irrigation systems with water-efficient technologies; and design and maintenance practices that foster and support efficient irrigation.

Coalitions/affiliations:

U.S. EPA Pesticide Environmental Stewardship Program; Irrigation Association