



July 19, 2017

City of Sanford, Florida
300 N. Park Ave.
Sanford, FL 32771

Re: Fertilizer Ordinance

Dear Mayor Triplett, City Commissioners and City Manager Bonaparte:

Our organization, the Environmental Research & Education Foundation (EREF), represents the green industry throughout Florida. Our stakeholders work in turfgrass production and installation, golf, sports turf, landscaping, professional lawn care and affiliated industries.

The purpose of this letter is to provide you with comments on the upcoming second reading of your fertilizer ordinance on July 24, 2017. We have reviewed the draft ordinance and not it to be similar to the one recently passed by Seminole County. We believe this is not in the best interests of the natural systems or the citizens in Seminole County or in the City of Sanford.

OUR POSITION: We support the passage of the Florida Department of Environmental Protection's (FDEP) Model Fertilizer Ordinance as amended to comply with the provisions of the 2016 Florida Springshed and Aquifer Protection Act. However, we strongly oppose any provision banning the application of fertilizer during the summer rainy season (the summertime fertilizer blackouts – SFBs) or otherwise as further discussed below.

EREF and its stakeholders DO NOT support the SFBs **as a matter of established science**. This is essential as a matter of good policy development and for the prospect of achieving REAL water quality protection – not the pretense of it. The following points more fully explain our position on the SFBs:

- The SFBs originated **as nothing more than a theory and a strategy** for nutrient reduction, but were NEVER supported by any credible scientific evidence.

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Moreover, they were based on a misconstruction of BMP literature as noted in Exhibit 1.

- ❑ The SFB's are NOT supported by FDEP, FDACS, the WMD's or UF/IFAS.
- ❑ The peer-reviewed 2012 FDEP Nutrient Leaching Study conducted over 10 years and generating over a million data points concluded **UNEQUIVOCALLY** that **nitrogen does not leach or runoff from actively growing turfgrass in the summer**, even under circumstances of over-fertilization and soil saturation. That report can be found at the following link. <http://wfrec.ifas.ufl.edu/turfgrass-science/nutrient-management-research/fdep-funded-study/>
- ❑ A recent peer review of the MACTEC study of the Wekiva River Basin by Dr. Stuart Cohen (Exhibit 2) demonstrated that the conclusions reached by MACTEC with respect to residential nitrogen contributions to the basin were wrong and should not have been the basis for policy making.
- ❑ No jurisdiction which has adopted a SFB has any credible evidence of the effectiveness of the SFB on impacting nutrient loading. The environmental staff from nearby Orange County is on the record with respect to this fact. Conversely, anecdotal, observable and measurable evidence in Tampa Bay and the Indian River Lagoon demonstrates that the SFBs have had no favorable impact whatsoever, and may have led to additional loading.
- ❑ Most jurisdictions acknowledge their intention NOT to enforce the SFBs and rarely have any recorded complaints. This approach from the outset renders them useful only as a potential education tool, presuming there is a meaningful effort to educate. While intensive education SHOULD BE the centerpiece of nutrient-management policy, the SFB is an inefficient, clumsy and ultimately punitive means of achieving any substantive education benefit. MUCH BETTER education models exist (e.g. see the highly-effective messaging efforts of the State's WMDs).

Recently, Orange County also considered amending their existing ordinance to conform to the Seminole County model. After an extensive stakeholder input process, those changes were REJECTED by unanimous votes of both the Orange County Environmental Protection Commission and the Orange County Board of County Commissioners.

If you were to choose to proceed with the Seminole County model, we would strongly encourage you to include exemptions to the SFB for licensed lawn-care professionals and BMP-trained homeowners. This revision of the SFB model was also recently passed by Citrus County, home to four first-magnitude springs.

Finally, it is important for us to address comments from the activist community about our people and our industry. To be candid, it is reflexive and insulting for "environmentalists" or anyone else to construe any effort on the part of our industry and its hard-working people, or any science supporting our positions regardless of its source, as defending a polluting status quo and as motivated by money. This kind of PROFILING and AD

HOMINEM ATTACK should be unacceptable to all reasonable people. **To be very clear, our industry has a well-documented evidence-based culture of natural system protection, backed by decades of research, training and education.**

EREF stands ready to assist the City of Sanford and any local government in finding real solutions to nutrient loading. Addressing real septic policy and reform, increasing the beneficial use of reclaimed water, and INTENSIVE CONSUMER EDUCATION AND MESSAGING, among many other contributing factors, are all part of the picture.

Thank you for your consideration of our views on this important matter and all you do for water quality in the City of Sanford.

Sincerely,

ENVIRONMENTAL RESEARCH & EDUCATION FOUNDATION

A handwritten signature in purple ink, appearing to read "Mac Carraway", with a large, sweeping flourish at the end.

Mac Carraway, Executive Director