

ALACHUA COUNTY COMMISSION EMAILS

3/27/2019

Good Afternoon Commissioners:

My name is Mac Carraway (Executive Director – Environmental Research & Education Foundation) and I represent stakeholders in Alachua County and statewide on water policy legislation like your existing and proposed fertilizer ordinance. I have been actively involved in protecting Florida's water through water conservation and water policy advocacy for over 25 years. I encourage you to check me out.

I would normally have been at your last workshop where Ms. Greco made her presentation but had a conflict. I provided her with some talking points entitled "Issues Affecting the Development of Evidence-Based Fertilizer policy" which I am told were distributed to you. They are attached again for your convenience. Interestingly, I was on a panel with Ms. Greco last week at the University of Florida where some related topics were addressed. It was a lively discussion and some of Ms. Greco's comments were interesting and revealing. More on that at another time.

One reason for this email is to see if I could speak with each of you on the phone for a few minutes to offer some thoughts on your proposed ordinance. I watched the video of your most recent workshop and what struck me as remarkable was the absence of any evidence being provided that summertime fertilizer blackouts work - period. What I can tell you unequivocally is that the summertime fertilizer blackouts **DO NOT WORK**. They have been implemented around the state (in some cases for 10 years or more) with no material benefit in any such location. I am prepared to support that statement further and will do so.

As properly stated by your County Attorney during that workshop, Florida Statute requires that restrictive fertilizer regulations over and above the FDEP Model /Ordinance be based on some competent evidence of their effectiveness for the record. That has simply not happened with respect to the proposed and dramatic changes.

Your local constituents who strongly dispute the regulatory need for your proposed ordinance have recommended to Ms. Greco that you receive a briefing on the FDEP report on fertilizer leaching, as well as one from our organization, which has been following these ordinances in Florida for over ten years. Both have been curiously denied. Investing even a few extra minutes in this information seems particularly important to achieve some semblance of

balance in the information that has been presented to you. Images and commentary present in the workshop video confirm that balance has been missing.

Finally, your consideration of a 9-month fertilizer blackout, found nowhere else in Florida, is at odds with your existing winter-only blackout ordinance which is aligned with the peer-reviewed science (and similar to those in Citrus and Hernando Counties). It's not clear from the evidence why you would want to depart from your current reasonable approach. Adding the summertime months actually increases your exposure to nutrient loading. However appealing the theory of adding additional months of blackout may seem to be, it is only a theory, and there is no evidence justifying it. On the contrary, the behavior of fertilizer properly applied to actively growing landscapes is a function of well-established soil science, plant physiology and biology. Isn't that important?

I can go on about this at length and will most certainly be at your public hearing. My real hope is that you would authorize, maybe even welcome, a ten-minute informational presentation by our organization at that hearing and not relegate our views and the views of many of your constituents to just 3 minutes at the podium. We have made similar presentations recently by invitation in the City of Venice, Collier County, the City of Naples and elsewhere where we have been received warmly and professionally.

Thank you for reading this Commissioners. We would really appreciate a small bit of your time to offer some additional facts for you to consider.

3/28/2019

Good Afternoon Commissioners –

Concerns about fertilizer come from the potential that it contains nitrogen (N) and phosphorus (P). Since P has been absent from both professionally-applied and consumer-bagged urban fertilizers for many years, N is the only real issue at hand.

Going one step further, the N from fertilizer is a very particular and identifiable kind of N. Confusingly and very unfortunately, virtually all discussions of nitrogen loading are about “Total Nitrogen” or “Kjeldahl Nitrogen” as if those were the same thing as fertilizer, which they simply are not.

Total Nitrogen includes nitrogen from all sources:

- Atmospheric deposition
- Septic leaching
- Stormwater
- Reclaimed water
- Animal waste
- Decomposing plant material
- Sewage spills
- Irresponsible or improper (BUT NOT ALL) fertilizer use (we are very much opposed to this one too, by the way)

Think of Total Nitrogen like Total Traffic, and Fertilizer like Motorcycles. The presence of Total Traffic or changes in Total Traffic do not mean there is a presence of or a change in Motorcycles.

What's the Point? No local government enacting or proposing a summertime fertilizer blackout we are aware of has presented any evidence of having conducted any testing or sampling for the presence of the stable isotopes of fertilizer in its impaired waters (before or after implementation), nor indicated any intention to do so. How is that even possible? It suggests a disregard for evidence. Drilling down further, none have presented any evidence that professional applicators have contributed to any such loading. The costs and processes for obtaining these isotope-specific tests are certainly reasonable and should be conducted professionally in an independent and statistically sound process and then made available before any implementation of such dramatic regulatory actions. **We are not fearful of the prospective results, even if they justify your proposed ordinance.**

With that said, it is impossible to imagine implementing the regulation of any other profession or activity without having clearly demonstrated a specific

linkage. Once again, the general presence of Total Nitrogen is not evidence that proper and professional applications of fertilizer are a contributor.

Thank you for your consideration.

3/29/2019

Good Afternoon –

The efforts related to the successful management of nutrient loads in the Chesapeake Bay were examined by EREF, with the following highlights:

- ❑ The Chesapeake Bay TMDL is the largest nutrient TMDL in the world and serves as the gold standard for large-scale watershed nutrient management.
- ❑ The Chesapeake Bay turf fertilization rules were created by the University of Maryland and are a mirror image of the FDACS Urban Turf Rule in terms of establishing limited local fertilizer application rates, and a confirmation of the *FDEP WM869 Study* that encourages winter rather than summer blackouts – and discouraging the baffling logic of the current blackouts which promote starving plants during their growing season and feeding them during their dormancy (resulting in the detrimental impacts noted in the professional scientific and academic literature and in the following point).
- ❑ The Chesapeake Bay TMDL establishes that turf nutrition and turf health during the summer growing season are critical to the prevention of erosion and to the protection of the Bay. Erosion (the real mortal enemy of water quality) arising from nutrient-deprived turf stands and landscapes were determined to result in an increase in nutrient loading as well as in total dissolved solids.
- ❑ As a corollary, an extension of Alachua County's blackout to include the summer months (and more) will compel homeowners and others to act out of human nature, likely exceeding recommended application rates during dormancy – all resulting in the inevitable consequences of off-season nutrient migration, completely contrary to the outcomes which the County is intending to achieve.

Commissioners, you don't need to reinvent the wheel, particularly when so much effort has gone before you. In fact, your current ordinance is better than most and entirely supported by the literature. Please consider this fully in your deliberations.

Thank you.