



May 5, 2023

Hernando County Board of County Commissioners
Via email to planning@hernandocounty.us

Re: Submission for BOCC Agenda packet for May 13 Public Hearing on Fertilizer Ordinance

Dear Chair Hawkins and Commisioners,

After reviewing [Dr. Unruh's presentation](#) and supplemental materials that were presented on March 25, we would like to reiterate that they contain nothing that would warrant justifications to modify Hernando's strict, no-exemption, rainy season ban on urban fertilizer containing Nitrogen and Phosphorus. **We respectfully request that you keep Hernando's current fertilizer ordinance with a strict rainy season ban as no further amendments to the ordinance are needed at this time.** We offer the following rationale:

Dr. Unruh makes the point that the best time to fertilize is during the growing season. Fortunately, this goal can be achieved with both a summer (June 1-September 30) and winter (December 1-March 31) blackout. In order to continue to make Nitrogen available to growing grass, and save homeowners money, Hernando's strict ordinance:

- **Encourages the use of slow-release fertilizer products** to meet nutrient needs and support growth of healthy vegetation through the spring and summer growing months.
- **Allows fertilizer application in April, May and October** to provide sufficient time for applications during the active growing season identified by IFAS.
- **Allows the application of summer safe (zero N, zero P) micro-nutrient blends, Magnesium, and Iron** during the growing season.
 - [Pinellas County maintains an active record of compliant and non-compliant fertilizer products](#) that are available to retailers, DIYers, and lawn care professionals to help all stakeholders achieve the goals of healthy green lawns/urban landscapes and improved water quality.

You should find the following resources and analysis helpful as you prepare for next Tuesday's meeting and public hearing. I will also be available should you have further questions either before, during, or after next week's meeting.

Regarding the [UF/IFAS evaluation on the Effectiveness of the Timing of Seasonal Fertilizer Restrictions on Urban Landscapes, Specific Appropriation 146 Final Report](#), nothing in the

evaluation suggests that seasonal urban fertilizer bans are bad for water quality. In fact, it concludes that:

1. Urban fertilizer bans are low to no-cost to taxpayers and local governments;
2. Both professional landscape management and urban fertilizer manufacturing companies have had strict rainy season ban alternative products and visitation schedules in place for well over 15 years;
3. Cost-effective measures like urban fertilizer bans are important to reduce the need for more costly infrastructure projects; the findings of the “evaluation” suggest urban fertilizer controls should continue to be under the purview of local governments.
4. The studies reviewed by IFAS show that the “strong” fertilizer ordinances with a summer/rainy season ban have a positive impact on water quality.

These conclusions supported an end to the moratorium on adopting more stringent fertilizer ordinances across Florida that was imposed from July 2023 through June 2024, leading the Legislature to sunset that moratorium during the 2024 Legislative Session. As of July 1, 2024, all local governments were again free to explore using this critical tool for protecting water quality.

As for the [EFFECTS OF URBAN FERTILIZER ORDINANCES ON WATER QUALITY](#) (ASK IFAS) publication, it is important to note compare [the included map](#) to [this list of rainy season ban ordinances and their dates of adoption](#). You will note:

- The inaccurate summer ban representation. Most counties listed as having “summer bans” did not have active or strict bans during the study period (2000–2019).
- Most of the data analyzed either predated the ban implementations or came from jurisdictions without true bans, weakening the causal attribution to summer bans.
- Many Gulf Coast counties that enacted early rainy season bans (2007–2010) were not included in the study.

A more detailed analysis is [attached and linked here](#) for your review.

Your [staff's presentation](#) also points out that urban fertilizer is a significant source of pollution to the waterways of Hernando County. For context, according to studies conducted by the SWFWMD and FDEP for the [Nitrogen Source Inventory Loading Tool and BMAP](#), urban turf fertilizer contributes ~20% of nitrogen loading in the Weeki Wachee Springshed while septic (OSTDS) contributes ~45%.

Strict urban fertilizer management is also a far more cost-effective tool to achieve nutrient pollution reductions than is septic-to-central sewer conversion. According to recent studies, the

“average” Florida septic tank contributes approximately 19 lbs-N/yr to groundwater and costs approximately \$15,000 per unit to be connected or upgraded.

In 2019, Alachua County updated the fertilizer code and funded a targeted social marketing campaign to determine how effective its fertilizer ordinance has been in creating behavior change and removing nitrogen. A WSP analysis found that through fertilizer ordinances and marketing Alachua County’s Nitrogen removal costs ranged from **\$1.35 - \$8.28 per lb-N/yr** which is a **fraction** of the cost for septic to sewer conversions.

- You can see more details on this from a presentation given by Alachua County’s County Water Resources Program Manager, Stacie Greco ([timestamp: 50:25](#); her entire presentation runs from 40:00-52:20)

Please note that there are a number of methodological errors in the cited article, “[Sources and concentrations of nutrients in surface runoff from waterfront homes with different landscape practices](#)” by Krinsky et al (2020). Their study covered just one wet season, sampled only 10 homes, and had a number of uncontrollable variables that were not considered (e.g. the study did not even verify if residents adhered to the blackout period). While there may be issues with their publication, the authors do acknowledge the following:

This study was not able to confirm the efficacy of fertilizer blackout periods, but it has been estimated that a minimum of 7 years of monitoring would be necessary to see any statistically significant effects on water quality (Tampa Bay Estuary Program, 2015).

This study affirms that fertilizer ordinances are a long-term nutrient management strategy, particularly in areas with considerable organic nutrient pools such as in this study site (page 9).

[Linked here](#) is a more detailed critical perspective.

Finally, attached and [linked here](#) you will also find a 2024 letter to former Senate President Kathleen Passidomo from Casey Fitzgerald, former Vice-Chair of the 2007 Florida Consumer Fertilizer Task Force while Assistant Director of the Department of Water Resources at the St. Johns River Water Management District, and Dr. George Hochmuth, University of Florida (UF/IFAS) Professor Emeritus of Soil, Water, and Ecosystems Sciences, with regard to their promotion of the end to the aforementioned 2023 moratorium.

Healthy turfgrass and improved water quality are not mutually exclusive goals. There is nothing to warrant Hernando County to revise the current blackout dates.

Regards,

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