



PUBLIC COMMENT FORM

◆ NOT Required for Public Hearings or Citizens' Comments ◆

THE BOARD OF COUNTY COMMISSIONERS VALUES YOUR PARTICIPATION

Please fill out one form at the beginning of the meeting for each item (**except Public Hearings or Citizens' Comments**) you wish to address and submit to the County Administrator. When the Board comes to that item/portion of the agenda, the Chairman will call speakers to the podium from these forms in the order received.

Please PRINT all information.

Name: Michael McGrath

Address: 1 Youngs Ct N Saint Petersburg Zip: 33705

Indicate Agenda Item Number: M 12273

Brief description of your comments:

Support for fertilizer ordinance but addressing
missing provisions under (FOI) "Sec 28-510"

Limited agenda time and the need to conduct meetings in an orderly fashion require that you adhere to the following guidelines for Citizens' Comments:

- A three-minute time limit per speaker will be adhered to.
- Time may not be yielded to other speakers.
- Discussion cannot include issues acted upon at an earlier date.
- The Chairman has the right to limit discussion if the subject is outside of the authority of the Board of County Commissioners or if the discussion regarding an issue is repetitive.
- The Chairman has the authority to request Board approval for an extension of time if he/she deems it appropriate.

May 19, 2023

Chairman John Allocco
Vice Chair Elizabeth Narverud
2nd Vice Chair Steve Champion
Commissioner Brian Hawkins
Commissioner Jerry Campbell



RE: Two Missing Standard Provisions and One Major Loophole in Draft Proposed Urban Fertilizer Ordinance

Dear Commissioners,

Thank you for embracing strict rainy-season urban fertilizer management and your sense of urgency to get these improvements passed prior to June 29. Avoiding fertilizer application before Florida's heavy summer downpours is the cheapest and easiest way to stop urban stormwater pollution at its source.

After reviewing the draft proposed fertilizer ordinance Florida Springs Council, Nature Coast Conservation, Save the Manatee Club, and Sierra Club Florida found:

- Two critical, standard provisions missing in "Sec. 28-510 Fertilizer Content and Application Rates" (lines 4-12):
 - the minimum 50% Slow-Release Nitrogen (SRN) content requirement; and
 - an annual limit of four (4) pounds of Nitrogen (N) per one thousand (1,000) square feet.
- One major loophole related to a "tissue test" that effectively undermines the entire rainy season blackout period.

The minimum requirement for Slow-Release Nitrogen:

The minimum 50% SRN requirement standard for Nitrogen (N) content was established in 2007 and is not controversial.

Requiring a minimum requirement for Slow Release Nitrogen is always, in every rainy season ordinance in the state, coupled with the rainy season blackout period because the use of at least 50% SRN is utilized to provide turf a slow infusion of N throughout the application blackout period. These strong ordinances work precisely because of that coupling which ensures the turf gets enough—not too much and not too little—Nitrogen until the rainy season ends, and the fall applications can commence.

Smart lawn maintenance professionals will probably use SRN before the blackout period—with or without the requirement—but many local residents won't, which may lead to a slight yellowing of lawns and dissatisfaction with this important pollution control measure. While both grass clippings left after mowing and atmospheric deposition from electrical storms (lightning) provide N to turf throughout the summer, it is the SRN applied *before* the rainy season that has proven to keep lawns a more aesthetically appealing green. When the use of SRN is coupled with the blackout period, the result is actually healthier turf—less pest infestation and less Take-All Root Rot.¹

For example, the Sarasota County language, adopted in 2007, still works today:

- Sec. 54-1025: b) Fertilizers Applied to Turf and/or Landscape Plants within Sarasota County shall contain no less than 50 percent Slow Release Nitrogen per Guaranteed Analysis Label

As does the Manatee County language adopted in 2011:

- Sec. 2-14-65:
 - Granular fertilizers containing nitrogen applied to turf and/or landscape plants within unincorporated Manatee County shall contain no less than 50 percent slow-release nitrogen per the guaranteed analysis label
 - Liquid fertilizers containing nitrogen applied to turf and/or landscape plants within the County shall not be applied at a rate that exceeds 0.5 pounds per 1,000 square feet per application

Annual limit of four (4) pounds of Nitrogen per one thousand (1,000) square feet:

Adding a maximum annual application is consistent with other effective ordinances throughout the region. For the Central Region of Florida (which encompasses the region South of Ocala to Tampa) an annual limit of 3 or 4 lbs. per 1000 sq. ft. has been the standard since 2011. For the Southern Region of Florida (which encompasses the region South of Tampa) an annual limit of 4 lbs. per 1000 sq. ft. has been the standard since 2007.

The Sarasota County language, adopted in 2007:

¹ An “at least 50% SRN content requirement” translates to a limit of .5 lbs./1,000 sq. ft. of quick-release N allowed per application.

- Sec. 54-1025 (2007): c) Fertilizers should be applied to Turf and/or Landscape Plants at the lowest rate necessary. No more than four pounds of nitrogen per 1,000 square feet shall be applied to any Turf/landscape area in any calendar year.

The Manatee County language adopted in 2011:

- Sec. 2-14-65: Fertilizers shall be applied to turf and/or landscape plants at the recommended rate per the "Florida Friendly Best Management Practices for Protection of Water Resources by the Green Industries," in effect on the date of application, with no more than four pounds of nitrogen per 1,000 square feet applied in any calendar year

The above longstanding standards come directly from FDEP and UF-IFAS publications:

FDEP-IFAS FYN Handbook 2009 Edition The Florida Yards & Neighborhoods Handbook

- P 25: "Slow and controlled release fertilizers provide nutrients to plant roots over an extended period of time. This allows you to fertilize less frequently – and to prevent nutrients from leaving your landscape and entering waterways, contributing to harmful algal blooms and other water quality problems...it's a good idea to look for a fertilizer with higher amounts of slow-release nitrogen."
- P 26: "If using a quick release product, apply only up to 0.5 pound of nitrogen per 1000 square feet."

FDEP Florida Friendly Best Management Practices for Protection of Water Resources by the Green Industries (2021 GI BMP Manual):

- P 45: Nitrogen Rate and Frequency: "To limit the environmental impact of your fertilization program, it is recommended that no more than 0.5 pounds of water-soluble N per 1,000 square feet be applied in a normal application. Total N should be limited to 1 lb/1000 ft², per the Urban Turf Rule."
- P 45: In conclusion, a wide variety of slow-release materials is available. Under typical Florida conditions, slow-release N sources are likely to leach less than an equal amount of soluble N sources. However, leaching can still take place and some slow-release products may be subject to runoff of the nutrient containing slow release particles. Judicious use of professional judgment and a mixture of soluble and slow-release N sources are recommended.

General Recommendations for Fertilization of Turfgrasses on Florida Soils
PUBLICATION #SL21 by T. W. Shaddox (2023)

- P 3: “In light of potential environmental concerns it is now recommended that no more than one half (0.5) pound of the nitrogen in the application be in the soluble form. Thus in order to make an application of 1 pound of actual nitrogen per 1000 square feet of turfgrass you would need to use a blended fertilizer product containing no more than 50% of the total N in soluble form with the rest of the nitrogen originating from a slow-release N source.”
- P 4: “To avoid burn, never apply fertilizer at greater than the recommended rate of 0.5 pounds of soluble N per 1000 square foot per application.

UF-IFAS FLORIDA-FRIENDLY LANDSCAPING™ PROGRAM IN A MINUTE
EPISODE ARCHIVE Episode #35 | Original Air Date: April 17, 2020 ([AUDIO TRANSCRIPT](#)):

- “Slow-release fertilizer helps reduce pollution problems because it releases nutrients slowly, so that high concentrations of soluble nutrients are not present at any given time, that can be washed from our landscapes into waterways by rain and irrigation runoff.
- Slow-release fertilizers can also be applied less frequently, making them more cost-effective.
- If you choose to fertilize, look for a fertilizer with some of the nitrogen in slow-release form.
- Bags are marked “slow release” or “controlled release” and the label indicates the percentage of slow-release nutrients. Follow UF/IFAS application guidelines and be sure to check for any local ordinances.”

UF/IFAS Extension Seminole County: [GO SLOW! USE 65% SLOW-RELEASE NITROGEN \(SRN\)](#)

- “UF/IFAS recommends avoiding fertilization in Central Florida December - February, because the grass and landscapes are not actively growing. You can reach for that SRN product again March through May 31st. Following these best management practices is not only the law, but it’s the way to a scientifically beautiful landscape!”

Nitrogen tissue tests render the ordinance are unenforceable:

Tissue tests are loopholes that make a mockery of an otherwise strong ordinance. Any tissue test is, by necessity, done on single blades of grass that could be plucked from under a baby pool, a coiled garden hose, a brick, etc. Neither an N deficiency, nor a P deficiency, for that blade would denote a deficiency in the whole lawn and should never be the basis of adding additional N or P beyond the strong ordinance limits.

The remedy is to delete the terms “nitrogen or” and “or tissue” from lines 11-14 of your current draft proposed ordinance:

"(b) Fertilizer containing ~~nitrogen or~~ phosphorus shall not be applied to turf or landscape plants except as provided in (a) above for turf, or in University of Florida IFAS the UF/IFAS's recommendations for landscape plants, vegetable gardens, and fruit trees and shrubs, unless a soil ~~or tissue~~ deficiency has been verified by an approved test."

The Pinellas County soil test language adopted in 2011:

- Sec. 58-476: “No fertilizer containing phosphorus shall be applied to turf and/or landscape plants in Pinellas County, except where phosphorus deficiency has been demonstrated in the soil underlying the turf and/or landscape plants by a soil analysis test performed by a State of Florida-certified laboratory. Any person who obtains such a soil analysis test showing a phosphorus deficiency and who wishes to apply phosphorus to turf and/or landscape plants shall mail a copy of the test results to Pinellas County Watershed Management Division, Attention: Division Director, 300 South Garden Avenue, Clearwater, FL 33756 prior to the application of phosphorous.”

The Manatee County soil test language adopted in 2011:

- Sec. 2-14-65: “No fertilizer containing phosphorus shall be applied to turf and/or landscape plants in the county, except where a phosphorous deficiency has been demonstrated in the soil underlying the turf and/or landscape plants by a soil analysis test performed by a State of Florida certified laboratory. Any person who obtains a soil analysis test showing a phosphorous deficiency and who wishes to apply phosphorous to turf and/or landscape plants shall provide a copy of the test results to the county administrator prior to the application of phosphorous.”

We hope the above is helpful. Once the two missing provisions are added and the one major loophole is eliminated, Hernando County will have an ordinance that has language consistently found in the 17 “strong” county-wide and over 100 municipal fertilizer ordinances across the state that has been tested and proven effective over the last 16 years.

We look forward to continuing to collaborate with the County on this and other initiatives. Clean water is our mutual goal.

Regards,

DeeVon Quirolo
Nature Coast Conservation, President & Sierra Club Adventure Coast Group, Chair
352-277-3330
sierraclubadventurecoastcc@gmail.com
222 E. Liberty St. Brooksville, FL 34601

Michael McGrath
Sierra Club Florida Lead Organizer
Red Tide-Wildlands Campaign
386-341-4708
michael.mcgrath@sierraclub.org

Ryan Smart
Executive Director
Florida Springs Council
561-358-7191
Smart@floridaspringscouncil.org

Kim Dinkins
Sr. Conservation Associate
Save the Manatee Club
352-895-8693
kdinkins@savethemanatee.org

cc: Gordon Onderdonk, Director of Utilities, gonderdonk@hernandocounty.us
Alys Brockway, Water Resource Manager, ABrockway@co.hernando.fl.us
Jeff Rogers, County Administrator, JRogers@co.hernando.fl.us
County Administration, administration@hernandocounty.us
Hernando County Utilities Department (HCUD), HCUDCS@HernandoCounty.us
& Fertilizer@hernandocounty.us
Jon Jouben, County Attorney's Office, CAO@hernandocounty.us
County Code Enforcement, CE@HernandoCounty.us
Celeste Lyon, Wood Environment & Infrastructure Solutions, Inc.,
celeste.lyon@wsp.com
Suzy Baird, Wood Environment & Infrastructure Solutions, Inc.,
suzy.baird@wsp.com