



# PROHORT NEWS LETTER

## January 2012

### *Solutions for Commercial Horticulture Professionals*

## Why Point the Finger at Nonpoint Source Pollution:

### Fertilizer Use & Landscape Management Ordinances

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The last two installments of *Why Point the Finger at Nonpoint Source Pollution* presented information about nonpoint source (NPS) pollution and storm water run-off, and how urban areas can manage storm water run-off.

NPS pollution is air and water pollution that comes from large spread out areas that makes it difficult or impossible to identify a single source for the pollution. Stormwater run-off is one factor of NPS water pollution, and is rain that runs off streets, rooftops, parking lots, lawns and other land surfaces into the closest water body. As the water moves over surfaces, contaminants move with the water and get deposited into rivers, lakes, ponds and the Tampa Bay. The sediments from contaminants and excessive nutrients contribute to reduced water quality.

To help protect Florida waterways, fertilizer rules were formed to regulate fertilizer formulations and use. The *Florida Urban Turf Rule 5E-1.003(2)* limits the amount of phosphate content in no-phosphate fertilizers to a guaranteed amount of 0 percent. Fertilizers labeled as low phosphate must contain directions for application that do not exceed a maximum of 0.25 pounds of P<sub>2</sub>O<sub>5</sub> per 1000 square foot application. Fertilizers containing nitrogen must contain directions for application that do not exceed a maximum of 1 pound of Nitrogen per 1000 square foot application. The rule also requires that all turf or lawn fertilizer labels include these environmental stewardship instructions: *"Do not apply near water, storm drains or drainage ditches. Do not apply if heavy rain is expected. Apply this product only to your lawn/garden, and sweep any product that lands on the driveway, sidewalk, or street, back onto your lawn/garden."*

The Department of Agriculture and Consumer Sciences Urban Fertilizer Use Task Force provided recommendations for a standard fertilizer regulation and created the *Model Ordinance for Friendly Fertilizer Use on Urban Landscapes*. Highlights of the *Model Ordinance* include:

**Timing of Application:** Prohibits application of fertilizers containing nitrogen or phosphorous during the Prohibited Application Period, when heavy rain is likely or to saturated soils.

**Fertilizer Free Zones:** Prohibits application of fertilizers within 10 feet of any waterway. When using a deflector shield, drop spreader or liquid applicator with a sharply defined edge, a minimum of 3 feet shall be maintained.



**Low Maintenance Zones:** A voluntary 10 foot low maintenance zone is strongly recommended from any water body or from the top of a seawall.

**Fertilizer Content and Application Rates:** Fertilizers shall be formulated in accordance with Rule 5E-1003(2). This also addresses application timing and rates, as well as tissue and soil test requirements prior to fertilizer applications.

**Application Practices:** Requires spreader deflector shields, keeping fertilizer off impervious surfaces, cleaning up spills to impervious surfaces and keeping fertilizer away from stormwater drains, ditches, conveyances and water bodies.

**Management of Grass Clippings and Vegetative Matter:** Requires keeping grass clippings, vegetative matter and/or debris away from stormwater drains, ditches, conveyances, water bodies, wetlands, sidewalks and roads.

The model was drafted and approved by the Green Industries including the Department of Agriculture and Consumer Sciences (DACS), the Florida Department of Environmental Protection (FDEP), the University of Florida's Institute of Food and Agricultural Sciences (UF/IFAS), the Florida Association of Counties, Florida's water management districts and consumer and environmental community members.

The model provided a standard for fertilizer regulation, but also allowed local governments to create more stringent rules using the model as a guide. Local governments were entrusted to base local ordinances on science and use expert findings from DACS, FDEP and UF/IFAS. Interpretations of science have resulted in many different fertilizer use and landscape management ordinances and in rules that vary from county to county and from city to city within a county.

During 2011, Florida legislators identified the need to return to a uniform statewide model ordinance for residential fertilizer use in an effort to reduce the confusion and inconsistency resulting from the many ordinances and rules. Proposed legislative bills would provide DACS with more authority to regulate the sale and composition of fertilizer on a statewide basis and provide consistent fertilizer use and landscape management rules.

In the mean time, check your fertilizer use and landscape management ordinances and rules for your jurisdiction. The entire *Model Ordinance for Friendly Fertilizer Use on Urban Landscapes* can be found at [www.dep.state.fl.us/water/nonpoint/pubs.htm](http://www.dep.state.fl.us/water/nonpoint/pubs.htm). The Hillsborough County Fertilizer Use and Landscape Management Rule can be found at <http://epchc.org>. More information on Green Industries Best Management Practices and Florida Friendly Landscaping can be found at <http://fyn.ifas.ufl.edu> or visit your local UF/IFAS Extension Service.

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