

Florida's Green Industries Battling Numeric Nutrient Criteria and Local Fertilizer Ordinances

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Hello from the Sunshine State!



Kissimmee River



Fort De Soto Beach, Pinellas County, Florida



Golf Course Superintendent



What my friends think I do



What the owner thinks I do



What Society thinks I do



What the Golf Pro thinks I do



What the Members want me to do



What I actually do

What Florida Activists Think You Do



Who's Heard of NNC?

- 2008: Florida Wildlife Federation and Earthjustice sue EPA over CWA implementation in FL
- 2009: EPA settles suit, issues determination letter requiring Numeric Nutrient Criteria for Florida waters
- State ceases rule development; lawsuits filed; appeals
- EPA proceeds with lakes and streams NNC determination
- EPA postpones estuaries rule pending SAB review
- NAS study of economic impacts under way
- February 2012: Federal Judge Invalidates Parts of Rule

Numeric Nutrient Criteria

- “Any nutrient reduction strategy should focus on measurable environmental improvement, while optimizing the use of public dollars and avoiding costs that have no environmental impact.”

--Florida Agriculture Commissioner Adam Putnam

Urban Fertilization Under Attack

- 2005: Lake Okeechobee & Estuary Recovery Plan
- 2007-08: Consumer Fertilizer Taskforce
- 12/31/07: Urban Turf Rule 5E-1.003(2)
- 2009: State Urban Fertilizer Model Ordinance
 - Revised in 2010: The Model Ordinance For Florida-Friendly Fertilizer Use On Urban Landscapes

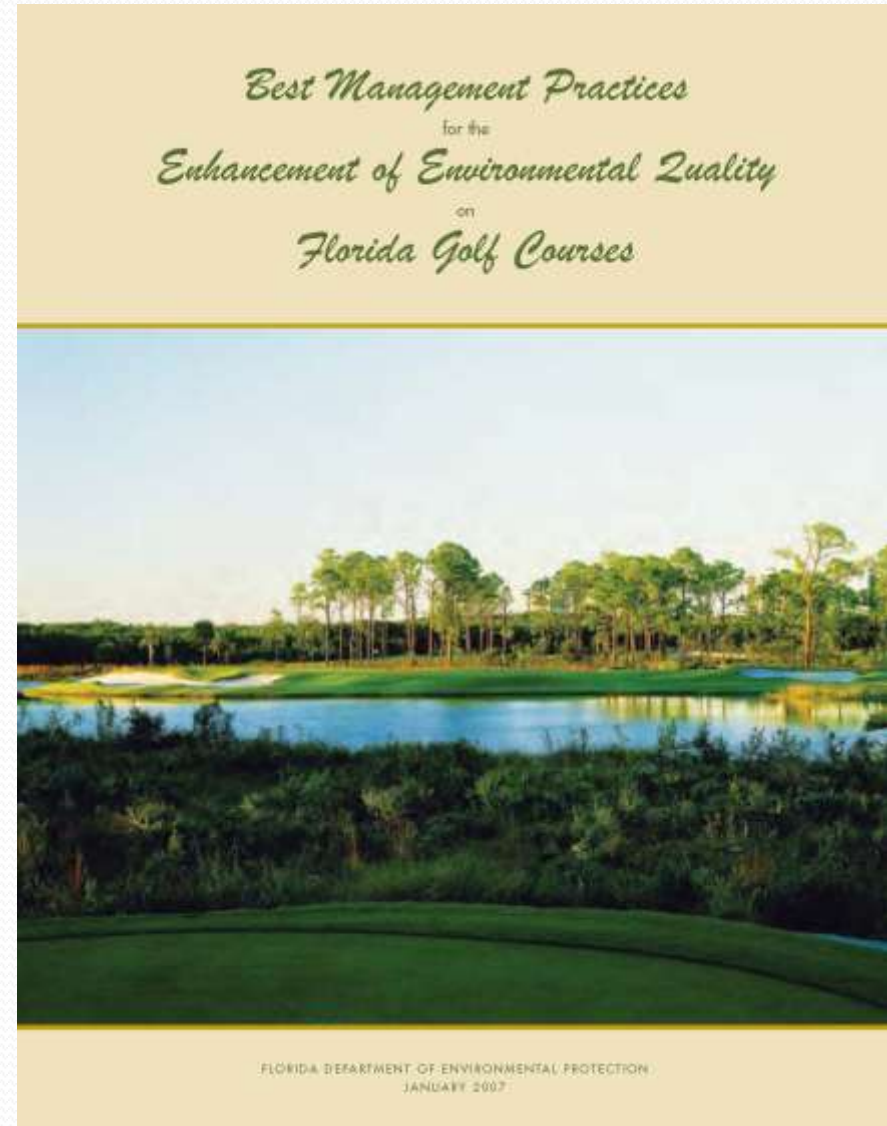
Urban Fertilization Under Attack

- To date: 45+ Local Ordinances regulating urban fertilization in some fashion
 - Variations in fertilizer content, duration of prohibited application period, buffer zones



DEP/FL Golf Courses BMPs Manual

- Contents
 - Environmental Concepts/Monitoring
 - Design/Construction
 - Irrigation
 - Nutrition/Fertilization
 - Cultural Practices
 - Lake/Aquatic Plant Management
 - Pesticide Management
 - Maintenance
- Involved Stakeholders:
 - DEP, FDACS, IFAS, Water Management Districts, Counties, FGCSA, GCSAA
- 1995 Original; DEP Revision in 2007



Takeaway Lessons

- Beware regulation by litigation
- Pass state fertilizer preemption legislation
- Build coalitions with Green Industry Allies
- Prepare to explain and defend BMPs
 - Example: 4R Nutrient Stewardship
<http://www.nutrientstewardship.com>

Thank You!



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