

April 16, 2007

To Whom It May Concern:

The service industries and fertilizer manufacturers' four main concerns with the SWFRPC fertilizer resolution passed on March 15, 2007 are listed below. We are looking forward to a continued dialogue to come to a joint solution that protects both water quality and your communities' lawns and landscapes through recognition of the professionalism of the lawn and landscape service industry and dedication of home gardeners. An underlying value of your communities is their aesthetic appeal – lawns, landscapes and their supporting industries (from nursery stock and sod growers to fertilizer manufacturers and professional applicators) are significant contributors to your local economies. Additionally, we are committed to environmental stewardship and to working with you.

Here are our main concerns:

1. **The Green Industries BMPs should be adopted into the resolution as the means to work with the professionals.** *The industry, Department of Agriculture, Department of Environmental Protection and IFAS recognize and use GIBMPs to train professionals.* The GIBMPs are being referenced by rule and adopted by the Department of Agriculture and Consumer Services. There is a certification associated with it. The industry supports and encourages requiring occupational licenses for any business or individual applying fertilizers for hire. Once a local government has information on businesses making fertilizer treatments, they have a solid system of identifying them and enforcing the BMPs by requiring proof of current certification. BMPs can be enforced when compliance with their contents is made mandatory.
2. **The 25' setback prohibiting any fertilizer applications or reclaimed water in this zone, will not protect water, and will likely have the opposite result.** *The industry suggests using the GIBMPs recommended buffer zone of 3' with a deflector and 10' without a deflector.* In the urban environment, there is a significant amount of impervious surfaces. Turf is considered nature's best water filter. A dense stand of grass captures the fertilizer that is applied and pollutants deposited by air or through rainfall. A large unfertilized setback on sloped areas will make an erosion problem even worse thus increasing water pollution - did you know one gram of Florida soil contains significant phosphorous. Any quantity of soil introduced into water through erosion increases water pollution. This also opens the door to foreign and invasive plant species and noxious weeds. Turf and other ornamental plants need fertilizer to survive. These needs are in excess of what can be obtained through rainfall or other natural means.

History and decades of field experience has shown the amount of nutrients in reclaimed water is not sufficient to replace fertilizer. Additionally, areas that use

a great deal of reclaimed water often have additional nutritional and chlorosis problems that other areas don't. With local governments looking at removing as much nitrogen and phosphorus as possible from reclaimed water as possible, equating the nutritional value of reclaimed water and to a fertilizer is misleading.

3. **Putting restrictions on professionals on when fertilizer can be applied, what types of fertilizers can be used, and how much can be applied, places unreasonable restrictions and disregards how plants grow. Homeowners, gardeners and do-it-yourselfer's can be educated on the right times, place and rates. The GIBMPs provide guidance and allows for professional judgment for the service industry. The document is not "one size fits all parts of the state", and requires professionals to use their technical knowledge and decision making process.** Dictating rates, sources, and timings of fertilizers takes away from professional judgment, which is the cornerstone of any BMP, whether it is agricultural or urban. This can also be risky, since companies may try to compensate for not being allowed to use certain types of materials during specific months. An agronomic and horticultural program in SW Florida must be based on plant needs. During the summer months, for example, plants are rapidly growing and absorbing applied nutrients. Spoon feedings or light fertilizer applications, are the most effective way to supply these nutrients. Putting a moratorium on times that fertilizers can be applied might actually encourage over usage in the days close to that period. The same is true for prescribe certain types and rates of materials. Slow release fertilizer is "safer" in some people's minds, but this is simply not the case. The application method, calibration, rate, storage, transportation of these materials all are part of making an environmentally sound application.

4. **Individual tests given in each city or county is duplicative and burdensome. Require certification in the Green Industries Best Management Practices. Pest Control businesses also have extensive training required for any person making sales or applications under their direct supervision.** Any company that is a licensed pest control business already has a verifiable training program that is required by the Bureau of Entomology. Each pest control company has a Certified Operator in Charge has passed a rigorous state exam. That individual is then responsible for the training of the applicators (Identification card holders) that work under them. There are two type of verifiable training required for ID card holders, and Certified Operators are required to have 4 annual Continuing Education Units (CEUs) through a state approved method. The GIBMPs are not only required reading for the state test and a bank of questions some from the document.

In additional addition to the technical considerations requested by and submitted to SWFRPC regarding the SWFRPC resolution,, we believe that considerations of the following public policy issues are also necessary.

1. Best Management Practices (BMPs) are regularly enforced by state and local agencies and governmental jurisdictions throughout Florida in a number of industries. Furthermore, they are enforceable in a number of different ways; all of which ensure compliance and enforceability.
2. The Florida Green Industry BMP's are in the legal process of being adopted into rule pursuant to Chapters 120 and 576 Florida Statutes. Specifically, they are being adopted and incorporated by reference into Florida by the Florida Department of Agriculture and Consumer Services (DOACS), who is the lead agency for the development of urban best management practices in the Lake Okeechobee and Estuary Restoration Plan (LOER).

The green industries provide a valuable service not only to homeowners, commercial properties, and tourist destinations such as hotels and time shares, but we pride ourselves on being environmental stewards.

On behalf of homeowners, fertilizer manufacturers, dealers and distributors and professional applicators. We look forward to our continued relationship with the SW Florida Regional Planning Council.

Sincerely yours,

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