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Lee puts rules on fertilizer into effect

Designed to prevent runoff, algal blooms

BY KEVIN LOLLAR

klollar@news-press.com

Those lush, green lawns so loved by so many South-west Floridians come with a high environmental price.

To reach their grassy goal, lawn lovers use fertilizer — sometimes lots of fertilizer — and nutrients in fertilizer can cause massive algal blooms in area waters.

So a new Lee County fertilizer rule goes into effect today to help keep local waters algal-free.

Under the ordinance:

- Fertilizers containing phosphorus and nitrogen cannot be used during the rainy season, June through September.

- During the rest of the year, use of fertilizers containing phosphorus and

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nitrogen is limited, with any nitrogen being partly in a slow-release form.

- Fertilization is prohibited within 10 feet of a water body.

- Spreaders must have deflector shields.

- Clippings and trimmings cannot be swept or blown into ditches, drains and water bodies or onto roads or sidewalks.

Nutrients enter the water with runoff during and after rain, and the more rain, the more runoff.

Since the extremely active rainy seasons of 2004 and 2005, a series of algal blooms in the Caloosahatchee River, Pine Island Sound and the Gulf of Mexico have fouled water and smothered seagrasses and artificial reefs.

"The genesis of the ordinance is that if we want a solution, we need to be part of the solution," said Kurt Harclerode, operations manager with the Division of Natural Resources. "We need to take action in our own backyard.

"Lots of nutrients that come into the system are beyond our control, but certain things are within our control. One of those is to ensure we're not putting excessive nutrients into our

waterways. One way to do that is to have a common-sense fertilizer ordinance."

Golf courses, agricultural operations and specialized turf areas, such as athletic fields, parks and cemeteries, are exempt from the ordinance because their fertilizer use is regulated by state rules.

Jim Duffy, owner of Lawn Doctor, said his company won't be affected by the ordinance because he adopted many of the its mandates four years ago.

He also said the ordinance is a good idea.

"Any little thing everybody can do will help," he said. "We're residents also, and we're concerned about our waterways and beaches."

Terry McLaughlin of McLaughlin's Lawn Landscaping, Pest Control and Irrigation, on the other hand, had doubts about the ordinance.

"Unless you restrict retail fertilizer sales, it's unenforceable," he said. "What it's doing is penalizing people who are trained to use fertilizers and putting no limits on homeowners to misapply something they can buy from a retailer."

Penalties for not complying with the ordinance are \$100 for the first violation, \$250 for the second and \$500 for the third and any violation after that.

In 2007, Sanibel adopted its own fertilizer ordinance, which also includes a prohibition against using fertilizers containing phosphorus and nitrogen during the rainy season.

It's too soon to tell whether Sanibel's ordinance has cleaned up water around the island, said Rob Loflin, Sanibel's natural resources director.

"We're at the end of the watershed's flow; we're downstream from everybody," he said. "Nutrients coming down the Caloosahatchee have a cumulative nature, and by the time they get to Sanibel, they push water quality over the threshold and produce algal blooms, so anything we do here or anything Lee County can do will make a difference."

Lee has based its ordinance on the idea that less fertilizer means fewer algal blooms; the question is whether people will comply.

"We don't have enough resources to have an army of enforcement officers out there," Harclerode said. "It's got to be something that people want to do. We have to inform the public, because a lot of people don't understand that these products that grow nice, green lawns also grow green slime in their backyard creek."

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