

State Fertilizer Rule Aims For Consistency

By Joel Jackson, CGCS

I attended a public meeting at the Bob Crawford Agriculture Center in Bartow Dec. 5 to hear the discussion on the latest version of the newly proposed Fertilizer Rule that will govern labels and tags on fertilizer products sold and used in Florida.

This proposed rule surfaced as an outgrowth of the mandate by Governor Bush to address phosphorus loading in the Lake Okeechobee Basin as part of the comprehensive restoration plans for the region.

Additionally several counties around the state are moving to enact fertilizer regulations, some are proceeding on their own while others await the results before proceeding.

At issue is protection of the state's waterways from nutrient loading. While this is a worthy cause, the focus by local governments is on possible pollution from the misuse of fertilizer products by

homeowners, turfgrass managers and lawn care companies. All fertilizers are nutrients, but not all problem nutrients are fertilizers.

Nutrient loading and water quality degradation is caused by a wide variety of sources besides improperly used turf fertilizers including municipal and industrial wastewater treatment plants, septic tanks, stormwater drains, animal waste and natural phenomena such as erosion of organic rich soils, seasonal shedding of tree and plant leaves, seeds and blossoms, just to name a few. But fertilizer is the focus right now.

Dale Dubberly, head of the Com-

Experts Call on Golf: 'Get Busy in Politics'

EDITOR'S NOTE: Several Florida counties are actively pursuing local ordinances to restrict the use of turfgrass, irrigation water and pesticides and fertilizers. Our local chapters need to establish and cultivate working and educational relationships with their local governments and state legislators as the following edited article from the Carolinas Green magazine illustrates.

The Florida GCSA has made several trips to Tallahassee to educate high-ranking members of key committees in the Florida House and Senate on the overall economic and environmental impacts of the Florida golf industry. The missing piece in all this is local-chapter relationships with their local representatives and municipal governments.

I also challenge the local chapters of the Florida Golf Course Owners and Club Managers Associations to partner with the Florida GCSA and Florida Turfgrass Association – and even avid and influential golfers – in this effort. Superintendents may have the answers to technical questions, but others already may have political and social relationships with the people in state and local government. The following article reinforces the concept that the local chapters need to be more active to provide a factual counterbalance to those who seek to enact more laws which restrict our ability to do business.

All politics is local and golf course superintendents who ignore that fact do so at their own risk. That was the core message delivered to more than 100 Carolinas GCSA members at Linville Ridge Golf Club in September. Legislative affairs specialists, Chris and Susan Valuri, headlined a panel outlining the need for the golf industry to increase its focus on legislative and regulatory issues.

Legislatures, municipalities and agencies are all under growing pressure to protect water, land and the environment in general. Laws and regulations being written to that end are likely to affect how golf courses are allowed to oper-

ate. The golf industry needed to step forward immediately and fully engage decision makers to ensure sound policies were enacted.

Also on the panel were Carolinas GCSA board members Steve Neuliep, CGCS who heads the association's North Carolina legislative committee, and Jeff Connell, who heads the South Carolina committee. Both reinforced the Valuri's message that, historically, golf had underplayed its hand in legislative affairs. They said that progress in that area over the past year offered some indication of just what could be achieved if superintendents got to know their legislators and community leaders at the grassroots level.

"The successful politician never forgets who elects him," Susan Valuri, incoming president of the North Carolina Professional Lobbyists Association, said. "It's not paid lobbyists who walk the halls in your state capitol. It's the folks back home. These are the people that matter most."

Golf course superintendents had an enormous opportunity to get to know legislators and help educate them on the benefits – economic, environmental and social – of golf, Chris Valuri said. That process had to begin with an introduction through a phone call, an office visit or an invitation to visit and it had to happen before any demands were put to a legislator.

"Very simply put, politics is a game of relationships," Susan Valuri said. "If you don't have the relationships already, it's hard to build them during the heat of a legislative session. You've got to start now. Fortunately, the qualifications for participating are easy – anyone can play." (See *10 Rules for Engaging Legislators*.)

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pliance Monitoring Division for the Florida Department of Agriculture and Consumer Service (FDACS), led the meeting and went through the rule, section by section, answering questions and noting comments for study and inclusion in the rules. Some minor wording changes were agreed upon for simple clarification and consistency within the document.

Dubberly was clear that his department did not have the authority to regulate *use* but rather the *language* on the product tag and bags. The only exceptions are those products that include pesticides – herbicides and insecticides – in the mix. The state does regulate the use of those products.

When this process began, there was general concern of how to define and cover all the widespread uses of turf fertilizer under the Urban Turf section of the Lake Okeechobee Restoration Plan. Remember that agricultural uses of fertilizer are addressed separately. This rule deals with products packaged in containers (bags, etc.) weighing 49 pounds or less. Sod farms are considered agriculture, but once the sod is cut, shipped and installed it becomes urban turf.

Dubberly acknowledged that there are great differences in climate and nutrition needs from Pensacola to Miami and that the language in the rule is a result of averaging some of the recommended amounts of nutrients. However, a soil or tissue test from a particular site can be a basis for a variance to apply needed nutrients.

So how does all this affect Florida golf courses.

Item "b.2" regarding phosphorus seemed mathematically perhaps a little low on an annual basis and I asked Dubberly about that number. His reply was that if a golf course took reliable soil samples once or twice per year and they showed a legitimate need for additional phosphorus there should be no problems. The per-application limit (per 1,000 sq. ft.) would need to be followed.

For those superintendents who manage common areas and roadways that fall under the urban turf portions of the rule, I made these notes:

Urban turf and professional applica-

Section Governing Products on Golf Courses

Below is the section of the rule governing products used on golf courses. Once the Florida Golf BMP Manual is published, it will be adopted into the rule. The proposed deadline for getting the Fertilizer Rule in place is by December 2008. The Golf BMP manual should be ready by March/April of 2007.

(d) Fertilizers labeled for sports turf at golf courses, parks and athletic fields shall:

1. Have directions for use not to exceed rates recommended in the document titled SL191 "Recommendations for N, P, K and Mg for Golf Course and Athletic Field Fertilization Based on Mehlich I Extractant", dated October 2006 which is hereby adopted and incorporated by reference into this rule. Copies may be obtained from the Soil and Water Science Department, Florida Cooperative Extension Service, Institute of Food and Agricultural Sciences, University of Florida, Gainesville, FL 32611 or the following Web site: <http://edis.ifas.ufl.edu/SS404>.

Another section that requires careful consideration:

(b) Fertilizer products labeled for use on sports turf, urban turf or lawns shall be no phosphate or low phosphate and have label restrictions for the application of nitrogen.

1. Fertilizers labeled as no phosphate shall not contain more than 0.5 percent of available phosphate expressed as P2O5. The "grade" shall indicate a zero guarantee.

2. Fertilizers labeled as low phosphate shall not be applied at a rate greater than 0.25 lbs. P2O5/1000ft² according to labeled product directions per application and not to exceed 0.50 lbs P2O5/1000ft² per year.

3. Fertilizers labeled as starter fertilizers shall have directions for use for a maximum application rate no greater than 1.0 lb of P2O5/ 1,000 ft². Subsequent applications shall be either Low or No Phosphate fertilizers.

tors may exceed 0.5 lb./M of P and 5 lb./M of N annually upon proof by annual soil and/or tissue testing.

There was a suggestion of new language to account for nitrogen in slow/extended release products to allow up to 1.5 lb. N per application, but still not to exceed 5 lb. N per year. This would allow for combination of quick and slow release to manage turf.

There was a proposal by Mike Holsinger, former Sarasota County Extension agent and now consultant, to have the group consider a required a tag or label warning fertilizer users about the potential dangers of nitrogen and phosphorus from improper or misuse of products.

Several people in the audience said they see those warnings already on packages. Dubberly also noted that environmental safeguard warnings can be on invoices and shipping documents.

Holsinger admitted that both warning samples he submitted were lengthy and several people commented that the public in general would not read or heed them. A shortened version was suggested and Dubberly will send out the original language for everyone to wordsmith to an eye-catching shorter version. Several in the audience took exception to the depiction and seemingly continuing sense of vilifying fertilizer nutrients as the primary cause of nutri-

ent loading and that ample warnings were already on product labels. Fertilizer manufacturers in the room winced at the thought of the additional costs to redesign product packaging to include a long drawn out warning spiel on the already crowded label.

The bottom line for golf courses is that you will be asked to pay very close attention to your nutrient programs, especially additional phosphorous limitations. The citation to follow Dr. Jerry Sartain's IFAS recommendations for bermudagrass nutrient application

should give everyone a comfortable nitrogen range to work with to produce the expected turf quality for all golf courses. Soil and/or tissue tests, which are routine anyway, will be needed to exceed the phosphorus limits set in the new rule.

10 Rules for Engaging Legislators

1. Who are your elected officials?

Get hold of a legislative directory and become familiar with your own elected officials. GCSAA's Web site (www.gcsaa.org) has the capacity to provide biographical details of officials in your electorate. Elected bodies also have their own Web sites with access to this information. Or you can obtain the information you need from your library or Secretary of State.

2. Who are they really?

Background research on professional and personal data is important. What is their educational background, occupation, where were they raised, what are their special interests? How long have they served the legislature and what areas of expertise have they developed? Who are their friends, and at time more revealing, who are their enemies?

3. Study the institution.

Look at your state senate and house. Understanding their inner workings and where the power rests is important. Who shapes opinions and directions? Is your delegation respected, does it work hard as a team? Is the legislature in your state full-time or part-time? Do they have staff? Who do they rely on for expert opinion? In most cases you'll need to cultivate relationships with people in or close to the institution to obtain answers.

4. Study the district.

Who are the major employers? What are the major industries? Who leads local opinion? Who are the community leaders – mayor, sheriff, newspaper editor? What are the important issues and what are the demographics of the electorate?

5. Make contact.

It is critical to make contact *before* you need to. Don't make your first contact a request for action. Visit your legislator or invite the legislator to your facility. Help them understand the nature of your business and what it brings to the community in terms of jobs, taxes, tourism, as well as social and environmental benefits. Establish common ground.

6. Ask.

Contrary to conventional wisdom, legislatures respond rather than lead. Typically, legislatures act in response to

issues or proposals brought before them. You are responsible for the solution, which must take into account all points of view. Do your homework and go to your legislators with ideas and suggestions and ask for their input and support.

7. Rules of contact.

Rule No. 1: Be truthful. Rule No. 2: Be truthful. Rule No. 3: Always remember rules No. 1 and 2. Trust is critical to an ongoing relationship that serves both parties' interests. Know your arguments and succinctly present your case. Be clear about what you want the legislator to do and be sure to close the deal: Can you vote with us? Do you need more information? What can we do to help?

8. Media.

Make yourself available to the media as an expert. This is an opportunity to influence public opinion in line with your position. Be truthful and don't expect an issue to go away if you ignore it. It is better to engage inequities and provide your information because the media will cover an issue even if you refuse to participate.

9. Follow-up with thank-yous.

Even if a legislator does not fully support your view, take the time to thank them for hearing your case and their work on the issue. Short handwritten notes are especially appreciated. This leaves the door open for future contact. Staying in touch helps a legislator remember who you are and what your issues are.

10. Commit support.

Reinforce your commitment to your legislator by supporting them in your district. This step needs to be public as well as private. Write a letter to the editor acknowledging the actions of your legislator. Stand up in a meeting or function and thank your legislator. Be there at re-election time by volunteering time or supporting campaign efforts. Let the legislator know his or her support will be rewarded.

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