

Comments on the St. Johns County Fertilizer-Use Ordinance

Go to Jail for Using Quick-Release Nitrogen?

Starting May 15, persons who fertilize turf with quick-release nitrogen sources in areas of St. Johns County commit a misdemeanor subject to a fine up to \$500, or 60 days imprisonment in the county jail, or both.

According to Paul Haydt, project director for the St. Johns Water Management District, "Slow-release fertilizers are typically applied once or twice a year, whereas the liquid quick-release kind is applied monthly, whether it is needed or not."

On Jan. 25, The Board of County Commissioners of St. Johns County enacted ordinance 2000-6 to prevent summertime (May 15 – Oct. 31) application of quick-release nitrogen sources (ammonium nitrate, ammonium sulfate, diammonium phosphate, potassium nitrate, urea other than slow release, monoammonium phosphate) which it determined could degrade the Guana Marsh Basin.

Covered by the ordinance are the unincorporated areas of St. Johns County bounded on the north by Duval County, on the east by the Atlantic Ocean, on the west by State Road A1A (when north of Mickler Road) and the western boundary of Guana State Park (when south of Mickler Road), and bounded on the south by the southern limit of Guana State Park. Exceptions are farm and commercial agricultural uses, golf course putting surfaces (greens), certified fertigation systems which are supervised on a daily basis, and certain situations of newly sodded, plugged, sprigged, and damaged turf areas. Administrative searches are authorized of any vehicle, container, or other equipment used in fertilizing while in St. Johns County. Anyone so equipped

and intending to fertilize for compensation shall be deemed to have consented to be searched. Any violation shall also be deemed a public nuisance.

The intent of this law is good. The execution is atrocious. First the technical points and then comments:

1. St. Johns County Commissioners appear to single out turfgrass, in the title of the ordinance ("providing for regulation of golf course, lawn, and turf fertilization"), but the General Provisions and definition of fertilizing ("applying . . . substances . . . [to] any grass, plant, or other organic material") is too broad. Thus the General Provision ("no Person shall Fertilize using Quick Release Nitrogen . . .") and the definition of fertilizing ("plants") applies to African Violets growing on a windowsill!

2. The General Provision applies to the Guana Marsh Basin which is never defined and is only implicit in the definition of the area jurisdiction (above). It should also be pointed out that the present Guana Lake was created artificially in 1957 with the damming of the Guana River.

3. The ordinance does not cover a substantial portion of the headwaters of the Guana State Park, such as the area north of Mickler Road and west of A1A. This seems peculiar, unless possibly there is some large property that the Commissioners have purposely decided to avoid.

4. The Commissioners' supposed finding of fact ("improper use . . . of fertilizers containing nitrogen cause . . . overgrowth of vegetation in natural and artificial watercourses and basins . . . increasing flooding . . . and . . . damage to the natural environment") is sometimes true, but it is such a general statement that it may or may not apply specifically to the Guana State Park.

5. Since the Commissioners state that "soil science professionals

[recognize that] use of slow release . . . nitrogen sources acts to minimize harmful nitrate leaching, why don't they ask the soil science professionals if this ordinance would help the Guana Basin? Even the Florida Yards and Neighborhoods recommends keeping water soluble nitrogen sources down to 30%, but does not say to avoid their use altogether.

A classic study of nutrient loading involving runoff from turf areas was Matraw, H.C., Jr., and Sherwood, C.B. 1977. Quality of stormwater runoff from a residential area, Broward County, Florida: U.S. Geological Survey, Journal of Research, v. 5, no. 6, p. 823-824. Basically they showed relatively low nitrates in runoff, and the biggest problem was coliform bacteria from domestic pets and naturalized Muscovy ducks.

State and Federal agencies are falling all over themselves to develop management plans for protecting coastal estuaries. This is basically healthy. Because of the sensitivity of estuaries and their economic and natural value, these are programs generally deserving support by all natural resource managers, including turfgrass professionals.

But considering the vast amount of work done at the state and federal level, to develop organized coastal management plans based on sound research and basin-wide knowledge of nutrient loadings, it is shocking that a small county commission would pass such a sweeping ordinance apparently without a shred of data to show that it would do any good.

Don't everybody write at once to the *St. Augustine Record* or to the County Commission. (That would be rather difficult because they apparently don't even have a web site.) When more information becomes available, it will be posted on TurfTalk-Digest.

This bad ordinance is just an

example of what can happen sometimes when people meaning to do the right thing look for quick fixes.

PHIL BUSEY, PH.D.
UF/IFAS Ft. Lauderdale

Don't Point Fingers... Point Out Facts

I hope that all of the people concerned about the St. John's fertilizer ordinance attended the FTGA's one day seminars where Dr. John Cisar spoke on his recent work with St. Augustinegrass.

He showed that turf fertilized with 6 lb N/1000 sq. ft./year did not have significant nitrate leaching; levels were at 1 ppm or less. This was done on a sloped area, and confirms what university trials have shown throughout the United States: Turf is an excellent environmental buffer between us and our groundwater. Turf is part of the solution, not part of the problem.

As the vice president of FTGA, and a technical manager for the largest lawn care company in existence, I would like to point out that FTGA lobbies for all of the greens industry. Our members include golf courses, lawn care companies, sod producers, and people servicing sports fields.

Also, please note that golf courses are not exempt from the St. John's ordinance! Only greens are exempt. Fairways, tees, and roughs still must comply with the ordinance. It is very important not to point fingers at other segments of the industry. When

properly managed, all turfgrass has environmental plusses, and we need to be proud of our industry.

ERICA SANTELLA
District Manager
TruGreen-Chemlawn

Fertilizer Ordinance is Really No Surprise

I am not surprised that an ordinance was passed limiting the use of soluble nitrogen and phosphorous, but I am surprised that the first ordinance of this kind came from St. Johns County.

I know that the EPA, Fla. DEP, the water management districts in Florida and throughout the country are struggling with this same issue: nutrient loading of waterways and the side effects of those nutrients. We don't have to look far to see some of the symptoms, Everglades, Lake Apopka, Indian River Lagoon, and Lake Okeechobee. Nationally, Chesapeake Bay, rivers in South Carolina and dead zones in the Gulf of Mexico have problems in which nutrient loading of waterways is suspected.

But why is St. Johns County deciding to do something about it? Why just lawns? Why not golf courses and agriculture also? What should we as turf grass managers do about it? (*Ed. Note: Only golf course greens are exempt from the ordinance.*)

St. Johns County is probably the last coastal county to experience major growth in Florida. As a result of being last, they have the luxury of learning

from everyone else's mistakes. Perhaps they are looking at the growth to the north and further south and what it has done to the natural environments and believe that prevention of a problem may be cheaper than paying to fix a problem.

Don't write off St. Johns County as a

Continued on page 86

Laserturf

Setting the Standard

Laser Controlled Leveling
and Topdressing For:

**Golf Tees
Sports Fields
Tennis & Croquet
Courts**

Call Your Leveling Experts:

Dale Witting

Main Office/West Coast

Ron Butler

Central Florida

Gary Clemmer

East Coast

Phone: 561-692-3771

Fax: 561-287-5427

Post Office Box 2179
Palm City, Fl 34991-7179

Special
**GOLF
COURSE
MIXES**

Sterilization Available



Since 1948

Florida Silica Sand Co., Inc.

Dade County
949-3521

Broward County
923-8323

1-800-330-3521

Complete Line Of
**LANDSCAPE
Materials**

**Red Ball
Diamond Clay**

ORDINANCE

Continued from page 83

backwoods, good ol' boy network. The county crafted some ordinances such as the anti-nudity ordinance which have stood the test of the courts, and have been utilized by other counties as templates in creating their own similar ordinances. I assure you, whether this ordinance passes or not, other county governments will be considering similar measures to deal with their local problems.

So why did they single out lawns? Well, at this time agriculture is exempt from much and the Florida Fruit and Vegetable Association is one of the most powerful agricultural lobbies in the country. The GCSAA and the FTGA in recent years have presented an impressive showing and shown golf courses in a positive light. Audubon International and its certified golfcourses are showing everyone that golf courses are becoming sustainable habitats for both wildlife and man. So if you can't touch agriculture, and golf courses are the friends of nature,

The turfgrass industry will not survive into the future as it has in the past. Either you can do your part to improve the industry and its practices, or you can sit back and watch it be taken away.

then homeowners must be polluting everything, right? Not!

How many turf managers are concerned about the quality of water leaving their property? Do we test our water for nitrogen and phosphorous loading? Have we amended our practices when applying fertilizers to prevent it from reaching water bodies? Do we even know if we are part of the problem?

Suppose there are 1200 golf courses in Florida (the number changes daily, it seems). Of those 1200, 295 (24.58%) are enrolled in the Audubon Cooperative Sanctuary and Signature Programs. Of those, only 47 (3.91%) are certified.

What about the rest?

One of the key components of the Audubon Cooperative Sanctuary Program is water quality. Test your water to see if you are impairing the quality of the water leaving your property, and then do something about it. If you do not have proof that you are not impairing the quality of the water, what is going to stop them from taking your fertilizer away next?

The turfgrass industry will not survive into the future as it has in the past. Either you can do your part to improve the industry and its practices, or you can sit back and watch it be taken away. Be thankful if you are not in this part of St. Johns County, but this or something similar is soon coming to a neighborhood near you!

*TOM STONE, CGCS
President, Nature Golf, Inc.*

JARRELL

Continued from page 84

dedicated professionals usually know more than one way to skin a cat.

I have yet to see an issue before the FTGA board that pitted one segment of the turfgrass industry against the other; but I have seen issues where a cooperative effort, and/or the actions of non-golf turf professionals, have resulted in a benefit to the golf course industry. Examples include FTGA Vice President Erica Santella of TruGreen-Chemlawn representing us at nitrate leaching workshops and posting/ notification hearings; FTGA Director Tom Benefield looking out for our

I have yet to see an issue before the FTGA board that pitted one segment ... against the other; but I have seen issues where a cooperative effort... (has) resulted in a benefit to the golf course industry.

water interests; Emerald Island Turf

feeding us all at field days and various other supplier members serving on committees and working in the trenches for the good of all.

As for research funding, each group comprising FTGA membership realizes that they exert control over how their donations are used. Money raised by a superintendent chapter is not going to fund a soccer field hardness study or any other non-golf related project unless the superintendents request it.

Superintendents give up nothing by supporting the FTGA, but stand to gain a lot. We have a unique opportunity in Florida to set the standards for the rest of the country — let's take advantage of it!