

## Communities want to control fertilizers

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SARASOTA -- As communities around the state are close to enacting groundbreaking restrictions on the use of plant fertilizers, Florida's fertilizer industry is pushing for statewide legislation that could trump the local laws.

Fertilizer industry lobbyists say the legislation, introduced by the Florida Fertilizer & Agrichemical Association, would provide environmental protection for the entire state while avoiding the passage of scores of different local laws.

But environmentalists and officials in Sarasota County, which is one of several Florida localities in the process of crafting its own fertilizer law, say the industry's push is an end run on tougher local laws.

The industry is playing hardball to block laws that would impose new environmental restrictions on fertilizers, which some say can induce harmful algal blooms such as red tide, said County Commissioner Jon Thaxton.

The state legislation comes at a time when the fertilizer industry is asserting itself as a more influential player in state politics.

In 2004, fertilizer and pesticide interests gave Florida politicians and political parties more than \$97,000 -- more than dairy farming, abortion rights and anti-gun control interests combined, according to the Montana-based National Institute on Money in State Politics. Fertilizer and pesticide interests donated at least twice as much money in 2006, the institute reported.

Mary Hartney, president of the fertilizer association, said the group's legislation is about logistics.

As more cities and counties approve fertilizer laws, "it is preposterous to think that businesses should have to comply with 67 county ordinances and 408 city ordinances," she said.

But Thaxton, who called the proposed law a "direct attack" on Sarasota County's attempts to pass its own law, said he is prepared for a fight in Tallahassee.

Sarasota County, the town of Longboat Key and the city of Sarasota have all taken steps toward enacting laws designed to reduce pollutants from entering the water through fertilizer runoff.

County leaders are expected to meet Tuesday to talk about the county's proposed law and

the fertilizer industry's legislation.

"It is so bizarre that we would have a state ordinance because the drainage and topography are so different" in different parts of the state, Thaxton said. "Of course what you'll do is get a lowest-common-denominator ordinance."

The fertilizer association's legislation would create a state-appointed task force to work on a "model fertilizer ordinance," Hartney said. Cities and counties would have the option of adopting the ordinance. Communities that attempt to craft their own laws could be subject to a court challenge from "any substantially affected party," the legislation states.

The task force, which could include state officials, water experts and fertilizer industry representatives, would be expected to propose recommendations by January, the legislation states.

Hartney said the task force would allow stakeholders -- the public, the fertilizer industry, environmentalists and legislators -- to craft the law together. The end product would avoid a situation where "every city and county puts its own variation on a fertilizer ordinance," Hartney said.

Indeed, proposed local laws differ on such terms as what types of products residents can use and what time of year residents can use certain products.

But the fertilizer association's legislation has the ability to trump the work of communities, from Lee County to the Jacksonville area, that have spent 15 months or more crafting their own laws, said Stuart DeCew, a coastal pollution campaign coordinator for the Sierra Club.

How much is too much?