

Fertilizer Use and Landscape Management Rule Chapter 1-15, Rules of the Environmental Protection Commission (EPC)

#1: Why do we need a fertilizer rule in Hillsborough County? The 2009 Florida Legislature passed a law that requires all local governments that have nutrient impaired waters to adopt a local fertilizer rule. The rule is intended to improve local water quality by reducing the amounts of potentially harmful nutrients, like nitrogen (N) and phosphorous (P), that runoff and leach into our lakes, rivers, and bays.

#2: Does the rule apply to residents of Tampa, Temple Terrace, and Plant City? Yes. The rule applies to all residents of Hillsborough County including the municipalities of Tampa, Temple Terrace, and Plant City. However, only commercial, governmental, and institutional landscape applicators are required to receive the six-hour Green Industries – Best Management Practices (BMP) training and certification.

#3: When does the rule take effect? The rule became effective on July 20, 2010, but it will not be enforced until after July 20, 2011.

#4: What type of fertilizers can I use? Any product approved by the Florida Department of Agriculture and Consumer Services (FDACS) and which does not contain phosphorous. It is recommended that granular fertilizers containing N applied to turf and/or landscape plants contain the maximum available percentage of slow release N possible per the guaranteed analysis label.

- #5: When is fertilizer application prohibited? You may not apply nitrogen or phosphorous fertilizer during the following events:
 - i) if it is raining at the application site, or
 - ii) within the time period during which a flood watch or warning, or a tropical storm watch or warning, or a hurricane watch or warning is in effect for any portion of Hillsborough County issued by the National Weather Service, or
 - iii) within 36 hours prior to a rain event greater than or equal to 2 inches in a 24 hour period is likely.

#6: What if my lawn care business only mows and trims and does not apply fertilizers? Then you are not required to receive training and certification as a fertilizer applicator, but you are still expected to conform to the recommended Green Industries – BMPs and you must comply with the non-fertilizer related portions of the EPC rule.

#7: What are the training requirements? Commercial, governmental, and institutional applicators must receive Green Industries – Best Management Practices training on or before July 20, 2011, or within 90 days of being hired if the 90 days runs past July 20, 2011. This helps to speed up the State mandate that all applicators must be trained by January 2014. Again, only Commercial governmental, and institutional applicators are required to receive the six-hour Green Industries – BMP training and certification, but all residents and commercial "mow & blow" operations must comply with the rest of the EPC rule.

#8: Generally, how is the EPC rule different from the State DEP's Model Code? The following is not an exhaustive list:

- 1. Prohibition on application of fertilizer if raining at the application site.
- 2. Prohibition on application of fertilizer within 36 hours prior to a rain event greater than or equal to 2 inches in a 24 hour period is likely. (the Model Code merely says "prior to", while the EPC says "36 hours prior to")
- 3. Specifies application rates not to exceed 4lbs of nitrogen per 1000 sq.ft per year.
- 4. Liquid fertilizers containing nitrogen applied to turf and/or landscape plants within Hillsborough County shall not be applied at a rate that exceeds 0.5 lbs/1000 ft² per application.
- 5. Fertilizer free zone near water- no fertilizer application within 10' of water.
- 6. Spreader deflector shields are required when applying fertilizer by use of any broadcast or rotary spreader.
- 7. Athletic fields only have a partial exemption from the rule (e.g. they have different application rates, but one still may not sweep clippings or fertilizer into drains, ditches, or waterways).
- 8. No fertilizer containing phosphorus shall be applied to turf and/or landscape plants, except where phosphorus deficiency has been demonstrated in the soil underlying the turf and/or landscape plants by a soil analysis test. Any person who obtains such a soil analysis test showing a P deficiency and who wishes to apply phosphorus to turf and/or landscape plants shall maintain a copy of the test results for two years and allow the Executive Director to review the results upon request.
- 9. Nitrogen fertilizer shall not be applied before planting new turf or on newly established turf for the first 30 days.
- 10. Commercial applicators must post decals on their commercial vehicles and/or trailer that show they have been certified. Decals will be available through the EPC upon proof of certification.

#9: Do Pinellas County and Hillsborough County have the same regulations? No, the biggest difference is that Pinellas prohibits all fertilizer retail sales and application during the summer rainy season (June 1 to September 30). An applicator that is Green Industries BMP-trained in Pinellas or another county may operate in Hillsborough, but only in conformance with the EPC rules.

EPC CONTACT INFO: EPC, 3629 Queen Palm Dr., Tampa, FL 33619-1309; (813) 627-2600; EPC Water Management Division;

Website: www.protecthillsboroughwaters.org or www.epchc.org