

# **Fertilizer Ordinance Fact Sheet**

- 1) The ordinance is written as an educational tool and as a guide for the proper application of fertilizers within Stafford Township. This ordinance uses basic common sense, easy to understand principals for proper application of fertilizers. The intention is to make people aware and reduce the total impact of fertilizers entering our groundwater & waterways as runoff.
- 2) Most of the guidelines within the ordinance are written as easy to follow recommendations, and to create awareness.
- 3) This ordinance does not “ban” the use or sale of fertilizers in Stafford. Its focus is to control its application. Stafford recognizes the importance of maintaining healthy grasses, turf, and the microbes within our soils that supports the grasses and plants that promote a healthy watershed. Our intent is to promote the proper application of fertilizers that will support a healthy soil while not exceeding the necessary amount of nitrates, phosphates and nutrients.
- 4) Although the Township agrees that this issue should be addressed at the State level, our concern is that this issue has been discussed for years and no legislation has been approved to control fertilizer application to date. Our concern and responsibility is to the residents of Stafford, our waterways and Barnegat Bay. Once the State passes regulations they will supersede our municipal ordinance. However, since significant scientific and empirical data indicate that storm water runoff carrying nitrates, nutrients and phosphates have a negative impact on our waterways we feel the sooner we address the problem the better.
- 5) There is no argument that elevated levels of nutrients, particularly phosphorus, in surface water bodies can result in excessive and accelerated growth of algae and aquatic plants. This process is also known as eutrophication. Excessive plant growth can result in extremes in dissolved oxygen and PH, which is detrimental to aquatic life. For that reason this ordinance specifically limits fertilizers containing phosphorus. As per the NJDEP most soils in NJ contain more than sufficient amounts of phosphorus & application of excess amounts cannot be absorbed by the plants and grasses & ends up in our surface & groundwater. The ordinance also sets guidelines for the application of any nitrogen based fertilizers (application process, timing, and use of slow release).
- 6) This ordinance also recognizes excessive grass clippings and other organic matter will also act as fertilizer & adversely impact our

waterways if it is allowed to enter our storm water runoff and sets recommendations to limit their impact.

- 7) Our focus in Stafford is based on our geographic location, soil types and potential impacts to our lakes, streams, estuaries and bay. In particular, we are concerned over our estuaries which are the most critical part of the eco-system for our saltwater life. Numerous studies have shown that on a per acre basis, the most productive area, having the most diversity of life and greatest quantity of life are our estuaries. These estuaries are the nurseries for almost all life in our ocean and bay and the basis for the entire food chain.
- 8) Estuaries are somewhat confined and greatly impacted by the flow of water from our groundwater, watershed and streams. Small amounts of pollutants have a greater impact on our estuaries due to various physical factors, and the very delicate balance that must be maintained to assure their proper function.
- 9) The ordinance also recognizes the special needs of commercial activities such as golf courses, parks, recreational areas etc. that depend on a healthy turf and associated grasses. Golf courses and recreational areas will be allowed to submit a Turf Management plan each year, which will be reviewed on a special needs basis.
- 10) The ordinance specifically mandates any fertilizer on impervious surfaces must be immediately cleaned up and removed to keep it from entering storm drains.
- 11) In addition, the ordinance prohibits the application of fertilizers between December 15<sup>th</sup> and February 15<sup>th</sup> of any calendar year, or if the ground is frozen. The rationale for this is due to the fact that most grasses and plants are dormant during this period and their ability to uptake fertilizers is limited therefore there is a higher potential of this fertilizer going into the runoff and into our waterways.
- 12) The ordinance has been reviewed by numerous Universities, Environmental groups and organizations, including the NJDEP, each have submitted comments and recommendations that we have tried to incorporate into the ordinance. All of the information within the Ordinance is based on published scientific and empirical data, and has been reviewed by our Township Attorney.
- 13) Dr. Stan Hale testified at our public hearing on this ordinance that his studies indicate a 60 fold increase in degradation of our groundwater that can be directly linked to excess use of fertilizers.
- 14) Dr. Kennish from Rutgers who is considered the foremost authority on the issues impacting Barnegat Bay testified at our public hearing that

there is a direct link to the increased use of fertilizers and the degradation of Barnegat Bay. Without question, the areas in the Bay having the most development in its watershed have the most problems.

- 15) The ordinance does ban the use of fertilizers containing Phosphates (as scientific data indicates our soils do not require additional Phosphates, however if a specific soil test indicates a need for Phosphates, the ordinance will allow its use) & does not at this time put any regulations on the use of Nitrates. Although we recognize the adverse impact Nitrates are having on the Bay and our waterways, we do not have any strong defensible scientific data that allows us to put a specific limit on Nitrate content in a fertilizer. However, we feel the guidelines for the application of fertilizers within this ordinance will if followed have an overall reduction of all components contained in fertilizers, including Nitrates from entering our surface and groundwater.
- 16) We are aware of the complexity of enforcement of this type of ordinance; as such our intention is to make it more of an educational tool. We feel most people when given the knowledge will act responsibly. Enforcement will be mainly on excess material left on impervious surfaces, and application during times when fertilizers cannot be absorbed by plants and grass.
- 17) All professional landscapers who apply fertilizer in Stafford will be required to take a short course given by the Township and become certified about the ordinance. There is a \$20.00 charge for the course that covers the cost to the Township; residents are allowed to attend for free.

The Township does not see the adoption of this ordinance as the solution to all of the problems in Barnegat Bay. However, we do recognize the adverse impact fertilizers have on our watershed, groundwater, estuaries and Bay. This is just one piece of a very complex puzzle, and it is one area we can address and make a difference. I would hope that any of our surrounding communities within the watershed of Barnegat Bay understand the importance of passing an ordinance to control the application of fertilizers. Although the passage of this ordinance in just one town will have little impact in improving the problems in our bay, we need to recognize the cumulative impact of numerous towns within the Barnegat Bay Watershed all reducing the amount of fertilizers entering the bay. Every town needs to recognize its responsibility to the overall problem of excess fertilizers entering our bay and groundwater. Tourism is the largest industry in Ocean County; the majority of our businesses and the value of our real estate depend on our ability to attract tourists each summer. A clean & healthy

Bay and Ocean contribute to our local jobs and overall economy, if the Bay continues to degrade at its current rate, our local economy will suffer.

This ordinance has been featured on seven area radio stations, on NJN news, has been endorsed by the Ocean County Chamber of Commerce, all of our area environmental groups, NJDEP as well as the National Groundwater Guardian Foundation in Nebraska. We have had dozens of requests for copies of the ordinance from communities throughout NJ, including Gloucester County (they want to make this a County wide ordinance). In addition, copies of the ordinance have been requested and sent to five different States for review on a statewide basis.

Long Beach Township has already adopted this ordinance and the Alliance for a Living Ocean is working with all other towns on LBI to assure this ordinance is adopted on the entire Island. I have been asked to speak at Waretown, Jackson and Brick twp. regarding their interest in adoption of this ordinance.

We have already been contacted by Scotts, Home Depot and numerous other manufactures and distributors of fertilizers. All have supported our efforts and are willing to work with us. Various local distributors have also contacted me to assure they carry products recommended by our ordinance. Reynolds Landscaping is offering to host seminars to help area residents understand the proper application of fertilizers.

As in the past we will be glad to supply any surrounding community with a copy of this ordinance. The choice is simple, we do something now, before it is too late or we wait, and let the bay continue to die. Are perfect lawns more important than a clean healthy bay or the continued degradation of our groundwater? The belief of the ordinance is that we can have both if we work together and control the application of excess fertilizers. We all live on the same planet, and each individual's actions have an impact on all of us.

For further information please feel free to contact;

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