



SUMMARY of Testimony given to the Environment, Parks and Agriculture committee, August 30, 2021 addressing I1565-21.

I am here to discuss the resolution to update Suffolk County's fertilizer regulations to add restrictions regarding weather conditions.

Since the bulk of those regs originated in the SC Law 41-2007, I revisited that first. The stated objective of that 2007 law being:

This Legislature also determines that, based on the Peconic Estuary Program Comprehensive Conservation and Management Plan a goal of 10% to 25% fertilizer reduction is a reasonable initial target for existing residential fertilizing programs.

Therefore, the purpose of this law is to cause a reduction in the amount of nitrogen released into the groundwater by eliminating the use of fertilizers where practicable on lawns and on County property, decreasing the overall use of fertilizer, and optimizing the use of fertilizers when they are applied.

Although language in the original law did make reference to: Weather or temperature conditions; It was somewhat vague.

My comments are 3 fold:

Firstly let's look at how effective this has been in the last 14 years:

The original law also very prominently states that Annual Report and Program Evaluation Reports. Are to be completed.

The **annual report** summarizes the **total quantities of fertilizer sold in Suffolk County**. The report shall also analyze this data with respect nitrogen and phosphorus content of fertilizers, slow-release vs. quick-release fertilizers, and organic content of fertilizers. After an exhaustive search I did find a published "Yearly" report for 2013/14 (published in 2016*). And a more recent data from 2015, but nothing more current.

The Program Evaluation report is to be issued **every five years**, beginning in **2014**, which **evaluates the effectiveness of this law**, in terms of fertilizer sales information, environmental impact data, and any other information the Commissioner deems necessary. I can find no evidence that this more comprehensive report was ever done.

If we use the 2015 data, isolating Nitrogen amounts. The percentage change from 2007 to 2015 showed a 38% decrease in the amount of Nitrogen sold.

On the face of it, it appears that the Law and the regulations are a huge success, yet the water quality remains a problem.

Secondly, How Practical are these restrictions:

No fertilizer applications -

During National Weather Service Watches and Warnings for:

Flood, Tropical Storm, Hurricane or Severe Thunderstorm

In ALL of Suffolk

AND of 24 hours after said Watch or Warning.

Having lived in Suffolk County most of my life, I know that Thunderstorms don't necessarily mean rain, that watches often turn out to be false alarms and the weather in Montauk is often very different from Melville.

I wonder if anyone got the statistics on the occurrence of these alerts - on LI - in any given Summer? Are they even enforceable?

Thirdly, as an Alternative:

I suggest strengthening the existing "Weather Conditions" wording:

In the Best Management Practices document;

On the "Healthy Lawns - Clean Water" website;

And Add it to the Mandatory Education for Professional taught by Dr. Tamson Yeh.

I also add that LINLA will emphasize this in all Certified Nursery and Landscape Professional (CNLP) review classes.

I strongly urge this committee to table this Resolution to provide time and place for all stakeholder to discuss the ramifications of these kind of restrictions and seek other practical solutions.

Thank you,

Carol Isles, Administrative Director

Long Island Nursery & Landscape Association (LINLA)