

APPROVED
BY ORANGE COUNTY BOARD
OF COUNTY COMMISSIONERS

FEB 05 2008 JN/LH

RESOLUTION NO. 2008-M-03

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ORANGE COUNTY, FLORIDA, THAT RECOMMENDS THAT THE FLORIDA LEGISLATURE ACCEPT THE *FINAL REPORT TO THE 2008 FLORIDA LEGISLATURE* AS SUBMITTED BY THE FLORIDA CONSUMER FERTILIZER TASK FORCE AND ENSURE THAT THE RECOMMENDATIONS BE IMPLEMENTED AND REJECT ANY ATTEMPT TO PRE-EMPT THE HOME RULE AUTHORITY OF LOCAL GOVERNMENT TO ENACT MEASURES REGULATING THE INTRODUCTION OF POLLUTANTS INTO OUR WATERWAYS.

WHEREAS, the 2007 Florida Legislature created the Florida Consumer Fertilizer Task Force as outlined in Section 576.092, Florida Statutes; and

WHEREAS, the charge to the Task Force was to review and provide recommendations on the state's policies and programs addressing consumer fertilizers; and

WHEREAS, the Task Force was comprised of 13 individuals representing a range of stakeholder interests who were technically qualified by training, education, or experience in water quality, horticultural, or agronomic science and who were appointed, respectively, by the President of the Senate, Speaker of the House, Commissioner of Agriculture, Florida League of Cities, and the Florida Association of Counties; and

WHEREAS, the Task Force unanimously made six key recommendations in accordance with their charge; and

WHEREAS, the quality of our surface waters and groundwater is critical to environmental, economic, and recreational prosperity; and

WHEREAS, leaching and runoff of nutrients from improper and excessive urban and agricultural fertilization practices can contribute to nitrogen and phosphate pollution of our water resources; and

WHEREAS, Statewide fertilization Best Management Practices have been developed to reduce and eliminate pollution if correctly followed; and

WHEREAS, Orange County has a responsibility to its citizens to exert leadership in practicing and promoting the proper landscape design and maintenance including the use of fertilizer to include the timing, type, amount, and application techniques.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ORANGE COUNTY, FLORIDA in public meeting assembled:

1. The County strongly supports the recommendations of the Florida Consumer Fertilizer Task Force.
2. The County agrees with the Task Force recommendation that local governments should retain their home rule authority to adopt the recommended model ordinance or additional or more stringent provisions in response to human health or water quality needs in order for local governments to comply with the provisions of the Clean Water Act such as Total Maximum Daily Loads (TMDLs).
3. The County opposes any efforts to limit or pre-empt the home rule authority of local government to enact measures regulating the introduction of pollutants into our waterways.
4. The County thinks that a dedicated source of funding for education and training initiatives addressing the appropriate application of consumer fertilizers is required and encourages the Florida Legislature to provide that the Florida Department of Agriculture and Consumer Services (DACCS) shall increase the tonnage fee on the sale of nitrogen and phosphorus to \$1.00 per ton and that the revenue be used for fertilizer training and education initiatives with 10% of the total to be returned to counties and cities to be used for fertilizer training and education.
5. **Effective Date.** This Resolution shall become effective immediately upon adoption by the Board of County Commissioners.

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PASSED AND DULY ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF ORANGE COUNTY, FLORIDA, this 5th day of ~~FEBRUARY~~, 2008.

ORANGE COUNTY, FLORIDA
By: Board of County Commissioners

By: Richard T. Crotty
Richard T. Crotty
Orange County Mayor

ATTEST: Martha O. Haynie, County Comptroller
As Clerk of the Board of County Commissioners

By: Martha O. Haynie
Deputy Clerk

