

Council ponders phosphate ban

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The City of Greater Sudbury is considering becoming the first jurisdiction in Ontario to restrict the use of commercial lawn fertilizers containing phosphates.

Such a ban will be the first of three options to be presented to city council at its Wednesday meeting, but the staff report recommending it is filled with doubt.

The proposed ban was brought to council by the Greater Sudbury Watershed Alliance in April.

Limiting the use of phosphates would go a long way to alleviating the growth of blue-green algae, which has been blooming in several area lakes, alliance member Lilly Noble told councillors.

Phosphorus is also linked to other kinds of algae that threaten water quality, as well as to the spread of Eurasian Milfoil in Sudbury's lakes, she said.

The most common sources of phosphorus are commercial fertilizers and poorly maintained septic systems, she said.

Many jurisdictions in the U.S. have imposed restrictions on chemical fertilizers containing phosphorus and are showing tangible results, she said.

Most recently, Manitoba has introduced a progressive ban for most of its lakes and rivers. Sudbury could be a leader in Ontario by adopting similar measures, Noble said.

While grudgingly paving the way to legislating the use of fertilizers in Greater Sudbury, a staff report to council questions both the effectiveness and enforceability of such a bylaw.

Only a small amount of phosphates enter local water bodies as a result of inappropriate use of lawn fertilizers, the city's manager of environmental planning initiatives says.

Most general-use lawn fertilizers are already phosphate-free, Stephen Monet says. The exceptions are commercial fertilizers specifically marketed as lawn starters.

"On a product volume basis, roughly 95% of the general use lawn fertilizers, not including the lawn 'starters,' sold in Greater Sudbury retail stores do not contain phosphorus," Monet said.

"Clearly, there has been a profound market shift given that only a few years ago it was difficult to find a general use lawn fertilizer that did not contain phosphorus."

This is a market response to the fact so many U.S. jurisdictions have already banned phosphorus bans and the fact the price of phosphorus has increased four-fold, all in the past 10 years, he said.

Also, evidence suggests education campaigns that accompanied the restrictive bylaws may have been more effective than the bans themselves. None of the jurisdictions he surveyed reported having to enforce the ban, but most claimed reduced phosphorus levels in lakes and rivers anyway, Monet said.

Which is just as well, since the Greater Sudbury is no position to enforce such a bylaw, Monet said.

"Because of current workload, bylaw officers are unlikely to respond immediately on reports of non-compliance. For these reasons, it is not likely that any fines could be issued because of the inability to obtain the required evidence, i.e. 'catching the person in the act,'" he said.

It's far more likely an awareness campaign will achieve the same end, Monet said.

He presented a lakefriendly household products campaign as option 2.

The campaign would also include de-icers containing chlorides that are also potentially harmful to lakes, he said.

If council chooses the restrictive bylaw route, the city will have to obtain outside legal counsel "to further investigate the jurisdictional issues and content of such a bylaw," he said.

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