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# State bill aims to reverse local laws banning fertilizer near lakes, streams

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May 09, 2012 12:55 pm • [JON ALEXANDER -- jalexander@poststar.com](#) (6) Comments

Proposed state legislation could render the local bans on phosphorus-based fertilizers void as the science is mixed about the dangers of phosphorus to water bodies.

It's been widely assumed for decades that runoff laced with phosphorus-based lawn fertilizers cause nutrient loading in lakes and streams, driving algae blooms, which then suck oxygen from the water as the photosynthetic organisms die and rot.

Three local governments adopted local fertilizer bans after a local environmental group, the Fund for Lake George, railed against fertilizer, especially near the shores of Lake George.

The towns of Queensbury and Lake George and the village of Lake George all adopted fertilizer bans in 2011.

But bipartisan legislation in Albany would render those local laws, as well as similar regulations adopted earlier this year by the state Department of Environmental Conservation, void.

The bill could reach the Senate floor this week for an up or down vote.

"I of course, am not a scientist," said Lake George Mayor Robert Blais. "Our board, and that of the town I believe, felt committed to the environmental groups."

DEC imposed a statewide crackdown on Jan. 1, banning any fertilizer application within 20 feet of a shoreline while limiting the amount of phosphorous allowed in any fertilizer in New York state. The DEC regulation also bans any non-agricultural application of fertilizers containing nitrogen, phosphorus or potassium between December and April.

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But the legislation, sponsored by Sen. Catherine Young, R-Olean, and Assembly Agriculture Committee Chairman Bill Magee, D-Nelson, would give only the state Department of Agriculture and Markets -- a farm-focused agency -- the authority to regulate fertilizers.

Farmers throughout the state have railed against the growing number of local laws banning fertilizer use, and the New York Farm Bureau lobbied heavily against the DEC regulation.

"There is clear evidence that connects fertilizers with declining water quality," said Chris Navitsky, Waterkeeper for the Fund for Lake George.

But the proposed legislation cites multiple studies while countering assertions like Navitsky's.

Some academic studies have found that the thicker, healthier grass caused by fertilizer use actually hinders aquatic nutrient loading.

Dr. Carl Rosen is head of the University of Minnesota's Department of Soil, Water and Climate. He's spent years studying Minnesota's soils. Rosen's work concludes that house-ringed lakes tend to fare better when lawns are healthy.

"What we found is that if you don't fertilize at all, your lawn becomes very thin. You get a lot of sediment that comes off," Rosen said on Wednesday. "The best treatment for runoff is to have a healthy lawn."

Rosen's work, and that of some of his academic peers, concludes that inorganic phosphorus tends to bind to soils, and only runs off into nearby water bodies during erosion events, which are generally caused by a lack of vegetation.

But Rosen also added that many soils are already phosphorus-heavy and adding more in fertilizers aren't often required.

"But you're going to need to add phosphorus if your soil levels are low," he said, adding that regular soil testing is the best way to assess the need for phosphorus additives in a given area.

The Fund for Lake George last week began lobbying the Lake George Park Commission for a basin-wide ban on lakeside fertilizer use.

**Tags** [Fertilizer](#), [Fund For Lake George](#), [Soil](#), [Department Of Environmental Conservation](#), [Lake George](#), [Phosphorus](#), [Surface Runoff](#), [Robert Blais](#), [Department Of Agriculture](#), [Assembly Agriculture Committee](#), [New York Farm Bureau](#), [Chris Navitsky](#), [Lake George Park Commission](#)

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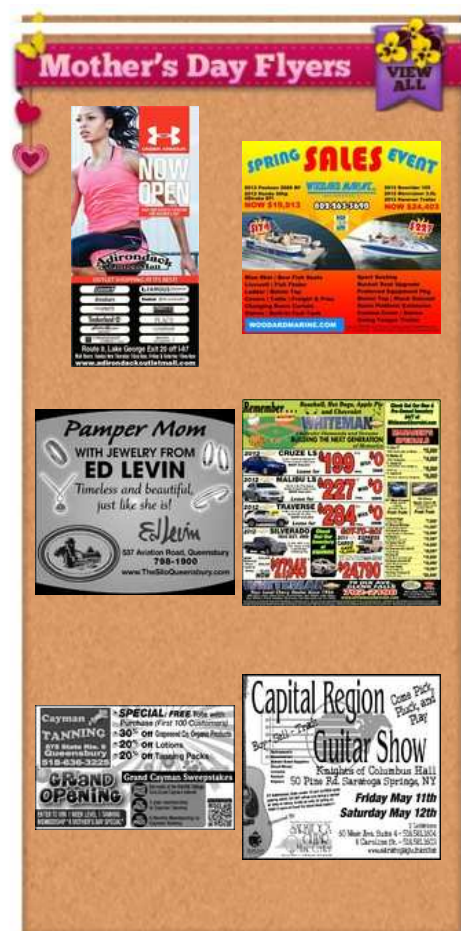
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