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# Law bans popular fertilizers: No more 'P' on Vermont lawns

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By [Andrew Stein](#)



BILL WALLICE, MANAGER of Middlebury Agway, stands next to fertilizers that are separated in the store by phosphorus content. A new state law seeks to protect Vermont's waterways by reducing the level of phosphorus runoff. Independent photo/Trent Campbell

VERMONT — When Gene Nolette, owner of Leicester-based Gene's Property Management, went to buy the popular fertilizer mix "10-10-10" for lawn application this month, he was surprised to find that he wasn't able to.

The fertilizer, aptly labeled for its three main nutrients, is comprised of 10 percent nitrogen, 10 percent phosphorus and 10 percent potassium. But a Legislative act passed in 2011, which took effect Jan. 1, has outlawed the application of phosphorus fertilizers on lawns, with a few exceptions.

The law has not been widely publicized, said Brad Lawes, owner of Lawes Agricultural Service in Brandon, which manufactures fertilizer and wouldn't sell 10-10-10 to Nolette.

"Ninety-five percent of the stores we sell fertilizers to were unaware of this law," he said.

The law, was initiated in the House Fish, Wildlife and Water Resources Committee. It came in the wake of a campaign called "Don't 'P' on your lawn," which was organized by Lake Champlain conservation groups to



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dissuade homeowners from using phosphorus fertilizers on their lawns, unless a soil test indicated that they needed it.

Phosphorus is one of the leading contributors to toxic blue-green algae blooms in Lake Champlain, which have been identified as the cause of several domestic animal deaths in recent years. The law — formally known as Title 10, Chapter 47, Section 1266b — aims to reduce phosphorus levels in the lake, said Rep. Kate Webb, D-Chittenden, who introduced the bill.

On the consumer end, the law outlaws phosphorus fertilizer application on turf, which is defined by the state as "land planted in closely mowed, managed grasses, including residential and commercial property and publicly owned land, parks and recreation parks."

There are two main exceptions to the consumer portion of the law. Phosphorus fertilizer:

- Can be applied to turf if a user has a soil test from last 18 months that shows his or her turf is phosphorus deficient. The law states that the secretary of agriculture should have approved a standard for soil tests before October 2011. The secretary's office could not provide specifics of these soil tests by press time.
- Can be used when establishing new turf "via seed or sod procedures." In this case, its use is limited to only the first growing season.

This law does not apply to land used for agricultural production or private and public golf courses. Webb said, "Ag fertilizer application is already regulated under the Agency of Agriculture, while there was no regulation for developed land."

#### WHAT ABOUT GOLF COURSES?

The bill as passed — Act 37 of H.26 — also states, "A golf course shall be required to submit to the secretary of agriculture ... a nutrient management plan for the use and application of fertilizer to grasses or other lands owned or controlled by the golf course."

According to the bill, golf courses must submit nutrient management plans beginning on July 1, 2012. But none of the representatives at local golf courses contacted by the *Independent* were aware of such guidelines.

The rules for retailers selling phosphorus fertilizers are more clear-cut. Those retailers must:

- Display non-phosphorus and phosphorus fertilizers separately.
- Post a sign in front of phosphorus fertilizers that reads, "Phosphorus runoff poses a threat to water quality. Most Vermont lawns do not benefit from fertilizer containing phosphorus."

Both Lawes and Middlebury Agway have done just that. Bill Wallace, a manager at Agway, said his store will likely phase out phosphorus lawn fertilizer altogether. Once the current stock sells out, the store isn't planning to sell more.

To replace 10-10-10 fertilizer for lawns, Brad Lawes said, the state recommends using 22-0-15. That's fertilizer that contains 22 percent nitrogen, 0 percent phosphorus and 15 percent potassium.

The new law has an apparent inconsistency here. While retailers are encouraged to sell high-nitrogen-content fertilizers, the law explicitly states, "No person shall apply nitrogen fertilizer to turf." Nitrogen fertilizer here is defined as fertilizer with a slow-release nitrogen content of no less than 15 percent.

A person who knowingly violates this bill is subject to a fine of up to \$500.

For now, Nolette is trying out a phosphorus-free fertilizer from Lawes, but he's not convinced this new law will have a big impact. Neither is Louis Porter, lake keeper for the Conservation Law Foundation's Vermont office, who testified in favor of this bill last year and specializes in preventing Lake Champlain pollution issues.

"The overall effect of (this new law) will be important, but not terribly huge," he said. "It's not the end-all be-all solution. Ultimately, if we're serious about protecting and restoring Lake Champlain, we'll need measurable, demonstrable regulatory and permit approaches that lead to significant and sustained reductions in phosphorus. The specifics depend a lot on the source."

"In some years we're putting double the amount of phosphorus into the lake than it can absorb," he said.

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