



NJGIC Alert-Call to Action

AUGUST 25, 2010

NEW JERSEY GREEN INDUSTRY COUNCIL

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Companion Fertilizer Bills (S. 1411/A. 2290) were passed out of both Senate and Assembly Environment Committees on August 12th!

Activist pressure and the press coverage made it impossible to keep this bill in committee. However, despite its passing there was a victory for industry was the direct result of strong, diversified testimony of 15 green leaders, grass roots letters and over 50 green industry representatives in attendance at the hearing! Clearly, testimony and letters of concern made a difference. Our efforts resulted in committee members abstaining from the vote and verbal commitments to amend the bill!

Committee chairman acknowledges green industry accomplishments to protect water quality and lower nitrogen content in fertilizer products! Chairman McKeon recognized, on numerous occasions, that industry has done a lot already. He also noted that industry has come a long way towards changing fertilizer product content and sharing of industry expertise and practices. By providing science based arguments and real world data, we were able to garner the attention of the Senate/Assembly Environment committees. Our work is not done yet!

S.1411 was referred to the Senate Budget committee (8/23/10) – Voice your concerns!

Call to Action – send more letters! This means you need to act again with letters, calls and faxes to these new committee legislators! A strong grass roots effort going forward from all sectors of the industry to these new committee members is needed now! Tell them that the following items in the bills S-1411/A-2290 are unacceptable.

1. 30% Slow Release nitrogen and 0.75 lb rate limit.- will create an inferior NJ product
2. Application dates of March 1st through November 15th – economic impact to small businesses
3. Excessive fines (\$5000 and \$2500) that would be assessed for violating the nutrient management law.

Below is a list of contact information for the Senators who sit on the **Senate Budget Appropriations committee**. This committee is key to getting needed amendments to the fertilizer bill.

Senate Budget and Appropriations Committee Members:

Chairman Paul A. Sarlo (D-36) – 207 Hackensack St., 2nd Floor, Wood-Ridge, NJ 07075. Office: (201) 804-8118, SenSarlo@njleg.org

Vice-Chairman Brian P. Stack (D-33) - 5801 Palisade Ave., West New York, NJ 07093. Office: (201) 861-5091, senstack@njleg.org

Senator James Beach (D-6) - 1309 Route 70 West, Cherry Hill, NJ 08002. Office: (856) 429-1572, senbeach@njleg.org

Senator Anthony R. Bucco (R-25) - 75 Bloomfield Ave., Suite 302, 3rd Floor, Denville, NJ 07834. Office: (973) 627-9700, SenBucco@njleg.org

Majority Leader Barbara Buono (D-18) - Two Lincoln Highway, Suite 401, Edison, NJ 08820. Office: (732) 205-1372, SenBuono@njleg.org

Senator Sandra B. Cunningham (D-31) - 1738 Kennedy Blvd., Jersey City, NJ 07305. Office: (201) 451-5100, sencunningham@njleg.org

Senator Michael J. Doherty (R-23) - 127 Belvidere Ave, 2nd Floor, Washington, NJ 07882. Office: (908) 835-0552, sendoherty@njleg.org

Senator Kevin J. O'Toole (R-40) - 155 Route 46 West, Suite 108, Wayne, NJ 07470. Office: (973) 237-1360, senotoole@njleg.org

Senator Steven V. Oroho (R-24) - 115 Demarest Rd., Suite 2B, Sparta, NJ 07871. Office: (973) 300-0200, senoroho@njleg.org

Senator Joseph Pennacchio (R-26) - 330 Changebridge Rd, Suite 102, Pine Brook, NJ 07058. Office: (973) 227-4012, SenPennacchio@njleg.org

Senator M. Teresa Ruiz (D-29) - 166 Bloomfield Ave., Newark, NJ 07104. Office: (973) 484-1000, senruiz@njleg.org

Senator Bob Smith (D-17) - 216 Stelton Rd., Suite E-5, Piscataway, NJ 08854. Office: (732) 752-0770, senbsmith@njleg.org

Senator Jeff Van Drew (D-1) - 21 North Main St., Cape May Court House, NJ 08210. Office: (609) 465-0700, SenVanDrew@njleg.org

SENATE PRESIDENT SWEENEY SenSweeney@njleg.org

Process:

1. Copy and paste the Senate Assembly email addresses into a new email
2. Type or copy and paste **“Oppose S-1411 and A-2290”** in the subject line
3. Copy the letter below and paste into the email
4. Enter you name and organization at the bottom
5. Send
6. Repeat for Senate President Sweeney (SenSweeney@njleg.org)
7. BCC: nancy.sadlon@NJGIC.org (Important Step-it helps us when we meet with leadership to show the number of voters opposed to the bills)

Example letter: (Cut and paste into email) or visit NJGIC web site for automated letter.

"I am writing to express my great concern regarding the proposed Fertilizer Pre-emption bills (S. 1411/ A. 2290). For many fertilize applicator businesses, the proposed dates of application will have serve economic impact by reducing revenues by 10% -15%. The state will loose tax revenues and cause early layoff of seasonal workers adding to the already stressed unemployment rolls. The proposed fertilizer formulation content changes will harm business, create unworkable registration and enforcement requirements, and fail to protect water quality. Unacceptable Bill Amendments are:

- **Arbitrary fixed 30% slow release nitrogen content and a maximum rate of 0.75 lbs/1,000 ft²:** This conflicts with decades of agronomic and water quality research data, conflicts with Rutgers's recommendations, recommendations from DEP workgroup stakeholders, and current stakeholder consensus agreements. This change will unnecessarily eliminate entire product categories, damage the remaining product categories, and create an inferior NJ fertilizer product that could result in off label applications. This change creates an unworkable situation for retailers, the State Dept. of Agriculture, and homeowners.
Requested amendment: Revise fertilizer content to contain slow release nitrogen, minimum 15%, contain no more than 0.7 lbs of water-soluble nitrogen per 1000 sq. ft. and no more than 1.0 lb of total nitrogen per 1000 sq. ft.
- **Reduction of application window by 4 weeks. (March 1- November 15).** The proposal to push back the fall date of application to November 15th will result in a 10% - 15% loss of revenue for fertilizer application companies and result in a loss of sales tax revenue to the state and swell the ranks of unemployment with early layoff of seasonal workers. Oddly, even NY, located to the north of NJ has recently passed a nutrient bill with late fall application date of Dec 1st.
Requested amendment: Revise fertilizer application window to March 1st to Dec. 1st.
- **Penalties (\$ 2500 1st offense/ \$ 5000 2nd Offense) Excessive!** The bill currently calls for excessive penalties of \$2500 and \$5000. These far exceed those of the existing fertilizer law.
- **Requested amendment:** Amend fines to range from \$50- \$200 dollars, consistent with the fertilizer law.

Requested Action:

Please Amend S. 1411 / A. 2290! The current fertilizer bill has statewide implications and goes far beyond the limitations that are necessary to ensure protection of Barnegat Bay and other waters in the state of NJ. The bill – in its current form- will create unacceptable impacts to businesses and inferior NJ-only fertilizer product with no benefit to Barnegat Bay or other waters. Fertilizer-runoff is an insignificant (less than 2%) portion of the storm water pollution problem. Industry has already done much to address potential fertilizer impacts via product changes (elimination of phosphorous), reduced nitrogen content and industry has shown its willingness to educate about proper turf care. The bill (without key amendments being requested) will be harmful to businesses and the NJ economy! The bill, as written, is not supported by science and could result in the over-application of fertilizers – an action contrary to the premise of the bill. Write today and communicate the dire need for bill amendments!

Sincerely

Your Name _____, Your Company Name _____

To find out more contact:

NJGIC Nutrient Management Task Force

Chairman: John Buechner

Work phone: (732) 310-6096 or

NJGIC Executive Director

Work phone: (732) 563 9252 or email:

Support us with a financial contribution to the
(NJGIC) Nutrient Management Task Force.

More information to assist you with this issue and
providing your donation can be found on the web:

www.NJGIC.org

