NJGIC Call to Action Legislative Alert

JULY 19, 2010 NEW JERSEY GREEN INDUSTRY COUNCIL

NJ Green Industry Council
P.O. Box 4292
Warren, NJ 07059
www.NJGIC.org

Executive Director:
Nancy Sadlon
Phone: 732 563-9252
Cell: 908 334 3361
Nancy.sadlon@NJGIC.org

Send Checks & Invoices To:
NJ Green Industry Council
c/o State Street Associates
150 W. State Street
Trenton, NJ 08609
Attn: Eileen Domanico
P: 609-392-0559
F: 609-392-4816

Dear NJGIC Stakeholder;

Over the past two years the NJGIC Nutrient Taskforce has been working diligently on developing nutrient management legislation that is science based fair and workable. The process has reached a critical point and your action is needed.

Following the recent stakeholder meeting regarding S-1411 and A-2290 there are three items the nutrient taskforce cannot support:

1. 30% Slow Release nitrogen and 0.75 lb rate limit.
2. Application dates of March 1 through November 15.
3. Excessive fines that would be accessed for violating the nutrient management law.

CALL TO ACTION:

We need your help in a "Grass Roots" effort to communicate to the Senate and Assembly Environment Committee members as well as the President of the Senate, Senator Sweeney, that you oppose S-1411 and A-2290.

Attached is a list of contact information for the Senators and Assembly members who sit on the Environmental Committees of each house and Senator Sweeney. We would like you to have as many people as possible in your company or organization to send an e-mail to oppose the nutrient management legislation. Below we are providing information and a letter that can be clipped and pasted into an e-mail or used as talking points if you prefer to call the legislators.

SENATE ENVIRONMENT AND ENERGY COMMITTEE (see attachment for full mailing address and phone numbers. It is best to follow-up with a phone call to the office!)
senbsmith@njleg.org
sengordon@njleg.org
senbateman@njleg.org
senbeach@njleg.org
senbeck@njleg.org

ASSEMBLY ENVIRONMENT AND SOLID WASTE (see attachment for full mailing address and phone numbers. It is best to follow-up with a phone call to the office!)
asmmckeon@njleg.org
asmgusciora@njleg.org
asmbarnes@njleg.org
aswcoyle@njleg.org
aswlampitt@njleg.org
asmmainor@njleg.org
asmrudder@njleg.org

SENATE PRESIDENT SWEENEY
sensweeney@njleg.org

Process:

1. Copy and paste the Senate email addresses into a new email
2. Type, 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 your name and organization at bottom
5. Send & Follow-up with a call.
6. Repeat for the Assembly Committee members
7. Repeat for Senate President Sweeney (sensweeney@njleg.org)
8. 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)*

COMMUNICATION:

Option 1 : cut and paste this short message into email

I am opposing S-1411 and A-2290 for the following reasons:

1. I oppose an arbitrary 30% SRN requirement and 0.75 rate limit. The proposed standard is not based on science, conflicts with Rutgers and will not protect water quality.
2. I oppose November 15 as the last day of the year when nitrogen fertilizer can be applied. Current Rutgers University "best management practices" suggest early December as the time nitrogen applications should end.
3. I oppose the excessive fine structure in the legislation. I recommend fines be in line with penalties outlined in the Department of Agriculture's fertilizer law.

Sincerely,

Your Name _____, Your Company Name_____

Option 2: Cut and paste letter into email:

I am writing to express my great concern regarding the proposed Fertilizer Pre-emption bills (S. 1411/ A. 2290) that are expected to be presented with unacceptable amendments for your consideration. Last minute, unilateral changes to these bills have made it unacceptable and passage of these bills would fail to protect water quality, severely harm my business and many other lawn care and landscape businesses across the state.

For many businesses, the proposed dates of application will mean the difference between staying in business or not. The proposed content changes will harm business, create unworkable registration and enforcement requirements, and fail to protect water quality. Unacceptable Bill Amendments include the following and have severe ramifications that have not been fully considered:

- **Arbitrary fixed 30% slow release nitrogen content and a maximum rate of 0.75 lbs/1,000 ft2**: This last minute, unilateral change, 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 products categories, and create negative impacts to water quality. This change creates an unworkable situation for retailers, the State Dept. of Agriculture, and homeowners.

- **Application dates for Phosphorus/Nitrogen (March 1- November 15)**. The proposal to push back the fall date of application to November 15th is a compromise that will severely limit if not put out of business small lawn and landscape businesses. The season for lawn care is short and the elimination of month of services typically offered

will impact many businesses. Furthermore, it is unacceptable that the date is not consistent with current Rutgers' Best Management Practices and that the sighting of new studies from Michigan and Connecticut - studies come from more northern climates -- as the reason for Nov 15th is mis-guided and unacceptable. Oddly even NY, located to the north of NJ has recently passed a nutrient bill with a late fall application date of Dec 1st.

Penalties ($2,500 1st offense / $5,000 2nd Offense) Excessive! The bill currently calls for excessive penalties of $2,500 and $5,000. These far exceed other NJDEP penalties even those associated with improper pesticide applications and are unacceptable.

Requested Action: Please Oppose S. 1411 / A. 2290! The proposed bill amendments go far beyond the limitations that are necessary to ensure protection of Barnegat Bay and other sensitive waters in the state of NJ. The proposed changes create unacceptable impacts to businesses and a negative impact on the Barnegat Bay. Please look back to the 1st open DEP meetings discussing the problems of the Barnegat Bay and recognize the presentation of experts that fertilizer runoff is a very small - insignificant (< 2%) portion of the stormwater pollution problem. As experts stated: "fixing fertilizer runoff alone will not fix the bay's problems". Industry has shown its willingness to do its part (even though it is a small part). The proposed bill amendments are harmful to water quality, business, and science. I ask you to oppose this bill.

Sincerely
Your Name _____, Your Company Name_____

See below for complete mailing addresses and contact phone #'s for all Senate and Assembly Environment committee members and Senate President Sweeney.

To find out more contact:

NJGIC Nutrient Management Task Force Chairman:
John Buechner (Work phone: 732-310-6096)
or
NJGIC Executive Director; Nancy Sadlon (Work phone: 732-563-9252 or email (Nancy.Sadlon@NJGIC.org)

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

Senate Environmental and Energy Committee
Senator Bob Smith – Chair
216 Stelton Road, Suite E-5
Piscataway, NJ 08854
(732) 752-0770 Office
senbsmith@njleg.org

Senator Robert Gordon - Vice-Chair
14-25 Plaza Rd.
P.O. Box 398
Fair Lawn, NJ 07410
(201) 703-9779 Office
sengordon@njleg.org

Senator Kip Bateman
36 East Main St.
Somerville, NJ 08876
(908) 526-3600 Office
senbateman@njleg.org

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

Senator Jennifer Beck
32 Monmouth Street, 3rd Floor
Red Bank, NJ 07701
(732) 933-1591 Office
senbeck@njleg.org

Assembly Environment and Solid Waste Committee
Assemblyman John McKeon – Chair
4 Sloan Street, Suite D & E
South Orange, NJ 07079
(973) 275-1113 Office
asmmckeon@njleg.org

Assemblyman Reed Gusciora - Vice-Chair
226 W. State St.
Trenton, NJ 08608
(609) 292-0500 Office
asmgusciora@njleg.org

Assemblyman Peter Barnes
3 Stephenville Pkwy., Suite 2E
Edison, NJ 08820
(732) 548-1406 Office
asmbarnes@njleg.org

Assemblywoman Denise Coyle
100 Market Place
25 Mountainview Blvd., Suite 208
Basking Ridge, NJ 07920
(908) 604-2372 Office
aswcoyle@njleg.org

Assemblywoman Pamela Lampitt
1103 Laurel Oak Road, Suite 142
Voorhees, NJ 08043
(856) 435-1247 Office
aswlampitt@njleg.org

Assemblyman Charles Mainor
485-7 Martin Luther King Jr. Dr.
Jersey City, NJ 07304
(201) 536-7851 Office
asmmainor@njleg.org

Assemblyman Scott Rudder
32A North Main St.
Medford, NJ 08055
(609) 654-1498 Office
asmrudder@njleg.org

Senator Stephen M. Sweeney
Kingsway Commons
935 Kings Highway, Suite 400
West Deptford, NJ 08086
(856) 251-9801 office
sensweeney@njleg.org