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PRESS RELEASE

FOR IMMEDIATE RELEASE

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Miami Beach Commission Approves Eco-Friendly Fertilizer Ordinance

— *The measure prohibits fertilizers from being used during the rainy season and establishes the Biscayne Bay Protection Trust Fund —*

Miami Beach, FL – Responding to the recent fish kills and algal blooms in Biscayne Bay, Miami Beach Commissioners voted unanimously today to adopt a strong fertilizer restriction ordinance that limits the use of fertilizers for five months of the year and prohibits them entirely along city waterways and stormwater drains.

“The nutrients commonly found in fertilizers have been identified as one of the causes of the devastating fish kills that occurred in the northern Biscayne Bay basin over the summer and fall of 2020,” Commissioner Michael Góngora who sponsored the ordinance said. “As city officials, we want to do everything we can to reduce the likelihood of similar environmental incidents in the future.”

In addition to imposing restrictions on the use of fertilizers, the ordinance also creates the Miami Beach Biscayne Bay Protection Trust Fund, which will be funded entirely by the fines collected from violators.

High levels of nutrients such as nitrogen and phosphorus found in fertilizers contributed to the unprecedented fish kill and algal blooms along with excessively high-water temperatures, low-dissolved oxygen and increased freshwater flows from the Biscayne Canal and Little River. Recognizing that Miami Beach has an important role in the protection of the bay, the ordinance is an important step to help reduce nutrients from entering the waterway.

The measure prohibits fertilizers from being used during the rainy season and king tides that typically occur from June 1 through Nov. 1 – two months longer than similar ordinances to account for the greater likelihood of flooding during that period. The ordinance also creates 20-foot fertilizer-free zones by waterways and stormwater drains. It sets fertilizer application rates and methods outside of the prohibited application period, requires grass clippings and vegetative matter to be kept free from storm drains and waterways, establishes design and reporting requirements for golf courses, athletic fields and green spaces. It also requires training and sets licensing requirements for commercial and institutional fertilizer applicators as well as enforcement penalties.

The fines and penalties collected for violations of the ordinance will be deposited into the Miami Beach Biscayne Bay Protection Trust Fund. The money will be used to plan and manage environmental assessments and programs that further water conservation, pollution prevention

activities, water quality improvements as well as marine and coastal ecosystem enhancements that protect the city's water resources, including Biscayne Bay.

"This ordinance requires commercial landscapers to follow the same practices and standards that city landscapers already are using on public property in Miami Beach," added Mayor Dan Gelber who co-sponsored the ordinance. "Miami Beach's ordinance is the most comprehensive ordinance in South Florida and is an important step to reduce fertilizer use and preserve the health of Biscayne Bay."

The city's Parks and Recreation Department and the Public Works, Greenspace Management Division are required to apply the "Florida-Friendly Landscaping" principles developed by the University of Florida as well as best management practices for fertilizer application on public properties. In addition, all city landscaping contractors must follow industry practices and standards found in the Florida Department of Environmental Protection's "Florida-Friendly Best Management Practices for Protection of Water Resources by the Green Industries."

The ordinance allows golf courses, high-impact areas in public parks, and athletic fields to apply fertilizers year-round, however such facilities must report monthly fertilizer use on an annual basis. All new golf courses, high-impact areas in parks, and athletic fields must be designed to meet minimum "Florida-Friendly Landscape" requirements and low-impact design standards. These facilities must conduct periodic nutrient soil tests and report monthly fertilizer use for each site to the Environment & Sustainability Department for inclusion in the city's annual water quality report.

The City of Miami Beach joins 105 other municipalities and 13 counties in Florida that have passed strict summer rainy season application bans. The restricted period coincides with most of hurricane season and king tide periods.

The Miami Beach ordinance is one of the most rigorous in the state. It was developed using model ordinance language provided by the Florida Department of Environmental Protection as refined for Miami Beach's unique conditions using best management practices employed throughout the state.

To assist with the implementation of the ordinance, the city will develop a multi-tiered education campaign for residents and businesses. The city will also work with local nonprofits, including Miami Waterkeeper, Ocean Conservancy and Sierra Club, to educate and train the community as well as commercial landscapers.

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