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LEGISLATIVE ACTION

Senate	.	House
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Floor: WD/2R	.	
04/30/2010 10:53 AM	.	
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Senator Sobel moved the following:

1   **Senate Amendment to Amendment (495082)**
2
3   Delete lines 37 - 75
4 and insert:
5   (a) The local government has <u>verified impaired waters and</u>
6 <u>is facing existing or possible requirements for achieving the</u>
7 <u>total maximum daily load established under state or federal law;</u>
8 ~~demonstrated, as part of a comprehensive program to address~~
9 ~~nonpoint sources of nutrient pollution which is science-based,~~
10 ~~and economically and technically feasible, that additional or~~
11 ~~more stringent standards than the model ordinance are necessary~~
12 ~~in order to adequately address urban fertilizer contributions to~~
13 ~~nonpoint source nutrient loading to a water body.~~

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14   (b) The local government has verified harm to human health

15   or harm to the environment which warrants additional consumer

16   fertilizer requirements; or

17   (c) The local government will improve water quality or

18   prevent future impacts of consumer fertilizers on the

19   environment.

20   (5) If the local government proposes more stringent

21   standards, it must document ~~documents~~ that it has requested and

22   considered all relevant scientific information, including input

23   from the department, the institute, the Department of

24   Agriculture and Consumer Services, and the University of

25   Florida's ~~Florida~~ Institute of Food and Agricultural Sciences,

26   if provided, on the need for additional or more stringent

27   provisions to address fertilizer use as a contributor to water

28   quality degradation. All documentation must become part of the

29   public record before adoption of the additional or more

30   stringent criteria.

31   (6)~~(3)~~ Any county or municipal government that adopted its

32   own fertilizer use ordinance before January 1, 2009, is exempt

33   from this section. Ordinances adopted or amended on or after

34   January 1, 2009, must substantively conform to the most recent

35   version of the model fertilizer ordinance and are subject to

36   subsections (2)-(5) ~~(1) and (2)~~, as applicable.