

A New State Law Restricts the Use of Lawn Fertilizer

Phosphorus is a nutrient that is essential for plant growth, but high levels can degrade water quality, making it unhealthy for people and aquatic life. Phosphorus is often transported by stormwater runoff and flows into lakes, streams, and wetlands during spring snowmelt and rain events. As of January 1, 2012 a new state law is helping to improve water quality by reducing the use of phosphorus fertilizer. Better water quality will improve recreation and other uses of our freshwater resources. The law will also reduce costs to local governments and private entities that are required to remove excess phosphorus from stormwater and wastewater.

The new phosphorus law restricts the use of lawn fertilizer in the following ways:

- The use of phosphorus lawn fertilizer is prohibited unless establishing a new lawn or a soil test shows that the lawn does not have enough phosphorus.
- The application of lawn fertilizer is prohibited on impervious surfaces. The law requires that fertilizer applied or spilled onto impervious surfaces be picked up.
- The application of lawn fertilizer is prohibited within 20 feet of any surface water except where there is a vegetative buffer of at least 10 feet, or where the fertilizer is applied by a device with a spreader guard, deflector shield or drop spreader at least three feet from the surface water.
- The application of lawn fertilizer containing nitrogen, phosphorus, or potassium is prohibited between December 1st and April 1st.
- Retailers are required to display phosphorus containing fertilizers separately from nonphosphorus fertilizers, and to post an educational sign where the phosphorus fertilizers are displayed. Additional information is available at the New York State Department of Environmental Conservation (NYSDEC) website at www.dec.ny.gov.

The law applies to the use of phosphorus fertilizer that has more than 0.67% phosphorus by weight (even if it was purchased out of state) and includes organic phosphorus fertilizer. The provision does not impact the use of agricultural fertilizer or fertilizer for gardens.