

May 11, 2023

The Honorable Ron DeSantis  
Plaza Level, The Capitol  
400 S. Monroe St.  
Tallahassee, FL 32399

Delivered via email to [GovernorRon.Desantis@eog.myflorida.com](mailto:GovernorRon.Desantis@eog.myflorida.com)

**Re: Request for Line Item Veto of Proviso for Specific Appropriation 146**

Dear Governor DeSantis,

We, the below-signed 55 organizations and businesses, urge you to veto the proviso following line item 146 in SB 2500 reading in part "...\$250,000 in nonrecurring funds shall be used by the University of Florida Institute of Food and Agricultural Sciences (UF/IFAS) to evaluate the effectiveness of the timing of seasonal fertilizer restrictions on urban landscapes toward achieving nutrient target objectives for waterbodies statewide."

Your veto will save the popular, non-partisan urban pollution control measures that have been adopted across the state over the last 16 years. Failure to veto this line will tie the hands of local governments from protecting their own waterfront economies by prohibiting new effective urban fertilizer ordinances.

UF/IFAS and the Florida Department of Environmental Protection (FDEP) have been recommending the avoidance of Nitrogen and Phosphorus fertilizer application during the rainy season since they first started publishing Florida Yards and Neighborhoods (FYN) Manuals in the early 1990s. Any stepping away from those recommendations has been tied to funding UF/IFAS receives from the turfgrass and agrichemical industries.

Governor, rainy season urban fertilizer management has been a non-partisan, common sense, science-based approach to protecting Florida's environment and economy since 2007; over seventeen counties and well over 100 municipalities have embraced strict rainy season application bans in the last 16 years.<sup>1</sup> No one, including UF/IFAS, which spent millions of state (FDEP) dollars studying the same between 2005-2011, has ever determined that avoiding fertilizer application before Florida's heavy summer downpours is anything but the cheapest, easiest, and best way to stop urban stormwater pollution at its source. On the contrary, there is an enormous body of research supporting strict urban fertilizer management and substantiating

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<sup>1</sup>"STRONG County and Municipal Urban Fertilizer Ordinance Coverage as of 02/08/22," *Sierra Club Florida*, Last Updated February 8, 2022, <https://drive.google.com/file/d/1F-HMEY12OKzceMR5t3-2jV9NxX5SyOpq/view>

their need for fertilizer limits more stringent than the FDEP Model Ordinance, present in the public records of each county/city that has gone through the ordinance adoption process. There is no reason to waste taxpayer dollars to restudy established fact.

We already know that “strong” residential fertilizer ordinances protect water quality and the businesses, property values, and quality of life that depend on it. Veto the proviso to specific appropriation 146 for the boat captains, waterfront hotels and restaurants, tourists, and everyone who calls Florida their home. Ensure that the urban fertilizer programs we know lead to improved water quality continue leading us to a healthier and safer Florida for all.

The proposed \$117.03 billion budget is significantly larger than the \$114.8 billion Freedom Budget proposed by your administration. In the coming fiscal year it will be critical to ensure that taxpayer dollars are allocated responsibly, and this \$250,000 study would be ineffective, unnecessary, and fiscally irresponsible.

The Florida Supreme Court decision in *Brown v. Firestone* demonstrated that a Governor can veto the smallest identifiable, discrete appropriation for which it is also possible to identify the fund from which the funds are appropriated.<sup>2</sup> Your veto can be limited to the \$250,000 which is funded exclusively from the General Revenue Fund and is explicitly set aside for the UF/IFAS study of the effectiveness of seasonal fertilizer restrictions in the last paragraph of line item 146 of the Budget (SB 2500).

Uphold the commitment to protecting water quality you made in your Executive Order #23-06.

**Veto the proviso following line item 146 in the General Appropriations Act for Fiscal Year 2023-24.**

Sincerely,

**Alachua County Board of County Commissioners**

Anna Prizzia, Chair

**ASBRO, LLC**

E. Allen Stewart II P.E., Manager

**Audubon of Southwest Florida**

Gerri Reaves, President

**Biscayne Bay Marine Health Coalition**

Dave Doebler, Chair

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<sup>2</sup> *Brown V. Firestone*, 382 So.2d 654 (1980)

**Bonita Jetski Inc.**

William Hanson, President

**Brevard Indian River Lagoon Coalition**

Craig Wallace, Chairman of the Board

**Catalyst Miami**

Zelalem Adefris, CEO

**Climate Reality Project, North Broward and Palm Beach County Chapter**

Susan Steinhauser, Co-Chair

**Conservancy of Southwest Florida**

Amber Crooks, Environmental Policy Manager

**CREATIVE ENVIRONMENTAL SOLUTIONS, INC.**

George Foster, President

**Democratic Environmental Caucus of Florida**

Judy Freiberg, JD, Vice President

**Earth Action, Inc.**

Mary Gutierrez, Director

**Environmental Confederation of Southwest Florida (ECOSWF)**

Becky Ayeche, President

**Florida Conservation Voters**

Aliki Moncrief, Executive Director

**Florida Oceanographic Society**

Mark Perry, Executive Director and CEO

**Florida Rights of Nature Network**

Tiffany Grantham, Vice Chair

**Florida Springs Council**

Ryan Smart, Executive Director

**Florida Wildlife Federation**

Sarah Gledhill, President & CEO

**Friends of Artur R. Marshall Loxahatchee National Wildlife Refuge**

Josh Weller, President

**Friends of St. Sebastian River**

Tim Glover, President

**Friends of the Everglades**

Eve Samples, Executive Director

**Friends of the Thousand Islands Sanctuary Inc.**

James Durocher, Vice President

**Friends of the Wekiva River**

James Adamski, President

**Grove Surf + Coffee**

Peter Gottschling, Owner

**Hernando Audubon Society, Inc.**

Tom St Clair, PhD, Conservation Chair

**Hernando Chapter of the Florida Native Plant Society**

Janet Grabowski, President

**Howard T. Odum Florida Springs Institute**

Haley Moody, Associate Director

**Island of Key Largo Federation of Homeowner Associations**

Dottie Moses, President

**Kissimmee Waterkeeper**

John C. Capece, PHD, Waterkeeper

**La Mesa Boricua de Florida**

Maria Revelles, Co-Director

**League of United Latin American Citizens Council #7259**

David Sinclair, President

**League of Women Voters of Florida**

Cecile Scoon, President

**MAINZER'S DELICATESSEN**

Cheryl Oswald, Owner

**ManaSota-88, Inc.**

Glenn Compton , Chairman

**Martin County Democratic Environmental Caucus**  
Carol Ann Leonard, President

**Nature Coast Conservation**  
DeeVon Quirolo, President

**Our Santa Fe River. Inc.**  
Joanne Tremblay, President

**Peace Myakka Waterkeeper**  
Andy Mele, President and Waterkeeper

**Pelican Island Audubon Society**  
Richard Baker, Ph.D., Chair

**Progress Florida**  
Mark Ferrulo, Executive Director

**Rainbow River Haven LLC**  
Amber Serena, Managing Member

**Rebah Farm**  
Carol Ahearn, Owner

**River Rise Resort LLC**  
Jane Blais, Owner/Manager

**Sanibel-Captiva Conservation Foundation**  
Matt DePaolis Environmental, Policy Director

**Save the Manatee Club**  
Patrick Rose, Executive Director

**Scuba Marco**  
Jeffrey Dawson, President

**Sea Turtle Conservancy**  
David Godfrey, Executive Director

**Sierra Club Florida**  
Emily Gorman, Chapter Director

**Sierra Club Land Water & Wildlife Campaign**  
Craig Diamond, Volunteer Co-Lead

**Space Coast Audubon Society**  
James Stahl, President

**START (Solutions To Avoid Red Tide)**  
Sandy Gilbert, CEO

**Stone Crab Alliance**  
Karen Dwyer, Ph.D., Co-founder

**Surfrider Foundation**  
Emma Haydocy, Florida Policy Manager

**Tropical Audubon Society**  
Lauren Jonaitis, Senior Conservation Director

**VoteWater**  
Gil Smart, Executive Director