City of Sanibel

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December 15, 2011

The Honorable Lizbeth Benacquisto
17595 S. Tamiami Trail
Suite 200-9
Fort Myers, FL 33908

RE: Local Water Quality Issues and the Detrimental Impact of Preemption

Dear Senator Benacquisto:

I am writing to you on a matter of great public concern to the citizens of the City of Sanibel. Specifically, the City of Sanibel is requesting your assistance and support in our efforts to maintain the authority and local legislative tools necessary to protect our local bays, estuaries and inland waterways. Under imminent attack (as it has been for the previous two years) is local government authority to regulate the amount of nitrogen and phosphorous that enter our local waterways through the "run-off" of extensive over fertilization of properties. We are extremely concerned that the reasonable regulations that have been established by the state legislature through compromise over the past two years will be decimated by the current attempts of the fertilizer industry to have the legislature further weaken or preempt our local regulations.

With regard to that issue, the City of Sanibel is seeking your very active support in defeating Senate Bill 1174 and any amendments to it that in any way allow preemption of local government authority or restrict the abilities of cities and counties to locally regulate the use of fertilizer beyond what has already been imposed by the state legislature.

On the broader issue of preemption by the state legislature of local government's authority to control storm water runoff, address septic tank pollution and address water quality issues in general, we request that the legislature not take away or hamper our local legislative and regulatory tools to address these issues. Cities and counties are being held increasingly responsible for water quality standards and the most cost effective way to prevent degradation of our waterways is through prevention not remediation efforts after extensive damage is done.

The City of Sanibel very much appreciates your efforts on our behalf and we look forward to your support on these issues and your continued support for the welfare for the citizens of Sanibel.

Sincerely,

Mick Denham
Vice Mayor

cc: Sanibel City Council
Judith A. Zimomra, City Manager
Kenneth B. Cuyler, City Attorney

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