



**MARINE & ENVIRONMENTAL SERVICES
TOWN OF FALMOUTH**

180 SCRANTON AVENUE, FALMOUTH, MA 02540

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TOWN MARINA TEL: (508) 457-2551

Dear Falmouth Property Owner:

You are receiving this letter because all or a part of your property is within 100-ft of defined Wetlands Resource Area.

The Town of Falmouth is home to more than fifteen major coastal ponds stretching from Waquoit Bay to Meganset Harbor. These estuaries help define our community and all are in various stages of decline. Too much nitrogen going through the groundwater into the water bodies is causing algae blooms, fish kills and general habitat degradation.

Individual cesspools and septic systems are the single largest cause of this decline. The second largest controllable nitrogen source impacting our estuaries is **fertilizer used on lawns**. That is why Falmouth enacted the Nitrogen Control Bylaw, Chapter 237 of the Town Code. The full text of the Bylaw can be found at <https://ecode360.com/27443489> or as a synopsis of the Bylaw on the back side of this page.

If you fertilize your lawn, or have someone else fertilize for you, this Bylaw applies to you. The key points of the Nitrogen Bylaw are as follows:

- Any portion of your property that comes within 100-ft of a protected wetland resource area as listed in the Falmouth Wetlands Regulations **bans ANY fertilizing in this 100-ft zone.**
- Areas on your property **landward of this zone may be fertilized in accordance with the provisions of the Bylaw.**
- The Bylaw **bans all fertilizing before April 15th or after October 15th, and directly before or during a heavy rain event.**

Just so you know, wetland resource areas include any bank, freshwater wetland, coastal wetland, beach, dune, flat, marsh, swamp, wet meadow, bog, vernal pool, reservoir, creek, estuary, stream, pond, lake, or ocean or land under the water bodies. These are listed in the Falmouth Wetland regulations under FWR 10.01(1)(a-d).

Thank you for your cooperation in improving the quality of Falmouth's estuaries. For more information or to report violations please call 508-457-2550.

Sincerely,

Gregg Fraser, MES Director



**TOWN OF FALMOUTH
NITROGEN CONTROL (FERTILIZER)
TOWN CODE CHAPTER 237**



PURPOSE: To conserve resources and protect our environment by regulating the outdoor application of nitrogen in order to reduce the overall amount of excess nitrogen entering the Town's Resource Areas as defined in the Wetlands Protection By-Law (Chapter 235, Section 2) and regulations.

APPLICABILITY: The by-law applies to and regulates ALL applications of nitrogen through fertilizer within the Town of Falmouth. (This includes private or commercial applications)

ALL APPLICATIONS OF NITROGEN THROUGH FERTILIZER SHALL ADHERE TO THE FOLLOWING:

1. Fertilizer (nitrogen) is prohibited from October 16th to April 14th annually.
2. The application of Fertilizer (nitrogen) is prohibited within 100 feet of Resource Areas as defined in Falmouth's Wetlands regulations FWR 10.02(1)(a) through (d).
3. Any fertilizer applied, spilled, and/or deposited on any impervious surface must be immediately and completely removed and contained and either legally applied or returned to an appropriate storage container.
4. Fertilizer may not be applied directly before or during a heavy rain event.

EXEMPTIONS:

1. Application for agriculture or horticulture.
2. Application of fertilizer to golf courses (some restrictions apply, see bylaw)
3. Application of nitrogen to gardens, trees, shrubs and indoor applications including greenhouses.
4. Application of nitrogen for the establishment of NEW vegetation in the first growing season, or repairing of turf after substantial damage.
5. Yard waste compost or other similar materials that are primarily organic in nature and are applied to improve the physical condition of the soil.

RECOMMENDATIONS:

The Town strongly recommends that nitrogen be applied at the LOWEST rate necessary. Any single application of nitrogen should not exceed 0.5 pounds of nitrogen per 1,000 square feet, and annual aggregate total application of nitrogen should not exceed 1.0 pounds per 1,000 square feet.

In addition, it is recommended you use organic slow-release nitrogen that is also water-insoluble form.

ADDITIONAL INFORMATION:

For additional information please see the Falmouth Town Code Chapter 237. You may also contact the Marine & Environmental Services Department. Violations may be reported to MES at 508-457-2550.