

**BARNSTABLE COUNTY
ASSEMBLY OF DELEGATES
In the Year Two Thousand Twenty-Two
Resolution 22-02**

Supporting a proposed Home Rule Petition by the Town of Orleans on the application of fertilizers

Be it hereby resolved by the Barnstable County Assembly of Delegates:

WHEREAS, the protection of the fresh-water and salt-water bodies of the entire Cape Cod peninsula is of paramount importance to the region's health, economy, and well-being; and

WHEREAS, increasing loads of nitrogen and phosphorus into our groundwater, ponds, waterways, and estuaries is resulting in degraded water quality that fails to meet mandated standards and poses significant human and animal health hazards; and

WHEREAS, the use of fertilizer adds a substantial portion of the load of nitrogen and phosphorus entering our waters; and

WHEREAS, despite efforts at community education to reduce the use of fertilizers, their use has only grown over time; and

WHEREAS, the Town of Orleans is experiencing degradation of its pond waters despite strategies of remediation; and

WHEREAS, Commonwealth laws and regulations have taken away the right and prevent local jurisdictions to have regulatory oversight of agricultural chemicals and fertilizers; and

WHEREAS, the Town of Orleans is preparing a Home Rule petition to the Great and General Court, to allow the Town to issue regulations to prohibit the application of fertilizers except for the purposes of commercial agriculture and the residential use of certified organic fertilizer with low nitrogen and phosphorus for the use in growing fruits and vegetables that is allowable under the United States Department of Agriculture (USDA) National Organic Program organic standards (Organic Materials Review Institute (OMRI) listed); and

WHEREAS, the Assembly of Delegates finds this effort to protect our waters to be of great importance, in view of our sole-source aquifer status for the entire peninsula; and

WHEREAS, it is appropriate that municipal authorities have the means to adequately protect local resources with stronger use restrictions than may be appropriate elsewhere in the Commonwealth; and

NOW, THEREFORE, the Assembly of Delegates, by a vote representing a majority of the population of Barnstable County, supports the proposed Home Rule petition by the Town of Orleans, to prohibit the application of fertilizers except for the purposes of commercial agriculture and the residential use of certified organic fertilizer with low nitrogen and phosphorus for the use in growing fruits and vegetables that is allowable under the USDA National Organic Program organic standards (OMRI listed).

The Assembly of Delegates adopted the foregoing Resolution 22-02 at its regular meeting on September 21, 2022 by a roll call vote with delegates representing 72.05% of the population of Barnstable County voting in the affirmative, delegates representing 8.85% of the population of voting in the negative, and delegates representing 19.10% of the population absent.

Attested by:

A stylized, handwritten signature in black ink, appearing to read "Owen Fletcher". The letters are bold and connected, with a cursive-like flourish at the end.

Owen Fletcher, Clerk
Assembly of Delegates