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**VOICE**

LIVE THE LEGACY

FARM BUREAU DAY

2019

ISSUE BRIEFS

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# WATER & BMPs



## Water Policy & BMP Issues

### Background & Information

Agricultural Best Management Practices are practical, cost effective actions that agricultural producers can take to conserve water and reduce the amount of nutrients and other pollutants entering water resources. They are designed to benefit water quality and water conservation while maintaining or even enhancing agricultural production.

For years, Florida farmers and ranchers have been implementing BMPs but algal blooms and other water quality issues have caused the environmental community to second guess the effectiveness of BMPs, therefore, they are calling for a more command and control regulatory approach. We believe this would be a mistake, but also understand that the BMP program should continue to improve over time.

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### 2020 Legislation

Florida Farm Bureau is part of a large coalition of agricultural interests that are working together to support a legislative proposal that will essentially do three things:

- Direct FDACS to verify the implementation of BMPs within Basin Management Action Plan (BMAP) areas every 24 months.
- Direct FDACS and UF/IFAS to coordinate to improve data collection and research efforts to enhance existing BMPs and develop new technically and financially practical BMPs.
- Create a new nutrient reduction cost-share program that could fund projects to reduce nutrient pollution within BMAP areas.

These measures will help improve water quality throughout Florida because of the increased enrollment, verification and compliance with BMPs as well as the strengthened data collection and research that will result in even better practices in the future.

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### Florida Farm Bureau Policy

12. Best Management Practices.

We support scientific, economically feasible and technology – based voluntary Best Management Practices for all commodities.

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# 2

# RIGHTS OF NATURE



## Rights of Nature

Activist groups around the state are pushing petitions for so called “Rights of Nature” county charter amendments. These amendments would grant legal “rights” to specific rivers, water bodies and other natural features. These amendments give citizens a broad standing to sue governments or businesses who “interfere or infringe” on those rights. The organization leading this charge is the Community Environmental Legal Defense Fund, which so far has proposals in Alachua, Brevard, Lee, Orange and Osceola counties.

### Importance

We believe this movement should be stopped for several reasons:

- It will broaden standing and invite litigation.
  - These amendments will likely result in a significant increase in litigation by creating a private cause of action where any person can sue another person, business or government, if they feel their “rights” are being violated.
- It is a risk to business and agriculture.
  - These proposals will very likely lead to businesses and agricultural landowners being sued by those who feel that a particular operation is intruding on their right to a clean environment or the “rights” of a water body.
- It will handcuff local governments.
  - Passing ordinances or issuing permits will nearly be impossible, and when even properly granted permits are challenged, they will be much harder to uphold.
- It is completely unnecessary.
  - Floridians already have ample opportunity under existing law to challenge activities or government actions they feel result in harm to the environment.

### 2020 Legislative Session

We have partnered with other groups to develop legislative language that will stop these efforts by simply stating no governmental entity can extend rights to natural objects.

This legislative language is currently in drafting and will likely be part of a broader environmental package. Senators Wilton Simpson and Ben Albritton are leading the efforts in the Senate, while Representative Blaise Ingoglia is doing the same in the House.

### Florida Farm Bureau Policy

212. Rights of Nature

We oppose granting rights of personhood to natural resources or species, other than Homo sapiens, for purposes of establishing a cause of action or standing.

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## BRONSON LAB PUBLIC EXEMPTION



## Bronson Lab Public Records Exemption

The Bronson Animal Disease Diagnostic Laboratory (BADDL) provides consummate scientific expertise in the detection and investigation of animal diseases that affect livestock, companion animals and public health. Different segments of the agricultural industry submit samples to diagnose animal health issues.

Currently, any testing information and results are public records according to Florida Statute. That means that members of the public could request these results and possibly have access to information that is typically considered to be private.

Most other private and state supported animal diagnostic laboratories, including the University of Florida Veterinarian Laboratory have an exemption that allows diagnostic information to remain private.

Because BADDL does not enjoy the exemption provided in §474.2165(4), F. S., producers and veterinarians are more inclined to send patients or patient samples to other labs, greatly reducing the opportunity for the state laboratory to continue surveillance, eradication and prevention of animal disease in Florida.

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### 2020 Legislation

**SB 806**, filed by Senator George Gainer, provides for a public records exemption for the Bronson Animal Disease Diagnostic Laboratory. It states that "records may not be furnished to, and the medical condition of a patient may not be discussed with, any person other than the client or the client's legal representative or other veterinarians involved in the care or treatment of the patient, except upon written authorization of the client."

This public records exemption would protect veterinarian/client confidentially and protect Florida's agricultural producers from undue scrutiny from single diagnostic test results. Florida citizens would still be protected by the FDACS Division of Animal Industry as we continuously monitor all reportable disease test results and would continue to update stakeholders and citizens of significant disease outbreaks as required by law.

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### Florida Farm Bureau Policy

FFBF does not have specific policy regarding animal health records, there are several policies that support protecting potentially sensitive information from public disclosure.

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FDACS



## Florida Department of Agriculture and Consumer Services

### Fresh from Florida

"Fresh From Florida" is a known and trusted brand that has been used to market Florida agricultural products since the Legislature created FAPC in 1990. Since that time, the "Fresh from Florida" brand has become recognized worldwide and serves to represent the state's 47,000+ growers.

This program is vital to not only help safeguard the economic impact agriculture has on the state, but also to protect the safety and security of the food supply. Florida growers have experienced major impacts from imports from other countries, most notably, Mexico, which produces a wide array of similar agricultural products during the same time of year as Florida.

In 2015, the Legislature agreed to allocate nearly \$13 million in state funding, which included \$2 million for beef marketing, for this critically important and vital agricultural marketing program. In 2017, funding was cut drastically to around \$6 million, including \$750,000 for beef marketing.

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### Fresh from Florida 2020-2021 Budget Request

FDACS is requesting \$5 million in General Revenue funding for "Fresh From Florida".

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### Florida Farm Bureau Policy

185. Florida Agricultural Promotion Support

We urge producers to join and participate in the "Fresh from Florida" promotion program.

We strongly encourage the education of consumers about the benefits of Florida agriculture, especially fresh Florida produce.

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# [Florida Department of Agriculture and Consumer Services](#)

## [Rural and Family Lands Protection Program](#)

The Rural and Family Lands Protection Program, created in 2001 with the passage of the Rural and Family Lands Protection Act, is an agricultural land preservation program designed to protect important agricultural lands through the acquisition of permanent agricultural land conservation easements. Easements for this program will complement agricultural producers to ensure sustainable agricultural practices and reasonable protection of our natural resources.

In 2013, FDACS expressed the need for additional funding for the program to ensure the future of agriculture in the state of Florida. That year, the Legislature funded the Rural and Family Lands Protection Program at \$35 million. In 2017, the program received \$10 million in funding and last year, the program received less than \$5 million. This program clearly needs more funding as there are more than 100 pending projects totaling more than 230,000 acres with an estimated purchase price of around \$450 million.

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## [Rural and Family Lands 2020-2021 Budget Request](#)

FDACS is requesting \$32.6 million in the Land Acquisition Trust Fund for the Rural and Family Lands.

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## [Florida Farm Bureau Policy](#)

### 15. Conservation Easements

We support sufficient funding for working lands conservation easement programs.

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## [Agricultural Water Policy](#)

The FDACS Office of Agricultural Water Policy works with agricultural producers, industry groups, the Florida Department of Environmental Protection, the university system and Florida's water management districts to develop and implement Agricultural Best Management Practices (BMPs) addressing both water quality and water conservation.

Florida Farm Bureau, our members and many of our state's more than 47,000 growers work closely with the Office of Ag Water Policy on important methods to improve water quality and water quantity around the state.

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## [Agricultural Water Policy 2020 – 2021 Budget Request](#)

FDACS is requesting \$15 million in the Land Acquisition Trust Fund to address Lake Okeechobee Restoration Projects.

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## [Florida Farm Bureau Policy](#)

There are multiple FFBF policies supporting FDACS cost share programs and funding for Lake Okeechobee restoration projects.

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UF/IFAS



## University of Florida's Institute of Food and Agricultural Sciences

Florida Farm Bureau has been a longtime advocate and supporter of the University of Florida's Institute of Food and Agricultural Sciences (UF/IFAS) and the work it does for Florida's agricultural producers. UF/IFAS is a nationwide leader in agricultural research, education and science, and Florida's farmers and ranchers are blessed to have a great partnership and working relationship with UF/IFAS research and Extension faculty.

These funding requests are critical for UF/IFAS to carry out its mission and continue its role as the research, education and Extension arm for Florida's agricultural producers.

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### UF/IFAS Workload Increase

**\$3,882,213 Recurring**

**Champions:** *Senator Stargel and Representative Ingoglia*

The UF/IFAS "Workload" formula is a cost-to-continue-funding formula or model that would respond to an increased research and Extension workload demand. This funding enables researchers to provide solutions to problems and challenges faced by agricultural and natural resources industries as well as communities. Extension agents then educate producers and communities on new technologies and production practices.

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### Florida 4-H Education Center Improvements

**\$1,625,000**

**Sponsors:** *Senator Albritton and Representative Tomkow*

This funding request will go toward facility improvements at 4-H Education Centers. It will help increase the capacity of the Florida 4-H program by providing youth in grades K-12, from all 67 counties, a research-based environmental and agricultural sustainability education. The program will **update and modernize the three residential 4-H education camping centers statewide.**

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### Florida Farm Bureau Policy

114. The University of Florida/ Institute of Food and Agriculture Sciences.

We urge the Florida Legislature to provide funding to UF/IFAS to meet the challenges of commercial agriculture in this state.

106. 4-H and FFA Youth Programs

We support state and federal funding for these programs.

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## Other projects:

### Algal Bloom Research & Mitigation

\$1,754,000

**Sponsors:** *Senator Gruters and Representative Eagle*

The goals of this project are to **provide science-based guidance and assistance for implementation of the most effective mitigation, prevention and control strategies for harmful algal blooms (HAB) associated with regional watersheds and specific aquatic ecosystems, in collaboration and communication with user-groups and stakeholders.**

To avoid large expenditures on unproven mitigation efforts that have a low potential for success and possibly cause unexpected damage, UF/IFAS will work to maximize the effectiveness and efficiency of mitigation strategies, while minimizing the potential for costly failed efforts.

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### Demonstration of Reducing Residential Water Quality Impacts

\$920,000

**Sponsors:** *Senator Harrell and Representative Caruso*

This project will determine whether specific soil amendments and reduced irrigation will reduce water quality impacts from residential landscapes. **It will also include efforts to mitigate water quantity and quality impacts.**

The project consists of identifying and amending soils in 200 diverse residential landscapes over a one-year period. This real-world demonstration project will determine the optimal amendment rate for a broader implementation state-wide.

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E-VERIFY



## E-Verify

On October 24, Senator Tom Lee introduced SB 664 that would require all employers to use E-verify. E-verify is a United States Department of Homeland Security internet – based system that allows businesses to determine the eligibility of their employees, both U.S. and foreign citizens, to work in the United States.

The national immigration system is broken and it has failed to secure our borders and protect our citizens. While Farm Bureau policy supports the use of LEGAL foreign workers, it is important that efforts to secure the border and fix the broken immigration system be accomplished at the federal level.

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## Importance

A mandatory state level E-Verify would be a bad policy for the following reasons:

- A state law requiring Florida businesses to complete a verification process that deviates from what is required by federal law will subject Florida employers to discriminatory lawsuits.
  - Federal law requires employers to verify identification and employment eligibility through the I-9 process. Employers may not request more or different documentation than what is required.
  - Individuals who believe they have been subject to discrimination – because they were treated differently, based on place of birth, country of origin, etc. – may file charges against the employer with the Justice Department's Office of Special Counsel for Immigration-Related Unfair Employment Practices.
  - Florida employers may be subject to civil penalties, back pay awards, hiring orders or the imposition of injunctive relief to end discriminatory practices.
- Requiring businesses in Florida to use E-verify to confirm employment eligibility is not a solution. It is not effective, it puts Florida at a competitive disadvantage and it subjects Florida businesses to lawsuits.
- A state law imposing requirements on Florida businesses that are significantly more burdensome than what businesses in other states must complete puts Florida at a severe disadvantage.

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## Florida Farm Bureau Policy

160. Immigration at the Federal Level

Recognizing that immigration is a federal issue, we oppose immigration legislation, ordinances or rules at the state or local level that would prevent the sustainability and economic viability of Florida agriculture.

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