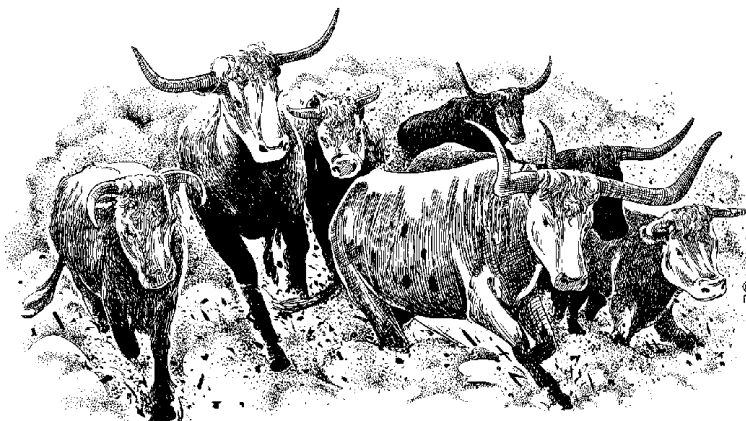


Institute of Food and Agriculture Sciences

Marion County Extension Service
2232 NE Jacksonville Road
Ocala, Florida, 34470
(352) 671-8400



Vol. 14, No. 2

MARION COUNTY LIVESTOCK NEWS

MAY 2009

FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES Division of Agricultural Water Policy **Best Management Practices for Florida Cow/Calf Operations**

Following are the comments of Florida's Commissioner of Agriculture Charles H. Bronson included in the Florida Department of Agriculture BMP's for Florida Cow/Calf Operations Manual.

Dear Agricultural Producers:

Congratulations on completing the *Water Quality Best Management Practices for Florida Cow/Calf Operations*. A cow/calf manual was first developed in 1999 and used in the Lake Okeechobee watershed. This revision, applicable statewide, reflects many years of hard work from representatives of the agricultural industry, the environmental community, and federal, state and local government. The manual provides a valuable collection of many common-sense techniques that are directed at enhancing and protecting water quality.

While best management practices (BMPs) have been in place for many years in our state, their role in environmental protection was formally established in 1999 with the passage of the Florida Watershed Restoration Act. This legislation provides the framework for implementing Florida's Total Maximum Daily Load program, which sets water quality targets for impaired waters. As Florida's population continues to increase, so do the impacts to and competition for Florida's limited water resources. All Floridians must take part in conserving and protecting these resources.

This manual represents the cattle industry's commitment to do just that.

Rangeland and pasture comprise nearly 11 million acres within Florida. This land remains essentially in a natural state, maintaining valuable water recharge areas and preserving open spaces. The BMPs in this manual help ensure that production activities do not compromise the environmental advantages of keeping the land in agriculture. The BMPs also provide ranchers with other benefits and help them remain competitive in a global economy.

As a fifth generation Floridian whose family has always been involved in agriculture, I want to thank all who participated with the Department in the development of this important manual. With the active support and participation of so many dedicated people, I am optimistic about the future of Florida's agricultural industry. I trust that you will join me in supporting this valuable water resource protection effort.

Sincerely,

CHARLES H. BRONSON
COMMISSIONER OF AGRICULTURE

BMP History and Purpose

The 1972 Federal Clean Water Act (FCWA) required states to assess the impacts of nonpoint sources of pollution on surface and ground waters, and establish programs to minimize these impacts. In 1978, Florida established a Nonpoint Source Management Program, which includes the use of structural and nonstructural BMPs to minimize nonpoint source pollution, through both regulatory and non-regulatory means.

Section 303(d) of the FCWA requires states to identify impaired waters and establish total maximum daily loads (TMDLs) for pollutants entering these waters. TMDLs establish the maximum amount of pollutants that can be discharged to a waterbody and still meet designated uses such as swimming, fishing, or as a potable water source. The 1999 Florida Watershed Restoration Act (FWRA) provided the framework for Florida's TMDL program. Under the FWRA, once the Florida Department of Environmental Protection (FDEP) establishes a TMDL, the agency may develop and adopt a Basin Management Action Plan (BMAP), which specifies the activities that watershed stakeholders will undertake to reduce point and nonpoint source pollutant loadings. In watersheds with adopted BMAPs and in some other areas, agricultural producers are statutorily required either to implement FDACS-adopted BMPs or conduct water quality monitoring prescribed by FDEP or the water management district.

The FWRA gives the Florida Department of Agriculture and Consumer Services (FDACS) the authority to develop interim measures, BMPs, cost-share incentives, and technical assistance programs to assist agriculture in reducing pollutant loads in TMDL watersheds and other areas. The law also stipulates that the FDEP must verify that these BMPs are effective in reducing pollutant loading to waters.

Many of Florida's ranchers who produce food, fiber, and livestock on approximately 11 million acres will be required to help meet agricultural pollutant load allocations through BMP implementation.

Pursuant to sections 403.067(7)(c), and 570.085, F.S., implementation, in accordance with FDACS rule, of FDEP-verified and FDACS-adopted BMPs gives ranchers the following advantages:

- A presumption of compliance with state water quality standards
- A release from the provisions of s.376.307(5), F.S., for those pollutants addressed by the BMPs
- Assistance with BMP implementation

However, nothing in this manual shall be construed as restricting the authority of the FDEP or the water management districts (WMD) under Chapters 403 and 373, F.S.

Statutory Exemptions for Agricultural Activities

Under subsection 373.406(2), F.S., any person engaged in the occupation of agriculture may alter the topography of any tract of land for purposes consistent with the practice of agriculture. These activities may not be for the sole or predominant purpose of impounding or obstructing surface waters. Agricultural activities that meet these criteria may qualify for a statutory exemption from an Environmental Resource Permit (ERP).

Pursuant to 373.406(9), F.S., environmental restoration activities on agricultural lands that have minimal or insignificant impacts to water resources may also be exempt from an ERP, upon written request by the producer and written notification from FDEP or the water management district that the proposed activity qualifies for the exemption.

Even if the two exemptions above apply, they do not relieve agricultural producers located within a watershed with an adopted BMAP from either implementing BMPs or conducting monitoring.

Also, persons engaged in the occupation of agriculture have protections under the Florida Right to Farm Act (section 823.14, F.S.). The Act states, with certain exceptions, that no farm which has been in operation for one year or more and was not a nuisance at the time of its established date of operation shall be a public or private nuisance, if the farm operation conforms to generally accepted agricultural and management practices.

Getting to the Bottom-line

In 2007, a Steering Committee was established to update and revise the 1999 cow/calf BMP manual. A technical working group was formed to support the efforts of the Steering Committee, and was charged with developing and reviewing specific BMPs contained in the manual. An effort of this magnitude could not have been accomplished without the tireless dedication of all participants. The following is a list of individuals who participated in the development of this manual.

Steering Committee

Mike Adams – Adams Ranch

Bill Bartnick – Florida Department of Agriculture and Consumer Services

Pete Deal – USDA/Natural Resources Conservation Service
Wade Grigsby – Private Consultant

Rick Hacht – H & H Liquid Sludge Disposal, Inc.

Jim Handley – Florida Cattlemen's Association

Matt Harrison – Private Rancher

Pat Hogue – University of Florida/IFAS

Clegg Hooks – Florida Department of Agriculture and Consumer Services

Flint Johns – Lykes Bros., Inc.

Billy Kempfer – Kempfer Ranch
Jim Lefils – Lefils Cattle Company
Mike Milicevic – Lykes Bros., Inc.
James Payne – Deseret Ranches of Florida
Wes Williamson – Williamson Cattle Co.

Technical Working Group

Brian Boman – University of Florida/IFAS
Benita Whalen – South Florida Water Mgt. District
Lance Laird – Northwest Florida Water Mgt. District
Mark Luchte – Southwest Florida Water Mgt. District
Vince Singleton – St. Johns River Water Mgt. District
Mike Thomas – Florida Department of Environmental Protection
Glenn Horvath – Suwannee River Water Mgt. District

Additional Contributors

Linda Crane – Florida Department of Agriculture and Consumer Services
Greg Hendricks – USDA/Natural Resources Conservation Service
Terry Pride – Florida Department of Agriculture and Consumer Services

Florida Dept of Agriculture and Consumer Services Office of Agricultural Water Policy

Rule Adopted 4/23/2009

5M-11.001 Purpose.

The purpose of this rule is to effect pollutant reduction through the implementation of agricultural Best Management Practices (BMPs) that may be determined to have minimal individual or cumulative adverse impacts to the water resources of the state.

Rulemaking Authority 403.067(7)(c)2., 570.07(23) FS. Law Implemented 403.067(7)(c)2. FS. History–New 4-23-09.

5M-11.002 Approved Best Management Practices.

The manual titled *Water Quality Best Management Practices for Florida Cow/Calf Operations* (2008 Edition), DACS P-01280, is hereby adopted and incorporated by reference. Cow/calf operations in the Lake Okeechobee Watershed must follow the requirements of Chapter 5M-3, F.A.C. Copies of the manual may be obtained from the University of Florida Cooperative Extension Service county office or from the Florida Department of Agriculture and Consumer Services (FDACS), Office of Agricultural Water Policy, 1203 Governor's Square Boulevard, Suite 200, Tallahassee, FL 32301 or by visiting <http://www.floridaagwaterpolicy.com/BestManagementPractices.html>

Rulemaking Authority 403.067(7)(c)2., 570.07(23) FS. Law Implemented 403.067(7)(c)2. FS. History–New 4-23-09.

5M-11.003 Presumption of Compliance.

Pursuant to Section 403.067(7)(c)3., F.S., implementation, in accordance with adopted rules, of BMPs that have been verified by

the Florida Department of Environmental Protection as effective in reducing target pollutants provides a presumption of compliance with state water quality standards and release from the provisions of Section 376.307(5), F.S., for those pollutants addressed by the practices. In order to meet the requirements for presumption of compliance and release from Section 376.307(5), F.S., the producer must:

(1) Submit a Notice of Intent to Implement, as provided in Rule 5M-11.004, F.A.C., that identifies the applicable BMPs;

(2) Implement all applicable BMPs in accordance with the timeline requirements in Rule 5M-11.004, F.A.C.; and

(3) Maintain records to document the implementation and maintenance of the identified BMPs, in accordance with Rule 5M-11.005, F.A.C.

Rulemaking Authority 403.067(7)(c)2., 570.07(23) FS. Law Implemented 403.067(7)(c)2. FS. History–New 4-23-09.

5M-11.004 Notice of Intent to Implement.

A Notice of Intent to Implement BMPs and the accompanying checklist, both of which are in the Appendix of the manual referenced in Rule 5M-11.002, F.A.C., shall be submitted to the FDACS Office of Agricultural Water Policy, 1203 Governor's Square Boulevard, Suite 200, Tallahassee, Florida 32301.

(1) The Notice of Intent shall include:

(a) The name of the property owner, the location of the property, and the property tax ID number(s) or other property identification information;

(b) The acreage on which BMPs will be implemented;

(c) The name and contact information of an authorized representative;

(d) The signature of the owner, lease holder, or an authorized agent;

(e) A BMP checklist with a schedule for implementation, as contained in the manual. The producer shall select the applicable BMPs by following the instructions in the manual. Except as provided in the manual, all applicable Level I BMPs must be implemented as soon as practicable, but no later than 18 months after submittal of the Notice of Intent to Implement; and

(f) If applicable, a copy of the Conservation Plan developed pursuant to the manual or the Conservation Plan otherwise developed that contains practices identified in the Notice of Intent to Implement.

(2) Submittal of the Notice of Intent to Implement enables the producer to receive assistance with BMP implementation.

Rulemaking Authority 403.067(7)(c)2., 570.07(23) FS. Law Implemented 403.067(7)(c)2. FS. History–New 4-23-09.

5M-11.005 Record Keeping.

All participants must keep records as directed in the manual to document implementation and maintenance of the practices submitted in the Notice of Intent to Implement. Records must be retained for at least 5 years. All documentation is subject to inspection.

Rulemaking Authority 403.067(7)(c)2., 570.07(23) FS. Law Implemented 403.067(7)(c)2. FS. History–New 4-23-09.

Beef Cattle Management Tips

MAY

- Remove bulls.
- Harvest hay from cool season crops.
- Plant warm season perennial pastures.
- Check and fill mineral feeders.
- Check for spittlebugs and treat if necessary.
- Apply spot-on agents for grub and louse control.
- Check dust bags.
- Vaccinate and implant with growth stimulant any later calves.
- Re-implant calves with growth stimulant at 90-120 days, when you have the herd penned.
- Update market info. and refine marketing plans.
- Remove bulls by May 21st to end calving season March 1st.

JUNE

- Check and fill mineral feeder, use at least 8% phosphorus in mineral and not over 2 ½ to 1 calcium to phosphorus ratio.
- Check pastures for spittlebugs, mole crickets, and armyworms. Treat if necessary; best month for mole cricket control.
- Check dust bags.
- Observe cattle for evidence of pinkeye and treat.
- Utilize available veterinary services and diagnostic laboratories.
- Get heifers vaccinated for brucellosis if not already done.
- Pregnancy check cows.
- Update market information and plans.
- Make first cutting of hay.
- Put bulls out June 1st for calves starting March 11th.

The Foundation for The Gator Nation
An Equal Opportunity Institution