



# Unenrolled Agricultural Producer Enforcement

**David Frady, Ph.D.**  
Program Administrator

Division of Environmental Assessment and Restoration  
Florida Department of Environmental Protection



# Clean Waterways Act

- Senate Bill 712 was signed into law by Governor DeSantis in 2020
  - The law requires a wide range of water quality protection provisions aimed at minimizing impacts from known nutrient pollution sources
  - Agricultural landowners and producers within a Basin management Action Plan (BMAP) must enroll in one of two programs:
    - FDACS' Best Management Practices (BMP) program
    - Water Quality Monitoring Program with DEP
  - The law also requires FDACS to:
    - conduct on-site implementation verification (IV) site visits on properties enrolled in the BMP program every two years
    - Collect fertilizer data via the Nutrient Application Record Form (NARF)
    - **identify agricultural parcels within a BMAP that are out of compliance and refer them to DEP for enforcement**



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FDACS Identifies non-compliant producers

- The Florida Department of Agriculture and Consumer Services (FDACS) uses various database to identify parcels within a BMAP that may be agricultural operations

FDACS refers non-compliant producers to FDEP for enforcement

- After confirming agricultural activity and attempting to enroll the producer in the BMP program, FDACS refers non-compliant producers to FDEP for enforcement

FDEP conducts outreach and engagement to bring producers into compliance

- It saves taxpayers money and is better for the environment to bring producers into compliance quickly through education and outreach efforts prior to taking formal enforcement action against small farmers

FDEP Initiates enforcement action

- If an agricultural producer fails to come into compliance, DEP initiates a civil suit to compel them to come into compliance
- FDEP is prioritizing enforcement actions based on parcel size and impact to the environment





# Outreach and Engagement Has Been Successful

- More than 70% of the unenrolled agricultural parcels identified by FDACS and referred to FDEP have been brought into compliance
  - That is more than 84% of the total acres
- There are no parcels greater than 100 acres out of compliance and the majority are smaller than 10 acres
- The majority of parcels remaining out of compliance are less than 10 acres
- FDEP is engaged in an ongoing campaign to educate landowners of their requirements and bring them into compliance quickly through additional outreach and on-site visits



# THANK YOU

**David Frady**

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CONTACT INFORMATION:

850-245-8559

[David.Frady@FloridaDEP.gov](mailto:David.Frady@FloridaDEP.gov)