

What programs are administered by the Florida Department of Agriculture and Consumer Services (FDACS) Office of Agricultural Water Policy (OAWP) and Agricultural Water Field Services (AWFS)?

The FDACS OAWP and AWFS develop agricultural Best Management Practices (BMPs); administer cost-share programs; provide mobile irrigation lab services; and provide technical assistance to producers to implement BMPs. OAWP also participates in agricultural water supply policy planning and development; sponsors and helps design BMP research and demonstration projects; provides data and technical assistance to stakeholders and state agencies; grants agricultural permit exemption determinations; and administers an agricultural regional projects program.

What are Best Management Practices?

For the purposes of the FDACS Best Management Practices (BMPs) program, a BMP is defined as a means, a practice or combination of practices determined by the coordinating agencies, based on research, field-testing, and expert review, to be the most effective and practicable on-location means, including economic and technological considerations, for improving water quality in agricultural and urban discharges. BMPs for agricultural non-point source discharges must reflect a balance between water quality improvements and agricultural productivity (Section 373.0454(2)(a), Florida Statutes).

How are Best Management Practices adopted?

Best Management Practices (BMPs) and supporting guidance are organized in commodity-specific manuals that are adopted by rule in Title 5M, Florida Administrative Code. BMP development and adoption is a collaborative process between agricultural industry groups, commodity-specific BMP working groups, research institutions and organizations, state agencies, and water management districts. BMP manuals are also vetted by the public during the rule development process. BMP manuals are revised and updated on a periodic basis based on research and technological advances in the agricultural industry.

Does the Office of Agricultural Water Policy (OAWP) participate in Best Management Practice research and demonstration projects?

OAWP works with the University of Florida Institute of Food and Agricultural Sciences and other state universities and Florida College System institutions to investigate and develop potentially new Best Management Practices (BMPs) and technologies that can help improve nutrient use and irrigation efficiency. The Florida Legislature considers annual Legislative Budget Requests to fund BMP research and BMP demonstration projects across Florida.



Are landowners required to implement Best Management Practices?

Agricultural operations located within basin management action plan (BMAP) areas adopted by the Florida Department of Environmental Protection (FDEP) must either enroll in the FDACS Best Management Practices (BMPs) program and implement all applicable BMPs or conduct water quality monitoring prescribed by FDEP or a water management district, at their own cost (Section 403.067, Florida Statutes). The proper implementation and maintenance of BMPs provides an enrollee with a presumption of compliance with Florida's water quality standards. Outside of BMAPs, enrollment is voluntary but provides the same compliance assumption.

Why does an agricultural landowner/producer need to work with an FDACS representative to develop and submit a Notice of Intent to Implement Best Management Practices (NOI)?

Working with an Agricultural Water Field Services (AWFS) staff representative is required in order to enroll in the Best Management Practices (BMPs) Program. AWFS staff provide essential hands-on support beginning with an initial site visit, where they review the operation with the producer, identify which BMPs apply, and help complete the BMP checklist accurately. This ensures the producer fully understands the program's requirements and is prepared to implement the BMPs correctly.

AWFS staff also explain recordkeeping expectations, answer technical questions, and identify potential cost-share opportunities available to help implement BMPs applicable to the operation. Their involvement helps the producer avoid errors, speeds up enrollment, and ensures the producer receives the presumption of compliance with water-quality standards once BMPs are implemented and maintained.

How is a Notice of Intent to Implement Best Management Practices (NOI) completed and what information is required?

A Notice of Intent (NOI) is the official form a producer submits to enroll in the FDACS Best Management Practices (BMP) Program. Completing and submitting a NOI is the formal step that enrolls a producer in the FDACS BMP Program. Properly implementing the applicable BMPs provides the producer with a presumption of compliance with state water-quality standards.

During the initial site visit, Agricultural Water Field Services (AWFS) staff work directly with the producer to evaluate the operation and determine which BMPs apply. They then assist in completing the NOI form and the BMP checklist. The NOI requires landowner and operation details, such as contact information, farm and parcel identifiers, acreage for BMP implementation, and a complete BMP checklist among other information. Once completed and submitted, the NOI provides the producer with enrollment in the BMP Program, eligibility for cost-share support, and a presumption of compliance with water-quality standards when BMPs are properly implemented. The NOI form is available here: <https://flrules.org/Gateway/reference.asp?No=Ref-17087>.



What funds are available to help landowners implement Best Management Practices?

FDACS offers a comprehensive Cost Share Program to help agricultural producers reduce the costs of implementing approved Best Management Practices (BMPs). Through this program, the Office of Agricultural Water Policy provides financial assistance for equipment, technologies, and on-farm improvements that support water-quality protection and water conservation. As part of the BMP Program enrollment process, FDACS Agricultural Water Field Services (AWFS) staff help producers identify potential cost-share opportunities. During the initial site visit, once the BMP checklist is developed, AWFS staff can point out which practices on the operation may qualify for financial assistance.

Producers who are already enrolled in the BMP Program and have a current Notice of Intent (NOI) may apply for cost-share funding here: <https://www.fdacs.gov/Water/Agricultural-Water-Field-Services/Agricultural-Best-Management-Practices/BMP-Cost-Share-Program>. Applications are evaluated on a rolling basis, and FDACS may request additional information, including a site visit, before making a funding decision. To qualify, projects must implement practices adopted in the FDACS BMP manuals and meet program requirements, such as being appropriate for the scale of the operation and having any required precision or technology features.

What happens after I enroll in the Best Management Practices (BMP) Program?

After enrolling in the FDACS BMP Program, producers must implement and maintain all applicable BMPs in order to keep the presumption of compliance with state water-quality standards for the pollutants addressed by those practices. Producers also become eligible for cost share funding to help implement the applicable BMPs.

All applicable BMPs must be implemented as soon as practicable, but no later than 18 months after the NOI and BMP Checklist are completed and executed. Any BMPs listed as “Planned” on the checklist must be implemented by the completion date agreed upon by the producer and FDACS OAWP staff during the site visit. For BMPs that require engineering and design, permitting, construction, or cost-share support, the 18-month deadline may be extended as needed to allow for proper implementation.

FDACS Agricultural Water Field Services (AWFS) staff are required to conduct implementation verification (IV) site visits on properties enrolled in the BMP program every two years. During these IV site visits, AWFS staff will confirm the proper implementation of the applicable BMPs for the enrolled property and review the required records that producers must maintain to demonstrate compliance. Florida law also requires FDACS to retain records related to the application of nitrogen and phosphorus on enrolled operations.



What happens if I don't enroll in the Best Management Practices program?

Agricultural landowners located within basin management action plan (BMAP) areas are required by law to either enroll in the Best Management Practices (BMPs) Program and implement all applicable BMPs or conduct water-quality monitoring as directed by the Florida Department of Environmental Protection (FDEP) or the local water management district. If a producer does not enroll, FDACS must notify FDEP, which may lead to additional regulatory oversight.

Outside of a BMAP, enrollment is voluntary, but producers who do not enroll do not receive the presumption of compliance with state water-quality standards that BMP participants receive. Choosing to not enroll also means no access to FDACS cost share opportunities or BMP technical assistance.

