



# New BMP record-keeping requirements for Florida growers

By Ajia Paolillo

**O**n July 1, 2020, new record-keeping requirements went into effect for nitrogen and phosphorus amounts applied by growers enrolled in the Florida Department of Agriculture and Consumer Services (FDACS) Best Management Practices (BMP) program. These records are required due to the passage of Senate Bill 712, the Clean Waterways Act.

Citrus growers have been asking many questions about this new requirement and what they must do to be in compliance with the law. This article is comprised of questions and answers designed to help growers understand their requirements as a FDACS BMP program participant, and the records submission process moving forward.

Matt Warren, environmental manager with the FDACS Office of Agricultural Water Policy in Hardee County answers some of the common questions from growers:

**Q: Who does this new law apply to?**

**A:** Any grower enrolled in the FDACS BMP program, regardless of whether or not they are located in an area with a Basin Management Action Plan (BMAP).

**Q: The new requirement states that growers must submit their application records for nitrogen and phosphorus to FDACS. When do I submit my records?**

**A:** You will submit your records of nitrogen and phosphorus applications only when requested by a FDACS representative during an implementation verification visit. These visits are done by FDACS to verify that a grower is in compliance with the program, by properly implementing the BMPs they committed to in their Notice of Intent to Implement BMPs.

**Q: When will these implementation verification visits take place?**



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**A:** The visits will be done once every two years. Initially, priority will be focused on visits to growers located in BMAP areas, but every grower enrolled in the BMP program will be visited.

**Q: Who will be conducting the implementation verification visits, and how will I be notified when I am receiving a visit?**

**A:** A FDACS field representative will contact the grower to schedule a visit. The visits are not unannounced.

**Q: I received a letter in the mail with record-keeping examples and instructions.**

**Do I need to submit my records online?**

**A:** The letter was to inform you of the new requirements and offer a form that you may use to record your nitrogen and phosphorus application information. Do not submit any records at this time. You will only be required to submit your records to the FDACS field representative during your implementation verification visit.

**Q: What information am I required to record for submission?**

**A:** Growers are required to keep a record of the total pounds of nitrogen and phosphorus (in the form of  $P_2O_5$ ) that are applied to their fields on a monthly basis.

Total pounds of nitrogen and phosphorus must be accounted for from all sources applied, including biosolids. Growers do not need to submit records of other nutrient applications, such as minor elements or soil amendments such as lime.

*Important note:* Growers must continue to keep records for their own files on all nutrient and soil amendment applications, in order to be in compliance as stated in their Notice of Intent to Implement BMPs and BMP checklist requirements.

**Q: What form do I use to record my nitrogen and phosphorus application information?**

**A:** FDACS has provided a suggested form for you to use. You are not required to use this form, but it is easy to follow and clearly shows what information is needed and where to input it. FDACS has this form available as a hard copy, printable PDF or in electronic form as an Excel spreadsheet. The Excel spreadsheet is recommended, as the information can be uploaded automatically.

**Q: Do I have to give them my only copies of my records?**

**A:** No, you must keep your original copies of your records. Give the FDACS representative a copy

of the form mentioned above, or something similar, as your records submission.

**Q: How far back do my records need to go for this new requirement?**

**A:** You must submit nitrogen and phosphorus monthly totals for the past two years from the date of your scheduled implementation verification visit. For example, if you have an implementation verification visit scheduled for Dec. 20, 2020, you must submit nitrogen and phosphorus application records dating back to Dec. 20, 2018.

**Q: How does FDACS determine if I am in compliance? Is it based on yield and University of Florida Institute of Food and Agricultural Sciences (UF/IFAS) recommendations for citrus production? What about soil and leaf samples?**

**A:** Both yield and UF/IFAS recommendations are used to determine if a grower is in compliance. If a grower is found to have applied more nitrogen and/or phosphorus than the recommendations and considerations for yield, justification will be required. The recommendations for nitrogen can be found on page 16 in the FDACS Water Quality/Quantity Best Management Practices for Florida Citrus manual.

Soil and leaf samples are a requirement under the FDACS BMP program, and the results will also be used to determine if a grower is in compliance with the BMP program. Be sure to keep up with soil and leaf samples, as they may also be needed for justification.

**Q: What if I do not have this information available for my FDACS field representative at the time of the implementation verification visit?**

**A:** You will have to work with your FDACS representative. You may be placed in remedial action and given a certain time period to submit your records. If you choose not to submit your records, you may be referred to the Florida Department of Environmental Protection for regulatory action.

**Q: Are my nitrogen and phosphorus application totals considered public records once they are submitted?**

No, they are not considered public record. But, FDACS must provide them to the Florida Department of Environmental Protection, if requested, as long as the confidentiality specified for the records is maintained.

See [blogs.ifas.ufl.edu/clue/2020/08/31/from-senate-bill-712-to-the-clean-waterways-act-and-agricultural-best-management-practices-for-more-details-and-information-about-the-Clean-Waterways-Act](https://blogs.ifas.ufl.edu/clue/2020/08/31/from-senate-bill-712-to-the-clean-waterways-act-and-agricultural-best-management-practices-for-more-details-and-information-about-the-Clean-Waterways-Act).

If you have more questions or would like a copy of the suggested record-keeping form, contact your FDACS Office of Agricultural Water Policy field representative or your UF/IFAS Extension agent. 🍊

*Ajia Paolillo is a UF/IFAS Extension multi-county citrus agent based in Arcadia.*