STATE ENVIRONMENTAL LAWS AFFECTING FLORIDA AGRICULTURE

(See NASDA's website for
Federal Environmental Laws Affecting Agriculture)

A Project of the

National Association of State Departments of Agriculture Research Foundation

through the

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The Project Participants

National Association of State Departments of Agriculture Research Foundation

The National Association of State Departments of Agriculture (NASDA) is a nonprofit, nonpartisan association of public officials comprised of the Commissioners, Secretaries, and Directors of the fifty State Departments of Agriculture in the fifty states and the territories of Puerto Rico, Guam, American Samoa, and the Virgin Islands. NASDA's mission is to represent the State Departments of Agriculture in the development, implementation, and communication of sound public policy and programs which support and promote the American agricultural industry while protecting consumers and the environment. The NASDA Research Foundation is a 501(c)(3) nonprofit, tax-exempt corporation for educational and scientific purposes.

National Center for Agricultural Law Research and Information

The National Center for Agricultural Law Research and Information (Center) was created in 1987 under Public Law 100-202, 101 Stat. 1329-30 to address the complex legal issues that affect American agriculture. The Center focuses its efforts on research, writing, publishing, development of library services, and the dissemination of information to the public. The Center is located at the University of Arkansas School of Law in Fayetteville, Arkansas.

Natural Resources Conservation Service

The Natural Resources Conservation Service (NRCS), formerly known as the Soil Conservation Service (SCS), is a federal agency within the U.S. Department of Agriculture (USDA). NRCS conservationists work with private landowners and operators to help them protect their natural resources.

U.S. Environmental Protection Agency

The U.S. Environmental Protection Agency (EPA) is a federal agency with primary responsibility for implementation of most federal laws designed to protect, enhance, and conserve the nation's natural resources.

Disclaimer

This guide is designed for use by farmers, ranchers, landowners, and their consultants in understanding the effect environmental laws have on agricultural operations. It is not a substitute for individual legal advice. Producers should always confer with their own attorneys, consultants, or advisors as well as federal, state, and local authorities responsible for the applicable environmental laws.

This guide has been prepared in part with funding from the Natural Resources Conservation Service (NRCS) cooperative agreement number NRCS 68-75-5-174 and the United States Environmental Protection Agency (EPA) grant number CX-825088-01-0.

The contents and views expressed in this guide are those of the authors and do not necessarily reflect the policies or positions of the United States Department of Agriculture (USDA) NRCS or EPA.

Although every effort has been made to ensure the accuracy of the information contained in this book, environmental statutes, regulations, and ordinances are constantly changing. In addition, the overwhelming complexity and extent of environmental law make it impossible for a single book to describe in complete detail and depth all of the environmental laws and regulations impacting agricultural operations. The following material is simply a basic primer on environmental law for agricultural producers. For these reasons, the utilization of these materials by any person constitutes an agreement to hold harmless the authors, the National Center for Agricultural Law Research and Information, the University of Arkansas, the United States Department of Agriculture, the National Association of State Departments of Agriculture Research Foundation, the Natural Resources Conservation Service, and the United States Environmental Protection Agency for any liability, claims, damages, or expenses that may be incurred by any person or organization as a result of reference to, or reliance on, the information contained in this book.

The background research and final documents were completed in March 2001. Updates of the information contained in the guide will occur on an as needed basis and be available on the Internet.

Anyone with comments concerning the guide should contact the NASDA Research Foundation at 1156 15th Street, N.W., Suite 1020, Washington, D.C. 20005, or phone (202) 296-9680.

Quick Reference Guide

Producer Note: The following chart is intended as a quick reference guide to permits which may be necessary for a particular operation. If a permit is necessary, refer to the page numbers listed referencing this document for further information and contact the agencies listed in the final column information on applications and procedures for securing a permit for an operation. A list of agencies and contact information is also provided in Appendix A.

Regulatory Area	Type of Activity	Permit Required	Agency
Water Quality *pp. 1-7*	Livestock and aquaculture operations, depending on size	National Pollution Discharge Elimination System (NPDES) permit and state general permit or land disposal permit	Environmental Protection Agency (EPA) Regional Office and Florida Department of Environmental Protection (DEP)
	Wetlands dredge and fill activity or dam, dike, or bridge building activities	Section 404 Clean Water Act permit	U.S. Army Corps of Engineers with EPA and Florida DEP approval
	Water usage	Permit required for withdrawal of more than 100,000 gallons per day	Florida DEP
	Water well construction and use	No permit, but construction standards must be followed	Florida DEP
	Storage of animal waste	No permit, but Natural Resource Conservation Service (NRCS) requirements must be met and best management practices (BMPs) followed	Florida Department of Agriculture and Consumer Services (DOACS) and DEP
	Land application of animal waste to cropland	No permit, but NRCS requirements must be met and BMPs followed	Florida DEP

Regulatory Area	Type of Activity	Permit Required	Agency
Groundwater *pp. 8-10*	Groundwater protection	No permit, but BMPs must be followed	Florida DEP
	Disposal of animal carcasses	No permit, but regulations must be followed	Florida DOACS and local authorities
Air Quality *pp. 10-12*	Grain terminals and elevators	Permit required	EPA Regional Office or Florida DEP
	General agricultural operations including odor, dust, or flies	No permit, but may be subject to nuisance suits	EPA Regional Office or Florida DEP
	Burning	Permit required in certain circumstances	Florida DOACS
Solid Waste and Hazardous Waste *pp. 12-16*	Storage, treatment, or disposal of hazardous or solid waste	Permit required for disposal, treatment, or storage activities	EPA Regional Office and Florida DEP
	Public notice of hazardous waste	No permit	Local Emergency Planning Committee and Florida Department of Labor (DOL)
Pesticides and Chemigation *pp. 15-20*	Application and use of pesticides	No permit, but a license may be required	EPA and Florida DOACS
	Use of pesticides around farmworkers	No permit, but training and notification is required	Florida DEP and DOACS
	Record keeping	No permit, but all requirements must be met	Florida DOACS
Wildlife Protection *pp. 20-22*	Taking of wildlife	Permit required if endangered or threatened species may be affected	U.S. Fish & Wildlife Service and Florida Fish & Wildlife Conservation Commission (FWCC)

STATE ENVIRONMENTAL LAWS AFFECTING FLORIDA AGRICULTURE

Producer Note: Agricultural producers are faced with many challenges in today's rapidly changing world. Changes in industrialization, use of computer-based technology, governmental involvement in market dynamics, and environmental regulation are affecting producers in a number of ways. Environmental regulation is a complex area with both federal and state government involvement. Staying informed is the producer's most useful instrument for meeting the challenges of today's agriculture. This information on environmental regulation is provided to educate producers of the breadth and scope of environmental laws which may impact daily production activities.

I. WATER QUALITY

A. Florida Water Quality Laws and Regulations

Most states have enacted clean water legislation. While these statutes usually contain provisions similar to those found in the parallel federal legislation, there may be significant differences. In fact, state statutes may impose requirements that are even more restrictive than the federal law. In all cases, however, federal Clean Water Act[1] (CWA) requirements must be followed and enforced along with the state enacted statutes and regulations set forth by state administrative agencies.

Because Florida is a coastal state, there are special laws in effect to protect coastal waters. Thus, agricultural producers should be aware that, depending on their location, they may be subject to more stringent regulations than other areas.

Producer Note: Often the specifics of environmental laws are found in agency regulations. Because regulations are likely to be amended frequently, agricultural producers must stay in contact with agency offices administering specific programs in order to keep up with all of the changes which may occur in a particular program.

Florida is dependent upon the rivers, streams, lakes, and subsurface waters for public and private drinking water supplies and for agricultural, industrial, and recreational uses. It is unlawful to discharge any pollutant into state waters unless specifically authorized.[2] Pollution is defined as any contamination of state waters which unreasonably interferes with the enjoyment of life or property or which is or may be potentially harmful or injurious to human health or welfare, animal or plant life, or property. Agricultural activities are not excluded from this

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[1] 33 U.S.C. § 1251 *et seq.* (1994).

[2] FLA. STAT. ANN. § 403.161 (West 1996).

prohibition against pollution. To prevent violations and pollution, the Department of Environmental Protection (DEP) offers technical assistance in pollution prevention to agriculture producers.

Persons who violate water quality legislation are subject to civil and criminal penalties for each offense ranging from $5,000 and/or 60 days in prison to $50,000 and/or 5 years in prison if the violation is willful.

1. Florida Water Management Districts

The Florida Water Resources Act of 1972 (WRA),[3] which is administered by the DEP, establishes water resource management in six regional water management districts. Each district regulates water use within its boundaries and issues its own environmental resource permits.

Each water management district has unique conditions and exemptions regarding the permits, and each district's governing board issues permits authorizing the consumptive use of water. However, other than aquaculture systems, agricultural activities and agricultural water management systems are not subject to state water quality standards except for appropriate discharge permits. Agricultural activities means normal and customary farming practices of the area including site preparation, clearing, fencing, contouring, soil preparation, plowing, planting, harvesting, and construction of access roads. Agricultural water management systems means farming and forestry water management, irrigation systems, and farms ponds which are permitted as a water resource or are exempt from permitting.[4] Agricultural activities involving the conversion or alteration of surface water may, nonetheless, require the issuance of a general environmental resource permit by the applicable water management district.

Improvements related to agriculture which meet generally accepted engineering practice for drainage or are regulated by DEP or a regional water management district are exempt from seeking a drainage connection permit.[5]

No permit is required for dredge and fill activities for agricultural activities or agricultural water management systems regulated by Water Management Districts. Although for the most part, the DEP has delegated stormwater quality permitting to the water management districts, the DEP may require a stormwater permit or an appropriate discharge permit at the ultimate point of discharge from an agricultural water management system or a group of connected systems.[6]

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[3] FLA. STAT. ANN. § 373.016 (West 1996).

[4] FLA. STAT. ANN. § 403.927 (West 1997).

[5] FLA. ADMIN. CODE ANN. r. 14-86.003 (1997).

[6] FLA. ADMIN. CODE ANN. r. 62-312.050 (1997).

2. Florida Soil and Water Conservation Districts

The soil and water conservation district has very broad powers to prevent and control soil erosion within the state. In Florida, any twenty-five landowners within a territory may file a petition to request that a soil and water district be organized and to function within the limits of such territory. Petitions are submitted to the Department of Agriculture and Consumer Services (DOACS).

Districts that are approved have the authority to adopt land use regulations to be applied to that district when the regulations are in the interest of conserving soil and soil resources including provisions requiring:

- Certain engineering operations such as terraces, dams, dikes, ponds, and ditches;
- Particular methods of cultivation including contour cultivating, contour furrowing, sowing, strip-cropping, seeding, and planting of lands to water-conserving and erosion-preventing plants, trees, and grasses;
- Specifications of cropping programs and tillage practices; and
- Retiring highly erosive areas from cultivation.[7]

3. Florida NPDES Permit Programs

The CWA authorizes the Environmental Protection Agency (EPA) to delegate the National Pollution Discharge Elimination System (NPDES) permit program to individual states. However, where states have this responsibility, the EPA requires enactment of statutes closely tracking the CWA. Florida is one of the states that has assumed the responsibility and administration of the NPDES permit program.

No person may lawfully discharge any pollutant from a point source into state waters without first obtaining a NPDES permit.[8] However, stormwater discharge facilities for agricultural lands are exempt from permitting if the facilities are part of an approved conservation plan.[9]

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[7] FLA. STAT. ANN. § 582.01 *et seq.* (1987).

[8] FLA. STAT. ANN. § 403.0885 (West 1996).

[9] FLA. ADMIN. CODE ANN. r. 62-25.030 (1997).

4. Florida Concentrated Animal Feeding Operations (CAFOs)

A concentrated animal feeding operation (CAFO) is defined as a confined feeding operation with at least 1000 animal units(AUs) or it equivalent which includes:

- 1000 slaughter and feeder cattle;
- 700 mature dairy cattle (milking cows or dry cows);
- 2500 swine over 55 pounds each;
- 500 horses;
- 10,000 sheep or lambs;
- 55,000 turkeys;
- 100,000 laying hens (with overflow type watering);
- 30,000 laying hens or broilers (with liquid manure handling system); or
- 5,000 ducks.[10]

All animal feeding operations designated as CAFOs require a NPDES permit. Additionally, the DEP may designate as a CAFO a smaller animal feeding operation that does not meet the above 1000 AU description if the operation has a potential to discharge into navigable waters or there is an actual discharge into navigable waters. In these instances, smaller animal feeding operations would also require a NPDES permit (see below). However, if the discharge would only occur in the event of a 25-year 24-hour rainfall event, the operation is excluded from regulation and does not require a NPDES permit.

Producer Note: A common by-product of livestock operations is animal waste which must be stored and disposed properly. Many states are becoming more involved in the regulation of storage, treatment, handling, and land application of waste through regulations, recommendations, pollution prevention plans, and best management practices (BMPs).

[10] FLA. ADMIN. CODE ANN. r. 62-670.200 (1997).

Producer Note: Recommendations for land applications of waste are covered by NRCS technical guidance materials. These recommendations should be followed in order to preserve the agricultural producer's potential defense in nuisance actions and alleged permit violations. While these recommendations do not have the force of law that agency regulations have, compliance with NRCS guidelines generally aides the producer.

Operators of animal feeding operations smaller than a CAFO that discharge or propose to discharge pollutants must file an application with the DEP in order for the DEP to conduct an on-site inspection and determine whether a NPDES permit is required. Operators will receive written notice from the DEP if there is a determination that a NPDES permit is necessary.

Commercial egg production facilities which generate wastewater must have wastewater treatment, containment, and disposal facilities permitted by the DEP prior to construction or operation. An exception is allowed for egg production facilities with dry manure systems that combine egg wash wastewater with the dry manure and dispose it in accordance with an approved Soil and Water Conservation District Board Plan. The permitted operation must meet land set back rules for land application of waste. Any application of effluent or manure or fertilizer to the land must be applied at agronomic rates and in accordance with crop nutrient requirements.

Dairy farms located in the Lake Okeechobee Drainage Basin have special discharge regulations. All dairy cattle must be fenced from all water resources which could carry storm runoff to surface waters. All flushings or effluent from milking barns and high intensity areas must be collected and disposed by land application or treated prior to discharge. The application of waste products to the land is subject to some restriction and all dairy farms originating after June 3, 1987 must meet minimum setback distances between storage and treatment facilities or high intensity areas and water supplies. All dairy farms must have a management plan prepared by the Soil Conservation Service or a Florida licensed professional engineer.[11]

5. Florida Aquaculture

The primary purpose of the Florida Aquaculture Policy Act (APA)[12] is to promote the growth of aquaculture in the state while protecting the environment. The APA affirms that aquaculture is agriculture. DOACS is the sole agency regulating the aquaculture industry in Florida. The DOACS , through its Division of Aquaculture (DA),[13] administers the APA and sets forth procedures for the certification program and the BMPs. Under the APA, aquaculturists

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[11] FLA. ADMIN. CODE ANN. r. 62-670.500 (1997).

[12] CHAPTER 597, FLORIDA STATUTES (F.S.)

[13] THE DIVISION OF AQUACULTURE WAS CREATED IN 1999 BY THE DAC.

may become certified through the Florida Aquaculture Certification Program. The certification program promotes the growth of aquaculture by identifying lawful aquaculture producers and identifying products as farm raised.

The certification program also establishes BMPs by which aquaculturists can operate without concern that the aquaculture operation will degrade the state's water quality or cause harm to the environment. By following BMPs, aquaculturists are presumed to be in compliance with state groundwater and surface water standards and, thus, do not need to secure additional environmental permits from other state agencies. The BMP Manual addresses certain topics essential to environmentally sound aquaculture such as:

- Construction of new facilities;
- Shipment, transportation and sale of products;
- Water usage and treatment of effluent;
- Culture of non-native and restricted non-native species;
- Culture of marine bivalves and live rock;
- Culture of marine shrimp;
- Animal health; and
- Disease prevention.

By thoroughly reviewing the BMP manual, one can determine whether or not a proposed aquacultural facility will comply with BMP criteria. Prospective aquafarmers should contact the DA and request information regarding the Aquaculture Certification Program and the BMP Manual to learn how to start the certification process. The detailed information provided by the DA sets forth the necessary requirements, design, and day-to-day operation such that there is no doubt when an Aquaculture Certification can be issued.

On a note of particularity, the certification application is not considered complete without the signature of the aquafarmer attesting to the compliance with all applicable BMPs. Upon receipt of a signed and completed application, representatives from the DA schedule an on-site inspection to ensure the facility is, in fact, in compliance with the BMPs. Although the DA may issue the certification, the DA continues to make periodic inspections of all certified facilities to ensure ongoing compliance with the BMPs.

A further objective of the certification program and the BMP approach is to allow aquaculturists to design and operate their individual facility without undue regulation. BMPs are drafted to protect environmental quality but are written such that they allow the aquafarmer to be

innovative in approaches to reduce costs and maximize production. Because BMPs are incorporated into DOACS administrative rules rather than state statutes, it allows more flexibility for the addition or revision of BMP criteria as conditions and technology warrant. Because BMPs may change, it is important that aquacultural producers stay in touch with DOACS representatives in order to remain in compliance.

6. Florida Everglades

The Everglades ecological system attracts regulatory attention due to its importance to South Florida's water supply. The waters in the Everglades Protection Area contain high levels of phosphorous. The DEP conducts a research and monitoring program using BMPs and stormwater treatment areas (STAs) to evaluate water quality standards for the Everglades Protection Area (EvPA) and for the canals of the Everglades Agricultural Area (EvAA). Anyone causing water pollution in the EvPA or the EvAA is considered to be primarily responsible for the cost of abatement of that pollution.[14]

7. Florida Wetlands

The DEP, water management districts, local governments, and the U.S. Army Corps of Engineers regulate wetlands in the state. The Wetland Resource Permit (WRP) program applies in the Florida panhandle, and the Environmental Resource Permit (ERP) program applies throughout the state. A permit application may be processed by the DEP or the applicable water management district depending on the activity involved. Additional permits may also be required by the Corps of Engineers and local governments. Applicants may face a requirement to eliminate or reduce environmental degradation to wetlands or to provide mitigation to compensate for any wetland loss as a result of the permitted activity.

Agricultural activities which alter the topography of the land are exempt from any permitting requirements for activities which affect wetlands, however, the exemption will not apply if the alteration is solely for the purpose of impounding or obstructing surface waters.[15] Willful violators can face fines as great as $50,000 or imprisonment up to 5 years or both for each offense.

8. Florida Cattle Dipping Vats

A cattle-dipping vat located on private property that is used for the eradication of the cattle fever tick[16] does not subject the owner to liability to the state or to any other person for any costs, damages, or penalties associated with the discharge, evaluation, contamination, assessment, or remediation of any substances or derivatives from such dipping.

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[14] FLA. STAT. ANN. § 7(b) (West 1997).

[15] FLA. STAT. ANN. § 373.403 (West 1998).

[16] FLA. STAT. ANN. § 376.306 (West 1998).

II. GROUNDWATER

Producer Note: Wells and petroleum storage tanks can be a source of groundwater pollution. Since many agricultural producers have wells and petroleum storage tanks, producers should be aware of the possibility of polluting groundwater.

A. Florida Groundwater Laws and Regulations

1. Florida Groundwater Management Plans

The water management districts regulate the impacts of agricultural activities on groundwater quality. Discharge of waste into state waters, including groundwater, is prohibited without an appropriate permit issued by a state agency. Application of chemicals to control insects and aquatic weeds for agricultural purposes is exempt when the chemicals are approved for that use by the DOACS. Agricultural water management systems are exempt from the discharge permit requirement. However, an agricultural producer may be liable for runoff or leaching if the activity contributes to the pollution of distant aquifer points. Major egg production facilities are required to conduct groundwater monitoring. These facilities submit their groundwater monitoring plans to the state. The location and number of wells and the frequency of testing are part of the required information. Water quality monitoring for groundwater near storage ponds and land application areas may also be required for dairy operations in the Lake Okeechobee Drainage Basin.

Stormwater facilities, agricultural fields, ditches, canals, and waste management systems for animal feeding operations are exempted from permitting for any discharges into groundwater on the condition that the discharges:

- Present no potential hazard to human health or the environment;
- Do not endanger a source of drinking water; and
- Are not directly discharged into groundwater.[17]

Discharges that do not comply with this conditions can result in both criminal and civil penalties. Stormwater discharge permits are the responsibility of the individual water management districts.

2. Florida Safe Drinking Water Act

The Department of Environmental Control (DEC) in conjunction with the Department of Health and Rehabilitative Services (DHRS) and its units administers the Florida Safe Drinking

[17] FLA. ADMIN. CODE ANN. r. 52-522.600 (1997).

Water Act (FSDWA).[18] The chemical aldicarb must not be applied within 300 feet of any well in the state:

- Unless the well is not for human consumption; and
- The well is posted with a conspicuous warning notice stating "NOT FOR HUMAN CONSUMPTION."

If the well is located on property under different ownership from the property upon which the aldicarb is applied, a signed statement must also be obtained from the well owner authorizing the posting of the warning notice. Any drinking water well found to contain aldicarb residues in excess of the standards established by the DEP must have any further use of the chemical within 1000 feet of the well suspended. The suspension remains in effect until the well has been treated in a manner acceptable to the DOACS or until subsequent sampling indicates residue levels in compliance with DEP standards.[19] The buffer distance for aldicarb applications to Florida citrus is increased to a minimum of 1000 feet of any well when the soil is highly permeable, well-drained sand.

Public drinking water supply wells must not be constructed within 300 feet of animal waste storage and treatment facilities (high intensity areas) of dairy farms. Dairy farms originating after June 3, 1987 must maintain a minimum setback distance of 200 feet between areas of animal waste land application and drinking water supply wells. The DEP may specify other increased distances based on the type of soil and hydrology at the site.[20]

Registered chemicals may not be applied to fish farm ponds located within 200 feet of off-site drinking water supply wells. Permittees must keep detailed records of all usage of registered chemicals including the application rate, date of application, chemical used, and pond identification number. Records must be kept for a minimum of five years. No sludge from fish farms or marine bivalve facilities may be applied within 200 feet of drinking water supply wells.[21] Violators of the FSDWA are subject to a civil penalty up to $5000 per day for each violation.

Agricultural employers must also provide potable drinking water to farm laborers which is obtained from a source which complies with Florida law. Water containers must be of smooth, impervious, and corrosion resistant material and marked with the words "Drinking Water" in English or in the worker's predominant language. Single service cups must be provided unless water is dispensed from a fountain equipped with an outlet suitable for drinking.

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[18] FLA. STAT. ANN. § 403.850 *et seq.* (West 1996).

[19] FLA. ADMIN. CODE ANN. r. 5E-2.028 (1997).

[20] FLA. ADMIN. CODE ANN. r. 22-670.500 (1997).

[21] FLA. ADMIN. CODE ANN. r. 62-660.820 (1997).

Ice must be made from potable water and handled in a sanitary manner. Noncompliance with these laws may result in a civil fine of $500 per violation.

3. Florida Water Wells

The DEP authorizes the governing board of each water management district to issue permits and regulations for the location, construction, repair, and abandonment of water wells within its jurisdiction. All work relating to a water well must be conducted by a water well contractor licensed by the water management district. However, it is not necessary to obtain a permit to construct a well that is 2 inches in diameter or less on property owned or leased by the occupant if the water is intended for use only in a single family house which is the occupant's residence or if the water is intended for agricultural purposes on that property. Anyone constructing such a well must comply with all local and state rules and regulation relating to the construction of water wells. A management district may require a consumptive use permit for the withdrawal or diversion of water despite any other exemption.

Water management districts regulate the placement of proposed well sites to avoid placing a well in an area where groundwater is contaminated or other potential pollution sources exist. Each water management district sets permit application fees depending on the nature and size of a permit. Violations of the statutes or rules may result in civil damages up to $10,000 per violation plus administrative fines.

III. AIR QUALITY

A. Florida Air Quality Laws and Regulations

Florida has enacted an Air and Water Pollution Act (AWPA) to regulate air pollution in the state.[22] The AWPA is administered by the Division of Air Resource Management (DARM) within the DEP. Air pollution is broadly defined as any substance in the air in quantities which are or may be harmful to animal or plant life, human health, or property or which unreasonably interfere with the enjoyment of life or property. No stationary air pollution source may be operated, maintained, constructed, expanded, or modified without an appropriate and currently valid permit issued by the DEP. A stationary air pollution source is considered to be any source of air pollution which is nonmoving.

The discharge of air pollutants which cause or contribute to an objectionable odor is prohibited. Agricultural operations should minimize, through reasonable precautions, emissions of unconfined particulate matter.

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[22] FLA. STAT. ANN. § 403.011 *et seq.* (West 1996).

Open burning of vegetative material originating from the same site is only allowed between the hours of 9:00 A.M. and one hour before sunset on the same day (except for fires for cold or frost protection) in connection with agricultural, silvicultural, or land clearing operations when, prior to burning, authorization has been secured from the Division of Forestry within the DOACS. The burning of agricultural and silvicultural piles must be set back 300 feet from any occupied building other than the landowner's buildings. Polyethylene mulch plastic used in agricultural operations may be disposed by open burning provided that no public nuisance is created or no state or federal ambient air quality standards are violated.[23]

Open burning for cold or frost protection of agricultural products is allowed when the fuel and heating devices have prior approval by the Environmental Regulation Commission or are authorized by the DOACS. The operation, however, must be in compliance with the following requirements:

- The burning must not begin until the ambient temperature drops to 32^0 F;
- Open fires or heating devices for the protection of subtropical fruit such as mangos and papayas may be ignited at temperatures above 32^0 F if the threshold temperature for cold damage for that plant is higher.

The DOACS may grant exceptions to these conditions for special circumstances such as prolonged low temperatures or approved fuel shortages. However, under no circumstances is the burning of tires, rubber material, Bunker C residual oil, asphalt, tar, railroad cross ties, plastics, or other creosote materials allowed.[24]

Waste pesticide containers may be burned in open fields by the owner of the crops or the owner's authorized employee, subject to the following conditions:

- Plastic containers must be the original container provided by the pesticide manufacturer for distribution or conveyance of the specific product to the end user;
- Containers must be classified as Group I containers (combustible containers which formerly contained organic or metallic organic pesticides but not organic mercury, lead cadmium, or arsenic compounds) and bear label instructions stating that small amounts of the containers may be burned per state and local regulations;
- No more containers than that from one day's use of the pesticide may be burned at one time provided that no more than 500 pounds of pesticide containers may be

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[23] FLA. ADMIN. CODE ANN. r. 62-256.450 (1998).

[24] FLA. ADMIN. CODE ANN. r. 62-256-450 (1998).

burned per day at a specific location and multiple fires set concurrently in any area must be at least 1000 yards away from each other;

- All Group I containers to be burned must be completely empty and free of residual material as follows:

    - Plastic containers must be triple rinsed with the same solvent used to dilute the spray for the field; rinse liquids must be captured and sprayed in the field;

    - Paper containers must be emptied by a final shaking and tapping to remove all residual particles and added to the spray mixture in the field.

The open burning must:

- Not produce soot, smoke, odors, visible emissions, heat, flame, radiation, or other condition such that it would create a nuisance;

- Be 200 feet or more away from any agricultural workers or occupied buildings and 100 feet from any public road;

- Be ignited after 9:00 A.M. and extinguished one hour before sunset on the same day;

- Have a responsible person in attendance upwind for the entire period of the burn; and

- Be enclosed in either a ground excavation covered by a metal grill or a noncombustible container.[25]

The DEP may seek injunctive relief and civil penalties up to $10,000 per offense for violations of the AWPA. Each willful violation may carry a fine up to $50,000 or imprisonment for 5 years or both.

IV. SOLID WASTE AND HAZARDOUS WASTE

Producer Note: There are several laws which control the use, disposal, and the cleanup of hazardous waste. Agricultural producers who use hazardous chemicals, petroleum products, or other products stored in storage tanks must be aware of the requirements governing their actions.

[25] FLA. ADMIN. CODE ANN. r. 17-256 (1997).

A. Florida Solid Waste and Hazardous Waste Laws and Regulations

Producer Note: While most agricultural producers are not generators, transporters, or disposers of hazardous waste, it is important to check with state officials concerning the definitions of solid waste to determine whether an operation's activities could be regulated under state solid waste or hazardous waste statutes.

1. Florida Treatment, Storage, and Disposal of Hazardous Wastes

Hazardous waste means solid waste or a combination of solid wastes, which, because of its characteristics may cause or significantly contribute to an increase in mortality or serious irreversible illness or pose a substantial hazard to human health or the environment when improperly managed. Agricultural byproduct material and material from normal agricultural activities or processing is not regulated as a hazardous waste.

2. Florida Solid Waste

Florida has enacted a Solid Waste Management Act (SWMA).[26] Solid waste is any waste in solid, liquid, semisolid, or contained gaseous form resulting from sources such as domestic, industrial, commercial, or agricultural operations. No solid waste management facility may be constructed, operated, or expanded without an appropriate permit issued by the DEP.

No permit is required for the disposal of solid waste resulting from normal agricultural operations on their own property. Polyethylene plastic, damaged or nonsalvageable untreated wood pallets, and packing material that cannot be feasiblely recycled and that have been used in connection with agricultural operations related to the growing, harvesting, or maintenance of crops, may be disposed by open burning provided no nuisance is created and that state and federal ambient air quality standards are not violated.

Used oil may not be discharged into sewers, drainage systems, septic tanks, surface water, groundwater, watercourses, or marine waters nor disposed in a landfill. Used oil may also not be used for road oiling, dust control, weed abatement, or other uses that may result in the release of used oil into the environment. Likewise, used oil filters may not be disposed in a landfill.

3. Florida Dead Animal Disposal

The dead carcasses of domestic animals due to disease must be disposed by burning or burying at least 2 feet below the surface of the ground or by delivery to a licensed rendering company. Dumping of such carcasses on the road or right-of-way or any place where such carcasses can be devoured by beast or bird is prohibited. Domestic animals include any equine

[26] FLA. STAT. ANN. § 403.702 *et seq.* (West 1996).

or bovine animal, goat, sheep, swine, dog, cat, poultry, or other domesticated beast or bird.

The Solid Waste Disposal Act (SWDA)[27] states that disposal of dead animals including diseased dead animals must be conducted in accordance with all other federal and state laws and regulations. Violators of the SWDA are subject to charges of a second degree misdemeanor.[28]

4. Florida State Storage Tank Laws

a. Aboveground Hazardous Substance Storage Tanks

The DEP administers the regulation of storage tanks. An aboveground hazardous substance storage tank (AHSST) means any stationary aboveground storage tank along with its integral piping with a capacity greater than 110 gallons that contains hazardous substances which are liquid at standard temperature and pressure. Aboveground means that more than 90% of the tank volume is not buried below the ground surface. Owners of any storage tank system containing pollutants must register the storage tank with the DEP. However, AHSST excludes the following:

- Agricultural tanks having a storage capacity less than 550 gallons;
- Any storage tank containing liquid propane gas;
- Any storage tank system with a storage capacity less than 30,000 gallons used for heating oil for consumptive use on the same premises;
- Any storage tank system located entirely within an enclosed vault or building with a roof and walls adequate to prevent rainwater from reaching the system and an impervious floor containing no valves, drains, or other openings that would permit pollutants to be discharged from the system;
- Storage tank systems used for the purpose of temporary storage of mixtures of pesticides and dilutant intended for application as a pesticide; and
- Storage tank systems which are not in contact with the soil that are constructed of non-corrosive materials and contain less than 80% fertilizer materials which are applied on site.

Owners are required to register with DEP any pollutant storage tank system which is in-service, out of service, abandoned, or non-maintained having a capacity of more than 550 gallons unless exempted at least 10 days prior to an installation. Existing tank owners must also register their system and renew the registration annually.

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[27] FLA. STAT. ANN. § 403.7045 (Supp. 1999).

[28] FLA. STAT. ANN. § 823.041 (West 1996).

Failure to register a tank system or the discharge of any pollutant or hazardous substance into or upon surface waters or groundwaters can lead to misdemeanor charges and result in fines between $2,500 and $25,000 or imprisonment of one year or both for each offense.[29]

b. Underground Storage Tanks

Underground storage tanks (UST) which store regulated substances and have a capacity greater than 110 gallons are also regulated and must be registered with the DEP. However, some underground systems are exempt, and these include:

- Any storage tank system with a capacity of 110 gallons or less;
- Any agricultural storage tank system with a capacity of 550 gallons or less;
- Any storage tank used for heating oil for consumptive use on the same premises;
- Any surface impoundment, pit, pond, or lagoon;
- Any stormwater or wastewater collection system; and
- Any storage tanks located in an underground area if the tank is situated upon or above the surface of the floor.[30]

5. Florida Emergency Response and Community Right to Know Act

Under the Superfund Amendments of 1986, each state is required to produce emergency response plans overseen by emergency planning districts and committees to facilitate response to emergencies such as a hazardous waste spill. Generally, a person having a facility which contains more than a threshold amount of a hazardous substance must notify the planning committee. These reporting requirements, however, do not apply to any hazardous chemical used routinely in agricultural operations.

V. PESTICIDES AND CHEMIGATION

Producer Note: Use of pesticides and other farm chemicals is regulated by federal and state statutes. Most states, including Florida, have some form of licensing or certification requirements controlling pesticide users. Additionally, there are regulations which address safety concerns about pesticide use by agricultural employees and pesticide use around agricultural employees.

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[29] FLA. STAT. ANN. § 376.302 (West 1996).

[30] FLA. ADMIN. CODE ANN. r. 62-761.100 *et seq.* (1997).

A. Florida Pesticide and Chemigation Laws and Regulations

Producer Note: Florida, like most states, has laws designed to control the use of pesticides. Florida laws are designed to closely monitor the distribution and ultimate use of these substances within the state.

1. Florida Registration

The Florida Pesticide Law is administered by the DOACS.[31] The law regulates the distribution, sale, and use of pesticides and the licensing of applicators. Every pesticide sold in the state must be registered with the DOACS. The registration must contain specific information including, but not limited to, the name and address of the registrant, name of the pesticide, ingredient statement, and a copy of the label.

It is illegal to:

- Distribute, sell, offer for sale, or use within the state any pesticide which is adulterated or misbranded;
- Detach, alter, deface, or destroy any label; or
- Add any substance to or take away from any pesticide.

The following are also prohibited:

- To use or dispose any pesticide in a manner other than as stated in the labeling;
- Handle, transport, store, display, or distribute pesticides in such a manner as to endanger human beings or the environment or to endanger food, feed, or any other products that may be transported, stored, displayed, or distributed with such pesticides;
- Dispose, discard, or store any pesticides or containers in a manner which causes injury to humans, vegetation, crops, livestock, wildlife, or pollinating insects or to pollute any water supply or waterway;
- Hold or offer for sale, sell, or distribute any restricted-use pesticide without a dealer license issued by the DOACS;

The use of bromacil is prohibited for weed control in non-bedded citrus groves located on any permeable, better drained soil. There are also restrictions on the use of methyl bromide as a

[31] FLA. STAT. ANN. § 487.011 *et seq.* (West 1997).

soil fumigant, the use of organo-auxin herbicides, the use and sale of aldicarb, and the use of alachor.

2. Florida Chemigation

Any irrigation system used for the application of pesticides must be equipped with an antisiphon device adequate to protect against contamination of water supplies. It is illegal to mix and load pesticides for application unless there is a physical gap in the water line between the water source and the application equipment[32]. An agricultural employer may provide coveralls, chemical-resistant gloves, and chemical-resistant footwear instead of the personal protective equipment specified on the label for any employee or worker doing irrigation work when the only contact with treated surfaces or pesticides is the feet, lower legs, hands, and arms.[33]

3. Florida Applicator Permits

Florida issues certified applicator licenses in the following classifications:

- Certified public applicator;
- Certified private applicator; and
- Certified commercial applicator.

All licensed applicators must demonstrate competency in the responsible use of pesticides by successfully competing the appropriate pesticide applicator examination.

A certified applicator is any person 18 years or older who is licensed to use or supervise the use of any restricted-use pesticide covered by his license. It is unlawful for anyone to apply restricted-use pesticides without a certified applicators license unless doing so under the direct supervision of a licensee.

A restricted-use pesticide means a pesticide:

- When not applied in accordance with the directions for use, may generally cause unreasonable adverse effects on the environment or applicator; and
- Which has been classified as a restricted-use by the DOACS or the EPA.

Licensed pesticide applicators must keep records relating to the application of all restricted-use pesticides for a period of two years.

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[32] FLA. STAT. ANN. § 487.064 (West 1996).

[33] FLA. STAT. ANN. § 487.081 (West 1996).

A public applicator is a licensed applicator who uses or supervises the use of restricted-use pesticides as an employee of a state agency, municipal corporation, public utility, or other governmental agency.

A private applicator is a licensed applicator who uses or supervises the use of any restricted-use pesticide for purposes of producing any agricultural commodity on property owned or rented by the applicator or his employer or who applies the restricted-use pesticide on the property of another without compensation other than the trading of personal services between producers of agricultural commodities.

A commercial applicator is a licensed applicator who uses restricted-use pesticides on any property or for any purpose other than as provided by the definition of private applicator.

All individuals seeking licenses must demonstrate a working knowledge of the following areas of competency:

- Pesticide labels and labeling comprehension;
- Pesticide safety;
- Potential environmental consequences;
- Pesticide features;
- Pesticide factors;
- Pesticide application equipment;
- Application methodology; and
- Applicable state and federal laws and regulations.

Pesticide applicators may be licensed in categories specifically related to agriculture such as:

- Agricultural row crop pest control;
- Agricultural tree crop pest control;
- Agricultural animal pest control;
- Private applicator agricultural pest control;
- Soil and greenhouse fumigation; and
- Raw agricultural commodity fumigation.

Under the Florida Agricultural Worker Safety Act (AWSA), the agricultural employer must make available agricultural pesticide information concerning any pesticide to any worker who enters an area that has been treated with agricultural pesticides within the past 30 days.[34] Prior to the entry of a worker into a field, it is the licensed applicator's responsibility to assure that the worker's direct supervisor provides an oral statement of warning to the worker. The warning statement is listed on the pesticide label, and it is required to be conveyed to anyone entering a treated area with respect to any pesticides that have been used within a prior 48 hour period. The warning must be in a language that the worker understands.

A violation of any part of the AWSA is a criminal offense punishable by a fine up to $10,000 per violation. Agricultural employers who violate the provisions of the law may be subject to federal penalties in the EPA Worker Protection Standard. Any worker who experiences retaliation by an agricultural employer for exercising any right under this Worker Protection Standard may seek relief under Florida statute.

4. Florida Fertilizer

Unmanipulated manure is not required to be registered, labeled, or meet any requirement for fertilizer registration. Unmanipulated animal and vegetable manure means substances composed of the excreta of animals or plant remains which do not contain any materials other than those which have been used for bedding, sanitary, or feeding purposes for such animals and which have not been mechanically or systematically dried, ground, shredded, or blended with plant food additives or processed in any other manner.[35]

Material recovered from lagoons or holding ponds is considered compost and may not be claimed, branded, or advertised to be a manure. However, the term manure can be used in a descriptive manner in a listing of source materials. No minimum guarantee is required in such a product.

It is unlawful to apply fertilizer through an irrigation system which is not equipped with an antisiphon device. Open storage of fertilizers, chemicals, or other potentially polluting materials in a flood plain is also prohibited.

The DEP may not institute proceedings against anyone to recover the costs and damages associated with nitrate contamination of groundwater, where the nitrate contamination of groundwater is determined to be the result of the application of fertilizers or other soil-applied nutritional materials containing nitrogen when the property owner or leaseholder:

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[34] FLA. STAT. ANN. § 487.201 *et seq.* (West 1996).

[35] FLA. ADMIN. CODE ANN. r. 5E-1.002 (1997).

- Provides the DEP with notice of intent to implement BMPs;
- Implements those BMPs; and
- No longer applies fertilizers or other soil applied nutrient materials containing nitrogen.[36]

Persons owning, managing, tending, and cultivating citrus groves or trees may not use arsenic or any of its derivatives or any combination compound or preparation containing arsenic as a fertilizer or spray on bearing citrus trees with the exception of grapefruit trees.[37]

No fertilizers, with the exception of bait, may be applied within a fish farm's detention facility. Fertilizer applications are limited to the batch algal culture tanks in hatchery facilities at marine bivalve facilities.

VI. PROTECTION OF WILDLIFE

Producer Note: Agricultural producers also have responsibilities concerning wildlife and migratory birds which may have habitat on the producer's property. Federal and state laws contain measures designed to protect or enhance wildlife or wildlife habitat.

A. Florida Wildlife Protection Laws and Regulations

Producer Note: Many states have additional measures which either enhance protections under federal laws or address issues peculiar to wildlife found within the state. These states also may address common problems caused by wildlife. Florida has laws protecting wildlife.

The Florida Endangered and Threatened Species Act of 1977 (ETSA), administered by the Florida FWCC, regulates the hunting or taking of endangered or threatened species within the state.[38] Endangered species means any species of fish and wildlife naturally occurring in Florida whose prospect of survival is in jeopardy due to natural or manmade factors affecting its continued existence. Threatened species, on the other hand, means species that exist in small populations which could become endangered if subjected to increased stress from further modifications to its environment.

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[36] FLA. STAT. ANN. § 576.045 (West 1996).

[37] FLA STAT. ANN. § 601.92 (West 1997).

[38] FLA. STAT. ANN. § 372.072 *et seq.* (West 1997).

It is illegal to intentionally kill, wound, or destroy any fish or wildlife or the eggs or nest of such species designated by the FWCC as endangered, threatened, or of special concern unless the activity is permitted under rules adopted by the FWCC, DEP, or Marine Fisheries Commission. Violators of Florida's ETSA are guilty of a third degree felony. Any person who illegally kills, takes, possesses, or sells game or fur-bearing animals must pay a fine of $250.00 plus court costs and restitution for each violation.

A landowner may kill destructive mammals, except bear and deer, within the immediate locality where the damage occurs. However, the landowner may not use a light, gun, trap, or poison to kill the animal unless authorized by the FWCC. Bear and deer that damage personal property may be killed only pursuant to a permit issued by the FWCC. An agricultural producer may apply to the FWCC for a permit to take or kill deer on land under current cultivation. A limited permit may be granted if the killing is justified because of damage by the deer to crops.[39]

Blackbirds, cowbirds, grackles, or crows may be taken when committing or about to commit depredations upon ornamental trees, agricultural crops, livestock, or wildlife. Other migratory non-game birds may be taken under similar circumstances if the taking is under authority of a special permit issued by the U.S. Fish and Wildlife Service. Destructive or nuisance wildlife may be killed on another's property only at the property owner's request when authorized by a permit issued by the FWCC. Family members or persons with an employee-employer relationship with the property owner do not need a permit.[40]

No one may intentionally feed or entice with feed any wild American alligator. It is unlawful to intentionally kill, injure, possess, or capture an alligator or the eggs of an alligator or attempt such acts unless authorized by the rules of the FWCC. Violation of this law is a felony of the third degree in addition to other punishments available at law. Any equipment including boats, weapons, and vehicles used in committing the violation are subject to confiscation by the FWCC. The killing of a Florida panther or any member of the species of panther occurring in the wild is also prohibited.

It is unlawful to import for sale or use or for the purpose of release within the state any indigenous animal without a permit from the FWCC. Importing or placing any fish species into fresh waters of the state is prohibited without first obtaining a permit from the FWCC. Failure to obtain a permit is a misdemeanor in the first degree.

Although a license must be secured from FWCC, anyone may establish a private preserve or farm up to 640 acres in size for the protection, preservation, propagation, rearing, and production of game birds and animals for private and commercial purposes provided that no two game preserves join each other or are connected.[41]

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[39] FLA. STAT. ANN. § 372.99 *et seq.* (West 1997).

[40] FLA. ADMIN. CODE ANN. r. 39-12.009 (1997).

[41] FLA. STAT. ANN. § 372.16 (West 1997).

VII. OTHER FLORIDA STATUTES AFFECTING AGRICULTURE

Producer Note: Many other state statutes have the potential of impacting agricultural operations and their relationship to the environment. The following is a brief discussion of such state laws in Florida.

A. Florida Farmland Preservation

1. Florida Planning and Zoning

To strengthen the role of local governments in land planning issues, Florida has enacted the Local Government Comprehensive Land Planning and Land Development Regulation Act (LGP&D).[42] Under the LGP&D, all local governments are required to develop comprehensive plans which are then submitted to the state land planning agency for approval. Local planning agencies must consult studies and surveys to set standards for future economic, social, physical, environmental, and fiscal development of their areas. Local agricultural producers should contact local planning authorities before planning new activities.

Producer Note: Agricultural operations are frequently controlled by local planning or zoning board activities. Since it is not possible to outline each local area's requirements, an agricultural producer must check with local boards to determine local planning and zoning regulations which may affect an agricultural operation.

2. Florida Conservation Easements

Producer Note: Many states have passed laws allowing preservation or conservation of agricultural land through the use of conservation easements. When conservation easements are used for these purposes, the law frequently has certain requirements relating to the creation, compensation, and enforcement of the easement.

Conservation easements may be obtained by any governmental agency or body, charitable corporations, or charitable trusts as long as a perpetual, undivided interest in property is conveyed. Persons interested in starting farming activities on new lands should research whether any conservation easements, restrictions, covenants, or conditions exists on the property deed before proceeding with any land clearing activity. Conservation easements prohibit removal or destruction of trees, shrubs, or other vegetation and any excavation, dredging, or

[42] FLA. STAT. ANN. § 163.3161 *et seq.* (1990).

other activities detrimental to the preservation of fish and wildlife habitats or detrimental to drainage, flood control, water or soil conservation, or erosion control.[43]

Agricultural producers wishing to grant or convey conservation easements to preserve agricultural lands may be able to obtain tax incentives for doing so.

B. Florida Nuisance and Right-to-Farm

Producer Note: Agricultural producers may be confronted with complaints from local residents. These complaints may originate from dust or odor generated by the agricultural operation and result from the complainant's lack of knowledge regarding such agricultural activities. While state or federal authorities usually don't become involved in complaints against agricultural operations, court actions can be brought against nuisances. In some nuisance cases, however, a right-to-farm defense may apply.

The Florida Right-to-Farm Act (RTF)[44] protects agricultural operations that have been in existence for at least one year from public or private nuisance actions when the agricultural operation conforms to generally accepted agricultural management practices. Such Agricultural operations are protected even when ownership has changed or the type of agricultural product produced has changed as long as the agricultural producer complies with BMPs which have been adopted by local, state, or federal agencies. The protection is not available, however, if the activity was a nuisance at the beginning date of operation or if the operation has not been in existence for at least a year prior to the complaint. Additionally, when the agricultural operation is located next to an established homestead or business, an expansion may be considered a nuisance if it changes the operation into a large operation which causes more odors, noise, dust, or fumes.

C. Florida Noxious Weeds

The DOACS is empowered to declare noxious weeds to be a nuisance. The DOACS may place noxious weeds under quarantine to protect Florida's interests in agriculture and horticulture.[45] Inspections and investigations may be required, and violations involving noxious weeds may result in injunctions and criminal penalties.

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[43] FLA. STAT. ANN. § 704.06 (1988).

[44] FLA. STAT. ANN. § 823.14 (Supp. 1999).

[45] FLA. STAT. ANN. § 581.031 *et seq.* (Supp. 1991).

D. Regulation of Biological Products

Biological products sold in Florida and used for diagnostic or therapeutic purposes for animals must first be approved by the USDA, and field testing of products is regulated.[46]

[46] FLA. STAT. ANN. § 585.21 *et seq.* (Supp. 1999).

Appendix A - Agencies

Producer Note: State and federal agencies are available to answer questions regarding environmental matters and a producer's compliance with environmental laws and regulations. The following is a list of agencies which should be able to answer questions or provide materials for a producer.

State Agencies:

Department of Agriculture & Consumer Services (DOACS)
The State Capitol, PL 10
Tallahassee, FL 32399-0800
(850) 488-3022
(850) 922-6967 fax
http://www.doacs.state.fl.us

Division of Animal Industry in DOACS
407 South Calhoun Street
The Nathan Mayo Building, Room 335
Tallahassee, Fl 32399
(850) 410-0900
(850) 410-0915 fax
http://www.doacs.state.fl.us./ai/ai.html

Division of Marketing & Development in DOACS
545 East Tennessee Street
Tallahassee, Fl 32308-4981
(850) 487-8000
(850) 922-2189 fax
http://www.fl-ag.com

Division of Plant Industry in DOACS
1911 Southwest 34th Street, Room PI-110
Gainesville, FL 32608-1268
(352) 372-3505
(352) 955-2301 fax
http://www.doacs.state.fl.us/pi/index

Division of Forestry in DOACS
1911 Southwest 34th Street
Gainesville, FL 32614-7100
(352) 372-3505
(352) 955-2301 fax
http://www.fl-dof.com/

Department of Environmental Protection (DEP)
3900 Commonwealth Boulevard, Mail Stop 10
Tallahassee, FL 32399-2400
(850) 488-1554
(850) 488-7093 fax
http://www.dep.state.fl.us/org

Division of Air Resource Management in DEP
(address is same as DEP above)
(850) 488-0114
(850) 922-6979 fax

Division of Waste Management in DEP
(address is same as DEP above)
(850) 487-3299
(850) 922-4939 fax

Division of Water Resource Management in DEP
(address is same as DEP above)
(850) 487-1855
(850) 487-3618 fax

Fish & Wildlife Conservation Commission (FWCC)
Farris Bryant Building
620 South Meridian Street
Tallahassee, FL 32399-1600
(850) 488-4676
(850) 488-1961 fax
http://www.state.fl.us/fwc/

Division of Fresh Water Fisheries in FWCC
(address is same as FWCC above)
(850) 488-0520
(850) 413-0381 fax
http://www.state.fl.us/fwc/fishing

Division of Marine Fisheries in FWCC
(address is same as FWCC above)
(850) 487-0554
(850) 487-4847 fax
http://www.state.fl.us/fwc/marine

Division of Wildlife in FWCC
(850) 487-3831
(850) 488-1961 fax
http://www.state.fl.us/fwc/wildlife