

Florida Legislature Makes Water-Quality BMPs Mandatory

With only one abstaining vote, the Florida House and Senate overwhelmingly approved Senate Bill 444 which calls for “Best Management Practice Mandatory Use and Enforcement” with regard to protecting “Total Maximum Daily Loading (TMDL) by Non Point Source Pollution.”

In an effort to put some teeth into the 1999 Water Restoration Act, the Legislature gave the Department of Environmental Protection a law which will require all entities located within a particular watershed to abide by BMPs to reduce their input of potential pollutants to bodies of water that have been deemed to be impaired or of low quality.

This law applies to all sectors of society and is not specific to the golf-course industry. Everyone who lives or operates within a designated watershed is affected, including residents, businesses, industries and municipalities.

Based on Basin Management Plans, the DEP will adopt by rule BMPs that, when practiced, will ideally help all sectors reduce their inputs that affect water quality. These BMPs will be mandatory and will be enforced by DEP, counties and/or water management districts depending on the locale and resources available.

The FGCSA voluntarily began to write a revision to existing golf turf management BMPs that was based on a 1991 manual produced by IFAS. This process had advanced to the stage where regulators and environmental groups were given a draft copy to read, discuss, edit and approve. Just as this process was beginning, the

legislature passed SB444, making the BMPs no longer a voluntary program, but rather a mandatory process for protecting the state’s water quality.

In the photo below is just a handful of BMP type manuals dealing with springs protection, agricultural chemical handling and storage, silviculture (forestry), green industries (primarily lawn care) and the old IFAS manual for BMPs which was focused on growing turfgrass primarily and not necessarily on environmental impacts. There are other BMP manuals out there for



Some of the Best Management Practice manuals written when BMPs were voluntary. Photo by Joel Jackson

Indian River citrus growers, dairy cattlemen and poultry farmers. All of these were done on a voluntary basis and several have been adopted by rule. Some of them may have to be revised to comply with the intent and requirements of future basin management plans written under the authority of SB444.

With that in mind, each subcommittee on the Golf BMP Steering Committee — an ad hoc group of scientists, regulators, educators and superintendents — is reviewing its section (siting, design & construction; irrigation; pest control; nutrients; cultural practices; maintenance facilities and wildlife habitat management), to

identify and highlight practices that will affect water quality. Ideally from this list of BMPs that are practical, technically and economically feasible, and obtainable by all golf courses, a checklist will be developed that each course can complete to be in compliance.

Once the BMPs have been adopted by rule and a facility is following them, it will be deemed to be in compliance and have protection under the law. If the BMPs do not prove to reduce non-point source pollution target goals for your facility, then the BMPs will be revised, but the facility will not be held responsible since it was following the recognized best management practices. This assumes that the facility can demonstrate and document adherence to the BMPs.

For a complete copy of Senate Bill 444, log on to www.gcsaa.org and go to the Government Relations section and then to the Advocacy Resources, then click on Bill Tracking, and then on the link titled Search for Current State Bills. Then scroll down to Florida and click on SB444.

This law, like all well-intended statutes, tries to get everyone living and operating in a watershed or basin to act responsibly with regard to environmental impacts from their daily routines. The people who are already responsible may learn some new ways to lessen their impacts, but those who don’t care will continue to take short cuts. My concern is that regulators will once again focus on the most visible entities (business, industry and golf courses) and the general public will continue to avoid scrutiny. Businesses will jump through more costly hoops, and the largest, most ill-equipped and poorly trained sector, the homeowner, will continue to pollute at will or out of ignorance.

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