

CHALLENGES AND OPPORTUNITIES PRESENTED BY THE PROPOSED DEP DAIRY RULE

Art Darling, Manager
Government Relations Group
Dairy Farmers of Florida
Orlando, FL

The pending animal husbandry rule under development by the Department of Environmental Protection will allow Florida's dairy industry to comply with any foreseeable Coastal Zone Management Act requirements of the Federal Government as well as clearing up confusion in the current regulation as it affects dairy farms in state rules.

The prospect of this new rule seems to be driving operational changes on a number of dairy farms. This has not gone unnoticed with the Department of Environmental Protection. Provisions included in the rule reward pre-regulation improvements in waste handling. Farm owners who are making environmental improvements now will likely be able to comply with the rule with the least economic impact.

The rule as now proposed will include a list of best management practices from which a dairy may choose. If the combination of practices results in a nutrient balance and no offsite discharge, then the dairy would be allowed to obtain a general permit which would be the least-cost option. The dairy would be presumed to be in compliance with state ground water quality standards and would be able to continue operation without the installation of ground water monitoring wells.

However, dairies with practices which are seen to have a potential for ground water or surface water contamination will be required to obtain a monitoring permit and install monitoring wells. Should those wells document a problem the owner would then be required to undertake remedial action at their own expense and maybe be required to get a full industrial waste permit. Currently dairies in portions of the Suwannee River Water Management District are eligible for a cost-share program offered by the Natural Resources Conservation Service (NRCS) which will provide up to 65 percent cost-share to them. There is a possibility that additional funds will be made available by the Suwannee River Water Management District to assist those farms. Dairies in other parts of the state may be able in the coming years to take advantage of the Environmental Quality Incentives Program which is part of the 1996 Farm Bill. It is not known at the time how much money will be available to the state of florida or even what criteria will be required to apply for that cost share assistance.

One thing is certain. A dairy owner who undertakes improvements in their waste management system today is making the cheapest investment they will ever make in having their farm comply with these pending rule changes. The dairy farmer who is intending to be in this industry for the long haul will be well advised to undertake improvements at this time whether or not they are eligible for an existing cost-share program. A discussion with one's county extension agent or NRCS conservationist or private agricultural engineer can yield a number of improvements that can be made at this time which would be wise to do since changes from past practices take a long time to show improved results.