

1 **5M-X FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**  
2 **ENVIRONMENTAL STEWARDSHIP CERTIFICATION PROGRAM WITHIN THE**  
3 **SUWANNEE RIVER WATER MANAGEMENT DISTRICT, LAKE OKEECHOBEE**  
4 **WATERSHED, AND INDIAN RIVER AREA CITRUS GROVES**

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12 **5M-X.001 Purpose**

13 The purpose of this rule is to establish a procedure for agricultural producers within the  
14 Suwannee River Water Management District, as defined in Section 373.069, Florida  
15 Statutes; the Lake Okeechobee Watershed, as defined in the January 1, 2004, Lake  
16 Okeechobee Protection Plan; and the Indian River Area Citrus Groves, as defined in Chapter  
17 5M-2, Florida Administrative Code, to be recognized as environmental stewards. The  
18 distinction of receiving an Environmental Stewardship Certificate (ESC) will be given to those  
19 agricultural producers who demonstrate exemplary resource management related to  
20 environmental stewardship.

21 *Specific Authority 570.076 F.S.*

22 *Law Implemented 570.076 F.S.*

23 *History—New*

24 **5M-X.002 Application Procedure and Review**

25 An ESC Program enrollment application, shown in section 5M-X.006, will be provided to  
26 applicants by the Florida Department of Agriculture and Consumer Services (FDACS). The  
27 application includes the applicant's commitment to comply with continuing education  
28 requirements listed in section 5M-X.004, and maintain implementation of certification criteria  
29 as listed in section 5M-X.003. Only those applicants who are fully implementing the  
30 applicable criteria may be certified under the ESC Program.

31 **5M-X.003 Certification Criteria**

- 32 1) The criteria for initial certification are:
- 33 a. The applicant has enrolled in all applicable FDACS BMP programs, where  
34 available, by properly filing a Notice of Intent (NOI) to implement BMPs for each  
35 applicable program, and, as confirmed by a site visit by FDACS or an authorized  
36 representative, is fully implementing the BMPs identified in the NOI(s); or
  - 37 b. Where applicable FDACS BMP programs are not available, the applicant:
    - 38 i. is fully implementing a Resource Management System-level conservation  
39 plan that meets or exceeds the requirements of the United States  
40 Department of Agriculture/Natural Resource Conservation Service  
41 (USDA/NRCS), as confirmed by a site visit by FDACS or an authorized  
42 representative; or
    - 43 ii. is fully implementing a nutrient management plan developed or approved  
44 by the USDA/NRCS, as confirmed by a site visit by FDACS or an  
45 authorized representative; or
    - 46 iii. has entered a FDACS-approved voluntary agreement with an agency for  
47 the purpose of environmental improvement or water-resource protection,  
48 and, as confirmed by a site visit by FDACS or an authorized

49 representative, is fully implementing the BMPs contained in the  
50 agreement.

51 2) Certification is effective for a period of three (3) years from the date of initial certification.

52 In order to maintain certification for subsequent three-year increments, participants must:

- 53 a. Continue to meet the initial certification criteria listed in 1) above;
- 54 b. Obtain continuing education units related to environmental stewardship, as  
55 described in section 5M-X.004;
- 56 c. When a FDACS BMP program becomes available for the commodities being  
57 farmed by the participant, enroll in the program by properly filing a NOI before the  
58 existing period of certification expires, and fully implement the BMPs according to  
59 the schedule in the NOI; and
- 60 d. Receive a satisfactory rating of participant compliance with BMPs under section  
61 5M-X.005.

62 3) FDACS may revoke certification if a participant fails to maintain any of the certification  
63 criteria, **and shall do so if a participant receives an unsatisfactory rating under section**  
64 **5M-X.005.**

65 4) A participant in the ESC Program may withdraw voluntarily at any time by providing  
66 written notice to FDACS.

67 **5M-X.004 Continuing Education**

68 1) Participants may earn continuing education unit (CEU) credits through participation in  
69 relevant conferences, programs, or online courses related to water quality, nutrient  
70 management, soil and water management, pest management, irrigation management, or  
71 other topics relevant to water resource protection. CEUs earned must be approved by  
72 the University of Florida Institute of Food and Agricultural Sciences (IFAS).

73 2) Participants are required to document that at least six (6) CEU credits have been earned  
74 every three (3) years, with no more than two (2) CEU credits in any one topic listed in 1)

75 above. By December 31 of the year in which their ESC Program certificate expires,  
76 participants must provide FDACS with a continuing education form, shown in section 5M-  
77 X.007, for each course or event completed. Copies of continuing education forms and  
78 related documentation shall be retained by the participant as a record of CEU/event  
79 attendance, which may be reviewed during site visits conducted under section 5M-X.005.

80 3) CEU credits will be assigned based on the following ranges:

81	<u>Class Time</u>	<u>No. of CEUs</u>
82	30-45 minutes	0.5 CEUs
83	46-75 minutes	1.0 CEUs
84	76-105 minutes	1.5 CEUs
85	>105 minutes	2.0 CEUs

86 **5M-X.005 Quality Assurance**

87 1) Subsequent to initial certification, FDACS will review certificate holders on a triennial  
88 basis to ensure continuing compliance with all ESC Program criteria.

89 2) Based on site visits conducted by FDACS or an authorized representative, participant  
90 compliance with BMPs will be rated as follows:

91 a. Satisfactory: The participant is fully implementing all BMPs identified in the  
92 submitted FDACS NOI or in an alternative plan or agreement as provided for in  
93 5M-X.003.

94 b. Conditional-Satisfactory: The participant is not fully implementing the identified  
95 BMPs. In this case, FDACS or its designee will work with the participant to  
96 correct the deficiencies as follows:

97 i. A schedule for correcting deficiencies will be developed by the reviewer  
98 and the participant, and, as needed, the participant will receive  
99 assistance and information on proper implementation and maintenance

100 techniques for the BMPs identified in the applicable NOI or nutrient  
101 management plan.

102 ii. A follow-up site visit will take place within 180 days to ensure that the  
103 deficiencies have been corrected. If the deficiencies have been  
104 corrected, the rating will be changed to Satisfactory.

105 c. Unsatisfactory: Based on the follow-up site visit associated with a Conditional-  
106 Satisfactory rating, the participant has not corrected the identified deficiencies. If  
107 the participant receives an unsatisfactory rating, FDACS will revoke the  
108 participant's Environmental Stewardship Certification.

**5M-X.006 Application for Environmental Stewardship Certification Program**

Yes, I want to participate in the Florida Department of Agriculture and Consumer Services' (FDACS) Environmental Stewardship Certification (ESC) Program. Please consider my farm for recognition.

**Please Print:**

\_\_\_\_\_  
Name Farm/Ranch Name

\_\_\_\_\_  
Address City Zip Code

\_\_\_\_\_  
Phone # Fax #

\_\_\_\_\_  
E-mail Address

\_\_\_\_\_  
Farm Contact Person Phone #

\_\_\_\_\_  
E-mail

Are you currently under a voluntary agreement with an agency for the purpose of environmental improvement or water-resource protection **(identify the specific agreement)?**  
Yes \_\_\_\_ Name of agreement \_\_\_\_\_

Have you fully implemented a Resource Management System-level conservation plan that meets or exceeds the requirements of the United States Department of Agriculture Natural Resources Conservation Service (USDA/NRCS)? **(specify the date of the plan)**  
\_\_\_\_\_

Have you fully implemented a USDA/NRCS-developed or approved nutrient management plan? **(specify the date of the plan)** \_\_\_\_\_

Are you currently a participant in Florida Farm Bureau's CARES program? \_\_\_\_\_

Are you currently enrolled in a FDACS BMP program? \_\_\_\_\_

Commodities Enrolled: \_\_\_\_\_

Have you fully implemented all of the Best Management Practices on your FDACS Notice of Intent form? \_\_\_\_\_

**Final Draft 4/24/07**

I understand the ESC Program will verify, through the Florida Department of Agriculture and Consumer Services (FDACS) or its designee, whether I have met the certification criteria.

I understand that the ESC Program requires my continued commitment to implement and maintain applicable BMPs, obtain Continuing Education Units as described in Section 5M-X.004, F.A.C., and meet other certification criteria. I also understand that the ESC Program entails site visits and review of my continuing education credits.

I hereby grant permission to have an ESC Program sign installed at my farm gate if I meet the certification requirements.

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

***Please mail this form to:***

***Florida Department of Agriculture and Consumer Services  
Office of Agricultural Water Policy  
1203 Governors Square Blvd.  
Tallahassee, Florida 32301***

***We will be in touch with you to confirm receipt of your application and inform you of your certification status.***

**5M-X.007 Continuing Education Record for Environmental Stewardship Certification Program**

**Please Print:**

\_\_\_\_\_  
Name Farm/Ranch Name

\_\_\_\_\_  
Address City Zip Code

\_\_\_\_\_  
Phone # Fax #

**Continuing Education Information\***

Name of Course/Event Attended: _____	
Date Attended: _____	Location: _____
Organization Hosting Course/Event: _____	
Subject Matter: _____	
Course Administrator: _____	
Hours Attended: _____	CEUs Earned (if applicable): _____

\* To be submitted by **November 30** of the year in which certification expires.

\_\_\_\_\_  
Participant Signature Date

***Please retain in your records a copy of this completed form and any related certificates/documentation for review.***