



# Livestock Waste Regulatory Overview

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Florida Department of Health in Palm Beach County

# Laws and Regulations

- Florida Right to Farm Act
- Chapter 381.0011, F.S. - Duties and powers of the Department of Health
- Chapter 386.01, F.S. - Sanitary Nuisance
- Chapter 62-709, F.A.C. – Criteria for Organics Processing and Recycling Facilities
- PBC Unified Land Development Code

# Florida Right to Farm Act

- (6) LIMITATION ON DUPLICATION OF GOVERNMENT REGULATION
  - “....a local government may not adopt any ordinance, regulation, rule, or policy to prohibit, restrict, regulate, or otherwise limit an activity of a bona fide farm operation on land classified as agricultural land pursuant to s. 193.461,” where such activity is regulated by DEP, DACS, or WMD
- BONA FIDE AGRICULTURE
  - 1193.461 Agricultural lands; classification and assessment; mandated eradication or quarantine program
  - (1) The property appraiser shall, on an annual basis, classify for assessment purposes all lands within the county as either agricultural or nonagricultural

# Authority of Department of Health

- 381.0011 Duties and powers of the Department of Health.—It is the duty of the Department of Health to:
  - (1) Assess the public health status and needs of the state.
  - (2) Administer and enforce laws and rules relating to sanitation, control of communicable diseases, illnesses and hazards to health among humans and from animals to humans, and the general health of the people of the state.
  - (3) Coordinate with federal, state, and local officials for the prevention and suppression of communicable and other diseases, illnesses, injuries, and hazards to human health.
  - (4) Provide for a thorough investigation and study of the incidence, causes, modes of propagation and transmission, and means of prevention, control, and cure of diseases, illnesses, and hazards to human health.
  - (5) Provide for the dissemination of information to the public relative to the prevention, control, and cure of diseases, illnesses, and hazards to human health.
  - (6) Act as registrar of vital statistics.
  - (7) Manage and coordinate emergency preparedness and disaster response functions to: investigate and control the spread of disease; coordinate the availability and staffing of special needs shelters; support patient evacuation; ensure the safety of food and drugs; provide critical incident stress debriefing; and provide surveillance and control of radiological, chemical, biological, and other environmental hazards.

# Sanitary Nuisance

- 386.01 Sanitary nuisance.—A sanitary nuisance is the commission of any act, by an individual, municipality, organization, or corporation, or the keeping, maintaining, propagation, existence, or permission of anything, by an individual, municipality, organization, or corporation, by which the health or life of an individual, or the health or lives of individuals, may be threatened or impaired, or by which or through which, directly or indirectly, disease may be caused.

# Chapter 72-709, F.A.C.

## Criteria for Organics Processing and Recycling Facilities

- Delegated to the FDOH-PBC
- 62-709.201(13) “Manure” means a solid waste composed of excreta of animals, and residual materials that have been used for bedding, sanitary or feeding purposes for such animals. For purposes of this chapter, manure does not include such material generated and managed by normal farming operations, but does include “paunch manure,” which is the undigested stomach content of cattle.
- Requires construction and operation permits or registration of certain Organics Processing and Recycling Facilities
- Provides exemptions for
  - Manure management practices that fall under “normal farming operations”
  - Land application of manure if it is beneficial use that is not expected to pose a significant threat to public health or the environment

# PBC Unified Land Development Code

- The purpose and intent of these regulations is to prevent potential adverse environmental impacts, pathogens and other nuisances associated with the inappropriate use or disposal of livestock waste received from off-site sources . Adverse impacts include but are not limited to: ground and surface water pollution due to excessive nutrient discharge, specifically nitrogen or phosphorus: odors or other nuisance from improperly stored, composted or spread livestock waste
- EXHIBIT J - Best Management Plan for Livestock Waste
- Livestock Waste Management Plan

# Contact Information

- For questions or additional information, contact (Replace with your contact info):

Example:

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