

MIAMI-DADE COUNTY ISSUES

The Board of Directors of the Dade County Farm Bureau has adopted its positions for 2009. These statements represent the Farm Bureau's position on issues that can be resolved at the regional, county and municipal levels. Positions can be adopted or amended at any time by a vote of the Board of Directors.

Environmental Issues

Best Management Practices

Summary

BMPs have been developed to lessen water, crop protection and crop nutrient usage for the betterment of the environment.

Position

We support the voluntary use of Best Management Practices by agricultural producers.

Solid Waste Disposal

Illegal Solid Waste Dumping

Summary

The passage of the Solid Waste Ordinance in 2003 charged landscapers a fee of \$6 per yard to dispose of landscaping debris in the country transfer stations. Since then, illegal dumping of landscaping debris in southern Miami-Dade has increased.

Position

We support a nominal flat rate for landscape debris disposal permits. We oppose per yard assessments for disposal permits.

Transfer Stations in the Agricultural Area

Summary

Residents need access to a nearby transfer station in the agricultural area to combat illegal dumping.

Position

We support the building of two additional transfer stations, ideally one located in the agricultural area south of SW 288 Street and another one located north of SW 216 Street in the immediate future.

Agricultural Debris Removal

Summary

Following Hurricane Katrina, the agricultural industry was forced to dispose of tons of plant and production material. Debris dumped on the right-of-way caused a traffic and fire hazard in addition to increased illegal dumping of non-vegetative debris. The Federal Emergency Management Agency (FEMA) and Department of Solid Waste are prohibited from collecting debris from commercial units.

Position

We believe that agricultural interests should be afforded one debris pick up following a natural disaster.

Water Issues

Flood Protection

Summary

Miami-Dade County's subtropical climate and close proximity of agricultural land to Everglades National Park and Biscayne National Park make flooding a critical threat to farmers. Heavy rains led to floods which can cause serious financial losses to growers.

Position

We support efforts by Miami-Dade County to reduce the potential for flooding, especially in agricultural areas. The Commission should take a strong position with respect to the design and operation of the Modified Water Delivery and C-111 Projects to assure that the necessary protections are in place to reduce future flooding. In addition, maintaining a high water table for environmental purposes using the District's canal system can make the agricultural land susceptible to flooding with lower rainfall amounts that would not otherwise cause problems.

Water Use Permits

Summary

State law requires that a water use permit to be issued by the water management districts for agricultural irrigation purposes. This permit allows water to be withdrawn from surface and groundwater supplies for reasonable and beneficial uses such as public supply (drinking water), agricultural and landscape irrigation, and industry and power generation.

Position

We believe that the current permitting system presents challenges to agricultural operators who lease land. We urge the Governing Board of the South Florida Water Management District to review Rule 40E and provide for an economical, feasible solution for growers who lease land to transfer existing permits. We also believe that since the sole source of water for agricultural purposes is the Biscayne Aquifer, permits should be issued by user and should be transferable. The current reporting requirements are not practical, and add a significant financial burden, for the type of agriculture prevalent in Miami-Dade; nor is the data useful to the Water Management District in performing its regulatory function. The District should review and eliminate the reporting requirement for agricultural water use in South Dade.

Water Reuse

Summary

Miami-Dade County is currently drafting a water reuse plan. While we commend the County is for conserving this vital renewable resource, the discharge of "grey water" in the agricultural area may adversely affect the agricultural industry. Discharging excess water into an area prone to flooding is of notable concern.

Position

We believe that the County should not mandate the use of grey water by agricultural operators, and request that all reuse projects be reviewed for their potential impact on agriculture and the water table.

Florida Friendly Landscape Irrigation Standards

Summary

SFWMMD data shows Florida's water resources will continue to be strained in meeting current and future demands. An option underutilized by state and regulatory agencies is the integration of the "Landscape Irrigation and Florida-Friendly Design Standards" into all new residential and commercial construction projects. State and local municipalities should also commit to educating our residents about lawn and landscape irrigation and identify incentives for new developments and existing commercial and residential properties which utilize innovative landscape irrigation technologies.

Position

Arbitrary lawn and landscape irrigation restrictions fail to provide viable options for the long-term outlook of South Florida's ever-increasing water demands. We support an integrated approach which allows for incentive-based use of the latest irrigation technologies without destroying the qualities which make living in South Florida so attractive to millions of people.

Water Shortage Management

Summary

The recent regional drought affecting water storage in Lake Okeechobee, led to water use restrictions for over a year. The nursery industry was hit particularly hard during this period.

Position

The South Florida Water Management District should follow the best scientific approach to water shortage management and restrict only those areas that are clearly in drought conditions. The actual restrictions should be based on what plants need to survive as well as conservation of water resources. One day per week for landscape irrigation is not sufficient to allow plants to survive in the winter and spring months and will cause serious economic harm to the nursery industry. We believe that residential landscape irrigation should be limited to no fewer than three days per week.

Law Enforcement Issues

Agricultural Patrol

Summary

The Agricultural Patrol of the Miami-Dade County Police Department is an integral part of the economic viability of agriculture. The Agricultural Patrol is responsible for the arrest of persons committing crimes against agricultural producers.

Position

We support increased adequate and updated funding for the Agricultural Patrol. We also believe that there should be a hotline for reporting all agricultural thefts and related information.

Agricultural Theft

Summary

The increase in growth has fueled a sharp increase in agricultural theft. Farms, nurseries and groves are frequently vandalized, with thieves stealing everything from equipment to fruits to vegetables.

Position

We support the continuation and expansion of the Agricultural Patrol. We support the prosecution of individuals charged with crimes against agriculture.

Transportation Issues

Expansion of Krome Avenue (SW 177th Avenue)

Summary

Krome Avenue, which is widely used for transportation of commercial agriculture products, has one of the highest accident and fatality rates in the State of Florida. Plans are underway to widen Krome Avenue from Highway 27 to SW 136 Street.

Position

We strongly support the widening of Krome Avenue from two lanes to four lanes from SW 136 Street to SW 296 Street.

Four-Laning of Krome Avenue (SW 177 Avenue) in Florida City

Summary

The Florida Department of Transportation has proposed to four-lane Krome Avenue (SW 177 Avenue) from SW 328 Street to US Highway 1 in Florida City. The Florida Department of Transportation's plans include the erection of a median. Agricultural businesses that use the Florida State Farmers Market in Florida City will be severely impacted by the median since the plans redirect semi-trucks and increase waiting time for trucks coming in to and out of the Farmers Market.

Position

We support the four-laning of Krome Avenue, but we we oppose any plans to construct a median from SW 328 Street to US Highway 1.

General Issues

Bed and Breakfast Ordinance

Summary

Bed and breakfast establishments are not currently allowed in the agricultural area of Miami-Dade County.

Position

We believe that bed and breakfast establishments are an integral part of a viable agritourism economy. We support the existence of bed and breakfasts with appropriate safeguards for surrounding agricultural uses.

Burn Permits

Summary

County enforcement of permitted burning by agricultural operators can create time delays for growers who wish to burn in the early morning.

Position

The Miami-Dade Fire Department should accommodate growers who would like to burn before 8:00 a.m. provided they adhere to proper burning practices.

Local Branding

Summary

Miami-Dade County's Agricultural Manager in conjunction with local growers and the Florida Department of Agriculture and Consumer Services have developed the "Redland Raised" brand and logo. This logo will be used to promote the consumption of local produce in the South Florida region.

Position

We support the concept of local branding and encourage the county government, residents, retailers and growers to support the local branding initiative.

Miami-Dade Agricultural and Cattle Expo

Summary

In 2008, Miami-Dade County hosted and organized the first Agricultural and Cattle Expo. The event, which was hosted at Tropical Park and Equestrian Center, drew 20,000 attendees and showcased our diverse agricultural industry.

Position

We support the continuation of the Agricultural and Cattle Expo.

Miami-Dade County Agricultural Manager

Summary

The Agricultural Manager serves as the ombudsman to the agriculture industry.

Position

We support increased funding and a full-time assistant for the Agricultural Manager.

Fire Hydrants

Summary

Although the County allows residential development in the agricultural area, it does not provide for fire hydrants that may save lives in the event on a fire. Residents are responsible for paying for the installation of the well, hydrant and permitting fees from the County, if they chose to have a hydrant on their property.

Position

We believe the County should waive all permitting fees for fire hydrant installation.

Development of an Off-Highway Vehicle Park

Summary

Off-highway vehicle (OHV) riders are requesting a location for recreational riding. There are currently no safe, legal locations to ride in Miami-Dade County, therefore many riders utilize agricultural lands without permission. This is unsafe for farmers and farm workers, and it promotes vandalism of crops and structures.

Position

We believe that a location for OHV enthusiasts should be provided, as long as it is not located on or adjacent to agricultural property. We support the development of the Dade-Collier Training and Transition Airport and the Milton E. Thompson Park sites.

Landscape Code Alteration in Miami-Dade County

Summary

“Florida Friendly Plants” (which appropriately replaces the term xeriscaping) now provide a greater palette of water-friendly plants for new commercial and residential landscapes. IFAS research has developed this list and will continue to expand it over time. Municipal codes which seek to limit the use to so-called “white lists” of acceptable landscape plants fail to account for the latest irrigation standards which call for hydrazones of “water-like” plant groupings as the standard for being most water-wise. Other codes which set standards for specification of tree and caliper size or the outright elimination of “harvested” Sabal Palms without industry collaboration show the failure of government to find solutions that truly work for all our residents.

Position

We support collaborative efforts to set research based standards for new landscape codes in Miami-Dade County. The nursery and landscape industry has worked for many years with IFAS to find standards on which landscape codes may be created. Miami-Dade County is best served when solutions are created in an atmosphere which supports industry and our environment.

Land Uses/Private Property Rights

EU-2 Zoning

Summary

EU-2 (estate density residential) zoning is allowed outside the Urban Development Boundary. This zoning classification is almost identical to agricultural (AU) zoning, except that it limits the agricultural usage not only on the EU-2 property (i.e., no nurseries, limited row crop farming and limited livestock), and it limits agricultural usage on agricultural property that abuts it. Setbacks required for certain agricultural uses (grazing of livestock, including horses) are up to 250 feet from the property line.

Position

We believe that EU-2 zoning should not be permitted outside the Urban Development Boundary on properties designated agriculture or open land in the Comprehensive Development Master Plan.

Public Perception of the Agricultural Area

Summary

Agricultural land, primarily those located outside the Urban Development Boundary and in the East Glade, are frequently characterized as buffer lands to the national parks.

Position

We strongly believe that agricultural lands are working lands used to produce food, fish and plants for the nation. We maintain that the purpose for creating the Urban Development Boundary was to halt urban sprawl into the agricultural area, not to delineate a buffer to a national park.

Planning and Zoning Practices

Summary

Decisions made by Miami-Dade County for the agricultural area stem from the viewpoint of how it will impact the peace and tranquility of the home owners in the area. This is a disincentive to agricultural operators, and it places an undue burden on an economic industry as a whole.

Position

Agricultural practices should receive preference in the areas zoned AU. We believe that the agricultural area is not a rural or suburban neighborhood; it should be safeguarded and regarded as an agricultural industrial area.

Open Land Designation in the Zoning Code

Summary

The Miami-Dade County Zoning Code places restrictions on production agriculture on land designated Open Land. Of concern to agriculture are Open Land Subarea 4 (East Everglades Residential Area) and Open Land Subarea 5 (South Dade.) Subarea 5 is restricted to seasonal agriculture, thereby requiring non-seasonal agriculture like tree farms to be approved on a case-by-case basis.

Position

We believe that agriculture is an acceptable use of Open Land and should not require a hearing or case review. We believe that the County should not place undue burdens and added restrictions on bona fide agricultural enterprises operating on Open Land.

Seasonal and Non-Seasonal Agriculture

Summary

Both Miami-Dade County and the South Florida Water Management District make distinctions between seasonal and non-seasonal agriculture; in effect their policies discourage non-seasonal agriculture in the East Glade and on lands designated Open Land.

Position

We believe that agriculture is agriculture, and government agencies should revise their policies to encourage agricultural production rather than inhibit it with added rules and regulations.

Necessary and Ancillary to Agriculture

Summary

There has been much debate about the definition of necessary and ancillary to agriculture, especially as it applied to land in the agricultural area outside the Urban Development Boundary.

Position

We believe that the definition of necessary and ancillary to agriculture should be reviewed by the Agricultural Practices and Study Advisory Board. We believe the definition should reflect the changing face of the agricultural industry allowing for value-added agricultural enterprises to exist without the added constraints of public hearings and special ordinances (i.e. the Winery Ordinance).

Wetlands Mitigation

Summary

The Department of Environmental Resources Management currently oversees wetlands mitigation. Due to the ecological qualities of open land, fallow farmland may display qualities of a low quality wetland due to the high water table and abundance of exotic plants. Agricultural landowners need an economical solution to mitigate wetland losses on their private property.

Position

We believe that the definition of a wetland must be clearly defined. The County should not enforce monetary mitigation on agricultural operations operating under best management practices, adopting the State's position that agricultural activity complements wetlands protection. We strongly support the recognition of voluntary Best Management practices as a form of mitigation.

South Miami-Dade Watershed Study & Plan

Summary

The study and plan was billed as "planning for a sustainable, healthy environment and economy for the South Miami-Dade community". The plan's implementation strategies did not reach the Advisory Committee's self-imposed threshold for approval. The Board of County Commissioners voted to take no action on the implementation strategies.

Position

We strongly believe that the South Miami-Dade Watershed Study and Plan deviated from its original charge: to protect the buffer lands necessary for the protection of Biscayne Bay. We urge the Board of County Commissioners to review with prejudice any amendments to the Comprehensive Development Master Plan that are derived from the plan.

Agricultural Leases of Publicly Owned Lands

Summary

Taxpayer financed lands, such as those owned by Miami-Dade County, the South Florida Water Management District and the Miami-Dade County Public Schools, may be leased for agricultural purposes.

Position

We believe that all public owned land should be advertised and open for public bid.

Movement of the Urban Development Boundary

Summary

One of the purposes for the urban development boundary was to allow for commercial agriculture use in the western part of Miami-Dade County. Growth and development pressures inside the Urban Development Boundary have raised the question of whether or not the urban development boundary should be moved to accommodate growth.

Position

We support allowing market forces to determine the Urban Development Boundary. We do not believe that the Urban Development Boundary should be fixed in perpetuity.

Downzoning of Agriculture Zoned Parcels

Summary

Current zoning regulations outside the Urban Development Boundary provide for 1 house on 5 acres. The 8.5 Square Mile Area is zoned for 1 house on 40 acres.

Position

We strongly oppose down zoning. We believe that threat of down zoning of agricultural land will harm growers by devaluing land and accelerate conversion of farmland to development. We believe that the moratorium in the 8.5 Square Mile Area should be lifted since the MOD Waters project for that area has been completed.

Incorporation of the Redlands

Summary

The preservation and promotion of agriculture has been misused as the basis for incorporation of the Redland area which is located outside the urban development boundary.

Position

We strongly oppose the incorporation of the Redland.

Agricultural Purchase of Development Rights (PDR) Programs

Summary

Miami-Dade County allocated \$30 million in the General Obligation Bond for an agricultural purchase of development rights (PDR) program. Under the program, landowners would be compensated for giving up development rights.

Position

We support an agricultural PDR program that is developed by growers and funded by multiple sources. We believe that landowners should be compensated at fair market value for any rights they voluntarily relinquish and that the Commission should not take actions that reduce rural property values before a fair, open and functional PDR process is in place.

Private Property Rights

Summary

Depressed market prices, trade agreements, and government regulations have made it increasingly difficult for commercial agricultural operations to be profitable. In many cases, a grower's primary asset is their land which is either used as collateral to continue farming.

Position

We strongly support the constitutional sacredness of private property rights. We support the right of a private property owner to sell his or her land for fair market value and we oppose government land use programs that artificially reduce the value of rural land.

Agricultural and Rural Area Study and Plan

Summary

Miami-Dade County funded a \$500,000 study of the Agricultural and Rural Area. The original intent of the study was to find ways to enhance the economic viability of agriculture. Instead, the study became a land use plan that was ultimately rejected by the majority of the committee members.

Position

We strongly believe that Miami-Dade County should acknowledge that land use plans alone cannot save the agricultural industry.

Education Issues

Funding for Cooperative Extension Services

Summary

The University of Florida Miami-Dade County Cooperative Extension Service is utilized by agriculture, homeowners and County agencies. Its outreach efforts- like the Florida Yards & Neighborhoods Program and the assistance it provided to the County after the outbreak of the whitefly- are invaluable.

Position

We encourage the County to increase funding for the Cooperative Extension Service. We encourage the County to include funding for the University of Florida Institute of Food and Agricultural Sciences in its annual legislative lobbying docket.

Vocational Agriculture Programs in Miami-Dade County Schools

Summary

There is currently over a dozen middle and high schools that offer vocational agriculture programs in fields such as animal science, horticulture, vegetable production and agronomy.

Position

We support increased promotion and funding for the vocational agriculture programs in Miami-Dade County.

Tax Issues

Continuation of the Greenbelt Law

Summary

The validity and integrity of Florida's Greenbelt Law (F.S. 193.461) has been questioned by county property appraisers and other concerned interests. The Greenbelt Law provides tax savings for bona fide agricultural uses. It is estimated that for every dollar that an agricultural landowner pays in taxes, he receives, on average, about 30 cents of that back in the form of county services.

Position

We support the continuation of Florida's Greenbelt Law for the benefit of bona fide agricultural producers. We believe that the Property Appraiser must make a concerted effort to enforce the law fairly and equitably.

Property Appraiser's Workshop

Summary

The Miami-Dade County Commission supported a resolution requiring the Office of the Property Appraiser to conduct a workshop in the spring of each year to address questions and concerns from the agricultural community.

Position

We support the continuation of the workshop, however, we believe that the workshops should be held by early February before the county property appraiser submits its valuations to the Florida Department of Revenue.

Valuation Techniques

Summary

The diversity and uniqueness of Miami-Dade County's agricultural sectors can lead to disadvantages among commodities when it comes to tax valuation. The property appraiser uses two valuation methods, the sales comparison method and the income valuation method.

Position

We support a valuation technique that is objective and fair to commodities using accurate lease rate information and crop value assessments. We strongly encourage the Office of the Property Appraiser to actively seek input from the Agricultural Manager and Agricultural Practices and Studies Advisory Board. We recommend that annual tax assessments be reviewed by the Agricultural Practices and Studies Advisory Board, County Manager's office and Cooperative Extension office before it is submitted to the Florida Department of Revenue.