

# Florida Department of Agriculture and Consumer Services Agency Sunset Review Interim Report

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*Prepared for*  
The Florida Senate

*Prepared by*  
Committee on Agriculture

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## SUMMARY

Sections 11.901-920, F.S., are known as the Florida Government Accountability Act. Under this act, most state agencies and their respective advisory committees are subject to a “sunset” review process to determine whether the agency should be retained, modified or abolished. This report reviews the Department of Agriculture and Consumer Services (DACS).

In the past century agriculture has been characterized by enhanced productivity, from the citrus groves and the nurseries in central and southern Florida, to the vegetables in regions around the state, to the cattle and calves throughout the state. Agriculture has provided Florida with a large and stable economic base that has had an overall impact of \$87.6 billion annually.

The evolution of DACS began in 1868, to meet the needs of farmers and ranchers, to promote agricultural trade and production, to work to assure food safety, to protect natural resources, and to foster rural communities. The 1992 Legislature passed Chapter 92-291, Laws of Florida, which organized DACS along more functional lines into the following divisions: Administration, Animal Industry, Plant Industry, Marketing and Development, Dairy Industry, Agricultural Environmental Services, Food Safety, Fruit and Vegetables, Consumer Services, Forestry, Standards, Aquaculture and Licensing. This review does not include the Divisions of Consumer Services or Licensing.

The Senate Committee on Agriculture is the primary sunset review committee for review of the Department of Agriculture and Consumer Services. The Senate General Government Appropriations Committee has assisted in this review.

The following recommendations are provided to assist the Committee in fulfilling its obligations under the Sunset Review:

### **Recommendation #1**

The Legislature should retain the Department of Agriculture and Consumer Services.

### **Recommendation #2**

The Legislature should retain all of the technical councils and advisory committees except for the Caribbean Fruit Fly Technical Committee and the Exotic Pest of Citrus Council, which have been inactive and could be combined with other committees.

### **Recommendation #3**

The Legislature could consider directing DACS to develop a replacement schedule to support the full costs associated with boat/vehicle replacement. In developing a schedule, DACS could work with DMS and OPPAGA to identify the life cycle costs related to boat/vehicle ownership including initial acquisition costs (through recognition of depreciation over a boat/vehicle’s useful life), operating costs, repairs and routine maintenance, and surplus value when the boat/vehicle is replaced.

**Recommendation #4**

The Legislature could consider increasing or creating fees for the following activities described in the report to reduce the need for general revenue:

- Increase the fees for the different types of retail and wholesale seafood dealer licenses.
- Privatize state farmers' markets, or increase rental rates, or sell/combine markets with the lowest commodity sales.
- Require mandatory industry contributions (perhaps a prorated percentage) to the Division of Marketing and Development for all domestic and international trade event participation.
- Require mandatory industry contributions (perhaps a prorated percentage) for all domestic and international in-store retail marketing campaigns.
- Develop and implement a "creative services rate card" for marketing initiatives designed to assist individual businesses and sectors (i.e. Associations).
- Increase the annual registration fee for pesticide brands by \$100 (from \$250 to \$350).
- Increase the fee for fertilizer by \$0.25/ton (from \$0.75 to \$1.00/ton).
- Increase the annual fees on commercial feed, based on tons of feed distributed in Florida.
- Increase recreational fees or create a sliding scale for DACS-owned lands that require higher maintenance.
- Increase county fire protection and land management assessments, which serve as cost-sharing mechanisms for statewide fire protection and land conservation.
- Establish fees for shellfish processing plant inspections.
- Phase in an increase to the \$50 fee for aquaculture certifications that are required for any person engaging in aquaculture activities.
- Increase permit fees for food stores whose fees are not already at the statutory cap by raising or removing the statutory caps on fee levels.

**Recommendation #5**

The Legislature could direct the Office of Program Policy Analysis and Government Accountability to conduct a review of regulatory authority and responsibilities that DACS and the Department of Education have for the U.S. Department of Agriculture's National School Lunch Program and Summer Food Service Program in order to determine if there is duplication of activities and if efficiencies could be achieved.

**Recommendation #6**

To improve program operations and reduce costs, the Legislature could consider combining the two budget entities, Land Management and Wildfire Prevention and Management, into a single budget entity. This should simplify accounting and budgeting procedures, since most of the division's employees, facilities, and equipment are used to provide services to both budget entities.

**Recommendation #7**

The Legislature could consider centralizing land management activities under one state agency.

**Recommendation #8**

The Legislature could consider eliminating the Division of Agricultural Environmental Services' Operational Support Unit, including the dog fly control program, which would reduce \$227,926 in Salaries and Benefits and expenses from general revenue.

**Recommendation #9**

The Legislature could consider eliminating funds for mosquito control now provided to local governments with local budgets over \$1,000,000 (25 districts). This would result in a reduction of \$930,200 (25 districts at \$37,208 per district).

**Recommendation #10**

The Legislature could consider selling a current dog fly/mosquito control aircraft (1941 DC3).

**Recommendation #11**

The Legislature could consider eliminating the \$250,000 earmarked for mosquito control research.

## BACKGROUND

Sections 11.901-920, F.S., are known as the Florida Government Accountability Act. Under this act, most state agencies and their respective advisory committees are subject to a "sunset" review process to determine whether the agency should be retained, modified or abolished.

Reviews are accomplished in three steps. First, an agency under review must produce a report providing specific information, as enumerated in s. 11.906, F.S., related to:

- Agency performance measures;
- The agency complaint process;
- Public participation in making agency rules and decisions;
- Compliance with state purchasing goals and programs for specified businesses;
- Compliance with statutory objectives for each program and activity;
- Program overlap or duplication with other agencies;
- Less restrictive or alternative methods of service delivery;
- Agency actions to correct deficiencies and implement recommendations of legislative and federal audit entities;
- Potential conflicts of interest of its employees;<sup>1</sup>
- Compliance with public records and public meetings requirements;
- Alternative program delivery options, such as privatization, outsourcing, or insourcing;
- Agency recommendations to improve program operations, reduce costs, or reduce duplication;

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<sup>1</sup> This provision was deleted by s. 1 of ch. 2007-161, L.O.F., and replaced with a requirement that the agency identify "the process by which an agency actively measures quality and efficiency of services it provides to the public."

- The effect of federal intervention or loss of federal funds if the agency, program, or activity is abolished;
- Agency advisory committees;
- Agency programs or functions that are performed without specific statutory authority; and
- Other information requested by the Legislature.

Upon receipt of the agency information, the Joint Legislative Sunset Committee and the House and Senate committees assigned to act as sunset review committees<sup>2</sup> must review the information submitted and may request studies by the Office of Program Policy Analysis and Government Accountability (OPPAGA).

Based on the agency submissions, the OPPAGA studies and public input, the Joint Legislative Sunset Committee and the legislative sunset review committees will:

- Make recommendations on the abolition, continuation, or reorganization of each state agency and its advisory committees and on the need for the performance of the functions of the agency and its advisory committees; and
- Make recommendations on the consolidation, transfer, or reorganization of programs within state agencies not under review when the programs duplicate functions performed in agencies under review.

In addition, the House and Senate sunset review committees must propose legislation necessary to carry out the committees' recommendations.

An agency subject to review is scheduled to be abolished on June 30 following the date of review as specified in s. 11.905, F.S., provided the Legislature finds that all state laws the agency had responsibility to implement or enforce have been repealed, revised, or reassigned to another remaining agency and that adequate provision has been made to transfer certain duties and obligations to a successor agency. If an agency is not abolished, continued, or reorganized, the agency shall continue to be subject to annual sunset review by the Legislature.

The Senate Committee on Agriculture is the primary sunset review committee for review of the Department of Agriculture and Consumer Services. This report covers the agriculture divisions of the department and the Senate Commerce Committee is reviewing the consumer services divisions of the department. The Senate General Government Appropriations Committee is assisting in this review.

## EVALUATION METHOD

Based upon statutory directives and a review of previous sunset reports, staff of the Senate has developed the following guidelines to be used in reviewing the agencies, their programs, and their advisory committees. Guidelines for agency and program review include:

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<sup>2</sup> Senate Committees include: Agriculture, Commerce, Environmental Preservation and Conservation, and Transportation, together with their respective Appropriations Committee.

- What is the mission(s) of the agency?
- Why is the agency performing this mission(s)?
- How are the programs of the agency funded?
- What would be the impact to public health, safety and welfare should the programs be eliminated or modified?
- What duplication of programs exists within the agency or by other agencies or governments?
- Can these agency programs be provided more efficiently?
- Are there management tools in place to appropriately measure program performance?

Guidelines for review of Agency Advisory Councils and Committees include:

- Was the agency advisory committee created to resolve a problem or provide a service? If so, has the problem been solved or the service provided?
- Would there be an adverse effect on the agency or the public if the advisory body were abolished?
- Is the advisory body representative of the public and stakeholders impacted by its actions?

In order to properly evaluate the questions detailed above and support the findings and recommendations, staff would evaluate numerous sources including:

- Agency submissions to the Legislature, as specified in s. 11.906, F.S.;
- OPPAGA reviews;
- Independent reviews;
- Public hearings;
- Joint Committee reports;
- Appropriations data; and
- Other sources as deemed relevant.

## **HISTORY OF THE DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

Agriculture has always been one of Florida's major industries, but it was not until the Constitution of 1868 was adopted that agriculture was promoted by a state official. The Constitution of 1868 created the Office of Commissioner of Immigration who was empowered to attract settlers to Florida. In 1871, the Constitution was further amended to consolidate the Offices of Surveyor General and Commissioner of Immigration to create the new Commissioner of Lands and Immigration. The revised State Constitution of 1885 renamed the Commissioner of Lands and Immigration as the Commissioner of Agriculture. This official was also responsible for supervision of the state prisons until 1957 when the new Division of Corrections was created.

In 1959, the Legislature passed the Agricultural Services Reorganization Act. As a result of this reorganization, several boards and bureaus were abolished or reassigned. The

department emerged with the Division of Administration, Animal Industry, Chemistry, Dairy Industry, Fruit and Vegetable Inspection, Marketing, Plant Industry, Inspection and Standards. In 1967, the Legislature created the Office of Consumer Services and placed it in the Commissioner's office. Under the Executive Reorganization Act of 1969, the Office of Consumer Services became the Division of Consumer Services and the independent Board of Forestry, created in 1927, became the Division of Forestry. This brought to eleven the number of divisions within the Department of Agriculture. In conjunction with the reorganization, the department was renamed the Department of Agriculture and Consumer Services. In 1992, the Legislature passed Chapter 92-291, Laws of Florida, which organized the department along more functional lines. The department has established the following divisions to direct its functions:

- Administration
- Animal Industry
- Plant Industry
- Marketing and Development
- Dairy Industry
- Agricultural Environmental Services
- Food Safety
- Fruit and Vegetables
- Consumer Services
- Forestry
- Standards
- Aquaculture
- Licensing<sup>3</sup>

The department's twelve divisions are reported as five budgetary program areas. This report covers the five areas which are:

- Office of the Commissioner/Division of Administration
- Agricultural Economic Development
- Food Safety and Quality
- Forest and Resource Protection
- Agricultural Management Information Center

## **OVERVIEW OF FLORIDA AGRICULTURE**

Florida's 42,500 commercial farms, utilizing 10 million acres, continue to produce a wide variety of safe and dependable food products. From the citrus groves and the nurseries in central and southern Florida, to the vegetables in regions around the state, to the cattle and calves throughout the state, these farms provide Florida with a large and stable economic base. According to a recent study published by the University of Florida, Florida's agriculture industry has an overall impact of \$87.6 billion annually.

In 2005, Florida ranked:

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<sup>3</sup> <http://www.doacs.state.fl.us/about/history.html>



- First in the United States in the value of production of oranges, grapefruit, tangerines, and sugarcane for sugar and seed.
- First in value of sales of snap beans, fresh market tomatoes, cucumbers for fresh market, cucumbers for pickles, bell peppers, squash, and watermelons.
- Second in sales of greenhouse and nursery products, sweet corn, and strawberries.
- Fourth in value of production of honey.

In 2005, Florida accounted for:

- 56 percent of the total U.S. value of production for oranges (\$843 million)
- 52 percent of the total U.S. value of production for grapefruit (\$208 million)
- 53 percent of the total U.S. value of production for tangerines (\$68.4 million)
- 53 percent of the total U.S. value of production for sugarcane for sugar and seed (\$433 million)
- 49 percent of the total U.S. value of sales for fresh market tomatoes (\$805 million)
- 44 percent of the total U.S. value of sales for bell peppers (\$213 million)
- 31 percent of the total U.S. value of sales for cucumbers for fresh market (\$73.7 million)
- 31 percent of the total U.S. value of sales for watermelons (\$127 million)

The total cash receipts for nursery and greenhouse products in Florida were just over \$1.6 billion in 2004. Livestock and livestock products produced sales of over \$1.5 billion, with \$432 million coming from sales of dairy products and \$443 million coming from sales of beef. Poultry farms generated \$399 million in sales, with \$208 million coming from broilers and \$160 million coming from eggs.

Florida aquaculture products contributed \$99.5 million in sales in 2003, the latest year available. Tropical fish accounted for sales of \$47 million; aquatic plants accounted for \$20 million; and clams accounted for \$13 million.

Florida growers harvested vegetables for fresh market from 181,100 acres in 2005, with sales exceeding \$1.5 billion. Florida citrus growers in 2004-2005 produced 149 million boxes of oranges (95 percent of which were used for orange juice) and 12.8 million boxes of grapefruit (42 percent of which were used for grapefruit juice).

In January 2005, there were 1.71 million head of cattle on farms and ranches in Florida, including 952,000 head of beef cows and 138,000 head of milk cows. Florida ranked ninth in the number of chickens on farms in 2004. It's poultry farmers maintained an average of 11.3 million layers in 2004 (producing 3.1 billion eggs) and produced 78.5 million broilers.<sup>4</sup>

The Legislature authorized 2,924.75 positions and \$321,102,395 in spending authority for fiscal year 2007-08 for the Department of Agriculture, not including Consumer Services and Licensing. This compares to 2,912.75 positions and \$354,233,514 in spending

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<sup>4</sup> *Florida Agriculture Statistical Directory 2006*, Florida Department of Agriculture and Consumer Services, p. 6

authority for fiscal year 2006-07. Looking back five years to fiscal year 2003-04, the Legislature authorized 2,826.25 positions and \$250,881,057 in spending authority. The graph below shows the most recent five year history of appropriations and authorized positions (FTE's) for the Department of Agriculture not including Consumer Services and Licensing functions.

### **Total Department of Agriculture Not Including Consumer Protection and Licensing\***

	<b>03-04</b>	<b>04-05</b>	<b>05-06</b>	<b>06-07</b>	<b>07-08</b>
FTE	2,826.25	2,908.75	2,894.75	2,912.75	2,924.75
GR	108,247,157	146,233,234	136,794,102	145,099,232	162,248,339
Trust Funds	142,633,900	173,601,799	205,763,762	209,134,282	158,854,056
<b>Total</b>	<b>250,881,057</b>	<b>319,835,033</b>	<b>342,557,864</b>	<b>354,233,514</b>	<b>321,102,395</b>

- This report does include the Division of Agricultural Environmental Services.

### **MISSION OF THE DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

The department's mission is to safeguard the public and support Florida's agricultural economy by:

- Ensuring the safety and wholesomeness of food and other consumer products through inspection and testing programs;
- Protecting consumers from unfair and deceptive business practices and providing consumer information;
- Assisting Florida's farmers and agricultural industries with the production and promotion of agricultural products; and
- Conserving and protecting the state's agricultural and natural resources by reducing wildfires, promoting environmentally safe agricultural practices, and managing public lands.

## PROGRAM REVIEWS

### OFFICE OF THE COMMISSIONER/DIVISION OF ADMINISTRATION PROGRAM

**Program Purpose:**

To provide overall leadership, direction, and executive guidance to employees throughout DACS in carrying out constitutional, legislative, and administrative responsibilities.

**Description:**

The program is comprised of law enforcement, water policy, administrative, executive, and cabinet functions. The table below shows the most recent five year history of appropriations and FTE's for this budget program area.

### Office of the Commissioner/Division of Administration

	03-04	04-05	05-06	06-07	07-08
FTE	269.3	272.3	269.3	270.3	269.3
GR	13,784,902	17,055,694	15,649,654	15,584,522	39,430,604
Trust Funds	15,156,781	16,026,864	16,833,028	18,554,489	33,472,749
<b>Total</b>	<b>28,941,683</b>	<b>33,082,558</b>	<b>32,482,682</b>	<b>34,139,011</b>	<b>72,903,353</b>

\* In FY 2007-08, the increase in general revenue funds were appropriated for the Farm to Fuel Grants Program.

## PROGRAM SERVICES

### Executive Direction and Support Services

Description

The Division of Administration is responsible for the executive functions of the department and the cabinet functions of the Commissioner of Agriculture. The Division of Administration maintains a central record keeping system and performs personnel administration, finance and accounting, planning and budgeting, purchasing, and other general services for all divisions within DACS. The graph below shows the most recent five year history of appropriations and FTE's for this budget program area.

## Executive Direction and Support Services

	03-04	04-05	05-06	06-07	07-08
FTE	193.8	194.8	191.8	192.8	191.8
GR	8,652,220	11,879,992	10,303,372	9,334,677	35,456,724
Trust Funds	6,318,722	6,886,248	6,834,770	6,948,496	7,670,345
<b>Total</b>	<b>14,970,942</b>	<b>18,766,240</b>	<b>17,138,142</b>	<b>16,283,173</b>	<b>43,127,069<sup>5</sup></b>

### Findings

The Division of Administration's Communications Office disseminates information to the public through the media on a wide variety of topics, including wildfires, food safety issues, pesticide safety, plant diseases, consumer scams, the activation of the price-gouging hotline during states of emergency and on many other issues.

It responds to innumerable media inquiries involving all of DACS' functions and activities and does so on a daily basis. In addition, it conducts research for senior policymakers in the department and responds to e-mails from members of the general public who often contact the department through its Communications Office.

The Office also assists in the production of Public Service Announcements (PSAs) that are produced during active wildfire and mosquito seasons, as well as PSAs on other topical issues that the department regards as important to convey to the public.

During the recently-completed calendar year (2007), the department generated 161 press releases, produced six (6) television PSAs and responded to literally thousands of media inquiries in person or on the telephone. The cost to the state for these services, involving one Public Information Administrator and one Senior Management Analyst II, is \$221,887.

The Small County Technical Assistance Services (SCTAS) Program was created by the Florida Association of Counties and leaders from small counties in order to help small counties deal with increasing heavy demands being placed upon their limited financial and staff resources. In 1993, the Legislature authorized the program statutorily and has provided funding each year. SCTAS serves the 32 counties under 75,000 in population by providing management technical assistance in a broad range of areas.

This program has resulted in a service delivery mechanism for brokering a network of resources and management assistance to small counties. It allows these counties to improve the level of employee training, strengthen overall administrative and financial capabilities, and enhance cost efficiency and effectiveness of county services to local constituents. The assistance provided also helps counties maximize their own available resources and works to facilitate sustainable internal resources.<sup>6</sup>

SCTAS is administered through a Division of Administration contract with the Florida Counties Foundation. The Division of Administration has proposed a \$350,000 reduction

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<sup>5</sup> In FY 2007-08, the increase in general revenue funds were appropriated for the Farm to Fuel Grants Program.

<sup>6</sup> <http://www.fl-counties.com/fcf/sctas.shtml>

of general revenue funding for the program since the majority of services provided by the funding are not related to agriculture. This service could be provided by the Association of Counties.

Program Activities and Performance

<b>Activities (Business Processes)</b>	<b>Statutory Objectives by Budget Entity</b>	<b>Has Objective Been Achieved</b>
Executive Direction (Chapters 570 and 19, F.S., s. 20.14, F.S., & s.4, Act IV of the State Constitution)	The Commissioner of Agriculture provides leadership and direction in the evaluation, coordination, allocation of resources, and monitoring of the department.	Yes.
General Counsel/Legal (s. 570.10, F.S.)	Represent and appear for the department at all actions and procedures involving any questions under Chapter 570 or within jurisdiction of the department under any general or special law or under or in reference to any act, order, or proceedings of or before the department.	Yes.
Legal Affairs ( Chapter 570, F.S.)	This office is the main contact point for legislators and legislative staff. It coordinates the department's lobbying efforts, prepares and reviews legislative proposals, informs the Legislature and other interested parties about the department's position on legislative issues, and serves as a liaison between the department and the legislators. Additionally, the office works with the operational components of the department on legislative interim projects.	Yes.
Cabinet Affairs ( Chapter 570, F.S.)	Assist the Commissioner of Agriculture in his constitutional responsibilities as a member of the Governor and Cabinet.	Yes.
Inspector General (ss. 20.055 & 570.092, F.S.)	Provide a central point for coordination of and responsibility for activities that promote accountability, integrity, and efficiency. Provide independent, objective investigative services in response to allegations of wrongdoing, both administratively and criminally, on the part of an employee, individual, business, or other organization associated with department policies.	Yes.
Communications/Public Information (Chapter 570, F.S.)	Provide basic public information through the preparation and dissemination of brochures, press releases, speeches and public service announcements; Respond to media inquiries on topics ranging from food safety to consumer protection; Assist the Commissioner in setting up and organizing press conferences and related forums in	Yes.

<b>Activities (Business Processes)</b>	<b>Statutory Objectives by Budget Entity</b>	<b>Has Objective Been Achieved</b>
	which important public messages are disseminated.	
Finance and Accounting (s. 570.30, F.S.)	Conduct the department's accounting work, but not restricted to revenue, auditing, payroll, property inventory, insurance coverage and claims, federal funds, fixed construction and all other contract and grants and maintain the official accounting records.	Yes.
Procurement (s. 570.30, F.S.)	Provide support for the department including, but not limited to, mailing, printing, purchasing, maintenance, supplies inventory, communications and such other services as may be assigned.	Yes.
Personnel Services (s. 570.30, F.S.)	Conduct the department's personnel management. This includes, but is not limited to, handling official personnel actions, records, training, recruiting, organizational changes, employee relations and other personnel matters.	Yes.
Planning and Budgeting (s. 570.30, F.S.)	Coordinate, develop and prepare the departments Legislative Budget Request and the Long-Range Program Plan in an effort to obtain the funds necessary to implement the department's overall goal to "Safeguard the Public and support Agriculture."	Yes.
Mail Room (s. 570.30, F.S.)	Conduct the department's mailing services.	Yes.
Director of Administration (ss. 570.30 & .31, F.S.)	Render services required by the department, its divisions and the executive programs. These services include: accounting, personnel management, revenue processing, information processing, planning and budgeting and general services.	Yes.
Property Management ( s. 570.30, F.S.)	Responsible for the maintenance of all department owned facilities. This maintenance includes, but is not limited to, grounds, interior, and environmental issues. Responsible for maintaining a facilities inventory of all department owned facilities.	Yes.
Training (s. 570.30, F.S.)	Provide support for the department's	Yes.

Activities (Business Processes)	Statutory Objectives by Budget Entity	Has Objective Been Achieved
	training needs, new employee orientation, supervisor training, and specialized training unique to each division's programs and activities.	
Print Shop (s. 570.30, F.S.)	Provide support for the department's printing services for brochures, letterhead and other items as needed, and maintaining supplies.	Yes.

#### Overlap/Duplication of Duties

The Division of Administration only provides support services necessary to DACS and provides public information concerning the department.

#### Recommendations

It is in the best interest of the state to continue this service. However, the Legislature could consider discontinuing the \$350,000 in funding that has been an annual appropriation for the Small County Technical Assistance Program, since the majority of services provided by the funding are not related to agriculture.

### **Agricultural Law Enforcement**

#### Description

The Office of Agricultural Law Enforcement conducts investigations and enforces all laws and regulations relating to agriculture, state lands, consumer protection and related matters over which DACS has jurisdiction. Agricultural law enforcement enforces regulatory requirements pertaining to interstate or intrastate movement of plant and animal products. This office also conducts investigations of wildfire arsons, consumer fraud, and motor vehicle repair fraud. All DACS law enforcement officers are sworn officers and can assist in other areas as needed, including natural disasters.

#### Findings

The table below shows the most recent five year history of appropriations and FTE's for this budget program area.

### **Agricultural Law Enforcement**

	03-04	04-05	05-06	06-07	07-08
FTE	40.5	40.5	40.5	40.5	40.5
GR	3,036,825	3,132,657	3,273,511	3,907,281	3,473,880
Trust Funds	340,934	353,456	746,830	1,355,860	600,766
<b>Total</b>	<b>3,377,759</b>	<b>3,486,113</b>	<b>4,020,341</b>	<b>5,263,141</b>	<b>4,074,646</b>

#### Findings

As the primary enforcement agency for DACS, the Office of Agricultural Law Enforcement is responsible for the investigation of known or alleged violations of laws and rules associated with specific programs over which it has jurisdiction.

### Program Activities and Performance

<b>Activities (Business Processes)</b>	<b>Statutory Objectives by Budget Entity</b>	<b>Has Objective Been Achieved</b>
Conduct Law Enforcement Investigations (ss. 570.073, .15, .207, & .612, F.S.)	Protect consumers against unfair and deceptive trade practices; protect the state's diverse agricultural industry from theft and other related crimes; preserve and safeguard the wholesomeness of food and other consumer products; and protect the state's natural resources.	Yes.
Administration of Law Enforcement Assistance to Local Law Enforcement in the Wake of Natural Disasters ( ss. 23.127, 570.07, & .073, F.S.)	Fulfill interstate and intrastate mutual aid agreements. If this activity were abolished, there would be a loss of FEMA reimbursement funding.	Yes.

### Overlap/Duplication of Duties

Traditional law enforcement agencies are dedicated to protecting life and property. The Office of Agricultural Law Enforcement is uniquely different and diverse from other law enforcement agencies because in addition to protecting life and property, it is the first line of defense against the introduction of plant and animal disease and pests that could harm the state's agricultural industry, the state's economy, and the state's more than 16 million citizens and visitors.

The Office of Agricultural Law Enforcement must engage in cooperative partnerships with many federal, state, and local law enforcement and regulatory agencies. To better serve the public, coordinate efforts and prevent duplication of efforts, the agency interacts with and maintains a close working relationship with all of the following agencies:

All 67 of Florida's Sheriff's Departments  
All 320 Florida Municipal Police Departments  
All Full Time and Volunteer Fire Departments  
All 20 State Attorney Offices  
Florida Attorney General's Office, Office of Statewide Prosecution  
Florida Department of Law Enforcement  
Florida Department of Environmental Protection  
Florida Department of Financial Services  
Florida Fish and Wildlife Conservation Commission  
Florida Department of Highway Safety and Motor Vehicles, Florida Highway Patrol  
Florida Department of Transportation, Motor Carrier Compliance  
Federal Bureau of Investigation  
U.S. Secret Service  
U.S. Drug Enforcement Administration  
U.S. Department of Agriculture  
U.S. Postal Service



## Department of Homeland Security

### Recommendations

The Legislature could consider directing DACS to develop a replacement schedule to support the full costs associated with vehicle replacement. In developing a schedule, DACS could work with DMS and OPPAGA to identify the life cycle costs related to vehicle ownership including initial acquisition costs (through recognition of depreciation over a vehicle's useful life), operating costs, repairs and routine maintenance, and surplus value when the vehicle is replaced.

### **Agricultural Water Policy Coordination**

#### Description

The Office of Agricultural Water Policy (OAWP), authorized by s. 570.074, F.S., works with federal, state, regional, and local governmental agencies on water resource issues that involve agriculture. As directed by ss. 373.4595, 403.067, 570.085, and 576.045, F.S., the OAWP develops and implements agricultural water policy and Best Management Practices (BMPs) designed to protect and conserve water resources throughout the state. DACS works cooperatively with the Florida Department of Environmental Protection (FDEP), water management districts, University of Florida/Institute of Food and Agricultural Sciences, and environmental and agricultural stakeholders to develop and implement these BMPs, which DACS adopts by rule. As the only comprehensive on-farm water resources protection program that addresses agricultural nonpoint source pollution, BMP development and implementation performed by the OAWP is a critical component in Florida's efforts to protect and restore water resources as required by the Federal Clean Water Act and Florida law.

Though the DACS BMP program is non-regulatory, farmers are required to implement BMPs in areas where FDEP has adopted a basin management action plan to achieve total maximum daily loads adopted pursuant to the Florida Watershed Restoration Act (s. 403.067, F.S.). OAWP staff work directly with agricultural producers to assist them in understanding and implementing BMPs through education, technical assistance, and cost share. OAWP also contracts with UF/IFAS, Soil and Water Conservation Districts, and private-sector entities to provide these services.

#### Findings

The table below shows the most recent five year history of appropriations and FTE's for this budget program area.

### **Agricultural Water Policy Coordination**

	<b>03-04</b>	<b>04-05</b>	<b>05-06</b>	<b>06-07</b>	<b>07-08</b>
FTE	35.0	37.0	37.0	37.0	37.0
GR	7,315	7,289	507,289	500,000	500,000
Trust Funds	17,923,196	14,074,147	24,347,109	22,921,719	25,199,332
<b>Total</b>	<b>17,930,511</b>	<b>14,081,436</b>	<b>24,854,398</b>	<b>23,421,719</b>	<b>25,699,332</b>

In 1995, the Legislature authorized the Commissioner of Agriculture to create the Office of Agricultural Water Policy. Between 1995 and 1999, 22 existing DACS positions were transferred from other areas in the department to form the foundation of the legislatively authorized Office. In 1999, the Legislature passed the Watershed Restoration Act (s. 403.067, F. S.), which significantly expanded DACS' role in BMP development and implementation. To carry out these expanded duties, the 1999 Legislature also authorized 7 positions to be added to the OAWP. In 2000, the Legislature passed the Lake Okeechobee Protection Act (s. 373.4595, F.S.), and authorized an additional 6 positions for the OAWP to implement DACS' specific new responsibilities under the Act. In 2007 the Legislature significantly expanded DACS' responsibilities as one of the coordinating agencies in the passage of the Northern Everglades and Estuaries Protection Program. No additional positions were authorized as part of the Department's expanded role.

The above-described sequence of events resulted in a total of 35 FTE assigned to the Office as of 2003-04. In Fiscal year 2004-05, two existing DACS positions were transferred to the Office of Agricultural Water Policy to follow up with landowners to assure they are appropriately implementing BMPs. This transfer brought total staff to 37 FTE. Salaries and Benefits for all FTE are funded from the General Inspection Trust Fund.

The staffing level for the OAWP has remained essentially static since 2003-04, while workload has increased significantly. Since 2003-04 FDEP has developed 86 Total Maximum Daily Loads (TMDLs) for impaired Florida water bodies. That represents a 65% increase in the rate of TMDL development that occurred prior to 2003-04. Furthermore, no additional staff were authorized by the Legislature as part of the enactment of the Northern Everglades and Estuaries Protection Program.

All research work related to Best Management Practice development and demonstration is contracted out to the University of Florida. The table below shows the approximate annual research dollars contracted with the University of Florida.

**OAWP Research Expenditures – Via Contract with the University of Florida**

<b>FY</b>	<b>03-04</b>	<b>04-05</b>	<b>05-06</b>	<b>06-07</b>	<b>07-08</b>
<b>Expenditures</b>	\$700,416	\$1,518,541	\$3,494,013	\$3,150,389	\$3,649,355

Research topics include:

- Development of Irrigation and Nutrient Management BMPs for various commodities.
- Verification, Modification and Demonstration of BMPs in the Suwannee and Okeechobee Basins.
- Evaluation of Controlled Release and Precision Fertilization for Citrus and Sugarcane.

Program Activities and Performance

<b>Activities (Business Processes)</b>	<b>Statutory Objectives by Budget Entity</b>	<b>Has Objective Been Achieved</b>
Assist Soil and Water Conservation Districts (ss.	Appoint members of the Soil and Water Conservation Council and	Yes. (1) All 63 of the

<b>Activities (Business Processes)</b>	<b>Statutory Objectives by Budget Entity</b>	<b>Has Objective Been Achieved</b>
582.055, .06, & .08, F.S.)	offer appropriate assistance to the supervisors of soil and water conservation districts organized under s. 582.10, F.S., (funding, coordination, advice, outreach).	<p>soil and water conservation districts in the state are given financial, technical, and/or advisory assistance to varying degrees by the OAWP.</p> <p>(2) Since 2000, the OAWP has executed 80 contracts with 24 Soil and Water Conservation Districts (SWCDs) to administer BMP cost-share programs and/or establish mobile irrigation labs. The Office currently has more than 40 active contracts with SWCDs.</p>
Assist Mobile Irrigation Laboratory Conservation Programs (ss. 570.085 & 403.067, F.S.)	Establish an agricultural water conservation program that includes cost-share for water conservation and, where applicable, water quality improvements; development and implementation of voluntary interim measures or BMPs adopted by rule (including mobile irrigation laboratory recommendations and evaluations); and assistance to the water management districts in developing and implementing a consistent methodology for efficient allocation of water for agricultural irrigation.	<p>Yes.</p> <p>(1) As of June 2006, the OAWP has established and/or assisted 18 mobile irrigation labs.</p> <p>(2) The OAWP has developed, and will be distributing, an Agricultural Water Conservation BMP Manual (2006).</p> <p>(3) The OAWP estimates that, since the inception in 2001 of its programs to assist mobile irrigation laboratories, an annual average of approximately five (5) billion gallons of water have been conserved by agriculture through improved irrigation management.</p>
Develop Water Policy ( ss. 570.074, 369.318, 373.4595, 403.067, 570.085, 576.045, 582.055, .06, .08, F.S.)	Application and coordination of water policy affecting agriculture; agricultural BMP rule development and adoption to improve and protect water quality and conserve water resources.	<p>Yes.</p> <p>(1) During the period from FY2004/05 - FY2005/06, an annual average of 745 agricultural water policy assists were provided to various interests and exceeded the approved</p>

Activities (Business Processes)	Statutory Objectives by Budget Entity	Has Objective Been Achieved
		<p>standards. These assists include agricultural assessments, regulatory agency interaction, consultations on permit exemptions, outreach/Education, rule development/adoption, BMP compliance, BMP Development and Cost Share, technical assistance, interagency coordination, assistance to Soil and Water Conservation Districts.</p> <p>(2) Development of BMPs inherently involves water policy development.</p> <p>(3) DACS has developed a guidance document dealing with various aspects of agricultural water policy (Florida's Agricultural Water Policy, July 2003).</p>
<p>Assist Implementation of 1999 Watershed Restoration Act (ss. 403.067, 369.318, 373.4595, 403.067, .570.085, 576.045, F.S.)</p>	<p>Achieve and maintain compliance with water quality standards in Lake Okeechobee and downstream receiving waters; DACS to initiate rule development for interim measures, Best Management Practices (BMPs), conservation plans, nutrient management plans, or other measures to reduce phosphorus loads.</p>	<p>Yes.</p> <p>(1) As of July 2006, the OAWP has completed development and rule adoption or development of 10 BMP programs for a variety of agricultural commodities. These programs collectively incorporate approximately 80 separate water quality and water conservation BMPs, to protect impacted water bodies pursuant to state law (including the FWRA) and the federal Clean Water Act.</p> <p>(2) As of July 2006, an estimated 48% of agricultural producers in the state were</p>

Activities (Business Processes)	Statutory Objectives by Budget Entity	Has Objective Been Achieved
		implementing BMPs in watersheds with water bodies not meeting water quality standards.
Develop and Implement Best Management Practices for Agricultural Industry (ss. 373.4595, 403.067, 570.085, & 576.045, F.S.)	Achieve and maintain compliance with water quality standards in Lake Okeechobee and downstream receiving waters; DACS to initiate rule development for interim measures, Best Management Practices, conservation plans, nutrient management plans, or other measures to reduce phosphorus loads. Since this program was created, the amount of federal matching funds has dramatically increased to more than \$19 million in 2006. Much of this funding would be lost if the state chooses to abolish this activity.	Yes. (1) As of July 2006, 302,000 acres (18%) of agricultural lands in the Okeechobee watershed are implementing BMPs, and 623,000 additional acres (36%) are initiating the conservation or nutrient management plan process to implement BMPs, a total of 925,000 acres (54%). (2) The OAWP has completed rulemaking for agricultural BMP implementation for the entire Okeechobee Watershed. In FY 2006-07 DACS amended the Lake Okeechobee BMPs rule which significantly increased eligible acreage in the watershed.

#### Overlap/Duplication of Duties

DACS is legislatively authorized to develop and implement a comprehensive, statewide program to develop and implement agricultural Best Management Practices to address water resource quality and quantity (see ss.373.4595, 403.067, 570.085, and 576.045, F.S., among others). It is also responsible for assuring that agricultural producers are meeting their pollutant load reduction targets as established by the Florida Watershed Restoration Act.

The Office of Agricultural Water Policy was created in 1995 to handle matters relating to "water policy affecting agriculture, application of such policies, and coordination of such matters with state and federal agencies." (see s. 570.074, F.S.) Since then, in addition to responsibilities already existing in law, the Legislature has specifically assigned new responsibilities to DACS, most significantly the charge to develop and implement a statewide program for Best Management Practices to address agricultural impacts to water resources. The Office of Agricultural Water Policy carries out these DACS responsibilities.

In carrying out these statutory responsibilities, the Office of Agricultural Water Policy coordinates with regional, state, and federal agencies and local entities in leveraging funding sources for agricultural BMP implementation (in some cases through Memoranda of Understanding). According to DACS, the non-regulatory and alternative nature of the statewide DACS Best Management Practices (BMP) program encourages greater numbers of agricultural producers to participate in BMP implementation.

Recommendations

It is in the best interest of the state to continue this service.

## **AGRICULTURAL ECONOMIC DEVELOPMENT PROGRAM**

### **Program Purpose:**

To maintain and enhance Florida agriculture in the national and international marketplace.

### **Description:**

The Agricultural Economic Development Program provides a variety of services, including inspection of fruits and vegetables, licensing citrus fruit dealers, registering packing and processing facilities, and certifying aqua farms and shellfish processing plants. Promotional and marketing services are provided to farmers and agribusinesses. Inspections, as well as revenue billing services, are conducted at agricultural interdiction stations. The program protects the state's livestock industries by preventing, controlling, and eradicating various animal diseases. It seeks to protect Florida's native and commercially grown plants, such as citrus, as well as the state's honeybee industry. The program is funded by General Revenue (58%) and by trust funds (42%), with the exception of the Division of Fruits and Vegetables, which is supported entirely by trust funds. The table below shows the most recent five year history of appropriations and authorized positions (FTE's) for this budget program area.

### **Agricultural Economic Development Program**

	03-04	04-05	05-06	06-07	07-08
FTE	958.5	1,017.0	1,010.0	1,007.0	1,007.0
GR	44,656,679	75,223,522	66,104,806	62,190,407	62,693,038
Trust Funds	70,960,409	95,570,348	91,342,528	90,495,004	60,565,976
<b>Total</b>	<b>115,617,088</b>	<b>170,793,870</b>	<b>157,447,334</b>	<b>152,685,411</b>	<b>123,259,014</b>

\* The increases in general revenue funding from FY 2005-06 to FY 2007-08 include \$4 million for citrus research projects and additional funding for the Florida Agricultural Promotional Campaign. In FY 2006-07, DACS was reimbursed by the federal government for 2005 hurricane-related expenses (water & ice).

\* In FY 2006-07, the Legislature appropriated funds for the Florida Aquaculture Review Council's list of priority projects. In FY 2007-08, these projects were vetoed by the Governor.

\* In FY 2007-08, the federal government decided that the Citrus Canker Eradication Program was no longer feasible, so it ended the program and implemented the Citrus Health Response Program to take its place. Less funding was required to administer the new program.

## **PROGRAM SERVICES**

### **Fruits and Vegetables Inspection and Enforcement**

#### Description

The Division of Fruits and Vegetables inspects and certifies all fresh shipments of vegetables, fruit, and nuts as may be assigned in connection with regulations issued under federal and state marketing orders. It licenses all citrus dealers and registers all agents of

licensed fruit dealers, packing houses, processing plants, and field boxes used in harvesting fruits and vegetables. The division maintains testing equipment and facilities at processing plants and packing houses. It also develops and conducts methods for maturity and load evaluation procedures and equipment.

#### Findings

The table below shows the most recent five year history of appropriations and FTE's for this budget program area.

#### **Fruits and Vegetable Inspection and Enforcement**

	<b>03-04</b>	<b>04-05</b>	<b>05-06</b>	<b>06-07</b>	<b>07-08</b>
FTE	306.0	258.0	257.0	222.0	206.0
GR					
Trust Funds	16,452,943	14,613,387	15,046,969	13,686,720	13,231,687
<b>Total</b>	<b>16,452,943</b>	<b>14,613,387</b>	<b>15,046,969</b>	<b>13,686,720</b>	<b>13,231,687</b>

The Division of Fruit and Vegetables Inspection and Enforcement works closely with the Florida fruit and vegetable industries by providing assistance with regulations and quality measures required by state and federal (USDA) standards. It is required by statute to be financially self-sufficient. Fees paid by the industries that vary by inspection are revised annually by the division and no general revenue is required.

#### Program Activities and Performance

<b>Activities (Business Processes)</b>	<b>Statutory Objectives by Budget Entity 2005/06</b>	<b>Has Objective Been Achieved</b>
Inspect citrus packing house and process plants (Chapter 601, F.S.)	Protect health and welfare and to stabilize and protect the citrus industry of the state.	No. There was a loss of fruit due to hurricane damage and canker eradication so number of fruits and vegetables inspected was less than the standard.
Inspect shipping & receiving points & regulate imports (Chapter 601, F.S.)	Protect health and welfare and to stabilize and protect the vegetable industry of the state.	See above.
Inspect terminal markets (s. 570.07, F.S.)	Voluntarily provide grade standards, grading, certification and inspections.	See above.

#### Overlap/Duplication of Duties

DACS is the only agency that performs services to help prevent, control, and eradicate specific agricultural and animal pests and diseases that could potentially adversely affect Florida's agricultural industry and public health.



### Recommendations

It is in the best interest of the state to continue this service. However, the Legislature could consider directing DACS to develop a replacement schedule to support the full costs associated with vehicle replacement. In developing a schedule, DACS could work with DMS and OPPAGA to identify the life cycle costs related to vehicle ownership including initial acquisition costs (through recognition of depreciation over a vehicle's useful life), operating costs, repairs and routine maintenance, and surplus value when the vehicle is replaced.

## **Agricultural Products Marketing**

### Description

The Division of Marketing and Development is responsible for providing professional marketing services in all phases of the marketing system that will bring fair returns to Florida producers, conserve Florida's resources, and supply customers with quality agricultural products at reasonable prices. The division provides estimates of Florida crop and livestock production; gathers, analyzes, and disseminates information concerning the current supply, demand, price, quality, and movement of Florida agricultural products; and maintains and operates farmers' markets located throughout the state.

The division also administers the Florida Agricultural Promotional Campaign, known as "Fresh from Florida," which assists the state's agricultural producers in expanding markets, and operates wholesale farmers' markets that support agricultural commerce.

### Findings

The table below shows the most recent five year history of appropriations and FTE's for this budget program area.

## **Agricultural Products Marketing**

	<b>03-04</b>	<b>04-05</b>	<b>05-06</b>	<b>06-07</b>	<b>07-08</b>
FTE	194.0	192.0	196.0	195.0	195.0
GR	5,429,704	6,183,976	6,569,267	10,441,477	15,933,210
Trust Funds	16,895,497	17,793,243	18,464,367	29,163,316	18,254,602
<b>Total</b>	<b>22,325,201</b>	<b>23,977,219</b>	<b>25,033,634</b>	<b>39,604,793</b>	<b>34,187,812<sup>7</sup></b>

For Fiscal Year 2007-08, the Legislature appropriated to the division \$34,187,812. It receives funding from the General Inspection Trust Fund, the Citrus Inspection Trust Fund, the Contracts and Grants Trust Funds (Federal Grants Trust Fund), the Market Improvements Working Capital Trust Fund, the Florida Agricultural Promotion Campaign Trust Fund, the Market Trade Show Trust Fund, the Viticulture Trust Fund, and general revenue. This division had six different fees ranging from \$50 to \$300 and

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<sup>7</sup> The increases in general revenue funding from FY 2005-06 to FY 2007-08 include \$4 million for citrus research projects and additional funding for the Florida Agricultural Promotional Campaign. In FY 2006-07, DACS was reimbursed by the federal government for 2005 hurricane-related expenses (water & ice).

only one of the fees is not set at its statutory cap. This is Agricultural Dealers License fee which is dependent upon bond amount. DACS would support an increase to the maximum amount of this fee and could do so with a rule change.

By conducting activities aimed toward producers, buyers, food editors, and Florida's public consumers, as well as national and international consumers, the Division of Marketing and Development stimulates product consumption of Florida agricultural products and creates "brand recognition". The division also provides professional marketing services to the agribusiness industry.

Since its inception, the Florida Agricultural Promotional Campaign (FAPC) has evolved from a nominally helpful small-scale membership program, into a variety of highly-successful and multi-faceted marketing campaigns. These campaigns generate billions of consumer impressions, increased sales and tax revenue. The results are obtained by leveraging public and private resources, which could not be sustained by fees alone. Membership fees are only used to augment funding and display the industry's solidarity and support for the various *Fresh From Florida* programs. In other words, the industry supports the overall programs vs. the programs solely supporting them. Presently, the fees are \$50 for all paying FAPC members. (The wholesaler and retailer members are non-paying.)

The division operates the state farmers' market system, which maintains 13 facilities where farmers can get information, leadership, and the facilities necessary to market their agricultural products. In 2001, the Office of Program Policy Analysis and Government Accountability indicated that changes in the agricultural industry since the farmers' markets were first established have adversely affected performance of some markets. The percentage of farm acres in the service areas of many farmers' markets have experienced significant declines. Additionally, farmers now have alternative methods for marketing their products, such as shipping from the farm and direct marketing to consumers through roadside stands. Consequently, the markets currently have declining commodity sales, operating losses, and significant outstanding maintenance requirements. To fill vacant space in the wholesale produce markets, some markets have resorted to leasing to non-agricultural tenants.

The Bureau of Seafood and Aquaculture is predominantly funded from fees charged to the seafood wholesalers and retailers in Florida. The Florida Fish and Wildlife Conservation Commission collects the fees for DACS at a 4 percent charge. The fees are then transferred to the Florida Saltwater Products Promotion Trust Fund on a monthly basis.

DACS has recommended increases in the fees for retail and wholesale seafood dealer licenses to provide additional revenue. These are:

<b>License</b>	<b># Sold</b>	<b>Current Fee</b>	<b>Revenue</b>	<b>Proposed Increase 08/09</b>	<b>Additional Revenue for 08/09</b>
Resident Retail Seafood Dealer – Primary	2,704	\$25	\$67,600	\$50	\$135,200
Resident Retail Seafood Dealer – Secondary Location	1,621	\$10	\$16,210	\$15	\$24,315
Nonresident Retail Seafood Dealer – Primary	59	\$200	\$11,800	\$50	\$2,950
Nonresident Retail Seafood Dealer – Secondary Location	904	\$25	\$22,600	\$15	\$13,560
Alien Retail Seafood Dealer – Primary	2	\$250	\$500	\$50	\$100
Alien Retail Seafood Dealer – Secondary Location	0	\$50	\$0	\$15	\$0
Resident Wholesale Seafood Dealer – County	676	\$300	\$202,800	\$100	\$67,600
Resident Wholesale Seafood Dealer – State	624	\$450	\$280,800	\$100	\$62,400
Nonresident Wholesale Seafood Dealer – County	21	\$500	\$10,500	\$100	\$2,100
Nonresident Wholesale Seafood Dealer – State	41	\$1,000	\$41,000	\$100	\$4,100
Alien Wholesale Seafood Dealer – County	0	\$1,000	\$0	\$100	\$0
Alien Wholesale Seafood Dealer – State	1	\$1,500	\$1,500	\$100	\$100
<b>TOTAL</b>	<b>6,653</b>		<b>\$655,310</b>		<b>\$312,425</b>

#### Program Activities and Performance

<b>Activities (Business Processes)</b>	<b>Statutory Objectives by Budget Entity 2005/06</b>	<b>Has Objective Been Achieved</b>
Conduct Florida Agriculture Promotion Campaign (FAPC) and related promotions (Chapter 571, F.S.)	Increase consumer awareness and expand the market for Florida's agricultural products. If this program were abolished, approximately \$1,450,889 in federal funds to promote Florida agriculture would go to other states.	Yes.
Conduct state farmers markets (ss. 570.07, .53, .531, & .03, F.S.)	Acquire suitable sites and erect necessary marketing facilities and properly equip, maintain and operate them. Assist growers and producers to expand their markets	Measures achieved for all but percentage of available square feet of state

Activities (Business Processes)	Statutory Objectives by Budget Entity 2005/06	Has Objective Been Achieved
	and more effectively sell products.	farmers markets leased. <u>Approved Measure</u> : 95%, <u>Actual Performance</u> : 85%
Conduct ag/seafood/aquaculture assists (ss. 570.07 & .18; Chapter 571; s. 370.07; ss. 604.15 & .34, F.S.)	Provide information and assistance necessary to the efficient selling of farm products. Federal funds (\$95,374 FY 2006) used to increase demand for Florida wild-caught shrimp and to improve the economic outlook for this industry would go to other states. \$130,151 would go to other southern states for exhibits at trade events to assist companies in developing relationships with foreign importers.	Yes.
Florida agricultural products as a percent of the national market (ss. 570.53 & .07, F.S.)	Help the state retain current markets and expand into new markets in order to remain a healthy viable industry.	Yes.
Pass-through funds to food distribution agencies to distribute federal commodities to the needy (ss. 570.53 & .07, F.S.)	Conduct, supervise and administer all commodity distribution services using federal or state fund or funds from other sources or commodities received and distributed from the US or any of its agencies.	Yes.

#### Overlap/Duplication of Duties

While both DACS and the Department of Education (DOE) are involved in the U.S. Department of Agriculture's National School Lunch Program (NSLP) and Summer Food Service Program (SFSP), their regulatory authority and levels of responsibilities differ. DACS administers the commodity program components of the NSLP and SFSP, which includes obtaining requisitions of food from the schools, preparing and submitting orders to USDA, oversight, monitoring and review of warehouses, school storage facilities, etc. DOE is responsible for the administration of NSLP, which includes free/reduced lunch requirements, dietary guidelines and nutrition, reimbursement for schools, etc., as well as other food programs. Schools must be approved for NSLP participation with DOE before they can apply for commodities from DACS.

The program duties can be combined to the extent that only one agreement would be required for both participation in the NSLP and for commodities. The program oversight/review of schools would be combined to incorporate both the NSLP regulatory

requirements as well as the Food Distribution requirements. The balance of the duties performed by DACS are unique to the Food Distribution/Commodity Program.

Upon review it was found that while similar functions were performed by the DACS and the Department of Citrus (DOC), such as the marketing of agricultural commodities, the functions of the two agencies complement one another and are not duplicative. For example, the DOC and DACS both use advertising to market Florida products. The DOC contracts out their advertising, but DACS has indicated that there would be no cost savings with outsourcing because there would be a loss of an umbrella to promote Fresh from Florida agricultural products, resulting in increased costs for Florida's producers. There is a minimum overlap as DOC emphasizes citrus only and DACS emphasizes Florida products in general.

### Recommendations

It is in the best interest of the state to continue this service.

The Legislature could consider designating either DACS or DOE as the agency that has regulatory authority and responsibilities for the U.S. Department of Agriculture's National School Lunch Program (NSLP) and Summer Food Service Program (SFSP).

OPPAGA has identified and the Legislature could consider options to reduce the program's reliance on general revenue by increasing or creating fees for the Agricultural Economic Development Program's regulatory and inspection activities and requiring matching funds for marketing assistance activities. Options for the Legislature to consider are as follows:

- Seafood dealer license fees presently range from \$300 for a resident wholesale seafood dealer license to \$1,500 for an alien wholesale seafood dealer license. For retail establishments, the fees range from \$25 for the resident retail seafood dealer's central place of business and \$10 for each additional place of business, to \$250 for an alien retail seafood dealer's central place of business and \$50 for each additional place of business. If the wholesale license were increased by \$100, revenue would increase by \$140,000. For retailers, the fee increase would be \$50 for central location and \$15 for additional locations which would increase revenue by approximately \$182,000. This additional \$322,000 would assist the industry to promote their products and generate additional sales of seafood products.
- OPPAGA has identified and the Legislature could consider privatizing the 13 state farmers' markets. Another option would be to sell or combine the markets with the lowest commodity sales. The markets are self-supporting from user fees, but privatization would eliminate the costs of capital improvements. Another option would be to increase funding for deferred maintenance and renovations at existing facilities, by increasing rental rates by 3 percent. This would also enable hurricane damaged facilities to be rebuilt so they can return to revenue producing status. DACS anticipates that these actions would provide an increase of approximately \$1,000,000 in annual revenue. These renovations would help retain existing tenants and attract additional tenants for currently vacant space.
- The Legislature could consider requiring mandatory industry contributions (perhaps a prorated percentage) for all domestic and international trade event participation.

- The Legislature could consider requiring mandatory industry contributions (perhaps a prorated percentage) for all domestic and international in-store retail campaigns.
- The Legislature could require the division to develop and implement a “creative services rate card” for marketing initiatives designed to assist individual businesses and sectors (i.e. Associations). This rate card could cover the “hard costs” associated with marketing (i.e., printing, multi-media production, distribution, etc.) and applied upon request for services.

## **Aquaculture**

### Description

The Division of Aquaculture is responsible for the development and regulation of aquaculture in the state. The division has the sole regulatory authority over the industry. These responsibilities cover species ranging from alligators to fish, plants, oysters, and clams. The division has two bureaus: the Bureau of Aquaculture Development, which is responsible for regulating aquaculture businesses, leasing state-owned submerged lands, and providing for enhancement of existing natural shellfish reefs; and the Bureau of Aquaculture Environmental Services, which is responsible for water quality monitoring and processing plant inspections.

### Findings

The table below shows the most recent five year history of appropriations and FTE's for this budget program area.

### **Aquaculture**

	<b>03-04</b>	<b>04-05</b>	<b>05-06</b>	<b>06-07</b>	<b>07-08</b>
FTE	52.0	52.5	52.5	52.5	52.5
GR	3,007,673	4,023,787	3,743,057	6,442,952	3,884,903
Trust Funds	1,489,916	1,415,289	2,005,449	2,117,311	2,641,654
<b>Total</b>	<b>4,497,589</b>	<b>5,439,076</b>	<b>5,748,506</b>	<b>8,560,263</b>	<b>6,526,557<sup>8</sup></b>

The Division of Aquaculture seeks to protect Florida's economic welfare, consumer safety, and health of the environment. It classifies waters to ensure that shellfish are not harvested from polluted waters that could cause human illness, inspects shellfish processors to verify that shellfish are processed in a sanitary facility, and runs its own samples in a certified lab. If the division discontinued these functions, shellfish produced in Florida would be prohibited from being sold in interstate commerce. The latest survey conducted by the Florida Agricultural Statistics Service (October 2006) showed that Florida aquaculture producers reported 2005 sales of \$75 million.

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<sup>8</sup> In FY 2006-07, the Legislature appropriated funds for the Florida Aquaculture Review Council's list of priority projects. In FY 2007-08, these projects were vetoed by the Governor.

For Fiscal Year 2007-08, the Legislature appropriated \$6,526,557. The division received funding from the General Inspection Trust Fund, Contracts and Grants Trust Fund, and general revenue.

The division has contracted out some services. The Legislature appropriates money that is used to engage local oystermen's associations to relay. Funds are also contracted out to move and transplant oyster shells and to provide trucking services for the grant work the division receives.

The University of Florida/Institute of Food and Agricultural Sciences' Tropical Aquaculture Laboratory, part of the University's Department of Fisheries and Aquatic Sciences, is located in Ruskin, Florida. The lab was created in 1996 with the cooperation of the University and federal, state, and county representatives. The mission of the lab is to enhance the understanding of tropical, ornamental aquaculture through research and education. The lab performs applied research, fish disease diagnostic services, and extension education programs. It also promotes professionalism in Florida's tropical aquaculture industry.

The total budget for the lab is \$352,191. The Division of Aquaculture has a contract with the lab and appropriates \$121,260 in recurring funding through its budget .

#### Program Activities and Performance

<b>Activities (Business Processes)</b>	<b>Statutory Objectives by Budget Entity</b>	<b>Has Objective Been Achieved</b>
Test Water Quality (s. 597.020, F.S.)	Regulate sanitary practices of catching oysters, clams, mussels, scallops and crabs.	Yes.
Inspect Shellfish Processing Plants (s. 597.02, F.S.)	Regulate and license processing of oysters, clams, mussels, scallops and crabs.	Yes. However, fewer shellfish processors have applied for licenses to operate. Greater compliance has reduced the number of inspections needed.
Administer Shellfish Lease Program (ss. 253.002 & .67-75, s. 597.010, F.S.)	Perform the administrative tasks of leasing state land for the Board of Trustees. The department receives federal recovery funds for public oyster reef restoration. If the program were abolished, Florida would not be entitled to the funds it has received over the last three years which will total \$5.5 million.	No. A change was made to the methodology for the 06/07 reporting period. Since the audits of the leases are done on a calendar basis and not fiscal year, only half of the leases were audited between Jan. 06 and

<b>Activities (Business Processes)</b>	<b>Statutory Objectives by Budget Entity</b>	<b>Has Objective Been Achieved</b>
		June 06.
Administer Aquaculture Certification Program (s. 597.004, F.S.)	Require the use of best management practices to regulate aquaculturists and create a one-stop shop.	Yes.

#### Overlap/Duplication of Duties

Consolidation was accomplished in 1999 when the Division of Aquaculture was created from other state agencies, so no program duties are being performed by the Division of Aquaculture which overlap or duplicate activities done by other agencies. The FDA audits the Water Classification Program, the Shellfish Processing Program, and the Shellfish Laboratory for compliance with the National Shellfish Sanitation Program (NSSP). The NSSP was designed to prevent overlap or duplication of state programs. In addition, there are no private or other public labs that are currently certified by the USFDA to perform the analyses required by FDA and the FDA only certifies state labs.

#### Recommendations

It is in the best interest of the state to continue this service. However, the Legislature could consider directing DACS to develop a replacement schedule to support the full costs associated with boat/vehicle replacement. In developing a schedule, DACS could work with DMS and OPPAGA to identify the life cycle costs related to vehicle ownership including initial acquisition costs (through recognition of depreciation over a vehicle's useful life), operating costs, repairs and routine maintenance, and surplus value when the boat/vehicle is replaced.

OPPAGA has identified and the Legislature could consider establishing fees for shellfish processing plant inspections. While it might not be feasible to increase fees to fully fund this service, some smaller increase would reduce the need for general revenue. OPPAGA has identified and the Legislature could consider a phase-in increase to the \$50 fee for aquaculture certifications that are required for any person engaging in aquaculture activities. This fee has not been increased since 1997. In FY 2006-07, fees generated about \$49,048. However, 95 percent of the activity's total costs were funded by general revenue. In order for this function to be self-sufficient, the annual fee would have to be raised to about \$416. This amount would represent an eight-fold increase. A smaller increase would likely raise less resistance given the state's history of hurricanes and drought. For example, doubling the fee to \$100 would reduce the need for general revenue funding by about \$49,000.

The Legislature could also eliminate the \$121,260 appropriation from general revenue to the Division of Aquaculture for a contract with the Institute of Food and Agricultural Sciences (Tropical Aquaculture Lab). The lab services could be supported from the general IFAS budget or on a fee supported basis.

### **Agricultural Interdiction Stations**

#### Description

The Office of Agricultural Law Enforcement enforces and supplements all of the department's regulatory and law enforcement programs by conducting inspections of



interstate and intrastate highway shipments of agricultural, aquacultural, horticultural, and livestock commodities. These regulations and programs ensure the public a quality food product, and prevent, control, or eradicate specific plant and animal pests and diseases.

#### Findings

The table below shows the most recent five year history of appropriations and FTE's for this budget program area.

#### **Agricultural Interdiction Stations**

	<b>03-04</b>	<b>04-05</b>	<b>05-06</b>	<b>06-07</b>	<b>07-08</b>
FTE	210.0	235.0	239.0	241.0	242.0
GR	12,610,386	15,188,534	15,583,535	16,407,628	17,476,259
Trust Funds	196,689	117,894	164,319	555,405	413,289
<b>Total</b>	<b>12,807,075</b>	<b>15,306,428</b>	<b>15,747,854</b>	<b>16,963,033</b>	<b>17,889,548</b>

The Office of Agricultural Law Enforcement manages agricultural inspection stations that are located in 23 areas of the state. These inspection stations are the first line of defense in the effort to safeguard Florida's food supply and to provide protection against plant and animal pests. The inspection stations operate around the clock 365 days a year inspecting approximately 11.7 million vehicles a year for compliance with federal and state marketing agreements and various laws, rules and regulations. In addition to agriculture inspections, officers track products such as ammonium nitrate, anhydrous ammonia and explosives, and have recovered nearly \$25 million in drugs, stolen goods and contraband. Compliance inspections can result in violations, arrests, warnings, or administrative actions.

For FY 2007-08, agricultural interdiction stations were appropriated an operating budget of almost \$18 million. Activities related to agricultural interdiction stations are funded through general revenue and the General Inspection Trust Fund, Citrus Inspection Trust Fund, and Agricultural Law Enforcement Trust Fund.

Officers also select and scan bills of lading to send to the Florida Department of Revenue, resulting in recovered taxes that would have otherwise gone undetected. This office protects a \$97 billion industry and in Fiscal Year 2006-07 provided the Florida Department of Revenue with an additional \$8.3 million from sales tax collected through bill of lading inspections.

#### Program Activities and Performance

<b>Activities (Business Processes)</b>	<b>Statutory Objectives by Budget Entity</b>	<b>Has Objective Been Achieved</b>
Commodity Interdiction (ss. 570.073, & .15, F.S. and 5A-16.003)	Prevention of potentially devastating plant and animal pests and diseases. Enforcement of marketing orders. If this activity were abolished, there	Yes.

Activities (Business Processes)	Statutory Objectives by Budget Entity	Has Objective Been Achieved
	would be a loss of federal funding for the maintenance of the state's VACIS (gamma ray) vehicles and surveillance cameras.	
Capture Bills of Lading (ss. 213.053 & .13, F.S.)	Assist the Department of Revenue in the identification of products land-shipped within the state for subsequent collection of appropriate tax revenue.	No. Due to delays in construction of a new inspection station in Pensacola and ramp closures for resurfacing at four stations. Also, the number of bills imaged is decreasing due to changes in legislation, as expected.

#### Overlap/Duplication of Duties

The Inspection Stations are open 24 hours-a-day, 365 days of the year and perform a service that no other agency provides.

#### Recommendations

It is in the best interest of the state to continue this service.

### **Animal Pest and Disease Control**

#### Description

The Division of Animal Industry conducts activities to prevent, control, and eradicate dangerous transmissible diseases of livestock. The high mobility of people and animals and the state's location as an international travel center requires surveillance of the threat of destructive diseases being introduced from other states or foreign countries.

#### Findings

The table below shows the most recent five year history of appropriations and FTE's for this budget program area.

#### **Animal Pest and Disease Control**

	03-04	04-05	05-06	06-07	07-08
FTE	157.5	166.5	151.5	151.5	150.5
GR	7,888,702	7,474,678	7,640,242	8,901,726	10,456,774
Trust Funds	1,856,759	6,050,200	3,945,849	4,598,395	3,912,525
<b>Total</b>	<b>9,745,461</b>	<b>13,524,878</b>	<b>11,586,091</b>	<b>13,500,121</b>	<b>14,369,299</b>

In order to maintain a healthy environment, the Division of Animal Industry implements the use of approved monitoring and surveillance programs for the prevention and control of zoonotic diseases, as well as providing animal disease monitoring. The division provides diagnostic services to veterinarians and others who take care of livestock and animal populations.

The Division of Animal Industry collects 23 different fees for inspections of animals that range from \$2 to \$1,250. These fees have not been increased for a number of years. For FY 2007-08, the Legislature appropriated the division \$14,369,299. It receives funding from the General Inspection Trust Fund, the Contracts and Grants Trust Fund, and general revenue.

One of the long term responsibilities of DACS' Division of Animal Industry has been the administration of Florida's Brucellosis Eradication Program. The Cooperative State-Federal Brucellosis Eradication Program is administered under a Memorandum of Understanding between the appropriate agency in each of the states and the U.S. Department of Agriculture. This program includes all of the activities associated with detecting, controlling, and eliminating brucellosis from domestic livestock in the U.S.

Bovine brucellosis is a cattle disease that is near eradication in the U.S. after more than 50 years of efforts by state departments of agriculture, the U.S. Department of Agriculture, and the cattle industry. Florida has maintained "Brucellosis Class Free" status for seven years now and, except for specific geographic regions surrounding Yellowstone National Park, the remainder of the U.S. is also "Brucellosis Class Free."

Section 585.155, F.S., requires all female calves born in the state that are to be used for dairy breeding purposes to be vaccinated with an approved brucella abortus vaccine. In 2001, the law mandating vaccination of female beef cattle was changed and vaccination has continued on a voluntary basis. While brucellosis vaccination was critical in eradicating this disease in Florida, the absence of this disease over the last seven years and the extremely low level of bovine brucellosis in the U.S. has reduced the threat of this disease to Florida cattle and thus also reduced the need for vaccination.

Currently, each calf must be individually identified at the time of vaccination by tattoo, brand, or by an official vaccination ear tag in the right ear. Each owner of a herd must also enroll the herd in a program to determine whether the herd is infected with brucellosis.

Section 585.105, F.S., requires the department to purchase and distribute brucellosis vaccine to licensed Florida veterinarians at no charge. The department spends approximately \$140,000 per year on vaccine purchase, storage, and shipping.

#### Program Activities and Performance

<b>Activities (Business Processes)</b>	<b>Statutory Objectives by Budget Entity</b>	<b>Has Objective Been Achieved</b>
Animals Tested or Vaccinated (Chapter 585)	Control and eradicate dangerous transmissible diseases and parasitic infestations of livestock (including equine), poultry and other animals. The division and the federal government have numerous cooperative agreements wherein costs are shared or split for various animal disease programs. Without the state's involvement, the federal cost share would be lost. In FY 2006-07, this would amount to \$3,446,846	No. As a result of the eradication of certain diseases, there is a decrease in vaccinations for those diseases. The mission was achieved although the performance measure for testing and vaccinating animals

Activities (Business Processes)	Statutory Objectives by Budget Entity	Has Objective Been Achieved
	which is shared between this objective and the one below.	had not been met because of the successful eradication of brucellosis and the lowered level of vaccination as a result.
Animal Site Inspections Performed (Chapter 585)	Control and eradicate dangerous transmissible diseases and parasitic infestations of livestock (including equine), poultry and other animals.	Yes.

#### Overlap/Duplication of Duties

Division staff perform animal tests and vaccinations and conduct site inspections, often simultaneously, to achieve the program goals and objectives. Due to the unique animal disease prevention, eradication and control responsibilities of the division, there are no conflicts of interest or lower costs that can be achieved for these activities in other agencies.

#### Recommendations

It is in the best interest of the state to continue this service. However, the Legislature could consider directing DACS to develop a replacement schedule to support the full costs associated with vehicle replacement. In developing a schedule, DACS could work with DMS and OPPAGA to identify the life cycle costs related to vehicle ownership including initial acquisition costs (through recognition of depreciation over a vehicle's useful life), operating costs, repairs and routine maintenance, and surplus value when the vehicle is replaced.

### **Plant Pest and Disease Control**

#### Description

The Division of Plant Industry seeks to protect Florida's agriculture industry by conducting plant and apiary inspections, certifications, surveys, treatments, and tests to detect, exclude, control, and eradicate insects and diseases.

#### Findings

The table below shows the most recent five year history of appropriations and FTE's for this budget program area.

## Plant Pest and Disease Control

	03-04	04-05	05-06	06-07	07-08
FTE	345.0	371.0	371.0	367.0	367.0
GR	15,720,214	42,352,547	32,568,705	19,996,624	14,941,892
Trust Funds	34,168,605	55,580,335	51,715,575	40,373,857	22,112,219
<b>Total</b>	<b>49,888,819</b>	<b>97,932,882</b>	<b>84,284,280</b>	<b>60,370,481</b>	<b>37,054,111<sup>9</sup></b>

In FY 2005-06, through plant inspection, surveys and control measures, the division was able to prevent 95.1 percent of newly introduced plant pests from becoming established in the state.

For FY 2007-08, the Legislature appropriated \$37,054,111 to the Division of Plant Industry. The division received funding from the Plant Industry Trust Fund, Citrus Inspection Trust Fund, Contracts and Grants Trust Fund, Agricultural Emergency Eradication Trust Fund, and general revenue. The division is not statutorily required to be self-sufficient and all the fees are currently set at the cap.

### Program Activities and Performance

Activities (Business Processes)	Statutory Objectives by Budget Entity 2005/06	Has Objective Been Achieved
Certify Nurseries as Imported Fire Ant Free (s. 581.031, F.S.)	Inspect nursery stock and certify that it is free of imported fire ants. In order for nursery stock to be shipped out of the USDA Imported Fire Ant Quarantine area, it must be certified fire ant free. If this activity were abolished, the state would lose \$134,491 in federal funding.	Yes.
Distribute Endangered Plant Grant Money to Qualified Applicants to Preserve Native Plants. (s. 581.185, F.S.)	Provide grant funds to applicants to preserve native plants.	Yes.
Fumigate Citrus Fruit (s. 581.031, F.S.)	Fumigate citrus fruit to kill fruit fly larvae or other pests so that fruit can be shipped to other citrus producing states.	The USDA quarantine of the entire state of Florida for citrus canker means that no fresh citrus can be shipped to other citrus producing states, so little if any fruit will be fumigated this

<sup>9</sup> In FY 2007-08, the federal government decided that the Citrus Canker Eradication Program was no longer feasible, so it ended the program and implemented the Citrus Health Response Program to take its place. Less funding was required to administer the new program.

<b>Activities (Business Processes)</b>	<b>Statutory Objectives by Budget Entity 2005/06</b>	<b>Has Objective Been Achieved</b>
		season. However, it is anticipated that these markets will reopen and this service will be needed again.
Pass-Through Funds to the Boll Weevil Eradication Foundation to Eradicate Boll Weevils ( s. 593.103, F.S.)	Collect per acre assessments from cotton growers to eradicate the boll weevil.	Yes.
Register Citrus Budwood (s. 570.32, F.S.)	Test citrus source trees for diseases and desirable horticultural traits and register the trees that meet the requirements.	Yes.
Inspect Apiaries ( s. 586.045, F.S.)	Inspect Florida honey bee colonies and apiaries for exotic honey bee pests and diseases.	Yes.
Inspect Citrus Trees for Crop Forecast and Pest Detection (s. 570.32, F.S.)	Protection Florida citrus from exotic citrus pests and collect data for the crop forecast.	The division did not meet the inspection standard because the personnel resources were temporarily assigned to the Citrus Canker Eradication Program. During normal seasons without unprecedented disease spread or pest outbreaks, the division meets the program objectives.
Treat or Destroy Plants to Eradicate or Control Plant Pests (s. 570.32, F.S.)	Eradicate or control exotic plant pests before they become established in the state.	Yes.
Develop Control Methods and Rear Bio Control Agents (ss. 570.32 & 581.031, F.S.)	Investigate methods of control and prevention of spread of plant pests. If this activity were abolished, the state would lose \$294,983 in federal funds.	Yes.
Release Sterile Fruit Flies (s. 570.32, F.S.)	Prevent the establishment of Mediterranean fruit flies in Florida.	Yes.
Identify Plant Pests (s. 570.32, F.S.)	Protect Florida plant industries from exotic pests. If this activity were abolished, \$79,359 in federal grant funds to support diagnostic services would be lost.	Yes.
Executive Direction (ss. 581.041 & .071, F.S.)	Provide for administrative oversight and support for plant industry	Yes.

<b>Activities (Business Processes)</b>	<b>Statutory Objectives by Budget Entity 2005/06</b>	<b>Has Objective Been Achieved</b>
	programs.	
Certify Citrus Fly-Free (s. 581.031, F.S.)	Provide certification services to Florida Growers so that fresh fruit may be exported to important domestic and foreign markets.	The 2004 and 2005 hurricanes damaged the citrus crop and fewer growers participated in the fly-free certification program.
Survey for Citrus Canker (s. 581.184, F.S.)	Protect Florida citrus from citrus canker.	The 2004 and 2005 hurricanes spread citrus canker to the point that eradication was not achievable and the program ended.
Disburse Tree-Replacement Vouchers for Citrus Canker Program (s. 581.1845, F.S.)	Replace tree canopy lost as part of the Citrus Canker Eradication Program.	Yes.
Disburse Checks to Citrus Canker Participants for the Tree-Compensation Program (s. 581.1845, F.S.)	Compensate residents whose citrus trees were removed as part of the Citrus Canker Eradication Program	Yes.
Inspect Plants for Plant Pests, diseases or grade (s. 570.32, F.S.)	Protect Florida plant industries from exotic plant pests. If this activity were abolished, the state would lose \$999,747 in federal funds.	Yes.
Eradicate Identified Citrus Canker (s. 581.184, F.S.)	Protect Florida citrus from citrus canker.	The 2004 and 2005 hurricanes spread citrus canker to the point that eradication was not achievable and the program ended.
Service Exotic Fruit Fly Traps (s. 570.32, F.S.)	Protect Florida plant industries from exotic plant pests. If this activity were abolished, the state would no longer get trapping supplies from the federal government.	Yes.

#### Overlap/Duplication of Duties

The University of Florida and Florida A & M University provide some plant pest identification services. They provide a service to the public, but the identifications do not qualify as voucher specimens for regulatory purposes. For regulatory purposes, the identifications must be done by DACS. Therefore it is not possible to consolidate this service with the university system.

#### Recommendations

It is in the best interest of the state to continue this service. However, the Legislature could consider directing DACS to develop a replacement schedule to support the full

costs associated with vehicle replacement. In developing a schedule, DACS could work with DMS and OPPAGA to identify the life cycle costs related to vehicle ownership including initial acquisition costs (through recognition of depreciation over a vehicle's useful life), operating costs, repairs and routine maintenance, and surplus value when the vehicle is replaced.



## FOOD SAFETY AND QUALITY PROGRAM

### Program Purpose:

To ensure the safety, wholesomeness, quality, and accurate labeling of food products through inspections, laboratory analyses, consumer assistance, and enforcement actions.

### Description:

The program is responsible for a wide variety of food safety and consumer protection activities. These activities include inspecting and testing at food processing plants, food storage and distribution points, and all stores and other locations in Florida where food is sold to the public, to demonstrate compliance with sanitation and wholesomeness standards. The program laboratories analyze foods for contaminants of chemical residue. The inspections and analyses also include reviewing food labels for accuracy. The program investigates consumer complaints and tests samples associated with food illness outbreaks to determine the cause of the complaint or illness. It also regulates the production, transporting, processing, sampling, examination, and labeling of milk and milk products. DACS is authorized to establish standards for milk and milk products originating in state or out-of-state. The table below shows the most recent five year history of appropriations and FTE's for this budget program area.

### Food Safety and Quality Program

	03-04	04-05	05-06	06-07	07-08
FTE	320.0	319.0	310.0	315.0	318.0
GR	1,648,694	3,267,474	3,236,409	4,127,970	3,790,461
Trust Funds	17,295,463	17,024,419	15,490,214	16,896,058	17,250,013
<b>Total</b>	<b>18,944,157</b>	<b>20,291,893</b>	<b>18,726,623</b>	<b>21,024,028</b>	<b>21,040,474</b>

## PROGRAM SERVICES

### Dairy Facilities Compliance and Enforcement

#### Description

The Division of Dairy Industry regulates the dairy industry to ensure compliance with minimum quality and sanitation standards. It permits and licenses approximately 2,100 dairy farms, milk processing plants, frozen dessert manufacturers, single-service container manufacturers, milk distribution depots, bulk milk tankers/haulers, and milk receiving, transfer, and wash stations. By conducting various testing and sample collecting, the division is able to evaluate sanitary compliance, public health controls and inspections of products. Division employees inspect each step in milk processing, starting at the dairy farm, including the milk, and through the processing plant to ensure that products purchased by consumers are produced under sanitary conditions, are wholesome and are correctly labeled. The division also enforces the stringent standards of the Pasteurized Milk Ordinance designed to ensure that only safe, high quality milk is produced and distributed to consumers throughout the country.

### Findings

The table below shows the most recent five year history of appropriations and FTE's for this budget program area.

### **Dairy Facilities Compliance and Enforcement**

	<b>03-04</b>	<b>04-05</b>	<b>05-06</b>	<b>06-07</b>	<b>07-08</b>
FTE	28.0	28.0	25.0	25.0	25.0
GR	1,647,155	1,704,339	1,601,040	1,801,830	1,755,173
Trust Funds	20,000	27,000	20,000	24,141	24,141
<b>Total</b>	<b>1,667,155</b>	<b>1,731,339</b>	<b>1,621,040</b>	<b>1,825,971</b>	<b>1,779,314</b>

The Division of Dairy Industry administers the Grade A Pasteurized Milk Ordinance (PMO) for the state. The PMO is the basic standard used in the voluntary Cooperative-US PHS/FDA Program for the Certification of Interstate Milk Shippers. IMS Program participation includes all fifty States, the District of Columbia and the U.S. Trust Territories. Participation in the program allows Florida's milk and milk products to be shipped and sold in interstate commerce.

The division was appropriated \$1,779,314 for FY 2007-08. It receives approximately 99 percent of its funding from general revenue and 1 percent from the General Inspection Trust Fund. The division charges three fees ranging from \$50 to \$200 and has six permits that do not have a fee, nor does it charge for inspections or re-inspections. Section 502.013(2)(a)2, F.S., states that the Legislature intends to pay for the costs of the Division of Dairy Industry with general revenue except for the permit fees charged to milk fat testers. The division could rely less on general revenue if this section was amended to direct DACS to develop fees for all services.

### Program Activities and Performance

<b>Activities (Business Processes)</b>	<b>Statutory Objectives by Budget Entity</b>	<b>Has Objective Been Achieved</b>
Inspect Dairy Tankers and Evaluate Bulk Milk Sample Collectors (s. 502.013, F.S.)	Ensure that milk and milk products sold or offered for sale in Florida are produced under sanitary conditions, are wholesome and fit for human consumption, are correctly labeled as to grade, quality and source of production, and to facilitate the shipment and acceptance of milk and milk products of high sanitary quality in interstate and intrastate commerce. While there is no federal intervention, if this activity were to be abolished, there would be no monitoring for public health risks of Florida's dairy product supply.	Yes.
Perform Sample Analyses (ss. 502.013 & 503.021, F.S.)	Ensure that milk and milk products sold or offered for sale in Florida are produced under sanitary conditions, are wholesome and fit for human consumption, are correctly labeled as to grade, quality and source of production, and to facilitate the	Yes.

Activities (Business Processes)	Statutory Objectives by Budget Entity	Has Objective Been Achieved
	shipment and acceptance of milk and milk products of high sanitary quality in interstate and intrastate commerce. Ensure that ice cream and frozen desserts are made from safe, suitable ingredients and are palatable and properly labeled.	
Inspect Dairy Establishments and Collect Samples (ss. 502.013 & 503.021, F.S.)	Ensure that milk and milk products sold or offered for sale in Florida are produced under sanitary conditions, are wholesome and fit for human consumption, are correctly labeled as to grade, quality and source of production, and to facilitate the shipment and acceptance of milk and milk products of high sanitary quality in interstate and intrastate commerce. Ensure that ice cream and frozen desserts are made from safe, suitable ingredients and are palatable and properly labeled.	Yes.

#### Overlap/Duplication of Duties

There is no federal dairy regulatory program, so the Division of Dairy Industry does not perform any duplication of duties. If it did not provide inspections in Florida, milk could not be shipped to other states, the District of Columbia or the U.S. Trust Territories.

#### Recommendations

It is in the best interest of the state to continue this service. However, the Legislature could consider directing DACS to develop a replacement schedule to support the full costs associated with vehicle replacement. In developing a schedule, DACS could work with DMS and OPPAGA to identify the life cycle costs related to vehicle ownership including initial acquisition costs (through recognition of depreciation over a vehicle's useful life), operating costs, repairs and routine maintenance, and surplus value when the vehicle is replaced.

### **Food Safety Inspection and Enforcement**

#### Description

The Division of Food Safety provides inspection, laboratory testing, and enforcement activities to assure the public of a safe, wholesome, and properly represented food supply. It permits and inspects approximately 48,600 retail food stores, food processing plants, and food distribution points where food is sold to the public. The division also administers and enforces poultry and egg laws. In addition to regulatory surveillance and enforcement, the division evaluates consumer complaints related to food.

#### Findings

The table below shows the most recent five year history of appropriations and FTE's for this budget program area.

## Food Safety Inspection and Enforcement

	03-04	04-05	05-06	06-07	07-08
FTE	292.0	291.0	285.0	290.0	293.0
GR	1,539	1,563,135	1,635,369	2,326,140	2,035,288
Trust Funds	17,275,463	16,997,419	15,470,214	16,871,917	17,225,872
<b>Total</b>	<b>17,277,002</b>	<b>18,560,554</b>	<b>17,105,583</b>	<b>19,198,057</b>	<b>19,261,160</b>

The Division of Food Safety was appropriated \$19,261,160 in FY 2007-08. It received approximately 11 percent of its funding from general revenue, 21 percent from the Federal Grants Trust Fund, and 68 percent from the General Inspection Trust Fund. The division charges various annual permit and operating fees that range from \$35 to \$500. These fees are based upon the level of resources the division uses to monitor permit holders and licensees. The division also charges a flat fee of \$110 for re-inspections.

The department has recommended the following statutory changes to improve program operations, reduce costs, or reduce duplication:

- Amend s. 500.12(1)(b), F.S., to increase the Food Establishment Permit fee cap. DACS strongly feels that because this program is a food safety/public health issue, that general revenue is warranted for this program.

### Program Activities and Performance

Activities (Business Processes)	Statutory Objectives by Budget Entity	Has Objective Been Achieved
Perform Analyses for Chemical Residues and Pesticide Data (ss. 500.02, .09, .10, .11, .121, F.S.)	Safeguard the public health, protect the consuming public from injury, rulemaking, analytical work, identify food deemed adulterated, identify food deemed misbranded, disciplinary procedures, and food inspections. If this activity were abolished, the department would lose over \$1.65 million (FY 06-07) in contracts and cooperative agreements with federal agencies. Funding of these agreements are dependent upon existing personnel, facilities, and expertise.	No. The function of this program is to identify foods which do not meet established standards and the laboratory targets their sampling to emphasize collection of those food types more likely to be in violation. Some small annual variation in the number of products found which meet or do not meet chemical residue standards is expected.
Perform Grade Evaluations on Poultry and Eggs (Chapter 583, F.S.)	Ensure that eggs and poultry products are properly labeled and are properly graded for quality. Abolishment of this activity would result in the loss of \$1.8 million (FY 05-06) in revenue from this fee based voluntary program. The department has a Cooperative Agreement with the USDA for the state to provide these grading services. In addition, due to higher USDA grading	Yes.

<b>Activities (Business Processes)</b>	<b>Statutory Objectives by Budget Entity</b>	<b>Has Objective Been Achieved</b>
	fees, the 21 Florida processor would pay an annual increase of approximately \$302,515.	
Conduct Food Establishment Inspections (ss. 500.02, .12 & .147, F.S.)	Safeguard the public health, protect the consuming public from injury, issue food permits, and inspect food establishments and vehicles. Abolishment of these inspections would result in the loss of approximately \$232,000 (FY 06-07) in federal contract funds annually. Funding of these agreements is dependent upon existing state personnel and equipment.	No. The number of inspections declined during hurricane seasons. Additionally, in January 2006, the bureau instituted a pilot program for risk-based inspections concurrent with routine inspections. This created an additional reduction in the number of inspections.
Perform Analyses of Food Samples (ss. 500.02, .09, .10, .11, & . 121, F.S.)	Safeguard the public health, protect the consuming public from injury, rulemaking, analytical work, food deemed adulterated, food deemed misbranded, disciplinary procedures and food inspections. If this activity were abolished the department would lose nearly \$700,000 (FY 06-07) in contracts and cooperative agreements with federal agencies. Funding of these agreements are dependent upon existing state personnel, facilities, and expertise.	No. HVAC renovations have been ongoing in the Conner Complex since July 2005. Services in the food labs were directly impacted between July 05 and June 06 with a full suspension of lab services for 14-15 weeks.

#### Overlap/Duplication of Duties

There is no other state agency which conducts surveillance analyses or enforces tolerances for pesticides, antibiotics, or other chemical adulterants in foods. In the case of a food borne chemical poisoning, whether intentional or accidental, the food associated with sick patients may be analyzed by the Department of Health. Because the resources and expertise of DOH is focused on human specimen analysis, DACS could conduct analyses of foods in these instances.

There are three primary state agencies with similar but separate food regulatory responsibilities:

Department of Agriculture and Consumer Services (DACS)

Department of Health (DOH)

Department of Business and Professional Regulation (DBPR)

Each agency has a designated area of expertise with minimal overlap in duties. In accordance with Chapter 92-180, Laws of Florida, each agency has sought to avoid duplication of service and works together in a cooperative effort to ensure compliance. Where overlap occurs, an agency authority matrix has been developed that clearly delineates the responsibility of each agency and eliminates duplication of agency efforts. While certain food safety regulatory responsibilities, primarily food establishment inspections, could potential be condensed into one or two agencies, the specifications and training for the various levels of technical expertise of staff would be extraordinarily intense and challenging to manage. DOH is primarily institutional food service, DBPR is

retail food service operations (restaurants), and DACS (lead agency) is processing, distribution, and retail food sales (grocery stores, etc.).

DACS is the only agency which conducts surveillance analyses or enforces tolerances for microbial contaminants and no other laboratory conducts surveillance for the accuracy of food constituents. DBPR does not have a laboratory associated with its inspection of food service establishments and the DOH Bureau of Laboratories analyzes only low numbers of food samples connected with specific disease outbreaks as directed by the DOH Bureau of Epidemiology. DACS Food Safety Laboratories are the only state entities that perform large numbers of tests on food surveillance samples. There is a Memorandum of Understanding between DOH and DACS to define the relationship between the two agencies and to delineate responsibilities for responses to domestic security threats in the food supply to ensure surge capacity in emergency responses. DOH does not have the laboratory space, equipment, or personnel to accommodate the volume of annual sample analyses (more than 10,000 samples and 50,000 analyses) conducted by the DACS laboratory. In addition, in the event of a major food borne illness outbreak, priority must be given to their primary mission, identification of organisms in clinical (blood, serum, sputum, etc.) matrices. DACS' Food Laboratories could, however, absorb the testing now being done on foods at all the DOH Bureau of Laboratories facilities.

#### Recommendations

It is in the best interest of the state to continue this service. However, the Legislature could consider directing DACS to develop a replacement schedule to support the full costs associated with vehicle replacement. In developing a schedule, DACS could work with DMS and OPPAGA to identify the life cycle costs related to vehicle ownership including initial acquisition costs (through recognition of depreciation over a vehicle's useful life), operating costs, repairs and routine maintenance, and surplus value when the vehicle is replaced.

OPPAGA has identified and the Legislature could consider increasing permit fees for food stores whose fees are not already at the statutory cap and to raising or removing the statutory caps on fee levels.

## FOREST AND RESOURCE PROTECTION PROGRAM

### Program Purpose:

To protect and enhance the state's natural, economic, and human resources for future generations. The Division of Forestry is also responsible for preventing, detecting, and suppressing wildfires in Florida, both on public and private lands.

### Description:

The program provides wildfire prevention and management services by coordinating prevention, detection, and suppression activities for wildfires in 2.5 million acres of forests and wild lands. The program also provides land management services by managing state forests for conservation, recreation, reforestation and restoration, wildlife and timber management, and wetlands protection. The Division of Forestry produces tree seedlings for use on public and private lands and operates the Forestry Youth Academy for male youth from the Department of Juvenile Justice Residential Programs. The table below shows the most recent five year history of appropriations and FTE's for this budget program area.

Forest and Resource Protection					
	03-04	04-05	05-06	06-07	07-08
FTE	1,232.5	1,255.5	1,260.5	1,275.5	1,285.5
GR	47,175,707	49,941,723	50,287,658	61,203,231	53,406,677
Trust Funds	41,921,952	49,322,508	76,909,766	79,633,810	56,285,544
<b>Total</b>	<b>89,097,659</b>	<b>99,264,231</b>	<b>127,197,424</b>	<b>140,837,041</b>	<b>109,692,221</b>

\* In FY 2006-07, funds were appropriated to the Division of Forestry for expenses related to the 2004 and 2005 hurricanes.

\* The increase in appropriations from FY 2005-06 to 2006-07 was for wildfire suppression equipment. Additional funds were appropriated for fixed capital outlay to pay for statewide maintenance and repairs of the Division of Forestry's work stations.

## PROGRAM SERVICES

Because most of the Division of Forestry's employees, facilities, and equipment are used to provide services for both land management and wildfire prevention and management, explanation of these sections has been combined.

### Land Management

#### Description

The Land Management Service of the Forest and Resource Protection Program (Division of Forestry) manages the resources, recreational opportunities, and capital improvements located in 33 state forests. It also provides forest-related management assistance to other public land management agencies and disseminates information concerning the management, utilization, and production of renewable forest resources to non-industrial private landowners.

DACS has a seat on the Acquisition and Restoration Council (ARC) and as such, participates in the evaluation of all Florida Forever projects prior to their inclusion on the acquisition list and plays a role in the review and approval of land management plans for state managed environmental lands. The division completes a timber/forestry assessment of the acquisition proposals and provides this information to other ARC members and the Division of State Lands. The division also participates in land management reviews and comments on forest management practices.

The Division of Forestry contracts private entities to perform some land management activities. Contracted activities include site preparation, tree planting, herbicide treatment of invasive species and control of woody vegetation, timber sales (bid out), timber stand improvement, Florida Natural Area Inventories surveys, and listed species surveys. An activity may be contracted out because the contractor has special equipment, statewide data bases, or personnel that are experienced in the type of work needed.

### **Wildfire Prevention and Management**

#### Description

The Wildfire Prevention and Management Service of the Forest and Resource Protection Program (Division of Forestry) is responsible for the prevention, mitigation, detection, and suppression of all forest and wild land fires. It also manages the Forestry Youth Academy that offers juvenile offenders, among other opportunities, the chance to learn firefighting skills.

#### Findings for Land Management and Wildfire Prevention and Management

#### **Land Management**

The table below shows the most recent five year history of appropriations and FTE's for this budget program area.

#### **Land Management**

	<b>03-04</b>	<b>04-05</b>	<b>05-06</b>	<b>06-07</b>	<b>07-08</b>
FTE	456.0	479.0	493.0	506.0	514.0
GR	9,504,991	9,963,863	10,191,256	10,725,104	10,717,248
Trust Funds	34,096,328	38,217,502	57,184,817	59,237,984	39,472,411
<b>Total</b>	<b>43,601,319</b>	<b>48,181,365</b>	<b>67,376,073</b>	<b>69,963,088</b>	<b>50,189,659<sup>10</sup></b>

The Land Management Program is funded primarily by trust funds. These monies are generally spent on conservation and recreation lands acquisition activities, relocating forestry facilities, and aid to local governments. Forest protection helps the state economically by ensuring the health of the state's timber production and its value. Additional gains come from recreational fees the public pays for enjoyment of forests and other nature areas.

<sup>10</sup> In FY 2006-07, funds were appropriated to the Division of Forestry for expenses related to the 2004 and 2005 hurricanes.



## Wildfire Prevention and Management

The table below shows the most recent five year history of appropriations and FTE's for this budget program area.

### Wildfire Prevention and Management

	03-04	04-05	05-06	06-07	07-08
FTE	776.5	776.5	767.5	769.5	771.5
GR	37,670,716	39,977,860	40,096,402	50,478,127	42,689,429
Trust Funds	7,825,624	11,105,006	19,724,949	20,395,826	16,813,133
<b>Total</b>	<b>45,496,340</b>	<b>51,082,866</b>	<b>59,821,351</b>	<b>70,873,953</b>	<b>59,502,562<sup>11</sup></b>

The Wildfire Prevention and Management Program is primarily funded by general revenue. It provides leadership in coordinating and allocating resources during large-scale fire emergencies. In this role, it enters into cooperative resource-sharing agreements with federal, state, and local government agencies to ensure that mechanisms are in place for requesting and providing assistance when fire fighting resources need to be mobilized.

DACS has recommended the following budgetary changes to improve program operations, reduce costs, or reduce duplication:

- Combine the two budget entities, Land Management and Wildfire Prevention and Management, into a single budget entity. This change would simplify the accounting and budgeting procedures for many division units. Most of the division's employees, facilities, and equipment are used to provide services to both budget entities. The allocation of costs between the two entities is often arbitrary and presents a misleading impression of accuracy.

### Program Activities and Performance

Activities (Business Processes)	Statutory Objectives by Budget Entity	Has Objective Been Achieved
Executive Direction (Chapter 590, F.S.)	Prevent, detect, suppress and extinguish wildfires; provide fire fighting crews; provide fire management services and emergency response assistance.	Yes.
State Forest Resource Management (ss. 589.04, .12, & .21, F.S.)	Provide for sustainable timber management for forest products.	Yes. The standard for FY 2006-07 was that 61% of state forest timber producing acres should be adequately stocked and growing.

<sup>11</sup> The increase in appropriations from FY 2005-06 to 2006-07 was for wildfire suppression equipment. Additional funds were appropriated for fixed capital outlay to pay for statewide maintenance and repairs of the Division of Forestry's work stations.

<b>Activities (Business Processes)</b>	<b>Statutory Objectives by Budget Entity</b>	<b>Has Objective Been Achieved</b>
		The actual performance as of June 2007 was 63%.
State Forest Resource Management (ss. 589.07, & 259.105, F.S.)	Increase the amount of forestland available for sustainable management of natural resources. There is a potential loss of \$365,112 from the federal government if this program were discontinued. It would also result in the loss of valuable statewide timber volume information which is necessary for the development of the current forest products manufacturing industry and for attracting new manufacturing industry and technology to Florida.	Yes. The standard was 1,007,000 acres and the actual performance was 1,016,029 acres.
Technical Assists to Non-Industrial Forest Landowners (ss. 589.11, .13, .277, .29 & .30, F.S.)	Assist rural forest landowners and urban communities in establishing/improving the rural forests and urban forest cover. The division would have a potential loss of \$1,363,220 if the Forest Stewardship Program component of the U.S. Farm Bill were discontinued. It would also potentially lose \$1,451,440 for the Urban and Community Forestry Program, \$1,697,075 for the Forest Health Protection Program, \$25,000 for the Forest Legacy Program, and \$351,169 for the Plant Conservation Program.	No. The Division of Forestry responded to 4,634 wildfires in FY 2006-07. Over 3,900 person-hours were spent by Forestry staff on emergencies other than wildfires in FY 2006-07.
Visitor Service & Recreation (ss. 589.04, .071, .12, & 21, F.S.)	Promote and encourage forest recreation and the proper management of public lands.	Yes.
Capital Improvements (Chapters 589, 590, & 591, F.S.)	Improve and replace the facilities that are necessary to carry out the department's overall mission.	Yes.
Land Management Assistance to Other Agencies (s. 589.04, F.S.)	Provide technical guidance and management plans to assist other agencies with managing their forest resources.	No. The Division of Forestry responded to 4,634 wildfires in FY 2006-07. Over 3,900 person-hours were spent by Forestry staff on emergencies other than wildfires in FY 2006-07.
Supervise Work Camp Inmates (s. 944.053, F.S.)	Provide meaningful work experience for Correctional inmates by having them clean the environment and beautify the state.	Yes.
Protect Acres of Forest Land From Wildfires (Chapter 590, F.S.)	Responsible for the prevention, mitigation, detection, and suppression of all forest and wild land fires. If this program were abolished, the DOF would have to return over \$98 million worth of	No. Drought conditions in the 3 <sup>rd</sup> & 4 <sup>th</sup> quarters of FY 2006-07 made Florida very susceptible to wildfire starts and spreading once ignited.

<b>Activities (Business Processes)</b>	<b>Statutory Objectives by Budget Entity</b>	<b>Has Objective Been Achieved</b>
	firefighting equipment to the federal government. It would lose \$4.8 million worth of federal contracts and grants annually for State Fire Assistance and Volunteer Fire Assistance to supplement the wildfire program.	Lightning-caused wildfires increased due to the very dry conditions. Recommendation was to restrict issue of burn authorization in dry conditions. In FY 2006-07, DOF has a 33% increase in performance on the "Number of person-hours responding to emergency incidents other than wildfires."
Manage Forestry Youth Academy (s. 1003.51, F.S.)	Assist youth to accomplish progress towards earning a high school diploma or GED within a two-year period and receive a minimum of two Department of Education vocational certificates.	Yes.
Hurricane Relief Efforts (Chapter 590, F.S.)	Provide fire management services and emergency response assistance.	Yes.
Protect Acres of Forest Land From Wildfires (s. 590.02, F.S.)	Florida Center for Wildfire & Forest Resources Management Training provides wildfire suppression training opportunities for rural fire departments and other local fire response units. If this activity were abolished, the federal government would need to establish a way to train firefighters in Florida to meet national wildfire standards and establish a replacement dispatch system.	Yes.
Protect Acres of Forest Land From Wildfires (s. 590.02, F.S.)	An advisory committee reviews program curriculum, course content and scheduling for the Florida Center for Wildfire & Forest Resources Management Training.	Yes.

#### Overlap/Duplication of Duties

There are six state entities that manage state-owned lands:

Department of Environmental Protection (DEP)  
Water Management Districts (WMD)  
Department of Agriculture and Consumer Services (DACS)  
Fish and Wildlife Conservation Commission (FWCC)  
Department of Corrections (DOC)  
Department of State (DOS)

Each of these agencies are involved in land management but carry out management roles to meet different and unique goals and objectives. The Division of Forestry manages and implements multiple-use land management. Its primary mission is to protect and manage

the unique resources of the forest through a stewardship ethic to assure these resources will be available for future generations. This is accomplished by implementing sound multiple-use management principles, the objectives of which are to:

1. Practice sustainable forest management using sound silvicultural techniques;
2. Integrate human use through the multiple-use concept;
3. Restore, maintain and protect all native ecosystems in perpetuity;
4. Ensure long-term viability of populations and species considered rare, endangered, threatened, or of special concern; and
5. Protect known archaeological and historical resources.

DEP's focus is on preservation of site specific ecosystems such as springs or salt marshes and clustered recreation. The focus of the DOC is to maintain the land surrounding the correctional facilities, meet their fuel wood needs, and merchandise forest products. The main goal of the DOS is to preserve high value historic sites. The FWCC manages its state lands specifically for hunting and for protection of non-game species. It provides food plots for game and manipulates habitat to favor the many wildlife species found in Florida. DACS is the only state agency that returns 15 percent of revenue generated off the state forests back to the specific county where timber sales and other revenue is generated. This money is to be used by the county school districts.

#### Recommendations

It is in the best interest of the state to continue these services because the public is served by protection from loss of life and property damage caused by wildfires. Local fire departments often lack equipment and expertise to fight wildfires. In addition, the public is provided with enjoyment from many outdoor recreational opportunities.

To improve program operations and reduce costs, consideration could be given to combining the two budget entities, Land Management and Wildfire Prevention and Management, into a single budget entity. It would simplify accounting and budgeting procedures, since most of the division's employees, facilities, and equipment are used to provide services to both budget entities.

The Legislature could consider directing DACS to develop a replacement schedule to support the full costs associated with vehicle replacement. In developing a schedule, DACS could work with DMS and OPPAGA to identify the life cycle costs related to vehicle ownership including initial acquisition costs (through recognition of depreciation over a vehicle's useful life), operating costs, repairs and routine maintenance, and surplus value when the vehicle is replaced.

OPPAGA has identified and the Legislature could consider increasing recreational fees or creating a sliding scale for lands that require higher maintenance. For example, higher fees could be charged for higher use recreation areas, or for activities that require ongoing maintenance such as repair to damaged roads or trails.

The Legislature could consider increasing county fire protection and land management assessments, which serve as cost-sharing mechanisms for statewide fire protection and land conservation. The current county fire suppression assessment is three cents per acre, which has not been changed since 1935. OPPAGA has identified and the Legislature could consider increasing county and private landowner contributions to the division's

county forester function. This could help cover the cost of salaries for division foresters who primarily serve local purposes.

Lastly, the Legislature could consider centralizing land management activities under one state agency.

## AGRICULTURE MANAGEMENT INFORMATION CENTER PROGRAM

### Program Purpose:

To provide information technology services that support DACS programs.

### Description:

The Agriculture Management Information Center is responsible for providing information technology related services to all divisions of the Department of Agriculture and Consumer Services. Major areas of responsibility include providing information services and establishing and maintaining the necessary infrastructure to support DACS' information technology environments. AGMIC provides and/or supports a centralized computer facility; data, voice, video, and wireless communications; distributed computing environments; electronic mail service; geographic information system coordination; Help Desk services; an Information Systems Development Methodology (ISDM); a Data Administration Program; a Department Information Resource Security Program for data and information technology resources; Web services; and local and wide area networks. The table below shows the most recent five year history of appropriations and FTE's for this budget program area.

### Agriculture Management Information Center

	03-04	04-05	05-06	06-07	07-08
FTE	46.0	45.0	45.0	45.0	45.0
GR	3,069,717	2,780,577	3,081,057	3,835,666	2,927,559
Trust Funds	4,226,167	4,984,060	5,139,514	4,570,055	4,511,461
<b>Total</b>	<b>7,295,884</b>	<b>7,764,637</b>	<b>8,220,571</b>	<b>8,405,721</b>	<b>7,439,020</b>

### Findings

The Agriculture Management Information Center is funded through general revenue and from transfers from numerous DACS trust funds.

### Program Activities and Performance

Activities (Business Processes)	Statutory Objectives by Budget Entity	Has Objective Been Achieved
Information Technology – Application Development/Support (ss. 20.14 & 570.30, F.S.)	Provide electronic data processing and management information systems support for DACS.	Yes
Information Technology – Executive Direction (ss. 20.14 & 570.30, F.S.)	Provide electronic data processing and management information systems support for DACS.	Yes
Information Technology – Administrative Services (ss. 20.14 & 570.30, F.S.)	Provide electronic data processing and management information systems support for DACS.	Yes
Information Technology –	Provide electronic data processing	Yes

<b>Activities (Business Processes)</b>	<b>Statutory Objectives by Budget Entity</b>	<b>Has Objective Been Achieved</b>
Computer Operations (ss. 20.14 & 570.30, F.S.)	and management information systems support for DACS.	
Information Technology – Desk Top Support (ss. 20.14 & 570.30, F.S.)	Provide electronic data processing and management information systems support for DACS.	Yes
Information Technology – Network Operations (ss. 20.13 & 570.30, F.S.)	Plan, design, implement, support and maintain the DACS data communications network	Yes

Overlap/Duplication of Duties

Not applicable. The Agriculture Management Information Center provides information technology support only to DACS.

Recommendations

It is in the best interest of the state to continue this service.

## AGRICULTURAL ENVIRONMENTAL SERVICES

### Description

The Division of Agricultural Environmental Services protects consumers and the environment by helping ensure that companies and individuals applying and manufacturing pesticides and fertilizers comply with Florida law. The division regulates the mosquito and pest control industries and registers, analyzes, and licenses feed, seed, and fertilizer products to help ensure the safety of Florida's ecosystems and citizens.

### Findings

The table below shows the most recent five year history of appropriations and FTE's for this budget program area.

### **Agricultural Environmental Services**

	03-04	04-05	05-06	06-07	07-08
FTE	207.0	214.0	211.0	220.0	214.0
GR	4,714,425	3,511,335	3,475,289	4,333,478	3,961,904
Trust Funds	12,366,361	12,878,779	12,217,602	13,134,003	13,110,446
<b>Total</b>	<b>17,080,786</b>	<b>16,390,114</b>	<b>15,692,891</b>	<b>17,467,481</b>	<b>17,072,350</b>

In Fiscal Year 2006-07, the division licensed 54,773 pest control businesses and applicators. Of the pest control applicators inspected, 97 percent complied with regulations. There has been an increase in compliance each year by licensed pesticide applicators and that may be due to the program's education and outreach efforts, increased accessibility to enforcement information on the program's website, and/or increased efforts of compliance by the regulated industry. The Mosquito Control Program is within the Division of Agricultural Environmental Services. It currently operates with only 8 full-time and one half-time positions. Four full-time positions are in the Operational Support section which provides biting fly control for five counties in Northwest Florida. The remaining 4 full-time positions provide certification and training, technical assistance, and administer the aid to local governments for mosquito control. Mosquito Control Programs currently serve 16,800,806 citizens. The unit cost for regulatory services as calculated for the Long Range Program Plan is \$0.16 per person served, including the cost of the aid to local governments program.

The costs of the mosquito control program can be categorized as follows:

- Oversight of mosquito control districts and operators, training/certification, and distribution of mosquito control aid to local governments – 4.5 positions, \$298,761 in Salaries and Benefits from General Revenue (GR), \$9,000 in Expenses from GR, and \$108,000 in Expenses from the General Inspection Trust Fund (GITF).
- Operational Support Unit, including dog fly control program – 4 positions, \$150,990 in Salaries and Benefits from GR, \$32,197 in Salaries and Benefits from



the EPA Pesticide Grant Fund, and \$80,500 in GR for other costs (Expenses, OPS, and Contracted Services).

- \$250,000 earmarked from GITF for mosquito control research.
- \$1,799,929 distributed as aid to local governments to 59 districts (of which 54 are eligible for funds in FY 07-08).

DACS has recommended selective increases in fees to provide additional revenues to offset general revenue shortfalls. These are:

1. Increase the annual registration fee for pesticide brands by \$100 (from \$250 to \$350). This will provide an additional \$1.4 million per year.
2. Increase the fee for fertilizer by \$0.25/ton (from \$0.75 to \$1.00/ton). This will provide an additional \$497,878 annually.
3. Increase the annual fees on commercial feed, based on tons of feed distributed in Florida. This will provide an additional \$119,725 annually as follows:

<b>Sales in Tons</b>	<b>Current Fee</b>	<b>Proposed</b>
Zero, up to and including 25	25	40
More than 25, up to and including 50	50	75
More than 50, up to and including 100	100	150
More than 100, up to and including 300	300	375
More than 300, up to and including 600	500	600
More than 600, up to and including 1,000	750	900
More than 1,000 up to and including 2,000	1,000	1,2500
More than 2,000, up to and including 5,000	1,500	2,000

#### Program Activities and Performance

<b>Activities (Business Processes)</b>	<b>Statutory Objectives by Budget Entity</b>	<b>Has Objective Been Achieved</b>
License Feed Companies (s. 580.041, F.S.)	License feed companies that distribute feed in Florida and enforce requirements dealing with the testing of products for nutrient content and the presence of hazardous materials that may adversely affect animal and/or human health. If this activity were abolished, yearly federal contract funds would be lost. Contract funds for FY 2005-06 totaled \$93,288.	Yes.
Analyze Feed Products (s. 580.091, F.S.)	Regulate animal feeds through laboratory analysis of samples through laboratory analysis of samples. Registrants, including ingredient suppliers, are required to submit samples of their products for testing. Results are reported to the State Feed Laboratory and regulatory action is taken when violations are detected. If this activity were abolished, yearly federal contract	Yes.

Activities (Business Processes)	Statutory Objectives by Budget Entity	Has Objective Been Achieved
	funds would be lost. Contract funds for FY 2005-06 totaled \$28,518.	
Regulate Seed Companies (ss. 578.08, .09, .091, .10, .11, .12, 13, 181, .26, .27, .28, and .30, F.S.)	License seed companies and collect seed samples for analysis to ensure seed products found in the channels of trade meet the guarantees found on the seed tag for quality and purity.	Yes.
Analyze Seed Samples (s. 578.11, F.S.)	Ensure that Florida consumers have a source of high quality, genetically pure seed. Samples of agricultural, vegetable and flower seed are tested for purity and germination in the program laboratory.	Yes.
Analyze Fertilizer Products ( ss. 576.051 and .061, F.S.)	Analyze fertilizer samples to ensure products meet regulatory standards for nutrient content to prevent fraud and/or potential economic losses associated with reduced crop yields. Testing ingredients to evaluate potential impacts associated with the presence of hazardous materials, such as heavy metals, that may contaminate property or result in adverse health effects.	Yes.
Regulate Fertilizer Companies (ss. 576.021, .031, .041, .101, .111, .122, 132, .151, .161, .171, and .181, F.S.)	License fertilizer companies and collect fertilizer samples for analysis to ensure that the fertilizer found in the channels of trade meet the guarantees found on the label and does not contain hazardous materials.	Yes.
License Pest Control Businesses and Applicators (ss. 482.071, .111, .132, .141, .151, .155, 156, and .161, F.S.)	Issue licenses for pest control companies and applicators and provide examinations for qualification for certain license and certificate categories.	Yes.
Regulate Mosquito Control Programs (Chapter 388, F.S.)	License public health pest control applicators and perform inspections of mosquito control districts and public health pest control applicators and investigate complaints from citizens regarding mosquito control activities to determine and enforce compliance with applicable laws and regulations. Also to administer state aid to mosquito control districts, research activities and maintain aerial spray capabilities for mosquito and dog fly control.	Yes.
Analyze Pesticide Products (ss. 487.025, .041, and .071, F.S.)	Determine if pesticide products meet stated specifications when registered and used in the state. Environmental samples are collected and analyzed to determine if pesticide residues are at levels that may impact human health or the environment or are present as a result of acts prohibited under Chapter 487, F.S. If this activity were abolished, yearly federal contract funds would be lost. Contract funds for FY	Yes.

<b>Activities (Business Processes)</b>	<b>Statutory Objectives by Budget Entity</b>	<b>Has Objective Been Achieved</b>
	2005-06 totaled \$329,912.	
Inspect Pest Control Businesses and Applicators (ss. 482.032, .061, and .161, F.S.)	Perform inspections of pest control companies and applicators and investigate complaints from citizens regarding pest control companies in order to determine and enforce compliance with applicable laws and regulations. If this activity were abolished, yearly federal contract funds would be lost. Contract funds for FY 2005-06 totaled \$50,814.	Yes.
Evaluate and Manage Pesticide Products (ss.487.041, .051, and .0615, F.S.)	Provide technical review and oversight of pesticides potentially posing significant risks to humans or the environment. Pesticides included in this activity are those reviewed by the Pesticide Registration Evaluation Committee and those under active management through work groups, labeling changes, rules, environmental monitoring, or full scale evaluations. If this activity were abolished, yearly federal contract funds would be lost. Contract funds for FY 2005-06 totaled \$96,757.	Yes.
Register Pesticide Products (ss. 487.031, .041, .042, .0615, and .15, F.S.)	Register pesticide products, provide support for special local need registrations and emergency exemptions for introduced pests through cooperation with the United States Environmental Protection Agency. If this activity were abolished, yearly federal contract funds would be lost. Contract funds for FY 2005-06 totaled \$43,117.	Yes.
Inspect Pesticide Applicators and Dealers (ss. 487.031, .041, .048, .051, .064,.071, .081, .091, .101, .111, .1585, .159, .160, and .175, F.S.)	Verify proper licensure and compliance with safe handling and use requirements for pesticide applicators and dealers. Investigate alleged or suspected violations or harm to people or the environment. Take administrative action when significant violations are found.	Yes.
License Pesticide Applicators and Dealers (ss. 487.0435 through 487.049, F.S.)	Issue certified pesticide applicator licenses and dealer licenses and oversee examination preparation and administration for certified applicator licenses.	Yes.

#### Overlap/Duplication of Duties

No programs or activities conducted by the Division of Agricultural Environmental Services are conducted by any other state agency.

#### Recommendations

It is in the best interest of the state to continue this service. However, the Legislature could consider directing DACS to develop a replacement schedule to support the full costs associated with vehicle replacement. In developing a schedule, DACS could work with DMS and OPPAGA to identify the life cycle costs related to vehicle ownership including initial acquisition costs (through recognition of depreciation over a vehicle's

useful life), operating costs, repairs and routine maintenance, and surplus value when the vehicle is replaced.

## **ADVISORY COUNCILS AND COMMITTEES REVIEW**

The Department of Agriculture and Consumer Services reports that there are 50 advisory committees, 44 of which relate to agriculture, in Fiscal Year 2006-07 that incurred travel, staff, and other expenses totaling \$220,067. According to an OPPAGA review, in general, these advisory committees served a public purpose by providing DACS with stakeholder input and expertise in a variety of activities, including product marketing and establishment of research and training priorities. The Forest Stewardship Coordinating Committee was established to meet the requirements for the state to receive grants through the federal Cooperative Forestry Assistance Act. Abolishing this federally mandated committee would result in the loss of approximately \$1.4 million in federal funds.

OPPAGA did recommend that the inactive Exotic Pest of Citrus Council and Caribbean Fruit Fly Technical Committees be abolished. Any functions that these groups have performed in the past could be provided by the Florida Citrus Health Response Task Force.

### **State Agricultural Advisory Council**

#### Description

This council advises and makes recommendations to the Commissioner of Agriculture about items, regulations and situations that affect agricultural interests in the state as required by s. 570.23, F.S. It provides input and recommendations to DACS to address general issues affecting the agricultural industry. The council did not meet in Fiscal Year 2006-07.

There were no reported costs for Fiscal Year 2006-07.

#### Findings

Abolition of the council would eliminate DACS' mechanism for obtaining input from the agricultural industry and academic professionals on agricultural issues and concerns.

#### Recommendation

The State Agricultural Advisory Council should be retained.

### **Commercial Feed Technical Council**

#### Description

This council advises DACS on commercial feed and feedstuff as it pertains to the production, distribution, and regulation of commercial feed and feedstuff in Florida as authorized by s. 580.151, F.S. It provides technical expertise and research information to DACS and makes recommendations regarding statutes and rules. It also reviews program cost statements, provides input regarding the budget and registration fees. The council usually meets once each year.

The council's reported cost for Fiscal Year 2006-07 was \$1,726.

### Findings

Abolition of the council would result in the loss of technical expertise and input on commercial feed related issues.

### Recommendation

The Commercial Feed Technical Council should be retained.

## **Fertilizer Technical Council**

### Description

This council advises DACS on technical issues associated with commercial fertilizers as it pertains to best management practices and labeling requirements. This council also provides advice on the registration and licensing of individuals who sell and apply commercial fertilizers as authorized by s. 576.091, F.S. The council provides technical expertise to DACS and makes recommendations regarding statutes and rules. The council meets about once each year.

The council's reported cost for Fiscal Year 2006-07 was \$2,755.

### Findings

Abolition of this council could result in the loss of technical input on fertilizer related issues.

### Recommendation

The Fertilizer Technical Council should be retained.

## **Florida Coordinating Council on Mosquito Control**

### Description

This council serves as the statewide forum for the coordination of mosquito control related activities. It advises and assists the state in implementing best management practices, developing outside funding sources and establishing priorities for research as required by s. 388.46, F.S. The council serves as a forum for coordinating and communicating with stakeholders involved in mosquito control. It also informs DACS of industry needs and makes recommendations for funding proposals for arthropod control research projects. The council meets three times per year.

The council's reported cost for Fiscal Year 2006-07 was \$24,315.

### Findings

Abolition of this council could result in the loss of technical expertise and would reduce coordination between public agencies involved in mosquito control.

### Recommendation

The Florida Coordinating Council on Mosquito Control should be retained.

## **Pest Control Enforcement Advisory Council**

### Description

This council advises DACS regarding the regulation of pest control practices and advises other government agencies with responsibilities related to pest control. Authorized by s. 482.243, F.S., the council serves as the statewide forum for the coordination of pest control related activities. It reviews cases and provides recommendations to DACS on pest control enforcement procedures. This council meets four times a year.

The council's reported cost for Fiscal Year 2006-07 was \$26,685.

### Findings

Abolition of the council would eliminated industry input into pest control enforcement procedures and reduce coordination between agencies involved in pest control activities.

### Recommendation

The Pest Control Enforcement Advisory Council should be retained.

## **Pesticide Review Council**

### Description

This council advises DACS on general pesticide issues and provides specific advice regarding the sale, use and registration of pesticides. It also advises government agencies, including the State University System, with respect to those activities related to their responsibilities regarding pesticides as authorized by s. 487.0615, F.S. The council serves as a statewide forum for the coordination of pesticide related activities. This council meets three to four times a year.

The council's reported cost for Fiscal Year 2006-07 was \$3,786.

### Findings

Abolition of this council would reduce opportunities for the industry and the public to provide input on pesticide regulation and other issues. It would also reduce coordination between agencies involved in pest control activities.

### Recommendation

The Pesticide Review Council should be retained.

## **Seed Investigation and Conciliation Council**

### Description

As authorized by s. 578.27, F.S., this council assists farmers and agricultural seed dealers in determining the validity of complaints made by farmers against dealers and recommends cost damages resulting from the alleged failure of the seed to produce as represented by the label on the seed package. This council meets about six times per year.

The council's reported cost for Fiscal Year 2006-07 was \$13,654.

### Findings

Abolition of the council would require farmers to file a civil case to resolve complaints against agricultural seed dealers.

### Recommendation

The Seed Investigation and Conciliation Council should be retained.

## **Seed Technical Council**

### Description

This council reviews and advises DACS on any seed matter. As authorized by s. 578.30, F.S., the council also recommends policies and practices, and submits proposed legislation and rules to the department. It provides technical expertise to the department regarding the promulgation, administration and enforcement of all laws and rules relating to inspection, regulation and certification. The council meets about one time a year.

The council's reported cost for Fiscal Year 2006-07 was \$2,135.

### Findings

Abolition of this council would result in the loss of technical expertise and input on seed related issues.

### Recommendation

The Seed Technical Council should be retained.

## **Pest Control Research Advisory Committee**

### Description

This committee assists DACS in establishing research and education priorities, developing requests for proposals for bids and selecting research and education contractors as authorized by s. 482.2401, F.S. It prioritizes and makes recommendations to DACS on research and training projects submitted to assist the pest control industry. The committee meets twice a year.

The committee's reported cost for Fiscal Year 2006-07 was \$2,026.

### Findings

Abolition of this committee would eliminate education and training opportunities for the pest control industry.

### Recommendation

The Pest Control Research Advisory Committee should be retained.

## **Pesticide Registration Evaluation Committee**

### Description

This council reviews certain registration actions and makes recommendations to DACS concerning the proposed pesticide registration. The committee is authorized by the Pesticide Registration Guidelines, September 1991, as adopted by reference in the Florida



Administrative Code. The committee reviews special local need registrations, experimental use permits, new active permits, new active ingredients, and significant new uses. The committee meets monthly.

The committee's reported cost for Fiscal Year 2006-07 was \$5,977.

#### Findings

Abolition of this committee would reduce the coordination of pesticide registration functions between state agencies. It could also make it more difficult and increase the amount of time necessary to register pesticide products.

#### Recommendation

The Pesticide Registration Evaluation Committee should be retained.

### **Soil and Water Conservation Council**

#### Description

Authorized by s. 582.06, F.S., the council advises and consults with DACS on laws, rules, and policies relating to soil and water. It provides recommendations to DACS on water quality, land management, invasive species, and agricultural sustainability in Florida. This council meets twice per year.

The committee's reported cost for Fiscal Year 2006-07 was \$6,789.

#### Findings

Abolition of this committee would eliminate the primary source of input to DACS and other state entities on soil and water related issues.

#### Recommendation

The Soil and Water Conservation Council should be retained.

### **Animal Industry Technical Council**

#### Description

Authorized by s. 570.38, F.S., the council advises DACS on animal issues and meets with members of animal industries in Florida to discuss concerns. This council meets four times per year.

The committee's reported cost for Fiscal Year 2006-07 was \$13,275.

#### Findings

Abolition of this committee would eliminate networking and cooperation among animal industries that have aided the state in animal disease recognition and education and with help in emergency situations.

#### Recommendation

The Animal Industry Technical Council should be retained.

## **Aquaculture Review Council**

### Description

Authorized by s. 597.005, F.S., the council facilitates communication between the aquaculture industry and DACS. It provides input to DACS and makes recommendations regarding policies regulating the aquaculture industry. It also prioritizes research projects for funding. This council meets four times a year.

The committee's reported cost for Fiscal Year 2006-07 was \$4,096.

### Findings

Abolition of this council would reduce communication between DACS and the aquaculture industry.

### Recommendation

The Aquaculture Review Council should be retained.

## **Clam Industry Task Force**

### Description

This Task Force provides a forum to discuss issues relevant to the clam industry. It makes recommendations to DACS regarding leasing and other policies. This task force meets four times per year.

The task force's reported cost for Fiscal Year 2006-07 was \$2,142.

### Findings

Abolition of this task force would reduce industry involvement in the development of the policies regulating the clam industry.

### Recommendations

The Clam Industry Task Force should be retained.

## **Aquaculture Interagency Coordinating Council**

### Description

This council provides a forum to discuss issues relevant to the aquaculture industry. It also facilitates communication between state agencies regarding current activities and issues as authorized by s. 597.006, F.S. It serves as a statewide forum for state agencies to discuss activities conducted and the amount of funds spent to address aquaculture issues. This council meets once a year.

The council's reported cost for Fiscal Year 2006-07 was \$507.

### Findings

Abolition of this council would eliminate the primary forum for agencies to discuss and address aquaculture industry concerns.

#### Recommendation

The Aquaculture Interagency Coordinating Council should be retained.

### **Sturgeon Production Working Group**

#### Description

This working group promotes the commercial production and stock enhancement of sturgeon as authorized by s. 370.31, F.S. The working group did not meet in Fiscal Year 2006-07.

There were no reported costs for Fiscal Year 2006-07.

#### Findings

Abolition of this working group would reduce opportunities for the industry to provide input to the department.

#### Recommendation

The Sturgeon Production Working Group should be retained.

### **Transgenic Aquatic Species Task Force**

#### Description

This task force advises DACS as to whether or not a new transgenic fish, an organism that has genes from a non related species will be safe to harvest and sell. It provides scientific testing and information to ensure the safety of a new fish. The task force did not meet in Fiscal Year 2006-07.

There were no reported costs for Fiscal Year 2006-07.

#### Findings

Abolition of this task force would eliminate the state's process for evaluating new fish species and the industry's ability to introduce new species for commercialization.

#### Recommendation

The Transgenic Aquatic Species Task Force should be retained.

### **Dairy Industry Technical Council**

#### Description

As authorized by s. 570.42, F.S., this council advises DACS on issues and problems relating to the dairy industry. It advises DACS as it resolves issues affecting the dairy industry and provides technical expertise and input for the promulgation of rules. The council did not meet in Fiscal Year 2006-07.

There were no reported costs for Fiscal Year 2006-07.

#### Findings

Abolition of this council would result in the loss of technical expertise and input on issues affecting the dairy industry.

#### Recommendation

The Dairy Industry Technical Council should be retained.

### **Florida Food Safety and Food Defense Advisory Council**

#### Description

As authorized by s. 500.033, F.S., this council serves as a forum for presenting, investigating, and evaluating issues relating to food safety. The council meets twice a year.

The council's reported cost for Fiscal Year 2006-07 was \$5,001.

#### Findings

Abolition of this council would result in the loss of technical expertise and input on food safety and food defense issues.

#### Recommendation

The Food Safety and Food Defense Advisory Council should be retained.

### **Off-Highway Vehicle Committee**

#### Description

As authorized by s. 261.04, F.S., this committee assists DACS in developing policies and guidelines for developing recreational sites for users of off-highway vehicles. It ensures broad-based participation in decision-making about the use of state funds for developing off-highway vehicle recreational opportunities, and developing related policies such as safety standards. The committee meets four times a year.

The committee's reported cost for Fiscal Year 2006-07 was \$15,064.

#### Findings

Abolition of this committee would eliminate public input into decisions regarding off-highway vehicle recreational opportunities.

#### Recommendation

The Off-Highway Vehicle Committee should be retained.

### **Florida Forestry Council**

#### Description

As authorized by s. 589.01, F.S., this council advises DACS on all major activities including program development, establishing fee rates, equipment needs and revenue generation practices. It ensures that DACS receives feedback that represents multiple areas of interest and expertise including the timber industry, private landowners, and members of conservation groups. The council meets twice per year.

The committee's reported cost for Fiscal Year 2006-07 was \$3,150.

### Findings

Abolition of this council would result in the loss of technical expertise, as well as public and industry input, on laws and rules related to forestry in Florida.

### Recommendation

The Florida Forestry Council should be retained.

## **Florida Center for Wildfire and Forest Resources Management Training Advisory Council**

### Description

This council reviews program curriculum, course content, and scheduling as required by s. 590.02(7)(e), F.S. It provides a forum for program managers to hear about the training needs of state agencies and other entities that send staff to training programs. The council meets once per year.

The council's reported cost for Fiscal Year 2006-07 was \$836.

### Findings

Abolition of this council would require the Division of Forestry to develop a different means for receiving input regarding training needs and on how well the center is meeting those needs.

### Recommendation

The Florida Center for Wildfire and Forest Resources Management Training Advisory Council should be retained.

## **Forest Stewardship Coordinating Committee**

### Description

This committee assists DACS in developing operating guidelines for both the forest stewardship and forest legacy programs. It provides a forum for coordination among the agencies that provide assistance to local communities and private landowners. The council meets twice per year.

The committee's reported cost for Fiscal Year 2006-07 was \$644.

### Findings

Abolition of this council would result in the loss of federal funds as the committee satisfies the requirements for the state to receive grants through the federal Cooperative Forestry Assistance Act.

### Recommendation

The Forest Stewardship Coordinating Committee should be retained.

## **Community Advisory Council**

### Description

This council provides community input into the operations of the forestry Youth Academy. It satisfies the community relations standard included in the program's

contract with the Department of Juvenile Justice. It assists DACS with gaining resources for its youth program including access to community-based activities and service projects and to job opportunities for youth released from the program. The council meets four times per year.

The council's reported cost for Fiscal Year 2006-07 was \$577.

#### Findings

Abolition of this council would reduce resources for the program. In addition, DACS would need to develop another means for meeting the community relations standard in its contract with the Department of Juvenile Justice.

#### Recommendation

The Community Advisory Council should be retained.

### **Silviculture Best Management Practices Technical Advisory Committee**

#### Description

This committee provides a mechanism for state agencies, forestry industry representatives, private individuals and conservation groups to review the guidance DACS provides to the forestry community and makes recommendations for change. The committee meets bi-annually.

The council's reported cost for Fiscal Year 2006-07 was \$489.

#### Findings

Abolition of this committee could reduce the credibility of DACS actions and accountability.

#### Recommendation

The Silviculture Best Management Practices Technical Advisory Committee should be retained.

### **Emergency Food Assistance Program Advisory Board**

#### Description

This board provides recommendations to DACS regarding administration of Florida's emergency food assistance program. The board meets twice per year.

The board's reported cost for Fiscal Year 2006-07 was \$7,818.

#### Findings

Abolition of this advisory board would eliminate public input into decisions relating to the distribution of the emergency food assistance program.

#### Recommendation

The Emergency Food Assistance Program Advisory Board should be retained.

## **Florida Food and Nutrition Advisory Council**

### Description

This council provides information and recommendations to the Commissioners of Agriculture and Education about food and nutrition programs provided by the state and the United States Department of Agriculture. The council's involvement has led to healthier food options in public schools. The council meets twice per year.

The council's reported cost for Fiscal Year 2006-07 was \$7,265.

### Findings

Abolition of this council would result in the loss of technical expertise and input regarding best nutrition practices.

### Recommendation

The Florida Food and Nutrition Advisory Council should be retained.

## **Viticulture Advisory Council**

### Description

Authorized by s. 599.002, F.S., the council provides a forum for the industry to provide input and information to DACS to encourage growth of the wine and grape industries. It assists DACS in preparing the State Viticulture Plan. The council also makes recommendations for funding research, promotion, and education projects. The council meets once every two years.

The council's reported cost for Fiscal Year 2006-07 was \$6,149.

### Findings

Abolition of this council would eliminate a forum for the industry to provide recommendations for DACS research and marketing activities.

### Recommendation

The Viticulture Advisory Council should be retained.

## **Florida Citrus Production Research Advisory Council**

### Description

As required by s. 573.112, F.S., the council advises DACS on administration under a citrus marketing order. It makes recommendations to DACS for funding citrus research projects. The council meets three times per year.

The council's reported cost for Fiscal Year 2006-07 was \$3,686.

### Findings

Abolition of this council would eliminate a forum for communication between citrus growers and the research community regarding industry concerns.

#### Recommendation

The Florida Citrus Production Research Advisory Council should be retained.

### **Seafood and Aquaculture Advisory Committee**

#### Description

This committee makes recommendations regarding educational and marketing activities that will benefit Florida's seafood and aquaculture industries. The committee meets about twice per year.

The committee's reported cost for Fiscal Year 2006-07 was \$3,227.

#### Findings

Abolition of this committee would result in the loss of technical expertise needed to successfully conduct aquaculture marketing activities.

#### Recommendation

The Seafood and Aquaculture Advisory Council should be retained.

### **Florida Alligator Marketing and Education Advisory Committee**

#### Description

This committee educates the public, restaurants and the industry about the American alligator and the potential uses of its meat, leather, and by-products. The committee meets four times per year.

The committee's reported cost for Fiscal Year 2006-07 was \$1,884.

#### Findings

Abolition of this committee would eliminate the primary forum for communication between the industry and state regarding alligator products.

#### Recommendation

The Florida Alligator Marketing and Education Advisory Committee should be retained.

### **Tropical Fruit Advisory Council**

#### Description

This council provides assistance, review, and recommendations to DACS for drafting the South Florida Tropical Fruit Plan as required by s. 603.203, F.S. It discusses issues relevant to the tropical fruit industry and informs DACS of products for which marketing assistance is needed. The council meets monthly.

The council's reported cost for Fiscal Year 2006-07 was \$300.

#### Findings

Abolition of this council would reduce technical expertise and input to DACS on tropical fruit issues.



#### Recommendation

The Tropical Fruit Advisory Council should be retained.

### **Peanut Advisory Council**

#### Description

This council advises DACS on the administration of the peanut marketing order as required by s. 573.112, F.S. It makes recommendations to DACS for funding research projects to address industry needs and recommends advertising campaigns to help increase sales and encourage growth of the market. The council meets once per year.

The council's reported cost for Fiscal Year 2006-07 was \$272.

#### Findings

Abolition of this council would eliminate the primary forum for communication between peanut growers and the research and advertising communities.

#### Recommendation

The Peanut Advisory Council should be retained.

### **Tobacco Advisory Council**

#### Description

Authorized by s. 573.112, F.S., the council provides DACS with recommendations for tobacco marketing, research, promotions, and advertising. It prioritizes research projects and determines the tobacco tax rate. It also coordinates the levying of the tobacco tax in order to generate revenue to fund tobacco research projects. The council meets once per year.

The council's reported cost for Fiscal Year 2006-07 was \$214.

#### Findings

Abolition of this council would eliminate the primary forum for communication between tobacco growers and the research community.

#### Recommendation

The Tobacco Advisory Council should be retained.

### **Citrus Crop Estimates Advisory Committee**

#### Description

This committee makes recommendations for the Florida Agricultural Statistics Service. It meets once per year.

The committee's reported cost for Fiscal Year 2006-07 was \$158.

#### Findings

Abolition of this committee would make it difficult for the department to make changes in the agricultural data that it receives and to determine the data needs of users.

#### Recommendation

The Citrus Crop Estimates Advisory Committee should be retained.

### **Endangered Plant Advisory Council**

#### Description

This council advises and makes recommendations to DACS concerning the protection of endangered flora located in Florida as authorized in s. 581.186, F.S. It provides a standard list of endangered plants and coordinates the use of grant money received through Conservation and Recreation Lands Trust Fund. The council meets once or twice per year.

The council's reported cost for Fiscal Year 2006-07 was \$3,301.

#### Findings

Abolition of this council would reduce public input on decisions regarding plants to include on the endangered, threatened or commercially exploited list.

#### Recommendation

The Endangered Plant Advisory Council should be retained.

### **Florida Citrus Health Response Task Force**

#### Description

This task force conducts reviews of the Citrus Health Response Program to recommend appropriate action for citrus health and to retard the spread of citrus canker in Florida. The task force meets three times per year.

The task force's reported cost for Fiscal Year 2006-07 was \$2,750.

#### Findings

Abolition of this task force would require a similar group to be created to discuss responses to citrus health threats.

#### Recommendation

The Florida Citrus Health Response Task Force should be retained.

### **Citrus Budwood Technical Advisory Task Force**

#### Description

This task force provides technical oversight on the introduction, screening and release of new citrus budwood varieties. The task force meets once or twice per year.

The task force's reported cost for Fiscal Year 2006-07 was \$788.

#### Findings

Abolition of this task force would result in the loss of technical expertise and input for determining which new citrus varieties should be tested.

#### Recommendation

The Citrus Budwood Technical Advisory Task Force should be retained.

### **Lettuce Advisory Committee**

#### Description

This committee makes recommendations to DACS regarding the proper cultivation of lettuce to prevent the spread of lettuce mosaic virus and other diseases and pests. The committee meets once per year.

The committee's reported cost for Fiscal Year 2006-07 was \$747.

#### Findings

Abolition of this committee would result in the loss of industry input on lettuce regulation.

#### Recommendation

The Lettuce Advisory Committee should be retained.

### **Noxious Weed Review Committee**

#### Description

This committee assists DACS in reviewing the official state list of noxious weeds and invasive plants. It maintains a list of weeds that cannot be sold by growers. The committee meets about once per year.

The committee's reported cost for Fiscal Year 2006-07 was \$452.

#### Findings

Abolition of this committee would result in the loss of statewide coordination on noxious weeds issues and may lead to individual jurisdictions developing localized policies that differ throughout the state.

#### Recommendation

The Noxious Weed Review Committee should be retained.

### **Honey Bee Technical Council**

#### Description

Authorized by s. 586.161, F.S., the council provides consideration and study of the entire field of beekeeping. It also advises and makes recommendations to DACS regarding research, statutes, rules, and policies affecting Florida's honey bee industry.

The committee's reported cost for Fiscal Year 2006-07 was \$335.

#### Findings

Abolition of this council would result in the loss of technical expertise and input on issues related to honey bee regulation.

#### Recommendation

The Honey Bee Technical Council should be retained.

### **Plant Industry Technical Council**

#### Description

Authorized by s. 570.34, F.S., the council advises DACS and makes recommendations on the promulgation, administration, and enforcement of all laws, rules, and regulations relating to the plant industry. The council meets once per year.

The council's reported cost for Fiscal Year 2006-07 was \$328.

#### Findings

Abolition of this council would result in the loss of technical expertise and input on plant issues. DACS would need to create another general stakeholder group when general input is needed.

#### Recommendation

The Plant Industry Technical Council should be retained.

### **Caribbean Fruit Fly Technical Committee**

#### Description

This committee advises DACS on the management, control, and suppression of the Caribbean Fruit Fly as it relates to the certification of Florida host materials. It investigates and makes recommendations regarding research needs related to the management of pests. This committee did not meet in Fiscal Years 2005-06 and 2006-07 due to lack of fruit fly-related issues.

There were no reported costs for Fiscal Year 2006-07.

#### Findings

The committee has been inactive for the past two fiscal years. As the need arises, the functions that have been performed by this committee could be provided by the Florida Citrus Health Response Task Force.

#### Recommendation

The Caribbean Fruit Fly Technical Committee should be discontinued.

### **Exotic Pest of Citrus Council**

#### Description

This council reviews exotic pests of citrus to develop strategic action plans and make recommendations regarding projects to address and mitigate the potentially adverse impact of pests on the citrus industry and ornamental resources. The council has been inactive since 2001.

There were no reported costs for Fiscal Year 2006-07.

### Findings

The committee has been inactive since October 2001. Its functions could be assumed by the Florida Citrus Health Response Task Force.

### Recommendation

The Exotic Pest of Citrus Council should be discontinued.

## RECOMMENDATIONS

### **Recommendation #1**

The Legislature should retain the Department of Agriculture and Consumer Services.

### **Recommendation #2**

The Legislature should retain all of the technical councils and advisory committees except for the Caribbean Fruit Fly Technical Committee and the Exotic Pest of Citrus Council, which have been inactive and could be combined with other committees.

### **Recommendation #3**

The Legislature could consider directing DACS to develop a replacement schedule to support the full costs associated with boat/vehicle replacement. In developing a schedule, DACS could work with DMS and OPPAGA to identify the life cycle costs related to boat/vehicle ownership including initial acquisition costs (through recognition of depreciation over a boat/vehicle's useful life), operating costs, repairs and routine maintenance, and surplus value when the boat/vehicle is replaced.

### **Recommendation #4**

The Legislature could consider increasing or creating fees for the following activities described in the report to reduce the need for general revenue:

- Increase the fees for the different types of retail and wholesale seafood dealer licenses.
- Privatize state farmers' markets, or increase rental rates, or sell/combine markets with the lowest commodity sales.
- Require mandatory industry contributions (perhaps a prorated percentage) to the Division of Marketing and Development for all domestic and international trade event participation.
- Require mandatory industry contributions (perhaps a prorated percentage) for all domestic and international in-store retail marketing campaigns.
- Develop and implement a "creative services rate card" for marketing initiatives designed to assist individual businesses and sectors (i.e. Associations).
- Increase the annual registration fee for pesticide brands by \$100 (from \$250 to \$350).
- Increase the fee for fertilizer by \$0.25/ton (from \$0.75 to \$1.00/ton).
- Increase the annual fees on commercial feed, based on tons of feed distributed in Florida.
- Increase recreational fees or create a sliding scale for DACS-owned lands that require higher maintenance.
- Increase county fire protection and land management assessments, which serve as cost-sharing mechanisms for statewide fire protection and land conservation.
- Establish fees for shellfish processing plant inspections.
- Phase in an increase to the \$50 fee for aquaculture certifications that are required for any person engaging in aquaculture activities.
- Increase permit fees for food stores whose fees are not already at the statutory cap by raising or removing the statutory caps on fee levels.

**Recommendation #5**

The Legislature could direct the Office of Program Policy Analysis and Government Accountability to conduct a review of regulatory authority and responsibilities that DACS and the Department of Education have for the U.S. Department of Agriculture's National School Lunch Program and Summer Food Service Program in order to determine if there is duplication of activities and if efficiencies could be achieved.

**Recommendation #6**

To improve program operations and reduce costs, the Legislature could consider combining the two budget entities, Land Management and Wildfire Prevention and Management, into a single budget entity. This should simplify accounting and budgeting procedures, since most of the division's employees, facilities, and equipment are used to provide services to both budget entities.

**Recommendation #7**

The Legislature could consider centralizing land management activities under one state agency.

**Recommendation #8**

The Legislature could consider eliminating the Division of Agricultural Environmental Services' Operational Support Unit, including the dog fly control program, which would reduce \$227,926 in Salaries and Benefits and expenses from general revenue.

**Recommendation #9**

The Legislature could consider eliminating funds for mosquito control now provided to local governments with local budgets over \$1,000,000 (25 districts). This would result in a reduction of \$930,200 (25 districts at \$37,208 per district).

**Recommendation #10**

The Legislature could consider selling a current dog fly/mosquito control aircraft (1941 DC3).

**Recommendation #11**

The Legislature could consider eliminating the \$250,000 earmarked for mosquito control research.