

RESOLUTION # 37

ON-FARM WATER AND WELL PERMITS

1 **WHEREAS**, water is the lifeblood of the agricultural industry, and agricultural access
2 to an adequate water supply is a critical concern for New Jersey's farmers; and this need is
3 especially urgent during periods of drought when restrictions on water use could
4 catastrophically affect farm income for the production year; and

5 **WHEREAS**, even absent drought conditions, ensuring an adequate water supply,
6 both now and in the future, is essential to protecting the production capability and economic
7 stability of agriculture; and

8 **WHEREAS**, many New Jersey farmers implement water-management practices as a
9 routine part of their conservationist approach to agriculture, resulting in New Jersey
10 agriculture using just four percent of the state's total water use, less than other comparable
11 areas in the United States and worldwide; and

12 **WHEREAS**, the Department has worked with the New Jersey Department of
13 Environmental Protection (NJDEP) to restore some of the agricultural water allocations in the
14 restricted water supply areas in Cumberland, Salem and Gloucester Counties in Critical Area
15 2 and in Ocean, Monmouth and Middlesex Counties in Critical Area 1; however, despite
16 these efforts (which included advocating for the Tri-County Pipeline), agricultural water
17 concerns still persist, and New Jersey's farmers face increasing water supply restrictions,
18 particularly in Critical Areas 1 and 2; and many agricultural water certifications are being
19 subjected to reductions in their allocations based upon actual water usage; and

20 **WHEREAS**, in 1987, the NJDEP completed a study that showed the Potomac-
21 Raritan-Magothy (PRM) aquifer, at the time the major source of drinking water in
22 southwestern New Jersey, was being rapidly depleted, resulting in the Tri-County Pipeline
23 project to provide potable water from sources other than the PRM aquifer; and

24 **WHEREAS**, one of the policies identified for improving the state's water supply is to
25 coordinate with the agricultural community to more accurately assess agricultural water use
26 and the industry's anticipated future water demands; and

27 **WHEREAS**, the NJDEP should continue to work with the NJDA, the SADC, Rutgers
28 Agricultural Agents and other agriculture stakeholders to obtain better data for agricultural
29 water use; and

30 **WHEREAS**, farmers increasingly are making Rutgers Extension Agents aware of a
31 problem with timely securing of water allocations for new wells, in which farmers must first
32 receive a permit to install a well from one arm of the Department of Environmental Protection
33 (DEP) and then must install said wells prior to applying to another arm of the DEP for
34 determination of what, if any, their water allocation will be; and

35 **WHEREAS**, this has put farmers in a position of potentially digging more of a well
36 than what their water allocation will ultimately cover, including spending more money up-front
37 to dig more of a well than their allocations will call for; and

38 **WHEREAS**, farmers are currently testing their on-farm potable water wells for
39 Department of Health and FSMA requirements, adding another permit and regulation from a
40 separate agency is overly burdensome; and

41 **WHEREAS**, farmers sell seasonal perishable items and their time to harvest and
42 make a profit is limited, the DEP should make efforts to allow for compliance flexibility during
43 peak seasons.

44 **NOW, THEREFORE, BE IT RESOLVED**, that we, the delegates to the 108th State
45 Agricultural Convention, assembled in Atlantic City, New Jersey, on February 8-9, 2023,
46 direct the Department of Agriculture to continue working with the New Jersey Department of
47 Environmental Protection (NJDEP) to address water supply and water quality issues even
48 beyond the NJDEP's drafted Water Supply Plan and by strategically planning and promoting
49 the implementation of federal and state conservation cost-share programs.

50 **BE IT FURTHER RESOLVED**, that we urge the NJDEP to ensure that they plan for
51 adequate, realistic water resources for New Jersey's farmers, realizing that such resources
52 are critical to overall farm management.

53 **BE IT FURTHER RESOLVED**, that we urge the Department and NJDEP to continue
54 to allow farmers who employ water conservation practices that utilize water at a rate that is
55 *below* their permit allocations at certain times to correspondingly *increase* water use at other
56 times, under the program that allows for annual averages in water use. Such a program
57 encourages the implementation of water conservation measures within the agricultural
58 community and improves the viability of the agricultural industry by allowing water usage to
59 be tailored to fit the needs of each agricultural operation.

60 **BE IT FURTHER RESOLVED**, that we urge all municipalities located along the Tri-
61 County Pipeline project and those served by the Raritan Water Supply Authority to utilize
62 those sources of potable water, as opposed to utilizing groundwater, thereby reserving as
63 much available groundwater as possible for agricultural operations.

64 **BE IT FURTHER RESOLVED**, that we encourage producers to use water
65 conservation technologies and to utilize any available state and federal cost-share grants to
66 implement such measures and continue to look for new and efficient methods to conserve
67 water on farms, including drip irrigation, water recapture and reuse, and enhanced on-farm
68 water storage techniques.

69 **BE IT FURTHER RESOLVED**, that we urge the Department to work in concert with
70 the DEP and Rutgers Extension to address and solve any remaining issues regarding
71 agricultural water allocations and well permits.

72 **BE IT FURTHER RESOLVED**, that we urge the NJDA, along with the State Board of
73 Agriculture, to encourage the DEP Bureau of Water Enforcement to work toward closer
74 cooperation with farmers in addressing the on-farm potable wells and septic systems issues
75 so that a reasonable resolution can be achieved that protects worker health without imposing
76 undue burdens on farmers.

77 **BE IT FURTHER RESOLVED**, that we urge the NJDA, along with the State Board, to
78 encourage the DEP Division of Water Resource Management and Division of Water
79 Compliance and Enforcement to work cooperatively with county health departments,
80 departments of labor, and other agencies to share resources and information to protect
81 worker health without imposing undue burdens on farmers.