**RESOLUTION # 37**

**ON-FARM WATER AND IRRIGATION WELL PERMITS**

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

**WHEREAS**, even absent the severe drought conditions experienced in 2024, ensuring an adequate water supply, both now and in the future, is essential to protecting the production capability and economic stability of agriculture; and

**WHEREAS**, many New Jersey farmers implement water-management practices as a routine part of their conservationist approach to agriculture, resulting in New Jersey agriculture using just 4 percent of the state’s total water use, less than other comparable areas in the United States and worldwide; and

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

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

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

**WHEREAS**, the NJDEP should continue to work with the New Jersey Department of Agriculture (NJDA), the State Agriculture Development Committee (SADC), Rutgers Agricultural Agents, and other agriculture stakeholders to obtain better data for agricultural water use; and

**WHEREAS,** farmers increasingly are making Rutgers Extension Agents aware of a problem with timely securing of water allocations for new wells, in which farmers must first receive a permit to install a well from one Division of the NJDEP and then must install said wells prior to applying to another Division of the NJDEP for determination of what, if any, their water allocation will be; and

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

**WHEREAS,** farmers also report the well process at NJDEP is further complicated by differing rules and regulations regarding well-permitting, depending upon whether the well is designated for irrigation water or packing-house water versus a “potable water” well that will be used by employees for drinking and washing; and

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

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

**NOW, THEREFORE, BE IT RESOLVED**, that we, the delegates to the 110th State Agricultural Convention, assembled in Atlantic City, New Jersey, on February 5-6, 2025, direct the NJDA to continue working with the NJDEP to address water supply and water quality issues even beyond the NJDEP’s drafted Water Supply Plan and by strategically planning and promoting the implementation of federal and state conservation cost-share programs.

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

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

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

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

**BE IT FURTHER RESOLVED**, that we urge the Department to work in concert with the DEP and Rutgers Extension to address and solve any remaining issues regarding agricultural water allocations and well permits, including smaller potable wells for washing produce, clarification from the NJDEP on their distinction between irrigation and other wells, parameters for reporting water use, and funding to train farmers on compliance issues as they emerge.

**BE IT FURTHER RESOLVED**, that we urge the NJDA to identify a funding mechanism for septic upgrades and monitoring, to address regulatory hardships.

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

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