



Compliance Alert

Making You Aware of Anticipated Enforcement Activities

Compliance & Enforcement

Issued: December 2003

#2003-01B

DEP Steps Up Enforcement of Agricultural Water Usage Registrations/Certifications

Who is affected by this initiative?

All persons holding an existing agricultural water usage certification or an agricultural water usage registration issued by the Department of Environmental Protection (DEP) and county agricultural agents under the Water Supply Allocation Rules (N.J.A.C. 7:20A-1 et seq.). A water usage certification grants the privilege to divert 100,000 gallons or more of water per day from ground and surface water sources for agricultural, aquacultural, or horticultural purposes for a five-year period. A water usage registration is issued to persons having the capability to divert more than 100,000 gallons of water per day, but use less than this quantity for agricultural, aquacultural, or horticultural purposes.

Why is DEP Enforcement targeting this regulated group?

To reduce the frequency and severity of drought emergencies in the future, we need to strengthen the protection of New Jersey's water supply on both a short- and long-term basis. With that goal in mind, DEP Commissioner Bradley M. Campbell signed Administrative Order 2003-01 on January 8, 2003, which directs that the terms and conditions of all water registrations issued by the department be strictly enforced.

What is DEP doing?

The Bureau of Water Allocation is proceeding with its migration into the department-wide integrated database, the New Jersey Environmental Management System (NJEMS). An automated compliance determination feature of NJEMS will generate violations for those who fail to submit annual monitoring reports or exceed their withdrawal limits.

Inspectors within the department's Water Compliance and Enforcement Program will evaluate the aforementioned violations and issue Notices of Violation when required. In some cases, additional formal enforcement actions with penalty assessments will be issued. Inspections will be conducted to determine overall compliance with regulations and any requirements in your agricultural water usage registration/certification.

What should I do?

The following is a general checklist of things to help ensure compliance. It is by no means a complete list of requirements with which you need to comply.

Applicable to Registrations & Certifications

1. Contact your county agricultural agent if your certification/registration has expired or is no longer valid (not farming or sold).
2. Are all diversion sources (wells, ponds, streams, etc.) identified correctly in your registration/certification? Has the pump capacity increased on any of the diversion

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Applicable to Registrations & Certifications

- sources? Report any changes or corrections to your county agricultural agent who will work with you to modify your certification.
3. Is your maximum allowable diversion in compliance with your daily/monthly/annual allocation? Report any changes or corrections to your county agricultural agent who will work with you to modify your certification.
4. Are you maintaining a log to record daily and/or monthly hours of operation of each diversion source and/or the quantity of water diverted monthly from each diversion source?

Applicable to Certifications Only

5. Agricultural/Horticultural Water Use Report -
 - a. Have you submitted completed forms to your County Agricultural Agent by February 28 for the preceding year of monthly water usage for each diversion source and a list of the crop types? If not, please forward a copy to your local agricultural agent and the DEP immediately.
 - b. Are you reporting your water diversion volumes in the proper units? Previously, these were reported in Thousands of Gallons and are now in **Millions of Gallons (MG)**.
Example: 1,000,000 gals should be reported as 1.00 Million Gallons and 250,000 gals should be reported as 0.25 Million Gallons

Who should I contact with questions?

Any registration/certification related questions, please contact:

Bureau of Water Allocation

609-292-2957

Any compliance, inspection or enforcement questions, please contact:

Water Compliance and Enforcement-Northern Field Office

973-299-7592

(Bergen, Essex, Hudson, Hunterdon, Morris, Passaic, Somerset, Sussex, and Warren Counties)

Water Compliance and Enforcement-Central Field Office

609-584-4200

(Mercer, Middlesex, Monmouth, Ocean, and Union Counties)

Water Compliance and Enforcement-Southern Field Office

856-614-3655

(Atlantic, Burlington, Camden, Cape May, Cumberland, Gloucester, and Salem Counties)

Where can I get more information?

The following web sites can be accessed for additional information:

<http://www.nj.gov/dep/watersupply/>

(Water Supply)

<http://www.nj.gov/dep/enforcement/advisories.html>

(Enforcement)

http://www.state.nj.us/dep/newsrel/releases/03_0108gov.htm

(DEP news release)

Please note this advisory is intended to be a summary explanation of a department initiative. It does not include all potentially applicable requirements. If you have any questions related to compliance, please contact the enforcement number listed above.