State Specific Training Module for New Jersey
For Technical Service Providers (TSPs) seeking certification as conservation planners in New Jersey (NJ)
Purpose of this Module

This module will provide general information that TSPs need to conduct conservation planning in New Jersey. This information is general in nature so the TSP will need to follow up with additional reading or training to make sure they have the knowledge, skill, licenses and certifications to conduct conservation planning in New Jersey.
What this Module is NOT

Remember, NRCS planning criteria and assessment tools remain the standard to determine treatment of a resource concern.

NRCS policies and Federal Laws & Regulations are not covered in this module.

Additional study and training will be needed to adequately service the local conservation needs of the diverse range of private lands decision-makers involved in agricultural and forestry activities in New Jersey.
Review of State Laws
Animal Waste Management – General Requirements

• Complete rules/information can be found at: http://www.nj.gov/agriculture/divisions/anr/agriassist/animalwaste.html
• All animal operations, regardless of animal units and density must be in compliance with the following General Requirements within 12 months of the animals existing on the operation
• Animals in confined areas must be excluded from water sources.
• Manure storages must have a 100 foot setback from surface waters
• Manure must be applied in accordance of the NJDA BMP manual
• State Veterinarian must be contacted before disposing of infected animals
• Bio-security protocols must be followed as outlined in the rule
Review of State Laws
Animal Waste Management – Types of Plans

• Self-certified plans
  – 8 AU’s to 299 AU’s
  – Import of 142 (or greater) tons
• High density plans
  – Animal densities greater than 1 AU
  – Reviewed to meet NJ FOTG requirements
• State required CNMP
  – Greater than 300 AU’s
  – Not dependent on animal densities
  – Review by NJDA
Review of State Laws
Animal Waste Management – Plan Requirements

• Self Certified Plans
  – Plan must be developed within 18 months
  – Plan must be completely implemented within 36 months
  – Declaration Page must be filed with the local Rutgers Cooperative Extension Office
  – Copy of the plan must be kept on the farm
  – Records for Hauling must be maintained (if applicable)
  – Templates for these plans can be found in the NJDA BMP manual, and can be written by the landowner, extension agents, NJDA, or private consultants
Review of State Laws
Animal Waste Management – Plan Requirements

• High Density Plans
  – Plan must be developed within 18 months
  – Plan must be completely implemented within 36 months
  – Plan must be reviewed by a certified conservation planner
  – Plan must be submitted to the local Soil Conservation District and approved by the state
Review of State Laws
Animal Waste Management – Plan Requirements

• State Required CNMP
  – Plan must be developed in consultation with the NRCS, TSP, or other consultant
  – Plan must be reviewed by a certified conservation planner
  – Plan must be submitted to the local Soil Conservation District for approval
  – A copy of the approved plan must be provided to the NJDA for certification
Review of State Laws
Animal Waste Management – Plan Requirements

• State Required CNMP continued
  – Plans are valid for five years if the operation information and management of the operation remains the same
  – Plan must be completely implemented within 36 months
  – The original CNMP and Certification must be kept on the farm
  – Producers are required to review the plan annually to determine if all the requirements of the plan are still being met
  – Any increase in animal units by 25% or more will require an update to the plan
Review of State Laws

Acceptable Nutrient Management Certifications

• New Jersey NRCS does not have a state sponsored Nutrient Management Certification program.
  – NJ NRCS accepts nutrient management certifications from the Maryland Department of Agriculture and the Pennsylvania Department of Agriculture.
  – Other state certifications may be accepted.

• All certified nutrient management planners must be able to produce plans that meet the CAP 102 and CAP 104 criteria in its entirety.
Review of State Laws

- Flood Hazard Area Control Act
- Freshwater Wetlands Protection Program
- Highlands Water Protection and Planning Act
- New Jersey Pinelands Commission
- Coastal Zone Rules
- Farmland Preservation
- Local Regulations
The Flood Hazard Area Control Act (FHACA) rules incorporate stringent standards for development in flood hazard areas and adjacent to surface waters in order to mitigate the adverse impacts to flooding and the environment that can be caused by such development.

Many agricultural BMPs in our FOTG are regulated under the FHACA and therefore it is *critical* that planners in NJ understand the FHACA to prevent recommending a conservation system that would cause the landowner to violate state law.

Landowners often opt to select an alternate conservation system that does not include practices that will require attaining these permits.

For some of structural practices, such as Grassed Waterway, this may mean conservation planners end the waterway outside of the FHACA regulated area rather than continuing on to a stable outlet (the stream).

Full details on the FHACA regulations can be found at: [http://www.nj.gov/dep/landuse/fha_main.html](http://www.nj.gov/dep/landuse/fha_main.html)
Review of State Laws – Freshwater Wetlands

- The Clean Water Act provides States and Tribes the option of assuming administration of the Federal Section 404 permit program in certain waters within State or Tribal jurisdiction. To date, two States, Michigan and New Jersey, have assumed administration of the Federal permit program. More information on the relationship between the NJ Department of Environmental Protection and the US EPA can be found at: [http://www.nj.gov/dep/landuse/lu_epa.html](http://www.nj.gov/dep/landuse/lu_epa.html)

- The U.S. Army Corps of Engineers retains jurisdiction in tidal waters and their adjacent wetlands, waters used as a means to transport interstate or foreign commerce and their adjacent wetlands and it does not affect the Corps' responsibilities to regulate navigable waters under Section 10 of the Rivers and Harbors Act of 1899.

- Since NJ has assumed administration of the Federal permit program, the 56 established NRCS conservation practices recently deemed exempt from Clean Water Act Section 404 dredged or fill permitting requirements, when implemented in accordance with published standards, *are not necessarily exempt activities when implemented in NJ*
Review of State Laws – Freshwater Wetlands

• The NJ Freshwater Wetlands Program regulations including information on delineations, general permits, individual permits and transition area waivers can be found at: http://www.nj.gov/dep/landuse/fww/fww_main.html

Previously misunderstood as wastelands, wetlands are now being recognized for their vital ecological and socioeconomic contributions. Wetlands contribute to the social, economic, and environmental health of our nation in many ways:

- Wetlands protect drinking water by filtering out chemicals, pollutants, and sediments that would otherwise clog and contaminate our waters.
- Wetlands soak up runoff from heavy rains and snow melts, providing natural flood control. Wetlands release stored flood waters to streams during droughts.
- Wetlands provide critical habitats for a major portion of the State’s fish and wildlife, including endangered, commercial and recreational species.
- Wetlands provide high quality open space for recreation and tourism.

Many of these values were not widely appreciated until the 1970s and 1980s. By then, more than half of the nation’s wetlands were destroyed.
• Highlands Water Protection and Planning Act – Encompassing nearly 800,000 acres in northern NJ, the Highlands are an essential source of drinking water, providing clean and plentiful drinking water for one-half of the State’s population, including communities beyond the New Jersey Highlands, from only 13 percent of the State’s land area. This legislation sets forth a comprehensive approach to the protection of the water and other natural resources of the New Jersey Highlands. Preservation and Planning Areas within the Highlands were identified and stringent water and natural resource protection standards, policies, planning, and regulations were developed for each of these areas.

• [http://www.highlands.state.nj.us/njhighlands/actmaps/act/](http://www.highlands.state.nj.us/njhighlands/actmaps/act/)

• Section 31 of the Act relates to Agricultural or horticultural development that would result in the increase of agricultural impervious cover
  – Impervious cover increased by >3% but <9% of the total land area of a farm management unit in the preservation area require the review and approval by the local soil conservation district of a farm conservation plan prepared and submitted by the owner or operator of the farm management unit. Upon approval of the farm conservation plan by the local soil conservation district, the owner or operator of the farm management unit shall implement the plan on the farm management unit. The local soil conservation district shall transmit a copy of an approved farm conservation plan to the State Soil Conservation Committee, and, if any part of the farm management unit is preserved under any farmland preservation program, to the State Agriculture Development Committee.
  – Impervious cover increased by 9% or more of the total land area of a farm management unit in the preservation area shall require the review and approval by the local soil conservation district of a resource management systems plan which shall be prepared and submitted by the owner or operator of the farm management unit. In addition to the review process for 3% impervious above, the RMS plan must also be reviewed and approved by the Department of Environmental Protection who has 60 days after receipt to approved or deny the plan

• These plans must follow science-based standards, consistent with the goals and purposes of this act. Rules for Agricultural Development in the Highlands can be found at: [http://www.nj.gov/agriculture/divisions/anr/pdf/agdevhighlands.pdf](http://www.nj.gov/agriculture/divisions/anr/pdf/agdevhighlands.pdf)
Congress created the Pinelands National Reserve (PNR) through the passage of the National Parks and Recreation Act of 1978. The PNR is approximately 1.1 million acres and spans portions of seven counties and all or part of 56 municipalities. The reserve occupies 22% of New Jersey's land area. The reserve is home to dozens of rare plant and animal species and the Kirkwood-Cohansey aquifer system, which contains an estimated 17 trillion gallons of water.

In 1979, New Jersey formed a partnership with the federal government to preserve, protect and enhance the natural and cultural resources of this special place. Through its implementation of the Pinelands Comprehensive Management Plan, the New Jersey Pinelands Commission protects the Pinelands in a manner that maintains the region's unique ecology while permitting compatible development.

Subchapter 6: Management Programs and Minimum Standards of the Pinelands Comprehensive Management Plan should be reviewed when working with landowners/operators in the Pinelands: http://www.state.nj.us/pinelands/cmp/CMP.pdf
Review of State Laws – Coastal Zone Rules

There are two linked Rules which govern the review of all coastal project proposals.

• The Coastal Permit Program Rules provide the processes for permit reviews. It includes details on what activities need permits; the qualifications for general permits or permits-by-rule; the details for pre-application meetings, contents and fees; review procedures and deadlines; permit appeals; and enforcement of the coastal laws and rules.

• The second rule is the Coastal Zone Management Rules (CZM Rules). This rule defines Special Areas of environmental interest, details requirements for development projects and sets forth the compliance criteria for permit approval. Certain general permits require compliance of specific sections of the CZM Rule. Individual Permit applications must address and demonstrate compliance with each applicable component of the CZM rules for the specific site and regulated activity to be approved.
Review of State Laws – Preserved Farmland

• New Jersey has a very active Farmland Preservation Program. The State Agriculture Development Committee (SADC) leads in the preservation of New Jersey's farmland. The SADC administers the Farmland Preservation Program, providing grants to counties, municipalities and nonprofit groups to fund the purchase of development easements on farmland; directly purchasing farms and development easements from landowners.

• Farmland preserved with the SADC must continue to be available for agricultural production. This means that some conservation practices such as wetlands restoration or riparian forest buffers may not be approved practices depending on their size as they remove land from agricultural production. SADC staff must be consulted as plans for these types of practices are evaluated on preserved farms.
Review of State Laws – Local Regulations

• New Jersey is a Home Rule state. This means that each of our 565 individual incorporated municipalities have legislative authority granted and can to pass laws to govern themselves (as long as it complies with or makes more strict another federal or state law).

• Some of these municipal rules (ordinances) impact activities on agricultural or forest land. For example many municipalities have adopted Stream Corridor and/or tree cutting ordinances.

• It is important that landowners/operators be aware of the local regulations in their community and conservation planners need to be clear in their plans that it is the landowner/operator’s responsibility to comply with all federal, state, or local laws.
White-tailed Deer

Due to New Jersey’s fragmented landscape White-tailed deer populations are extremely high in many areas of the state. This high population of deer can prove to be a significant hurdle in the establishment of vegetative practices. Deer pressure is at its highest when working on land where the owner may not allow hunting or when in close proximity to urban/suburban areas with limited hunting access. In most areas of the state the selection of deer resistant vegetation or the inclusion of deer protection (tree shelters, fencing etc.) should be considered during the planning process.
Invasive Species

High deer density, a fragmented landscape, being a center of global commerce and having a long history of human disturbance are some of the major reasons New Jersey has a serious invasive species problem. Control of invasive species should be considered while planning the establishment of vegetative practices. Typically planning for control of invasive plant species both pre and post establishment is critical for the success of the conservation practice. When in a forested landscape thought should be given to how invasive plant species may respond to planned forestry activities and if control is needed prior to undertaking the activity. A great resource for information regarding invasive species in NJ can be found here: http://www.njisst.org/
Review of Important Resource Issues

1. NJ has numerous water quality impairments. Those most closely linked to agricultural activities include bacteria, phosphorus, sediment, and temperature. The full list of impaired waterbodies in NJ can be found at: http://www.state.nj.us/dep/wms/bwqsa/generalinfo.htm

2. As the most densely populated state in the nation, water quality, quantity and salt water intrusion are major concerns. Many farms, especially in South Jersey are converting to water saving systems such as pivot and drip.

3. Wildlife Habitat is a major resource concern in NJ. An excellent reference is the State Wildlife Action Plan. The plan is currently being revised but the 2005 plan is available at: http://www.nj.gov/dep/fgw/ensp/wap/2005plan.htm
The 2012 Ag Census shows NJ has dropped below 10,000 farms. The largest farm size category is 1-49 acres, with the major subset in the 1-9 acre range. NJ land owners realize a property tax discount if their land (>5 acres) is farmed.
New Jersey is a National Top-Ten Producer of Fruits and Vegetables

<table>
<thead>
<tr>
<th>2012 Statistics</th>
<th>Rank</th>
<th>Production</th>
<th>Prod. Value</th>
<th>Acres</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cranberries</td>
<td>3rd</td>
<td>550,000 barrels</td>
<td>$29.9 million</td>
<td>3,000</td>
</tr>
<tr>
<td>Bell Peppers</td>
<td>3rd</td>
<td>120.3 mill. lbs.</td>
<td>$28.9 million</td>
<td>3,400</td>
</tr>
<tr>
<td>Spinach</td>
<td>3rd</td>
<td>25.9 mill. lbs.</td>
<td>$12.7 million</td>
<td>1,400</td>
</tr>
<tr>
<td>Peaches</td>
<td>4th</td>
<td>30,000 tons</td>
<td>$39.6 million</td>
<td>5,300</td>
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<tr>
<td>Blueberries</td>
<td>5th</td>
<td>51.5 mill. lbs.</td>
<td>$80.8 million</td>
<td>7,500</td>
</tr>
<tr>
<td>Cucumbers</td>
<td>5th</td>
<td>73.1 mill. lbs.</td>
<td>$15.7 million</td>
<td>3,400</td>
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<td>Squash</td>
<td>6th</td>
<td>43.4 mill. lbs.</td>
<td>$17.8 million</td>
<td>3,100</td>
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<tr>
<td>Tomatoes</td>
<td>7th</td>
<td>56.7 mill. lbs.</td>
<td>$30.8 million</td>
<td>2,700</td>
</tr>
<tr>
<td>Apples</td>
<td>8th</td>
<td>34 mill. lbs.</td>
<td>$28.5 million</td>
<td>1,900</td>
</tr>
<tr>
<td>Sweet Corn</td>
<td>9th</td>
<td>68.4 mill. lbs.</td>
<td>$23.1 million</td>
<td>7,200</td>
</tr>
<tr>
<td>Snap Beans</td>
<td>10th</td>
<td>8.4 mill. lbs.</td>
<td>$3.7 million</td>
<td>2,700</td>
</tr>
</tbody>
</table>

Leading New Jersey Agriculture Sectors

- Nursery/Greenhouse/Sod: $444.8 million
- Fruits and Vegetables: $462.9 million
- Field Crops: $131.6 million
- Equine: $46 million
- Poultry and Eggs: $32.8 million
- Dairy: $24.2 million
Review of Major Agricultural Operations

• The northern region of the state is mostly grain producers (corn/soybeans), hay, nursery stock, a few remaining dairy farms, beef, equine and other livestock operations as well as vegetable and orchard operations. Small specialty operations that may be organic, certified natural grown, offering a Community Supported Agriculture (CSA) experience and/or supporting an agritourism industry are found throughout this region.

• The southern region can be generally characterized by crops such as cranberries, blueberries, peaches, green peppers, tomatoes, spinach, nursery stock, some livestock operations (dairy, beef), grain production (corn/beans).
Overview of Typical Conservation Practices

• Below are some representative conservation practices:
  • The northern region – erosion control (waterways, critical area plantings, diversions), prescribed grazing, nutrient management, IPM, crop rotation, forest stand improvement, early successional habitat management, wetland restoration
  • The southern region – micro irrigation, pivot irrigation, prescribed grazing, forest stand improvement, cover crop, crop rotation, nutrient management, IPM, and IWM
• NJ has many nontraditional landowners, many of whom are willing to adopt wildlife habitat projects
• Additionally NJ has a wealth of conservation partners willing to support wildlife and water quality projects. Some of these groups have secured funding to support additional cost share for conservation practices
Data source: 2007 Land Use/Land Cover data from NJ Department of Environmental Protection. In this dataset, some areas mapped as wetland acres are actually farmed.

**Data from 2012 Ag Census:**

<table>
<thead>
<tr>
<th>Land Cover</th>
<th>Acres</th>
<th>% of Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>CROPLAND</td>
<td>456,751</td>
<td></td>
</tr>
<tr>
<td>PASTURE</td>
<td>16,926</td>
<td></td>
</tr>
<tr>
<td>Total Ag:</td>
<td>473,677</td>
<td></td>
</tr>
</tbody>
</table>
Physiographic Provinces

Although a small state, NJ has 4 physiographic provinces and incredible diversity.

Ridge and Valley Province – area of highest relief in New Jersey; includes the Kittatinny Ridge (up to 1,800 ft above sea level), and Kittatinny Valley; also includes the Minisink Valley bordering the Delaware River; ~1/12 of New Jersey

The Highlands Province - an extension of the ancient rocks of the New England Upland; includes several long, narrow valleys, such as the Musconetcong, and the state’s largest lake, Lake Hopatcong; ~1/8 of New Jersey

The Piedmont - a gently rolling lowland; higher elevations are composed of very hard volcanic rock; includes the Watchung Ridges and the Palisades; drained by the Raritan, Passaic and Hackensack Rivers, with most elevations 200-400 feet above sea level; glacial Lake Passaic resulted in areas of poor drainage including the Great Swamp; ~1/5 of New Jersey

Coastal Plain – consists of loose sedimentary materials; the Inner Coastal Plain is rich in silts and clays, and generally more fertile than the outer Coastal Plain, which is rich in sand; includes the Pinelands as well as the mostly developed barrier islands; ~3/5 of New Jersey

Source: Encyclopedia of New Jersey, Lurie and Mappen, 2004
Review of Major Land Ownership

• Approximately 17% of this state is public lands. Public land is held by the State of New Jersey (Division of Fish and Wildlife and Parks and Forestry), Federally owned (National Park Service, Department of Defense and US Fish and Wildlife Service) as well as County and Local public open space. In addition to publically owned land, there are many parcels owned by private nonprofit organizations where public access is granted.

• Most of the public land is managed for multiple use, active and passive recreation, and wildlife management.

• Some public land is currently farmed through lease agreements with the public entity managing the land. Depending on the length of the lease agreement, construction of permanent structural conservation practices may be limited if seeking Farm Bill funding.

• ~5.6% of NJ farms are tenant operations. The remainder have full owners or part owners. However, that 5.6% that are tenant operations represent many of the larger acreage farms in the state.

(7,201 farms with Full Owners + 1,363 farms with Part Owners; 507 farms with Tenants) Source: 2012 Ag Census
Expected TSP Workflow

• The State Resource Conservationist (SRC) will be responsible for reviewing TSP conservation planning for the National Planner Certification.

• Subsequent conservation plans will be reviewed by the District Conservationist (DC) at the local USDA Service Center.

• The SRC will conduct plan reviews for TSP planner certification renewals.

• TSPs will work with the local District Conservationist to make sure the proper environmental evaluations (NRCS.CPA.52) are completed.
Additional References or Training

• State Field Office Technical Guide at www.nrcs.usda.gov
• New Jersey's Landscape Project: http://www.state.nj.us/dep/fgw/ensp/landscape/
• The Natural Heritage Database: http://www.nj.gov/dep/parksandforests/natural/heritage/#nhdb
Certificate of Completion

After viewing the State Specific Training module, please print and sign the completion certificate on the following slide.

The certificate is your acknowledgement that based on the information provided in this module, you have the proper knowledge, skills and ability to conduct planning in this state.

Send the signed certificate to the State TSP Coordinator. Copy the below link to your browser for a list of State TSP Coordinators.

https://techreg.sc.egov.usda.gov/RptStateContact4Admin.aspx
STATE SPECIFIC TRAINING MODULE COMPLETION CERTIFICATE

I, ______________________, hereby verify I have viewed and understand the content of the New Jersey State Specific Training Module and affirm I have the knowledge, skills and ability to conduct conservation planning services in that state.

_________________________    _____________
TSP signature                Date
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Individuals who are deaf, hard of hearing or have speech disabilities and you wish to file either an EEO or program complaint please contact USDA through the Federal Relay Service at (800) 877-8339 or (800) 845-6136 (in Spanish).
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Supplemental Nutrition Assistance Program
For any other information dealing with Supplemental Nutrition Assistance Program (SNAP) issues, persons should either contact the USDA SNAP Hotline Number at (800) 221-5689, which is also in Spanish, or call the State Information/Hotline Numbers.

All Other Inquires
For any other information not pertaining to civil rights, please refer to the listing of the USDA Agencies and Offices.