SOIL AND WATER CONSERVATION PROJECT COST-SHARING: ELIGIBLE PROJECTS

approved by the
STATE SOIL CONSERVATION COMMITTEE
NEW JERSEY DEPARTMENT OF AGRICULTURE
TRENTON, NEW JERSEY

New Jersey Administrative Code 2:90-2

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2:90 - 2.1 Applicability

The projects contained in this subchapter are applicable to participants in a farmland preservation program pursuant to the Agriculture Retention and Development Act, N.J.S.A. 4:1C - 11 et. seq., P.L. 1983, C.32 and all rules and regulations promulgated thereunder.

2:90 - 2.2 Definitions

The following words and terms, when used in this subchapter, shall have the following meanings unless the context clearly indicates otherwise.

"District" or "soil conservation district" (SCD) means a governmental subdivision of this State, organized in accordance with the provisions of N.J.S.A. 4:24 et seq.

"Farmland Preservation Program" means any voluntary Farmland Preservation Program" or "municipally approved farmland preservation program", the duration of which is at least 8 years, authorized by law enacted subsequent to the effective date of the "Farmland Preservation Bond Act of 1981," P.L. 1981, c.276, which has as its principal purpose the long term preservation of significant massess of reasonably contiguous agricultural land within agricultural development areas adopted pursuant to N.J.S.A. 4:1C-11 et seq., P.L. 1983, c.32 and the maintenance and support of increased agricultural production as the first priority use of the land.

"New Jersey Bureau of Forest Management" means the Bureau of Forest Management, Division of Parks and Foresty of the New Jersey Department of Environmental Protection.

"Soil and Water Conservation Project" means any project designed for the control and prevention of soil erosion and sediment damages, the control of pollution on agricultural lands, the impoundment, storage and management of water for agricultural purposes, or the improved management of land and soils to achieve maximum agricultural productivity. Definitions of individual projects are contained in United States Department of Agriculture, Soil Conservation Service Standards and Specifications, Technical Guide Section 4, and are incorporated herein by reference.

"Soil Conservation Service" (SCS) means Soil Conservation Service of the United States Department of Agriculture.

"State Soil Conservation Committee" (SSCC) means an agency of the State established pursuant to Chapter 24 of Title 4 of the Revised statutes.

2:90-2.3 Standards and specifications

All soil and water conservation projects contained within this subchapter shall be in conformance with United States Department of Agriculture Soil Conservation Service Standards and Specifications, Technical Guide Section 4, which is hereby adopted by reference. All forest management type practices shall be in accordance with standards and specifications adopted by New Jersey Bureau of Forest Management. Where determined necessary, the State Soil Conservation Committee may develop and adopt additional standards and specifications for installation of practices.

2:90-2.4 Eligible projects

The soil and water conservation projects contained in this subchapter are approved for cost-sharing in a farmland preservation program.

2:90-2.5 Terrace systems

(a) Terrace systems which reduce pollution of water, land, or air from agricultural non-point sources may be applied to cropland subject to erosion from water runoff.

(b) The following types of practices are approved for terrace systems:

1. Terraces and the necessary leveling and filling to permit installation of an effective system.

2. Materials and installation of underground pipe outlets and other mechanical outlets.

3. Necessary vegetative protective outlets or waterways.

4. Converting the present system to a new system ONLY if the present system is not serving its intended conservation purpose.

5. Removing portions of stone walls or hedgerows if necessary to permit establishment of the practice.

(c) A protective outlet or waterway which is installed solely as an outlet for the terrace system and serves no other conservation purpose should be cost-shared as a component of this practice. A protective outlet or waterway which by itself solves a conservation problem, but also serves as an outlet for a terrace system, should be cost-shared under Sod Waterways or Sediment Retention, Erosion, or Water Control Structures.

(d) The system shall be maintained for a minimum of eight years following calendar year of installment.

2:90-2.6 Diversions

(a) Diversions which conserve water, prevent erosion, and prevent or reduce pollution of water, land, or air from agricultural non-point sources may be applied to farmland subject to erosion from excess surface or subsurface water runoff where the problem can be corrected by such diversion facilities.

(b) The following types of practices are approved for diversion systems:

1. Diversions, ditches, dikes, or subsurface drains where necessary for proper functioning of diversion.

Installation of structures such as pipes, chutes, underground outlets, or other outlets, if needed for proper functioning of a ditch or dike for more even flow, or to protect outlets from erosion.

Necessary leveling and filling to permit installation of an effective system.

4. Removing portions of stone walls or hedgerows if necessary to permit establishment of the practice.

(c) The following special conditions are applicable to diversion systems:

1. Cost-sharing is not authorized for ditches or dikes designed to impound water for later use, or which will be a part of a regular irrigation system. (Refer to other practices that permit such measures.)

A protective outlet or waterway which is installed solely as an outlet for diversion systems and serves no other purpose should be cost-shared as a component of this practice. A protective outlet or waterway which by itself solves a conservation problem, but also serves as an outlet for a diversion system, should be cost-shared under Sod Waterways or Sediment Retention, Erosion, or Water Control Structures.

(d) The system shall be maintained for a minimum of eight years following calendar year of installation.

2:90-2.7 Contour farming

(a) A contour farming system which will protect soil from wind or water erosion and abate pollution of water, land, or air from agricultural non-point sources may be applied to non-terraced cropland subject to wind or water erosion which constitutes a pollution hazard.

(b) The following types of practices are approved for contour farming:

Cost-sharing is limited to the establishment of a contour farming system and the necessary removal of obstacles such as fences, stone walls, or hedgerows where applicable.

2. Cost-sharing is authorized for subsurface drains needed to eliminate spot seepage on five percent or greater slopes where the seepage makes cross-slope tillage impractical. Subsurface drains may be the sole component if spot seepage develops and makes cross-slope tillage impractical in existing contour farming.

(c) The following special conditions are applicable to contour farming:

1. All agricultural operations must be performed as nearly as practicable on the contour.

2. On acreage devoted to row crops, one of the following must apply:

i. The crop stubble or crop residue must be left standing over the winter;

ii. A winter cover crop must be established;

iii. Adequate protective tillage operations must be performed.

3. This practice is not applicable on any acreage that is approved under stripcropping.

4. Cost-sharing is not authorized for repeating any approved measure under this practice with the same person on the same acreage.

(d) The acreage approved in the established system or an approximate equal acreage shall be maintained for a minimum of eight years after year of establishment.

2:90-2.8 Stripcropping systems

(a) Contour stripcropping systems which protect soil from wind or water erosion and reduce pollution of water, land, or air from agricultural non-point sources may be applied to cropland subject to erosion or soil movement.

(b) The following types of practices are approved for stripcropping systems.

1. Cost-sharing is limited to the establishment of the systems and, if necessary, the removal of such obstacles as fences, stone walls, or hedgerows where applicable.

Cost-sharing is authorized for subsurface drains needed to eliminate spot seepage on five percent or greater slopes where the seepage makes cross-slope tillage impractical. Subsurface drains may be the sole component if spot seepage develops and makes cross-slope tillage impractical in existing stripcropping systems.

(c) The following special conditions are applicable to stripcropping systems:

1. On acreage devoted to row crops, one of the following must apply:

i. The crop stubble or residue must be left on the land during the winter;

ii. A winter cover crop must be established;

iii. Adequate protective tillage operations must be performed.

For contour stripcropping systems, cultural operations must be performed as nearly as practicable on the contour.

Cost-sharing is not authorized for repeating any approved measure under this practice with the same person on the same acreage.

(d) The system shall be maintained for a minimum of eight years following calendar year of installation.

2:90-2.9 Sod waterways

(a) Sod waterways which reduce erosion of land and the pollution of water from agricultural non-point sources may be applied to farmland needing permanent sod waterways to safely convey excess surface runoff water.

(b) The following types of practices are approved for sod waterways:

Cost-sharing is authorized for site preparation, grading, shaping, filling, and establishing permanent vegetative cover.

Cost-sharing is authorized for subsurface drains and stone lining that are necessary for proper functioning of the waterway.

(c) The following special conditions are applicable to sod waterways:

1. The cover may consist of sod-forming grasses, legumes, mixtures of grasses and legumes, or other types of vegetative cover that will provide the needed protection from erosion.

Close-sown small grains or annuals may be used for temporary protection followed by eligible permanent vegetative cover established by seeding.

(d) The system shall be maintained for a minimum of eight years following calendar year of installation.

2:90-2.10 Windbreak restoration or establishment

(a) Windbreak restoration or establishment systems which restore or establish windbreaks for protecting eligible farmland from soil erosion and for reducing the pollution of water, air, or land may be applied to farmland needing protection against serious wind erosion.

(b) The following types of practices are approved for windbreak restoration or establishment:

Planting trees or shrubs as needed for restoring or establishing field or farmstead windbreaks including cost of site preparation.

Permanent fences needed to protect the planted area from grazing, excluding boundary and road fences.

(c) The following special conditions are applicable to windbreak restoration or establishment:

Cost-sharing is not authorized for planting orchard trees or plantings for ornamental purposes.

Planting must be protected from destructive fire and destructive grazing.

3. Chemicals used in performing this practice must be registered Federally, with the State, and must be applied strictly in accordance with authorized uses, directions on the label, and other Federal or State policies and requirements.

Wildlife and environmental considerations must be given when designing this practice.

(d) The system shall be maintained for a minimum of eight years following calendar year of installation.

2:90-2.11 Stream protection

(a) Stream protection which reduces erosion or the pollution of water from agricultural activity may be applied to specific problem areas on small streams or lakes located on or adjacent to farmland where the bank is subject to damage from livestock or where sediment or runoff containing pollutants constitutes a hazard to water quality.

(b) The following types of practices are approved for stream protection:

Permanent fencing to protect banks from damage by domestic livestock. Cost-sharing may be authorized for fencing as a single eligible component where it is the most practical solution to the problem, or for repair of fencing where damaged by flooding or other natural disaster.

2. Planting trees, shrubs, or perennial grass cover as filter strips or buffer zones along banks.

3. To provide controlled access to water for livestock.

To install livestock crossings that will retard sedimentation and pollution. The installation of livestock crossings is limited to small streams. Where required, permits must be obtained by the applicant from appropriate authorities before the practice will be approved.

5. Impact on wildlife, trout production and maintenance, shellfish growing waters, and other environmental factors will be considered when designing the practice.

(c) The practice shall be maintained for a minimum of eight years following calendar year of installation.

2:90-2.12 Permanent vegetative cover on critical areas

(a) Permanent vegetative cover on critical areas which reduces erosion and the pollution of land, water, or air from sedimentation of agricultural or silvicultural origin may be applied to critical areas (such as gullies, banks, roadsides, trails and roads, and field borders and similar problem areas), on farms which are susceptible to erosion and where runoff carrying substantial amounts of sediment constitutes a significant pollution hazard, or where both exist.

(b) The following types of practices are approved for permanent vegetative cover on critical areas:

Practices needed to stabilize a source of sediment such as grading, shaping, and filling, and the establishment of vegetation, (including the use of lime and fertilizer) trees or shrubs and similar practices which the SCD determines are practical for the solution of the problem.

(c) The following special conditions are applicable to permanent vegetative cover on critical areas:

Cost-sharing is authorized only if the measures will significantly reduce erosion and maintain, or improve, the quality of water in a stream, lake, pond, or other water source.

Cost-sharing is authorized for measures performed on public roadsides only where such measures are essential to solve a farm-based pollution or conservation problem.

3. Consideration should be given to wildlife and enhancing the appearance of the area when establishing the protective measures.

(d) The system shall be maintained for a minimum of eight years following calendar year of installation.

2:90-2.13 Land shaping or grading

(a) Land shaping and grading which permits effective surface drainage may be applied to cropland.

(b) No cost-sharing is authorized for any shaping or grading performed through normal farming operations required to prepare the land for planting or cultivating crops.

(c) The practice shall be maintained for a minimum of eight years following calendar year of installation or establishment.

2:90-2.14 Water impoundment reservoirs

(a) Water impoundment reservoirs which provide water for agricultural uses and other benefits when possible may be applied to farmland on which the construction or sealing of water impoundment structures, including dugouts, is needed for the above purposes.

(b) The following types of practices are approved for water impoundment reservoirs:

Cost-sharing is authorized only for structures that provide water for agricultural uses, including livestock water impoundments, and irrigation.

2. Cost-sharing is authorized for fencing and vegetative cover (including mulching) needed to protect the structure.

(c) The following special conditions are applicable to water impoundment reservoirs:

1. Cost-sharing is not authorized for any reservoir which would be used primarily for recreation or household water.

2. Cost-sharing is not authorized for pipelines or troughs to furnish water to farm buildings.

3. Consideration shall be given to the needs of wildlife and to enhancing the appearance of the area when designing or installing any reservoirs under this practice.

(d) The structure shall be maintained for a minimum of eight years following calendar year of installation.

2:90-2.15 Irrigation systems

(a) Irrigation water systems which conserve irrigation water, improve water quality and management, control erosion, and reduce the pollution of water on land from agricultural non-point sources may be applied on land for which an adequate supply of water is available and on which irrigation will be continued for agricultural and horticultural purposes.

(b) The following types of practices are approved for irrigation systems:

1. Permanently installed systems, mainlines, and wells.

2. Land leveling. (This may be authorized as a single component for performance during a program year if it is part of a reorganizing plan which includes other components. The other required components must be carried out in other years wit or without cost-sharing.)

3. Tailwater recovery systems or other installations for the conservation of soil or water where needed as an integral part of the irrigation system.

4. Where existing systems are converted to, or new systems are installed for, trickle or similar low volume, low loss systems, cost-sharing is authorized for pumping, filtering and application equipment where such components are permanently installed.

(c) The following special conditions are applicable to irrigation systems:

1. Cost-sharing is not authorized for:

i. Portable pipe or any other normally portable equipment.

ii. Pipe installed in the well (other than casing), pumps, and pumping equipment except as specified in (b) 4 above.

iii. Installation of power supplies.

iv. Sprinklers or other above ground water application equipment except as specified in (b) 4 above.

2. Consideration must be given to the needs of wildlife, preserving or enhancing the appearance of the area, and potential pollution hazards.

3. Cost-sharing is authorized for land leveling as the sole component if it is a needed part of the plan for the reorganization of the system.

(d) The system shall be maintained for a minimum of eight years following calendar year of installation.

2:90-2.16 Sediment retention, erosion, or water control structures

(a) Sediment retention, erosion, or water control structures which reduce erosion and the pollution of land or water from agricultural or silvicultural non-point sources or salt water intrusion may be applied to specific problem areas on farms where runoff of substantial amounts of sediment or runoff containing pesticides or nutrients constitute a significant pollution hazard.

(b) The following types of practices are approved for sediment retention, erosion or water control structures:

1. Sediment detention or retention structures, such as erosion control dams (excluding water storage type dams), desilting reservoirs, sediment basins, debris basins, dikes, sluice gates or similar structures; including maintenance and repair where normal life span is exceeded or structures are damaged by natural causes or wildlife.

2. Channel linings, chutes, drop spillways, and pipe drops that dispose of excess water.

3. Fencing and vegetative cover (including mulching needed to protect the structure) and for leveling and filling to permit the installation of the structure.

4. Installing sediment retention structures on public roadsides only where such structures are essential to solve a farm-based pollution or conservation problem.

(c) The following special conditions are applicable to sediment retention, erosion or water control structures:

1. Cost-sharing is authorized only if the measures will contribute significantly to maintaining or improving soil or water quality.

2. Consideration must be given to the needs of wildlife when establishing the protective measures.

(d) The system shall be maintained for a minimum of eight years following calendar year of installation.

2:90-2.17 Permanent open drainage systems

(a) Permanent open drainage systems which dispose of excess water on farmlands may be applied to cropland that has been cropped for at least 3 out of the last 5 years.

(b) The following special conditions are applicable to permanent open drainage systems:

1. Due consideration must be given to maintaining wildlife habitat when installing the system.

2. Cost-sharing is authorized to clear the necessary minimum right-of-way, construction of ditches, pipes and other necessary structures, and for spreading spoil banks if needed to effectively use the system.

3. Cost-sharing is not authorized for installing structures which are primarily for the farm operator's convenience.

4. Cost-sharing is authorized for reconstruction of existing ditches if design life span has been exceeded.

(c) The practice shall be maintained for a minimm of eight years following calendar year of installation.

2:90-2.18 Underground drainage systems

(a) Underground drainage systems which dispose of excess water may be applied to cropland that has been cropped for at least 3 out of the last 5 years.

(b) The following special conditions are applicable to underground drainage systems:

1. Due consideration must be given to maintaining wildlife habitat when installing the system.

2. Cost-sharing is not authorized for installing tile in open drain ditches that are meeting the drainage problem.

(c) The practice shall be maintained for a minimum of eight years following calendar year of installation.

2:90-2.19 Developing facilities for livestock water

(a) Facilities for livestock water which protect vegetative cover or make practicable the use of the land for vegetative cover so as to prevent soil erosion and to prevent or reduce the pollution of water, air, or land may be applied to installations that provide water at locations which will bring about better distribution of grazing, proper rotation of grazing, or better grassland management.

(b) The following types of practices are approved for developing facilities for livestock water:

1. Construct or deepen wells.

2. Develop springs or seeps, including fencing of the area, if needed, to protect the development from pollution by livestock.

3. Install pipelines, storage facilities, cisterns, and artificial watersheds.

4. Installations to permit the continuance, expansion, or initiation of a livestock grazing operation.

(c) The following special conditions are applicable to developing facilities for livestock water:

Wells must be provided with pumping equipment (except for artesian wells) and adequate storage facilities; no cost-sharing is authorized for pipe installed in the well (other than casing), pumps, pumping equipment, or for dry wells.

No cost-sharing is authorized under this practice for any installation which:

i. Is primarily for recreation, wildlife, dry lot feeding, corrals, or barns;

ii. Makes it possible to graze crop residues, field borders, or temporary or supplemental pasture crops;

iii. Is for land on which the cover will be used for hay or silage or will be field chopped and hauled to headquarters for feeding;

iv. Primarily provides water for headquarters. (Incidental use of water at headquarters is permitted if it does not lessen the effectiveness of the installation in serving its conservation purpose.) Costs may be shared to install a structure at or near headquarters only if that is the most practical location and the structure will effectively accomplish its conservation purpose at such location.

Consideration should be given to the needs of wildlife and enhancing the appearance of the area, when installing watering facilities.

(d) The practice shall be maintained for a minimum of eight years following calendar year of installation or establishment.

2:90-2.20 Forest tree stand improvement

(a) Forest tree stand improvement practices which enhance the environment by improving or protecting a stand of desirable trees intended for timber production, pulpwood, posts, etc., and to provide soil protection may be applied to stands of forest trees where quality can be improved through timber stand improvement.

(b) The following types of practices are approved for forest tree stand improvement:

1. Thinning;

2. Pruning crop trees;

3. Releasing desirable seedlings and young trees.

(c) The following special conditions are applicable to forest tree stand improvement:

1. Cost-sharing is not authorized for:

Correcting existing erosion problems with forestry practices. (The correction of erosion problems created by past land use activities may be authorized under other appropriate State practices);

Fencing, fire breaks, fuel breaks, firelanes, or roads;

iii. Timber stand improvement in stands where the undesirable stems can be removed by commercial sales, such as fuelwood, poles, etc.

2. Chemicals used in performing this practice must be Federally and State registered and must be applied strictly according to authorized uses, directions on label, and other Federal or State policies and requirements.

3. The area must be protected from destructive fire and, if seedlings are present, from destructive grazing.

4. Improvement measures should be carried out in a way that preserves or improves the quality of the environment, especially wildlife habitat and the appearance of the area.

(d) The practice shall be maintained for a minimum of eight years following calendar year of installation or establishment.

2:90-2.21 Forest tree plantations

(a) Forest tree plantations that establish a stand of trees for soil protection, forestry purposes, and preserves and improves the environment may be applied to farmland suitable for growing tree species that will provide multi-purpose forest benefits. Where shrubs are used, preference should be given to varieties beneficial to wildlife.

(b) The following types of practices are approved for forest tree plantations:

1. The establishment of a plantation that will provide both forest products and improved protection from wind or water erosion.

2. Clearing land occupied largely by scrubby brush of no economic value, only where essential to permit planting desirable tree species. Technical assistance must be utilized to determine suitability of the land for clearing and the measures necessary to prevent erosion.

(c) The following special conditions are applicable to forest tree plantations:

1. Cost-sharing is not authorized for fencing, fire breaks, fuel breaks, firelanes, roads, or for parcels of woodland less than one acre.

2. Cost-sharing is not authorized for planting orchard trees, for plantings for ornamental purposes, or for Christmas tree production.

3. Planting must be protected from destructive fire and grazing.

4. Chemicals used in performing this practice must be Federally and State registered and must be strictly applied in accordance with authorized uses, directions on label, and other Federal or State policies and requirements.

5. Consideration must be given to preserving and improving the environment.

(d) This practice shall be maintained for a minimum of eight years following calendar year of installation or establishment.

2:90-2.22 Site preparation for natural regeneration

(a) Site preparation for natural regeneration which establishes a stand of trees for soil protection, forestry purposes, and to preserve and improve the environment may be applied to farmland suitable for growing tree species that will provide multi-purpose forest benefits.

(b) Cost-sharing is authorized for site preparation for natural reseeding (including prescribed burning with plow lines, if all of the special conditions in (c) below apply.

(c) The following special conditions are applicable to site preparation for natural regeneration:

1. The following conditions must be met:

i. Sufficient desirable seed trees are present to permit natural reseeding.

ii. Brush, dense litter, or other material must be broken up and removed to expose the forest soil to permit reseeding.

iii. Seed trees must be left until the area is restocked.

2. Cost-sharing is not authorized for:

i. Site preparation for the natural regeneration of ornamental or Christmas trees;

ii. Correcting existing erosion problems with forestry practices. The correction of erosion problems caused by past land use activities may be authorized under other appropriate State practices;

iii. Fencing or roads.

3. Planting area must be protected from destructive fire and destructive grazing.

4. Chemicals used in performing this practice must be Federally and State registered and must be applied strictly according to authorized uses, directions on label, and other Federal or State policies and requirements.

5. Consideration must be given to preserving and improving the environment.

(d) This practice shall be maintained for a minimum of eight years following calendar year of installation or establishment.

2:90-2.23 Animal waste control facilities

(a) Animal waste control facilities which reduce the existing pollution of water, land, or air by animal wastes may be applied to areas on farmland where animal wastes from the farm constitute a significant pollution hazard. This practice is designed to provide facilities for storage and handling of livestock and poultry waste and the control of surface runoff water to permit the recycling of animal waste onto the land in such a manner as to abate pollution which would otherwise result from livestock or poultry operations.

(b) The following types of practices are approved for animal waste control facilities:

1. For animal waste storage facilities such as aerobic or anaerobic lagoons, liquid manure tanks, holding ponds, collection basins, settling basins, composting facilities and similar facilities as well as diversions, channels, waterways, outlet structures, piping, land shaping, and similar measures needed as part of a system on the farm to manage animal waste.

   Permanently installed equipment needed as an integral part of the system; for fencing and vegetative cover (including mulching needed to protect the facility); and for leveling and filling to permit the installation of an effective system.

(c) The following special conditions are applicable to animal waste control facilities:

   Cost-sharing is limited to solving the pollution problems where the livestock or poultry operation is part of a total farming operation, and shall be limited to the most cost-effective facilities.

2. Cost-sharing is authorized only if the storage and diversion facilities will contribute significantly to maintaining or improving the soil or water quality.

3. Cost-sharing is not authorized for the following:

i. Measures primarily for the prevention or abatement of air pollution unless the measures also have soil and water conserving benefits;

Portable pumps, pumping equipment or other portable equipment, buildings or modifications of buildings, or for spreading animal wastes on the land;

iii. For that portion of animal waste structures installed under or attached to buildings which serve as part of the building or its foundation.

iv. For animal waste facilities that do not meet local or State regulations.

(d) The system shall be maintained for a minimum of eight years following calendar year of installation.

2.24 - Agrichemical handling facility → (See attached)

2:90-2.2~~4~~ 2.25 Cost Share Rates

NOW → (a) Projects as identified in N.J.A.C. 2:90-2.5 through 2:90-2.23 shall be cost shared at 50 percent of the actual cost, not to exceed 50 percent of a maximum amount per project as estimated by the distrct in consultation with the United States Department of Agriculture, Soil Conservation Service District Conservationist and ASCS County Executive Director. Districts shall consult with authorized personnel within the New Jersey Bureau of Forest Management for forestry related practices.

(b) The maximum per project cost shall be based upon the average cost for installation of such practices in the district, as determined from actual ASCS and SCS cost records for similar work under Federal cost share programs. For those practices which are not in the Federal programs, the district shall consult with USDA or Bureau of Forest Management officials in the district to investigate actual costs and establish a

suitable average maximum cost reflecting current prices. An average cost schedule developed in accordance with this procedure shall be adopted by the district and filed with the State Soil Conservation Committee on or before January 15 of each year. The SSCC shall reserve the right to review maximum cost rates and to require adjustments if deemed necessary.

(c) The least cost practice or system which is determined to be effective and functional shall be the basis for cost-share rates. An applicant may install a more expensive practice or system if it is determined to be effective and conforms to the standards and specifications in N.J.A.C. 2:90-2.3, but shall be eligible for reimbursement only for up to 50 percent of the least cost option described above.

SOIL and WATER CONSERVATION PAYS!

2:90-2.24 Agrichemical handling facility

(a) The storage, handling, and mixing of agrichemicals and the cleaning of application equipment can constitute a pollution hazard to surface and ground water. This practice is designed to provide an impervious containment area for isolation of spillage from on-farm agrichemical mixing, loading, unloading, and rinsing operations in order to minimize pollution of soil, water, air plant, or animal resources.

(b) The following types of practices and components are approved for an agrichemical facility:

1. Land shaping, leveling, and filling to permit installing the system;
2. Formed concrete, reinforcing, sump, sealant, gravel for sub-base and access ramps;
3. Pumps, pipes, valves, and storage tanks permanently installed for use in the agrichemical facility;
4. Diversions, waterways, outlet structures, and similar measures to convey surface water away from the facility; and for fencing and vegetative cover including mulching;
5. Roof, including gutters and downspouts, and sidewalls to exclude precipitation from the facility; and for providing water and electric services from proximate locations.

(c) Cost-sharing is not authorized for the following:

1. Offsite disposal of rinsate and spillage; nor for remedial action to correct soil, water, or other resources affected by agrichemical spillage.
2. Agrichemical facilities that do not meet local or State regulations.
3. Non permanent interior wall partitions and enclosures, including insulation, ventilation, shelving, etc., for the storage of agrichemicals.

(d) The agrichemical facility shall be operated and maintained for a minimum of eight years following the calendar year of installation.