

Senate Bill 95

By: Senators Ragan of the 11th, Smith of the 25th, James of the 35th, Seabaugh of the 28th,
Williams of the 6th and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 2 of Chapter 6 of Title 2 of the Official Code of Georgia Annotated,
2 relating to soil and water conservation districts, so as to create the Agricultural Cost Share
3 Program for Non-point Source Pollution Control; to provide an effective date; to repeal
4 conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 style="text-align:center">**SECTION 1.**

7 Article 2 of Chapter 6 of Title 2 of the Official Code of Georgia Annotated, relating to soil
8 and water conservation districts, is amended by adding a new Code section at the end thereof,
9 to be designated Code Section 2-6-52, to read as follows:

10 "2-6-52.

11 (a) There is created the Agricultural Cost Share Program for Non-point Source Pollution
12 Control. The program shall be developed, implemented, and supervised by the State Soil
13 and Water Conservation Commission.

14 (b) The program shall be subject to the following requirements and limitations:

15 (1) The purpose of the program shall be to reduce the input of agricultural non-point
16 source pollution into the waters of the state;

17 (2) Participation in this cost share program shall be voluntary;

18 (3) The program shall include all 159 counties and 40 soil and water conservation
19 districts;

20 (4) Priority designations for inclusion in the program shall be under the authority of the
21 State Soil and Water Conservation Commission. The State Soil and Water Conservation
22 Commission shall retain the authority to allocate the cost share funds;

23 (5) Areas shall be included in the program as the funds are appropriated and the technical
24 assistance becomes available from the local soil and water conservation district or the
25 State Soil and Water Conservation Commission;

1 (6) Funding may be provided to assist practices including but not limited to conservation
2 tillage, diversions, filter strips, fencing along streams, field borders, alternative watering
3 systems, critical area plantings, grassed waterways, terraces, cropland conversion to
4 permanent vegetation, heavy use areas, closure of lagoons, riparian buffers or equivalent
5 controls, animal waste systems and application, manure stack houses and other waste
6 holding structures, irrigation system enhancements, and other projects that foster water
7 conservation and enhance water quality;

8 (7) State funding shall be limited to 75 percent of the average cost for each practice with
9 the assisted farmer providing 25 percent of the cost, which may include in-kind support
10 of the practice, with a maximum of \$75,000.00 per year to each applicant;

11 (8) Priority designation for inclusion in this program for state funding shall be given to
12 projects that foster water conservation and enhance water quality. To be eligible for cost
13 share funds under this subsection, a project shall be evaluated before funding is awarded
14 and after the project is completed to determine the impact on water quality; and

15 (9) For practices that are eligible for funding from the federal Conservation Reserve
16 Enhancement Program, state funding from the program shall be limited to 75 percent of
17 the average cost of each practice, with the remainder paid from funding from the
18 Conservation Reserve Enhancement Program, other available federal funds, other state
19 funds, or the assisted farmer, whose contribution may include in-kind support of the
20 practice.

21 (c) State funds for the program shall remain available until expended by the program.

22 (d) The State Soil and Water Conservation Commission shall provide a cost share program
23 report on or before December 1 of each year to the Governor for evaluation. The report
24 shall include a list of projects that received state funding pursuant to the program, the
25 results of the evaluations conducted, findings regarding the effectiveness of each of these
26 projects to accomplish its primary purpose, and any recommendations to assure that state
27 funding is use din the most cost-effective manner and accomplishes the greatest
28 improvements in water conservation and water quality."

29 SECTION 2.

30 This Act shall become effective upon its approval by the Governor or upon its becoming law
31 without such approval.

32 SECTION 3.

33 All laws and parts of laws in conflict with this Act are repealed.