

STATE AGRICULTURE DEVELOPMENT COMMITTEE

Memorializing 2022 Standards for determining Priority and Alternate Farms Pursuant to the SADC Acquisition of Farmland Development Easements

WHEREAS, pursuant to N.J.A.C. 2:76-8.5(c) and N.J.A.C. 2:76-11.5 (c) the SADC is responsible for prioritizing farms for purposes of acquiring lands in fee simple title or acquiring development easements on eligible farms as a “Priority farm”, “Alternate farm” and “Other farm”; and

WHEREAS, The Right to Farm Act (Act), which also created the SADC, contains language at N.J.S.A. 4:1C-5e. enabling the Committee to “perform any act or thing necessary, convenient, or desirable for the purposes of the Committee to carry out any power expressly given” in the Act, which would include the authority to delegate certain actions to the Executive Director; and

WHEREAS, Part IV, Section 3 of the SADC By-Laws states that “The Executive Director shall have all the power and authority delegated to him/her in accordance with these By-Laws, actions of the Committee or otherwise pursuant to the “Right to Farm Act” and the “Agriculture Retention and Development Act”; and

WHEREAS, by resolution # FY2020R6(5), dated June 25, 2020, the SADC granted authority to the Executive Director to approve certain routine Acquisition Program-related actions including the minimum scores that applications must meet to qualify for the SADC Acquisition of Farmland Development Easements; and

WHEREAS, a “priority farm” means a farm that meets or exceeds both 75 percent of the average farm size in the county in which it is located and its quality score is at least 90 percent of the average quality score in the county in which it is located; and

WHEREAS, an “alternate farm” means a farm that does not meet the criteria for “priority farm”, but meets or exceeds both 55 percent of the average farm size in the county in which it is located and its quality score is at least 70 percent of the average quality score in the county in which it is located; and

WHEREAS an “other farm” means a farm that does not meet the criteria for “priority” or “alternate” farms; and

WHEREAS, the average quality score in a county shall be based on the average quality score determined pursuant to N.J.A.C. 2:76-6.16 for all farms granted preliminary approval by the SADC through the county planning incentive grant program within the previous three funding cycles, as determined by the SADC; and

WHEREAS, Atlantic, Bergen, Ocean, Passaic and Sussex Counties have not submitted applications which received preliminary “Green Light” approval during the past three funding cycles, therefore it is not possible to establish a 2022 average quality score for these five counties; and

WHEREAS, because of the increased processing time and administrative burden associated with seeking Committee approval for applications, it is recommended that the SADC utilize the average quality scores adopted on September 9, 2020 meeting for Ocean and Sussex Counties; and

WHEREAS, if applications are received from Atlantic, Bergen, or Passaic Counties, where there has been no quality score for at least four (4) years, the SADC will consider selecting the application for processing on an individual basis; and

WHEREAS, all other Counties have had sufficient activity to calculate an average quality score and minimum eligibility criteria (Schedule A); and


WHEREAS, the average farm size in a county shall be based on the average farm size of farms using the 2017 US Census of Agriculture data.

NOW THEREFORE BE IT RESOLVED:

1. The WHEREAS paragraphs above are incorporated herein by reference.
2. The SADC adopts the Average Quality Scores for each county along with the individual scores for determining a "priority farm" and an "alternate farm" as identified on the attached (Schedule A) for State acquisition programs pursuant to N.J.A.C. 2:76-8 and 11.
3. This approval by the Executive Director is pursuant to the authority granted by resolution #FY2020R6(5).
4. The individual scores pursuant to N.J.A.C. 2:76-8 and 11 shall be effective as of January 1, 2022 and shall apply to an application for the sale of a development easement that is received by the SADC prior to December 31, 2022.

September 2, 2021

Date

DocuSigned by:

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Susan E. Payne, Executive Director
State Agriculture Development Committee

| SADC Minimum Standards - State Acquisition Program | | | | | | | | | | |
|--|---------------------------------------|---------------------------------------|---------------------------------------|---------------------------------------|---------------------------------------|------------------------------------|--|---|--|---|
| "Priority" "Alternate" "Other" Prioritization System | | | | | | | | | | |
| | | | | | | | <u>Priority</u> | | <u>Alternate</u> | |
| | FY2018 Average Quality Score | FY2019 Average Quality Score | FY2020 Average Quality Score | FY2021 Average Quality Score | FY2022 Average Quality Score | Average Acres 2017 Census | **75% of Average Census Acres | **90% of Average Quality Score | **55% of Average Census Acres | **70% of Average Quality Score |
| Atlantic | **** | **** | **** | **** | **** | 64 | 48 | **** | 35 | **** |
| Bergen | **** | **** | **** | **** | **** | 14 | 10 | **** | 7 | **** |
| Burlington | 68.99 | 69.41 | 68.5 | 67.82 | 67.8 | 105 | 78 | 61 | 57 | 47 |
| Camden | **** | **** | **** | **** | 51.29 | 47 | 35 | **** | 25 | **** |
| Cape May | 59.19 | 55.91 | 59.89 | 59.89 | 65.72 | 50 | 37 | 59 | 27 | 46 |
| Cumberland | 63.23 | 64.08 | 60.93 | 60.85 | 60.43 | 118 | 88 | 54 | 64 | 42 |
| Gloucester | 60.88 | 61.25 | 65.29 | 65.21 | 66.63 | 85 | 63 | 59 | 46 | 46 |
| Hunterdon | 67.35 | 64.87 | 64.85 | 64.9 | 64.12 | 63 | 47 | 57 | 34 | 44 |
| Mercer | 71.58 | 70.48 | 70.48 | 68.96 | 66.13 | 78 | 58 | 59 | 42 | 46 |
| Middlesex | 64.29 | **** | 64.29 | 66.04 | 62.36 | 74 | 55 | 56 | 40 | 43 |
| Monmouth | 77.72 | 74.81 | 70.83 | 71.47 | 68.62 | 47 | 35 | 61 | 25 | 48 |
| Morris | 66.04 | 62.48 | 63.24 | 62.85 | 62.16 | 35 | 26 | 55 | 19 | 43 |
| Ocean | 61.65 | 62.14 | 65.89 | 65.89 | **** | 33 | 24 | 59 | 18 | 46 |
| Passaic | 54.37 | **** | **** | **** | **** | 21 | 15 | **** | 11 | **** |
| Salem | 68.65 | 69.33 | 70.19 | 69.78 | 69.61 | 126 | 94 | 62 | 69 | 48 |
| Somerset | 68.12 | **** | 73.7 | 73.7 | 67.72 | 79 | 59 | 60 | 43 | 47 |
| Sussex | 58.37 | 57.77 | 46.91 | 46.91 | **** | 59 | 44 | 42 | 32 | 32 |
| Warren | 62.94 | 66.19 | 64.15 | 63.42 | 63.43 | 80 | 60 | 57 | 44 | 44 |
| These standards are effective January 1, 2022 through December 31, 2022 | | | | | | | | | | |
| ** all numbers are rounded down to the nearest whole number | | | | | | | | | | |
| **** Independent review and approval by SADC to secure preliminary approval. | | | | | | | | | | |
| Beginning in 2021 eligibility is based on calendar year and not fiscal year. | | | | | | | | | | |