

## STATE AGRICULTURE DEVELOPMENT COMMITTEE

### Memorializing 2024 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, “Funding cycle” means the time period beginning on the date the Committee receives an appropriation for the County PIG program and ending on the date the Committee receives a subsequent appropriation for the County PIG program, which are herein defined, for the purpose of calculating eligible farm criteria, as FY2020, FY2021 and FY2022 funding cycles; and

WHEREAS, the applications considered to derive the county averages over the last three funding cycles received Green Light Approval between January 21, 2020 and August 15, 2023; and

WHEREAS, Atlantic, Bergen, Cape May, Morris, 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 2024 average quality score for these five counties; and

WHEREAS, because of the increased processing time and administrative burden associated with processing waivers it is recommended that the SADC utilize the average quality scores adopted for 2022 for Cape May and Morris Counties and 2021 for Sussex Counties; and

WHEREAS, if applications are received from Atlantic, Bergen, or Passaic Counties, where there has been no quality score for at least five (5) 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, 2024 and shall apply to an application for the sale of a development easement that is received by the SADC prior to December 31, 2024.

10/2/2023  
Date

  
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Susan E. Payne, Executive Director  
State Agriculture Development Committee

**SADC Minimum Standards  
State Acquisitions  
Effective 1.01.24 - 12.31.24**

SADC Minimum Standards - State Acquisition Program												
"Priority" "Alternate" "Other" Prioritization System												
								<i>Priority</i>		<i>Alternate</i>		<i>Delegation of Other</i>
	FY2020 Average Quality Score	FY2021 Average Quality Score	FY2022 Average Quality Score	FY2023 Average Quality Score	FY2024 Average Quality Score	Average Acres 2012 Census	Average Acres 2017 Census	75% of Average Census Acres	90% of Average Quality Score	55% of Average Census Acres	70% of Average Quality Score	60% of average farm size
Atlantic	****	****	****	****	****	73	64	48	****	35	****	****
Bergen	****	****	****	****	****	24	14	10	****	7	****	****
Burlington	68.5	67.82	67.8	67.02	65.96	114	105	78	59	57	46	39
Camden	****	****	51.29	51.30	51.29	41	47	35	46	25	35	30
Cape May	59.89	59.89	65.72	<<<<<	<<<<<	48	50	37	59	27	46	39
Cumberland	60.93	60.85	60.43	61.73	62.10	111	118	88	55	64	43	37
Gloucester	65.29	65.21	66.63	64.19	64.49	74	85	63	58	46	45	38
Hunterdon	64.85	64.9	64.12	65.92	66.27	66	63	47	59	34	46	39
Mercer	70.48	68.96	66.13	64.74	64.74	73	78	58	58	42	45	38
Middlesex	64.29	66.04	62.36	<<<<<	53.47	87	74	55	48	40	37	32
Monmouth	70.83	71.47	68.62	64.77	69.92	47	47	35	62	25	48	41
Morris	63.24	62.85	62.16	<<<<<	<<<<<	40	35	26	55	19	43	37
Ocean	65.89	65.89	<<<<<	<<<<<	60.07	45	33	24	54	18	42	36
Passaic	****	****	****	****	****	19	21	15	****	11	****	****
Salem	70.19	69.78	69.61	67.87	68.57	123	126	94	61	69	47	41
Somerset	73.7	73.7	67.72	61.25	61.25	87	79	59	55	43	42	36
Sussex	46.91	46.91	<<<<<	<<<<<	<<<<<	69	59	44	42	32	32	28
Warren	64.15	63.42	63.43	68.03	64.91	92	80	60	58	44	45	38

\*\* all numbers are rounded down to the nearest whole number

**These standards are effective January 1, 2024 through December 31, 2024**  
 <<<<< to decrease processing time, the SADC utilize the average quality scores adopted in 2021 or 2022  
 \*\*\*\* Independent review and approval by SADC to secure preliminary approval.

Pursuant to Resolution FY2020R6(5) Farms that meet the following criteria will be delegated to the Executive Director for approval, subject to availability of funding:  
 > All "Priority" farms have been selected; and  
 > Meets the County's 70% average quality score; or  
 > Is over 60% of the County's average farm size and has a density score of at least 8 points and all "Alternate" farms have been selected; or  
 > Is a unique and valuable agricultural resource to the surrounding community where development poses a threat to existing investment in preservation, and it has a