

II. Local Eligibility Criteria Satisfied: Yes ___ No ___
(example: a county or town may require eligible farms to be at least 40 acres or have 60% tillable etc.)

III. Federal Farm and Ranch Land Protection Funding

A. Will Federal Funding be used in the preservation of this farm: Yes ___ No ___
Impervious cover limitation _____Acres or _____% of premises
Yellow Book Compliant or USPAP _____ **Yellow Book** ___ **USPAP** ___

If "Yellow Book", only appraisers on list of qualified Federal Farmland Appraisers and have had Yellow Book Training will be permitted to appraise the property. Valuation under current existing zoning and environmental regulations shall be conducted strictly to Yellow Book Standards.

Under both Yellow Book and USPAP, the appraiser should identify the USDA NRCS (Natural Resource Conservation Service) as a user of the appraisal, identify the appraisal as being of surface rights only, and identify the impervious cover restriction on the preserved farm and impact on value if any. All adjustments should be market based and explained completely. The appraisal of the farm as preserved (After Value) must be identified as a hypothetical condition.

B. Does the property meet standards for the federal Farm and Ranch Lands Protection Program? Yes ___ No ___

IV. Has the property received major subdivision approval: Yes ___ No ___
Status of approvals:

Preliminary _____ **Date(s) of Approval** _____
Final _____ **Date(s) of Approval** _____

Pursuant to N.J.A.C. 2:76-6.11(c)1., the SADC may disapprove of an application if it determines that the applicant has initiated proceedings in anticipation of applying to sell a development easement or during the application process that have the effect of increasing the applicant's appraised development easement value.

V. Does the property have any existing easements? Yes ___ No ___

Conservation Easements _____
Buffer ordinance/restrictions _____
Utility Easements _____
Other _____

Note: Appraisers may not assume that easements that specifically prohibit disturbance and development can be reversed or receive variances.

VI. Program:

County Easement Purchase: _____
County Easement Purchase (Pinelands): _____
LOI required, credits retired # _____
County Fee simple Purchase: _____
Planning Incentive Grant (County): _____
Planning Incentive Grant (Municipal): _____
Planning Incentive Grant Fee Simple (County): _____
Planning Incentive Grant Fee Simple (Municipal) _____
SADC Direct Easement Purchase: _____
SADC Fee Simple Acquisition: _____
Nonprofit Grant Program (Easement): _____
Nonprofit Grant Program (Fee) : _____

Appraisal Instruction:

Appraiser is required to appraise this property under:

- ? Current zoning **X** **Zoning Code (s)** _____
- ? Zoning and environmental conditions in place as of 1/1/04 **Yes** ___ **No** ___
 - o **Zoning Code(s)** _____

The dual appraisal provision of the Highlands Act sunset on June 30, 2009. Whereas the provision is not currently applicable, this does not preclude the ordering entity (County, Municipality, Non-Profit, SADC) from appraising the application under both “current” and “1/1/04” zoning in the event the Legislature makes this provision available again in the future.

Reason for Instruction:

- ? Applicant owned the property as of 8/10/04: _____
- ? Applicant is an immediate family member of the owner that owned the property as of 8/10/04: _____
- ? Applicant is a farmer as defined by the SADC: ____
 - o (See Attachment A)
- ? Applicant is a governmental unit that acquired the property from a
 - a. farmer: ____
 - b. original owner of property as of 8/10/04: ____
 - c. immediate family member of the owner as of 8/10/04: ____
- ? Applicant is a nonprofit organization that acquired the property from a
 - a. farmer: ____
 - b. original owner of property as of 8/10/04: ____
 - c. immediate family member of the owner as of 8/10/04: ____
- ? Property is located within 300 feet of a Category 1 stream or river: ____
 - If yes,
 - ? Property is within _____ feet of a Category 1 stream or river: ____
 - or
 - ? Property has a category 1 stream or river within its boundaries: ____
 - o (See Attachment A)

Other:

The appraiser shall consider the impact of all exceptions, non-agricultural uses and effect of improvements as listed in the attached subject application in conformance with the SADC Appraisal Handbook.

Signed,

(Program Administrator)

Date

*This form shall be completed by the contracting agency and shall be contained as an addendum in the appraisal report.

Enclosure:

Attachment A – Definition of a farmer

– Surface Water Quality Standards for New Jersey Guidelines

ATTACHMENT “A”

Definition of Farmer (N.J.A.C. 2:76-10.5(b)3.):

Farmer means an owner or operator of a farming operation who during the calendar year immediately preceding submittal of a farmland preservation application, realized gross sales of at least \$2,500 of agricultural or horticultural products produced on the farming operation exclusive of an income received for rental of lands.

Surface Water Quality Standards for New Jersey Waters (Guidelines)

The SADC is requesting that all County Agriculture Development Boards (CADB), Planning Incentive Grant (PIG) Municipalities, and Non-Profit Organizations (NPO) incorporate New Jersey's Surface Water Quality Standards, in accordance with "Surface Water Quality Standards for New Jersey Waters" as designated in N.J.A.C. 7:9 B., into the Farmland Preservation Program appraisal process.

The New Jersey Department of Environmental Protection (NJDEP) has made two GIS data sets available for use as a **guide**; Surface Water Quality Standards (SWQS) and Storm Water Rule Areas Affected by 300 Foot Buffer (strmwtrupc1). This data is a digital representation of New Jersey's Surface Water Quality Standards in accordance with "Surface Water Quality Standards for New Jersey Waters" as designated in N.J.A.C. 7:9 B. The SWQS file contains the streams for NJ and has an attribute field, “ANTIDEG”, that identifies the stream classification. The “ANTIDEG” field has Category 1 streams coded as C1. The strmwtrupc1 file contains the HUC14 stream basins affected by C1 streams. The SWQS and strmwtrupc1 GIS files are available for download at <http://www.nj.gov/dep/gis/newdata.htm>. The files are in a .ZIP format and contain ARC/GIS shape files.

Much caution must be exercised when utilizing these two GIS data sets. Close attention must be paid to the following issues:

- ✍ Make sure you download the most up-to-date files. Files with a publication date of 08/09/05 and strmwtrupc1 with a publication date of 08/24/04 are the most current files as of 8/15/05. Users should check the NJDEP web page periodically for updated releases. Changes are being made as needed and there is no regular schedule for updates.
- ✍ Read the metadata carefully because there are many limitations to this data.
- ✍ These GIS layers are supplemental only and are not legally binding. When interpreting the surface water quality standards, the Surface Water Quality Standards regulations at N.J.A.C. 7:9B always take precedence.

- ✍ Not all tributaries that drain into a C1 stream have been mapped. The rule establishes an additional requirement for projects which are located along a C1 stream and those projects located upstream of a C1 segment within the sub-watershed or HUC 14. Basically, this rule applies to stream features that NJDEP hasn't mapped.
- ✍ The strmwtrupc1 data is out of sync with the SWQS data. The SWQS data has had additional streams added to the inventory but the strmwtrupc1 has not been updated to include the HUC14 basins affected by the additional streams.
- ✍ The SWQS data is a line feature and only delineates the centerline of the stream. The 300-foot buffer should be from the bank of the stream. Depending on the width of the stream, much of the buffer area would be over water. Therefore, it is not recommended that 300-foot buffers be generated from this data set.

These GIS layers are informational only and are not legally binding. When interpreting the Surface Water Quality Standards, the written standards always take precedence. Considering all the issues associated with this data, I recommend field verification for C1 streams.

The following links are to background information on the SWQS for your reference.

<http://www.state.nj.us/dep/watershedmgt/rules.htm>

<http://www.state.nj.us/dep/wmm/sgwqt/sgwqt.html>

<http://www.state.nj.us/dep/wmm/sgwqt/amendsummary.html>

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