

RESOLUTION # 28

FARMLAND PRESERVATION

1 **WHEREAS**, the purpose of the Farmland Preservation Program is to preserve
2 the state's agricultural land base, helping to ensure the continued viability of New
3 Jersey's agricultural industry; and

4 **WHEREAS**, as of December 1, 2015, 2,374 farms covering 218,671 acres had
5 been permanently preserved statewide, including 109 farms covering 14,793 acres in
6 the Pinelands and 495 farms covering 40,321 acres in the Highlands, which contribute
7 not only to a secure land base for agricultural operations, but also to a host of other
8 quality-of-life benefits, such as an increase in the total number of acres of open space in
9 New Jersey, at both the local and statewide level; and

10 **WHEREAS**, preserved farmland remains privately managed and continues to
11 contribute tax revenue to municipal budgets while demanding very little in public
12 services; and

13 **WHEREAS**, the voters of New Jersey in the November 4, 2014 election
14 approved a change to the state constitution to direct funding on an annual basis to the
15 preservation of farmland and open space, providing a stable funding source through the
16 Corporate Business Tax (CBT) that does not rely upon repeatedly asking voters to
17 approve bond referenda; and

18 **WHEREAS**, that overwhelmingly positive vote to change the state constitution
19 indicates the importance New Jersey residents place upon the preservation of farmland
20 and open space; and

21 **WHEREAS**, it is preferable that the funds raised through this creation of a
22 permanent funding source be apportioned, at a minimum, at the 40/60 split between

23 Farmland Preservation and Green Acres open space that previously existed when funds
24 were raised through ballot referenda; and

25 **WHEREAS**, while nearly \$100 million was appropriated in August for open space
26 acquisition and development projects under the Green Acres Program, the state
27 Farmland Preservation Program has no new funding available to preserve farmland, and
28 all of its previously appropriated funding has been allocated to existing projects; and

29 **WHEREAS**, several counties already have spent down all of the state farmland
30 preservation funding available to them, and others soon will follow, leaving an urgent
31 need to access the new CBT funding to ensure New Jersey can continue to preserve
32 farmland, which is the land most vulnerable to development; and

33 **WHEREAS**, it is essential that the availability of preserved farmland for
34 agricultural purposes remain the central impetus behind preserving such land, yet the
35 SADC must also be open to flexibility when farmers on preserved land present new
36 ideas in New Jersey's ever-changing agricultural make-up, and thus be willing to update
37 its views as to what encompasses allowable uses of preserved farmland; and

38 **WHEREAS**, P.L. 2014, Ch. 16, signed into law in July 2014, allows wineries to
39 conduct special occasion events on preserved farmland under certain conditions under a
40 44-month pilot program that expires on March 1, 2018; and

41 **WHEREAS**, the SADC's pilot program is largely focused on identifying and
42 collecting the information it needs throughout the pilot program in order to be in a
43 position to make recommendations to the Legislature at the program's conclusion.

44 **NOW, THEREFORE, BE IT RESOLVED**, that we, the delegates to the 101st
45 State Agricultural Convention, assembled in Atlantic City, New Jersey, on February 10-
46 11, 2016, support the permanent protection of New Jersey's farmland through the
47 Farmland Preservation Program.

48 **BE IT FURTHER RESOLVED**, that we urge the SADC to continue its planning
49 incentive grant process, which to date has resulted in the development of 18 county
50 comprehensive farmland preservation plans and 47 municipal plans that address
51 strategies not only to preserve farmland but to sustain agriculture as an industry.

52 **BE IT FURTHER RESOLVED**, that we support the structure of those plans
53 including one-, five- and 10-year goals that target the preservation of 25,000 acres at a
54 cost of \$290 million in one year; 111,000 acres at a cost of \$1.17 billion over five years;
55 and 214,000 acres at a total cost of \$2.2 billion over 10 years.

56 **BE IT FURTHER RESOLVED**, that we strongly urge the Governor and
57 Legislature to reach agreement on program funding allocations for CBT preservation
58 funding and to make those monies immediately available to avoid a significant
59 interruption in New Jersey's farmland preservation efforts.

60 **BE IT FURTHER RESOLVED**, that we urge the Department to work with New
61 Jersey Farm Bureau and other agricultural organizations to increase education of the
62 public about the economic differences between preserving farmland, which is privately
63 managed, and publicly owned and managed open space.

64 **BE IT FURTHER RESOLVED**, that we support the SADC's continued efforts to
65 make it easier for farmers to access the land and information they need to be successful,
66 including the launch in June of the NJ Land Link website that assists farmers searching
67 for land and partnership/job opportunities, and the earlier publication of the guidebook
68 "Leasing Farmland in New Jersey" that explains the factors farmers, as well as farmland
69 owners, should consider when entering into leasing agreements.

70 **BE IT FURTHER RESOLVED**, that we call upon the Governor and Legislature to
71 restore stewardship funding assistance through the soil and water conservation cost-
72 share program to the FY2017 budget at an adequate level to help farmers undertake
73 critical practices to protect soil, water and woodland resources, and to ensure that the

74 stewardship funding does not reduce the available funding for the Farmland
75 Preservation Program.

76 **BE IT FURTHER RESOLVED**, that we strongly encourage the SADC to institute
77 a requirement that preserved farmland be kept in agricultural enterprise and production
78 in accordance with all provisions of the Deed of Easement, rather than available for
79 agricultural production, to ensure these lands continue to contribute to New Jersey's
80 agricultural industry, and further we encourage the SADC to establish stewardship
81 requirements for preserved farmland to ensure preserved farmland is properly
82 maintained.

83 **BE IT FURTHER RESOLVED**, that we support continued discussion by the
84 SADC's Deed of Easement Subcommittee to help clarify provisions of the deed of
85 easement so that it is interpreted and enforced consistently and fairly across the state.

86 **BE IT FURTHER RESOLVED**, that we urge the SADC to acknowledge that the
87 limitations set forth in the Deed of Easement are fixed at the time each landowner signs
88 the Deed of Easement, and may not be unilaterally amended by regulations adopted by
89 the SADC.

90 **BE IT FURTHER RESOLVED**, that we encourage the SADC to continue re-
91 examining its list of what activities are permitted on preserved lands and to expand,
92 where appropriate, the types of activities that can be permitted, provided they are
93 consistent with the goals of the Farmland Preservation Program.

94 **BE IT FURTHER RESOLVED**, that we urge the Legislature to amend the
95 Agriculture Retention and Development Act to provide for alternate farmer and public
96 member representation on the SADC to ensure that those perspectives are fully
97 represented when a farmer or public member is unable to attend an SADC meeting.

98 **BE IT FURTHER RESOLVED**, that we urge the SADC to interpret its authorizing
99 statutes and regulations as broadly and liberally as possible to maximize the flexibility
100 afforded to owners of preserved farmland.

101 **BE IT FURTHER RESOLVED**, that we urge the Governor and Legislature to
102 support the SADC staff from dedicated farmland preservation funding in order for the
103 SADC to continue to preserve the maximum amount of farmland and ensure the proper
104 monitoring and stewardship of preserved lands.

105 **BE IT FURTHER RESOLVED**, that we support the SADC's efforts to learn as
106 much as possible from the pilot program called for by P.L. 2014, Ch. 16, including by
107 annually surveying winery owners, county agriculture development boards and
108 municipalities, in order to help the Legislature evaluate at the end of the pilot program
109 what worked and what might need improvement in the future.

110 **BE IT FURTHER RESOLVED**, that we urge the SADC to create plain-language
111 documents regarding all the issues involved in farmland preservation, and to conduct
112 outreach about those documents to those who have preserved their farms, those
113 considering preservation, or those considering the purchase of a preserved farm,
114 through avenues such as real-estate professionals, municipal planning and land-use
115 offices, property auction houses and other appropriate entities.