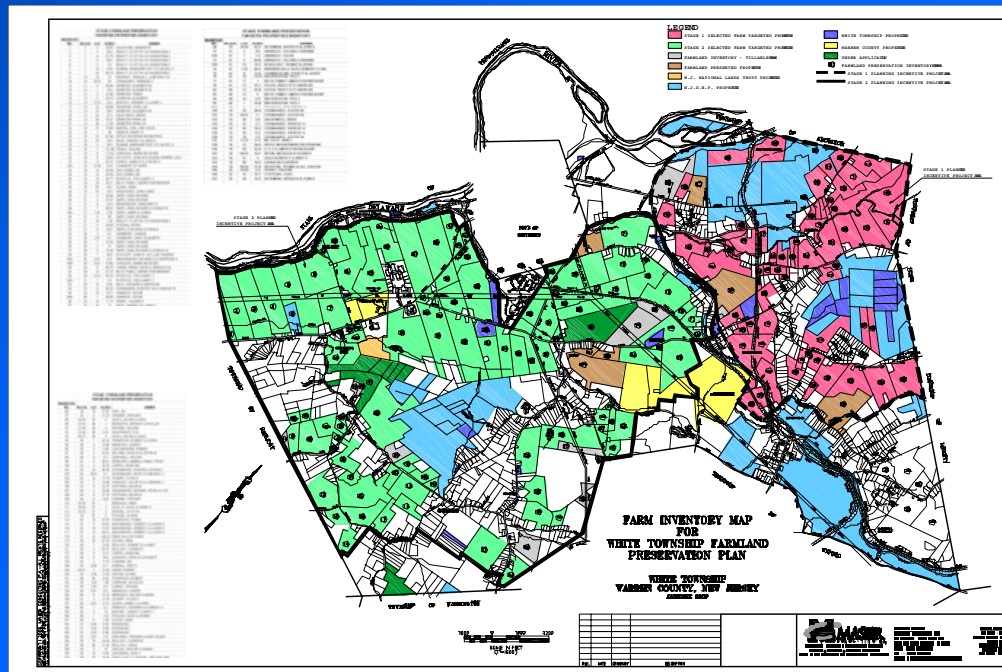




Municipal Planning Incentive Grant Program



Proposed Regulations

March 2, 2007

Goals of Rule Changes

- ❑ Reduce time required for acquisition
- ❑ Expend Garden State Preservation Trust (GSPT) funds in a timely fashion
- ❑ Streamline and simplify procedures
- ❑ Reduce redundancy of processing
- ❑ Insure quality of all farms preserved

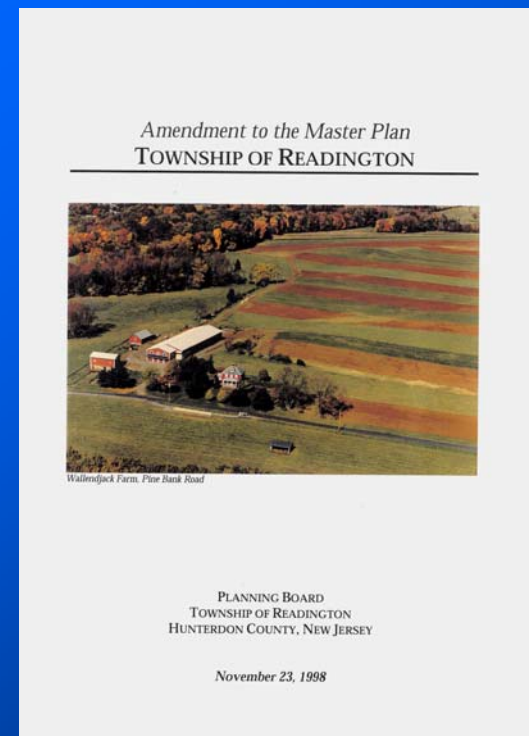
Primary Program Changes

- ❑ Create COUNTY Planning Incentive Grant (PIG) Program separate from MUNICIPAL PIG program
- ❑ Establish minimum quality standards that all farms in every SADC program must meet

Municipal PIG Program

(New Subchapter 17A)

- ❑ Municipal Eligibility (2:76-17A.3)
 - ✓ Agricultural Advisory Committee
 - ✓ Dedicated funding source
 - ✓ Municipality adopts a Farmland Preservation Master Plan Element
 - ✓ Right-to-Farm Ordinance



Municipal Farmland Preservation Master Plan Element (2:76-17A.3(a)3)

☐ Pursuant to Municipal Land Use Law

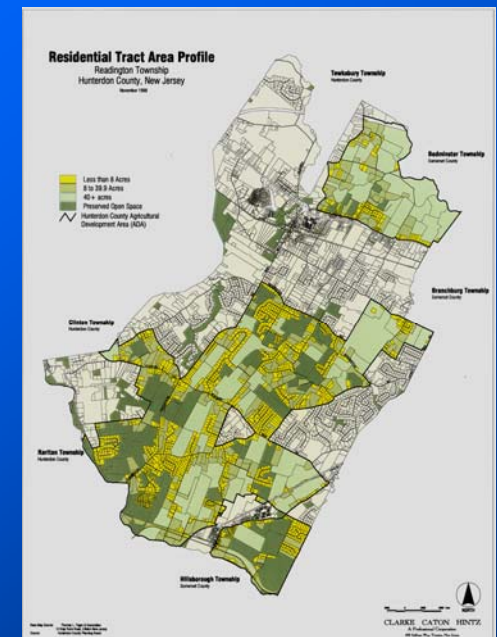
(Paragraph 13 of Section 19 of P.L. 1975, c. 291 (N.J.S.A. 40:55D-28b(13)))

- ✓ Inventory of All Farm Property in Municipality
- ✓ Map of Significant Areas of Farmland
- ✓ Detailed Statement Showing that Municipal Plans and Ordinances Support and Promote Agriculture as a Business
- ✓ A Plan for Preserving as Much Farmland as Possible in the Short Term by Leveraging Monies Made Available by the GSPT Act
(Option Agreements, Installment Purchases, Donations, etc.)

Municipal Farmland Preservation Plan

(17A.4)

1. Adopted Farmland Preservation Master Plan Element
2. Map and Description of Agricultural Resource Base
 - ✓ Proposed Project Areas
3. Land Use Planning Context
 - ✓ County Agricultural Development Area(s)
 - ✓ Consistency with County and Other Farmland Preservation Initiatives
 - ✓ Consistency with Municipal, Regional & State Land Use Planning and Conservation Initiatives



Municipal Farmland Preservation Plan (17A.4 continued)

4. Municipality's Farmland Preservation Activities

- ✓ Program Goals and Objectives
 - Municipal Dedicated and/or Available Funding
 - Funding Plan Consistent with 1-, 5- and 10-Year Projections

5. Agricultural Economic Development Initiatives

6. Other Farmland Preservation Techniques



Municipal Farmland Preservation Plan (17A.4 continued)

7. Farmland Preservation Policies, Guidelines, Standards
 - ✓ Municipal Minimum Eligibility Criteria or Standards
 - Addressing SADC Minimum Quality Standards (6.20)
 - ✓ Adopted Application Ranking Criteria
 - Addressing SADC Ranking Criteria at a Minimum (6.16)
 - ✓ Other Municipal Applications Policies, Guidelines or Standards
8. Staff and/or Consultant Program Support
9. Other Relevant Information

SADC Guidelines Under Development

Project Area Summaries (17A.5)

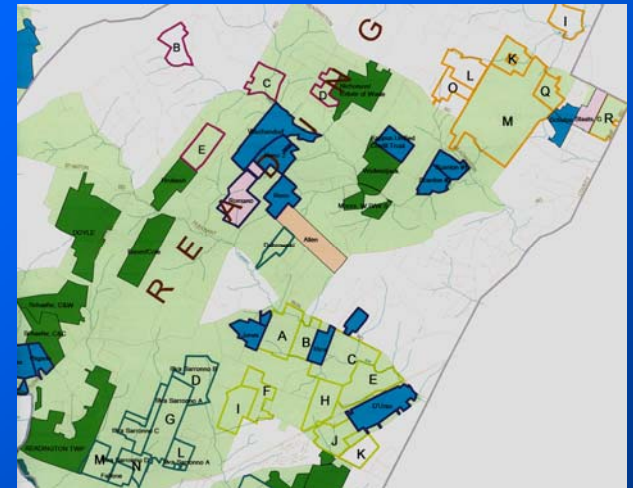
PIG Enabling Act: N.J.S.A. 4:1C-43.1

“To be eligible to apply for a grant, a county or municipality shall identify project areas of multiple farms that are reasonably contiguous and located in an ADA”

“...funding criteria shall be applied to the project area as a whole ... and priority shall be given to those application that utilize... leveraging”

Project Area Summaries (17A.5)

- ❑ Inventory of number of farms w/ individual and aggregate acreage, for each of the following:
 - ✓ Targeted farms
 - ✓ Already preserved or approved for farmland preservation
 - ✓ 8 year programs
 - ✓ Preserved, compatible open space
- ❑ Aggregate size of project area
- ❑ Density
- ❑ Soil productivity
- ❑ Cost estimates; any multi-year plan for purchase; leverage



Municipal PIG Submission Procedures

- ❑ Municipal PIG Application Procedures (17A.6)
 - ✓ Submit Municipal Farmland Preservation Plan and Project Area Summaries by 12/15 of 1st year
 - ✓ Submit Amended Plan and Project Area Summaries in Subsequent Years (*if amended*)
 - ✓ Mandatory notice and interface with county
- ❑ SADC Review (17A.7)
 - ✓ Determine all components are complete and accurate, or, notify municipality of deficiencies
 - ✓ Determine all project area summaries complete and accurate
 - ✓ Grant preliminary approval to plan and appropriate project areas

Municipal PIG Funding (17A.8)

- SADC establishes a preliminary funding eligibility to the municipality for all Project Areas receiving approval
 - ✓ Estimated Total Cost of Easement Acquisitions
 - 10-Year Plan Requiring \$1 million / year = \$10 million Total Cost
 - ✓ Estimated SADC Cost Share Based on Municipal, County or Statewide Average
 - \$10 million Total Cost x 65% = \$6.5 million
 - ✓ Eligibility Established at 75% of Total SADC Cost Share, subject to:
 - Available Funds Earmarked by SADC for Municipal PIGs
 - Maximum Eligibility Limited to \$1.5 million / year
 - SADC can Increase Maximum Allocation based on Annual Review

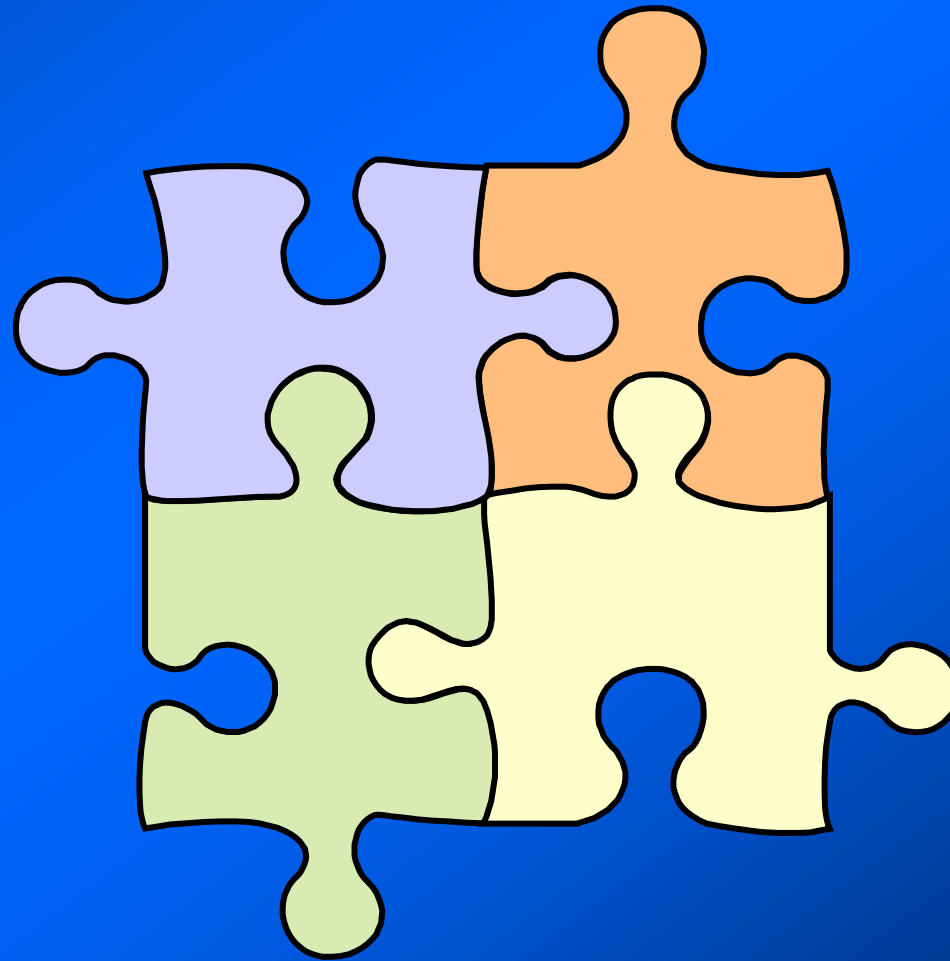
Municipal PIG Funding - continued

- ❑ SADC submits preliminary funding eligibility to the Garden State Preservation Trust
 - ✓ Including notice of future funding requests for installment purchases
- ❑ SADC will monitor the municipality's funding plan annually (17A.17) and adjust the eligibility of funds based on progress in implementing its funding plan
 - ✓ Municipality shall expend its funding eligibility within 3 years from the date of appropriation or risk loss of funds or future funding

Individual Farm Application Procedures

- ❑ Municipality submits landowner application and all GIS information to SADC for review prior to commencing appraisals (17A.9)
- ❑ SADC issues “green light” approval
- ❑ Municipality conducts appraisals (17A.10)
- ❑ SADC certifies easement value (17A.11)
- ❑ Landowner offer made; if accepted, SADC and local final approvals obtained
- ❑ If landowner rejects offer of \geq CFMV, SADC shall not accept the same application (from same owner) in any program for 2 years from orig. application date (17.12)

Implementation Timeline



Transitioning “Out” of Old Rules

(SADC Policy P-50 – Approved February 22, 2007)

- All PIG applications shall proceed under the new rules unless:
 - ✓ Both appraisals were authorized prior to effective date of the new rule (executed contract), AND
 - ✓ Valuation date of both appraisals is prior to effective date of new rule
- 1998 zoning/appraisal provision applies only to PIG funds appropriated thru FY08
- Strongly encourage expenditure of all PIG appropriations made thru FY08 by June 30, 2008

Transitioning “In” To New Rules

- ❑ SADC will offer informal “green light” reviews during transition for counties and municipalities already commencing appraisals for FY09 round

- ❑ SADC to develop standard forms/format for submission of all requests for approval required under new rules
 - ✓ “Green light” approval requests
 - ✓ Final approval requests
 - ✓ Improve standard landowner application form
 - ✓ Web access to all resources



Minimum Quality Standards for all SADC Programs (6.20)

- For farms ≤ 10 acres in size:
 - i. Land produces ag./hort. products of $\geq \$2,500/\text{yr.}$
 - ii. At least 75% tillable, or a minimum of 5 acres, whichever is less
 - iii. At least 75% of farm has soils capable of supporting ag/hort production, or a minimum of 5 acres, whichever is less
 - iv. Land must exhibit development potential
 - v. Land shall not contain more than 80% wetlands or slopes $> 15\%$

Minimum Quality Standards for all SADC Programs (6.20)

- For farms > 10 acres in size:
 - i. At least 50% tillable, or a minimum of 25 acres, whichever is less
 - ii. At least 50% of farm has soils capable of supporting ag/hort production, or a minimum of 25 acres, whichever is less
 - iii. Land must exhibit development potential
 - iv. For farms < 25 acres, land shall not contain more than 80% wetlands or slopes $> 15\%$

Rules for Locally Acquired Fee Simple Projects (6.23)

- ❑ Local government must submit application within 3 subsequent funding rounds, or 3 years from date of acquisition
- ❑ SADC will base its cost share on the least of the following:
 - ✓ CFMV of easement
 - ✓ Purchase price, less certified “after” value
 - ✓ Purchase price, less actual resale value
- ❑ If underlying fee is not yet sold, grant agreement will provide for pro-rata reimbursement