RESOLUTION # 25
FARMLAND PRESERVATION

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

WHEREAS, as of December 2, 2016, 2,440 farms covering 223,386 acres had been permanently preserved statewide, including 144 farms covering 17,425 acres in the Pinelands and 517 farms covering 41,100 acres in the Highlands, which contribute not only to a secure land base for agricultural operations, but also to a host of other quality-of-life benefits, such as an increase in the total number of acres of open space in New Jersey, at both the local and statewide level; and

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

WHEREAS, Governor Christie in June 2016 signed into law legislation that allocates preservation funding from the Constitutional dedication of a portion of the Corporate Business Tax (CBT) that was approved by voters and provides a stable funding source through the Corporate Business Tax (CBT) that does not rely upon repeatedly asking voters to approve bond referenda; and

WHEREAS, of the total funding annually available for preservation programs through FY2019, the Farmland Preservation Program will receive 31 percent; and

WHEREAS, the SADC in September 2016 approved a $65.3 million farmland preservation appropriations request for FY2017 that includes FY2017 CBT funding estimated at $16.6 million, remaining FY2016 CBT revenues not previously made

- 76 -
available, unexpended CBT monies in the state’s Diesel Risk Mitigation Fund that are
being redirected for farmland preservation purposes and reprogrammed bond funds; and

WHEREAS, that funding is urgently needed to enable New Jersey to continue to
preserve farmland, which is the land most vulnerable to development; and.

WHEREAS, the legislation signed into law authorizes the State Agriculture
Development Committee (SADC) to allocate up to three percent of its annual CBT
funding to stewardship activities; and

WHEREAS, the SADC’s FY2017 appropriations request includes approximately
$1.5 million – the maximum available – for stewardship activities, including supporting
the existing Soil and Water Conservation Cost-Share Program for farms that are
permanently preserved or enrolled in Eight-Year Programs; and

WHEREAS, recognizing the urgent need for deer fencing across the state, the
SADC in its appropriations request also provided for a new stewardship program to
provide cost-share grants for deer fencing on permanently preserved farms; and

WHEREAS, the SADC’s appropriations request is subject to approval by the
Garden State Preservation Trust and appropriation by the Legislature; and

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

WHEREAS, P.L. 2014, Ch. 16, signed into law in July 2014, allows wineries to
conduct special occasion events on preserved farmland under certain conditions under a
44-month pilot program that expires on March 1, 2018; and
WHEREAS, the SADC's pilot program is largely focused on identifying and collecting the information it needs throughout the pilot program in order to be in a position to make recommendations to the Legislature at the program’s conclusion; and

WHEREAS, because the law provides for the SADC or a county agriculture development board to request an audit if necessary to determine a winery’s compliance, the SADC is working with a financial consultant with expertise in providing accounting services for wineries in order to develop rules to ensure uniform and workable SADC audit procedures; and

WHEREAS, it also is imperative to help farmers on preserved land to limit damage to their crops from wildlife, especially from New Jersey’s large white-tailed deer population; and

WHEREAS, it also is essential that restrictions on which crops can be grown on preserved lands in specific areas (e.g., the Pinelands) must include flexibility to enable the farmer to continue farming if disease, pests or economic conditions render obsolete the limited number of crops allowed to be produced in those areas; and

WHEREAS, in order to ensure adequate farmer representation and participation at all SADC meetings, it is imperative that alternate members be afforded the ability to cast votes when they are standing in for members.

NOW, THEREFORE, BE IT RESOLVED, that we, the delegates to the 102nd State Agricultural Convention, assembled in Atlantic City, New Jersey, on February 8-9, 2017, support the permanent protection of New Jersey’s farmland through the Farmland Preservation Program.

BE IT FURTHER RESOLVED, that we urge the SADC to continue its planning incentive grant process, which to date has resulted in the development of 18 county comprehensive farmland preservation plans and 47 municipal plans that address strategies not only to preserve farmland but to sustain agriculture as an industry.
BE IT FURTHER RESOLVED, that we support the structure of those plans including one-, five- and 10-year goals that target the preservation of 25,000 acres at a cost of $302 million in one year; 112,000 acres at a cost of $1.23 billion over five years; and 214,000 acres at a total cost of $2.27 billion over 10 years.

BE IT FURTHER RESOLVED, that we strongly urge the Garden State Preservation Trust and the Legislature to act promptly to approve making those monies immediately available to avoid a significant interruption in New Jersey’s farmland preservation effort.

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

BE IT FURTHER RESOLVED, that we support the SADC’s continued efforts to make it easier for farmers to access the land and information they need to be successful, including coordinating the NJ Land Link website that assists farmers searching for land and partnership/job opportunities, making available the SADC’s “Leasing Farmland in New Jersey” guidebook that explains the factors farmers, as well as farmland owners, should consider when entering into leasing agreements and supporting beginning farmers through appropriate resource referral and through research on access-to-land farm incubator models.

BE IT FURTHER RESOLVED, that we strongly encourage the SADC to institute a requirement that preserved farmland be kept in agricultural enterprise and production (where feasible and permissible) in accordance with all provisions of the Deed of Easement, rather than available for agricultural production, to ensure these lands continue to contribute to New Jersey’s agricultural industry, and further we encourage
the SADC to establish stewardship requirements for preserved farmland to ensure preserved farmland is properly maintained.

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

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

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

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

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

**BE IT FURTHER RESOLVED,** that we support the SADC’s efforts to learn as much as possible from the pilot program called for by P.L. 2014, Ch. 16, including by annually surveying winery owners, county agriculture development boards and municipalities, in order to help the Legislature evaluate at the end of the pilot program what worked and what might need improvement in the future.
BE IT FURTHER RESOLVED, that we urge the SADC to create plain-language documents regarding all the issues involved in farmland preservation, and to conduct outreach about those documents to those who have preserved their farms, those considering preservation, or those considering the purchase of a preserved farm, through avenues such as real-estate professionals, municipal planning and land-use offices, property auction houses and other appropriate entities.

BE IT FURTHER RESOLVED, that we urge the SADC to investigate the potential for establishing a deer-fencing program for farmers on preserved land, in order to minimize damage to their crops from the state’s large white-tailed deer population.

BE IT FURTHER RESOLVED, that we urge the State Board of Agriculture to work diligently to keep farmer appointments to the SADC current at all times.

BE IT FURTHER RESOLVED, that we urge the SADC to investigate the potential for alternate members to cast votes, including whether that would require alternates to obtain State Senate confirmation.