

RESOLUTION # 14

FARMING ON PUBLIC LANDS

1 **WHEREAS**, throughout New Jersey, there exists publicly owned land that is actively
2 farmed under lease agreements between farmers and governmental entities of the state,
3 county or local level; and

4 **WHEREAS**, these lands remain a critical component of the available agricultural land
5 base in the state; and

6 **WHEREAS**, farmers have expressed some concerns about the terms of these lease
7 agreements; and

8 **WHEREAS**, these concerns include questions about certain restrictions or
9 encumbrances imposed upon farmers that, in some instances, hinder agricultural production,
10 including the ability to deal with encroaching wildlife that destroy crops; and

11 **WHEREAS**, there has traditionally been no uniform, statewide model for renting
12 these lands for agricultural purposes, increasing the risk of inconsistencies and individualized
13 use restrictions in lease agreements that can impede or limit generally accepted farming
14 practices; and

15 **WHEREAS**, in some instances, farmers make substantial investments in rented
16 ground as a means of enhancing an individual parcel's agricultural productivity for the long-
17 term, and thus are negatively impacted by exceedingly short-term lease arrangements; and

18 **WHEREAS**, an example of such an impact would be a farmer using leased public
19 lands to grow and harvest trees, including Christmas trees, which can take seven to 10 years
20 to mature and become marketable; and

21 **WHEREAS**, recent discussions between farmer groups and senior staff at the New
22 Jersey Department of Environmental Protection (NJDEP) have resulted in constructive
23 movement toward more consistent and uniform lease language; and

24 **WHEREAS**, representatives from the Department of Agriculture and NJDEP have
25 had discussions about extending the length of leases, and the Department will continue to
26 engage NJDEP in discussion of topics surrounding farming on leased public lands.

27 **NOW, THEREFORE, BE IT RESOLVED**, that we, the delegates to the 106th State
28 Agricultural Convention, assembled through a virtual platform hosted in Trenton, New
29 Jersey, in accordance with COVID-19 pandemic recommendations, on February 17, 2021,
30 do hereby urge the State Board of Agriculture and Department of Agriculture, along with the
31 New Jersey Farm Bureau, to continue reviewing the current status of lease arrangements for
32 agricultural purposes throughout the state.

33 **BE IT FURTHER RESOLVED**, that we urge any lease of public lands in which a
34 county or municipality auctions the leasing rights include provisions for an open public
35 auction process, and in the absence of an open public auction, the current farmer be given
36 the opportunity to match the highest bid.

37 **BE IT FURTHER RESOLVED**, that we urge all municipalities, counties, or others
38 leasing public lands to farmers give special consideration to those farmers who plant crops
39 that take seven to 10 years to mature to marketability – e.g. Christmas trees or other trees –
40 when the maturing of those crops would take longer than the term of the initial lease.

41 **BE IT FURTHER RESOLVED**, that we urge the State Board, the Department and
42 New Jersey Farm Bureau to continue soliciting the input of county boards of agriculture and
43 commodity organizations, and that the Natural Resources Conservation Service (NRCS) be
44 consulted on lands leased for farming as part of this review process.

45 **BE IT FURTHER RESOLVED**, that we acknowledge the recent movement within the
46 NJDEP toward more consistent and uniform language on leases to farm public lands.

47 **BE IT FURTHER RESOLVED**, that we urge the SADC and Legislature to recognize
48 and add language, where appropriate, defining a “commercial farm” to include leased public
49 lands, which otherwise satisfy the eligibility for Farmland Assessment.

50 **BE IT FURTHER RESOLVED**, that we strongly urge that farmers leasing public
51 lands have the right to protect their crops from any and all pests that devalue or threaten
52 those crops, using any method deemed to be an appropriate BMP.