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 1, 2017, 2,515 farms covering 227,739 acres had been permanently preserved statewide, including 148 farms covering 17,468 acres in the Pinelands and 527 farms covering 42,622 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, legislation was signed in June 2016 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 receives 31 percent; and

WHEREAS, the Governor in August 2017 approved $65.3 million in appropriation bills for the Farmland Preservation Program for FY2017 that included FY2017 CBT funding estimated at $16.6 million, remaining FY2016 CBT revenues not previously made available, unexpended CBT monies in the state’s Diesel Risk Mitigation Fund that were redirected for farmland preservation purposes and reprogrammed bond funds; and

WHEREAS, that funding was urgently needed to enable New Jersey to continue to preserve farmland, which is the land most vulnerable to development; and.
WHEREAS, the appropriation bills signed into law authorize the State Agriculture Development Committee (SADC) to allocate up to three percent of its annual CBT funding to stewardship activities; and

WHEREAS, the legislation included 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, 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, the SADC dedicated a portion of its stewardship funding to establishing a new program to provide cost-share grants for deer fencing on permanently preserved farms; and

WHEREAS, the SADC in June 2017 approved more than $450,000 in cost-sharing grants to help 32 eligible farmer applicants purchase and install deer fencing on preserved farms; and

WHEREAS, the SADC in September 2017 announced the availability of at least $500,000 in soil and water conservation cost-share grants for preserved farms, which was made possible by an agreement reached with the Natural Resources Conservation Service in which the SADC will reimburse the federal agency for conducting the necessary technical reviews of applications and assisting landowners; and

WHEREAS, the SADC in September 2017 approved a $27.9 million appropriation request for FY2018 -- $23.2 million in CBT funds and $4.7 million in available interest and other earnings from prior bond funds – that will provide $24.1 million for farmland preservation and $696,060 for stewardship; and

WHEREAS, this appropriation request was approved by the Legislature and awaiting the Governor’s consideration in early-January 2018; 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 worked 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, the SADC adopted rules that provide for such audits and formalize existing pilot program procedures, and those rules became effective in November 2017; and

WHEREAS, the SADC – in consultation with New Jersey Farm Bureau – in June established a Special Occasion Events Working Group to examine and make recommendations to the Committee regarding special occasion events as they relate to preserved farms – both wineries and other types of operations – as well as to Right to Farm protection; and

WHEREAS, it also is essential that restrictions on which types of 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 substitute farmer members be afforded the ability to cast votes when they are standing in for members; and

WHEREAS, it is imperative that succeeding generations or heirs to farmers who have preserved their farms, or new farmers who are considering purchasing a preserved farm, fully understand all of the restrictions on that land embodied in the Deed of Easement signed by the farmer who preserved the land; and

WHEREAS, in response to requests from the agricultural community for long-term leases to promote viability, the SADC in December 2017 approved offering a long-term lease – up to 12 years -- on an 87-acre preserved farm in Hunterdon County that it purchased in fee simple as part of an agricultural leasing pilot project; and

WHEREAS, as part that pilot project, the SADC is exploring the idea of creating a 15-acre incubator farm on part of the property to create opportunity for new and beginning farmers.

WHEREAS, municipalities are required to create and populate municipal agricultural advisory committees, as a requirement to accepting farmland preservation monies, under the Planning Incentive Grant Program, and should be encouraged to create such committees whenever farmland preservation is taking place within that municipality; however, these committees are largely being under-used and un-used in the absence of any guidance language or model ordinances.

NOW, THEREFORE, BE IT RESOLVED, that we, the delegates to the 103rd State Agricultural Convention, assembled in Atlantic City, New Jersey, on February 7-8, 2018, 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 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 create plain-language documents that detail the sections of a Deed of Easement that an heir or prospective purchaser of a preserved farm should review to understand all of the restrictions that come with the land.

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 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, 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 State Board of Agriculture to work diligently to keep farmer appointments to the SADC current at all times.
BE IT FURTHER RESOLVED, that the delegates request that the SADC promulgate guidance documents for municipalities that have accepted farmland preservation funds regarding the proper and appropriate use of municipal agricultural advisory committees and create the model ordinance that municipalities could adopt that will define the roles and functions of such committees.

BE IT FURTHER RESOLVED, that we support the SADC’s agricultural leasing pilot project to offer a long-term lease on a preserved farm that the SADC owns in fee simple and to explore the feasibility of creating an incubator model on a portion of the farm to provide opportunities to new and beginning farmers.