

June 26, 2008 SADC Meeting Highlights

Secretary's Report

Secretary Kuperus noted the N.J. Department of Agriculture's Jersey Fresh radio campaign and the importance of the public understanding how buying Jersey Fresh helps save farmland, keeps agriculture working and complements farmland preservation efforts.

Equine Rules Adopted

The SADC adopted rules that expand the list of agricultural activities under the Right to Farm Act to:

- 1) include equine-related service activities, including the boarding, keeping, training and rehabilitation of horses, as well as associated complementary activities, including clinics, open houses, demonstrations, educational camps, farm events, competitions and rodeos, as long as these complementary activities are related to the marketing of horses that are raised, bred, kept, boarded, trained or rehabilitated on the farm, and are in compliance with municipal requirements; and
- 2) set forth the agricultural management practices with which farmers would need to comply to be eligible for protections of the Act. The rules allow a County Agriculture Development Board to set a maximum limit on equine-related buildings, parking areas and other improvements to ensure farms retain a reasonable agricultural production component or capacity. The allowable range is 15 to 25 percent of the first 150 acres of total usable area plus 10 percent of all additional acres of total usable area above the first 150 acres. Total usable area includes all land that is in or available for farming (i.e., the gross lot area minus any unusable wetlands and minus the area devoted to a farm's house); and
- 3) detail what income may be used to satisfy the production requirements in the definition of "commercial farm" in the Right to Farm Act.

These rules involve right-to-farm protection and will apply to all farms, preserved or not. However, the extent of infrastructure permitted on preserved farms is ultimately subject to the SADC's interpretation of the deed of easement, which may be more restrictive than the requirements for right-to-farm protection.

Solar and Wind Energy on Preserved Farms

The SADC discussed S1538, which would allow solar and wind energy on preserved farms under certain circumstances. The SADC supports the use of solar and wind energy on preserved farms as long as it is for the purpose of generating energy to meet the needs of the agricultural operation. The Committee expressed concern about provisions in the bill that would allow energy generation for other purposes, and further provide right-to-farm protection for generating energy for those other purposes. Executive Director Susan

Craft testified at a Senate hearing on the bill, and the SADC will work with the Department and sponsors in seeking amendments to address the Committee's concerns.

Review of Activities Occurring on Durr Farm, North Hanover Twp., Burlington Co.

The SADC reviewed activities related to clearing of vegetation and disturbance of freshwater wetlands, construction of a dam and creation of a pond on the preserved Durr farm in North Hanover Township, Burlington County. The SADC is seeking to determine if the activities are in violation of the farmland preservation deed of easement. The SADC did not take action in order to allow staff to obtain additional information for the Committee's consideration.

2009 County Easement Purchase Round

The SADC granted final approval to six Cumberland County farms totaling approximately 313 acres under the traditional county easement purchase program, with conditions that reflect that the \$1 million allocated to the round will be sufficient to fully fund only the first five farms. The sixth farm to close will receive an appropriate adjustment in the SADC grant in order to not exceed the \$1 million available.

2009 County Planning Incentive Grant Program

The SADC granted final approval to the Mercer and Monmouth County planning incentive grant applications.