

STATE AGRICULTURE DEVELOPMENT COMMITTEE

ADMINISTRATIVE REVIEW AND APPROVAL

Memorializing 2025 Standards for determining Eligible Farms Pursuant to the County Planning Incentive Grant (PIG) Program

WHEREAS, pursuant to N.J.A.C. 2:76-17.1 et seq. (County Planning Incentive Grant Program) the SADC is responsible for establishing the standards for what constitutes an “eligible farm” by annually determining minimum score requirements, of the County PIG program; and

WHEREAS, The Right to Farm Act (Act), which also created the SADC, contains language at N.J.S.A. 4:1C-5e. enabling the Committee to “perform any act or thing necessary, convenient, or desirable for the purposes of the Committee to carry out any power expressly given” in the Act, which would include the authority to delegate certain actions to the Executive Director; and

WHEREAS, Part IV, Section 3 of the SADC By-Laws states that “The Executive Director shall have all the power and authority delegated to him/her in accordance with these By-Laws, actions of the Committee or otherwise pursuant to the “Right to Farm Act” and the “Agriculture Retention and Development Act”; and

WHEREAS, by resolution #FY2020R6(5), dated June 25, 2020, the SADC granted authority to the Executive Director to approve certain routine Acquisition Program-related actions including the minimum scores that applications must meet to qualify for the County PIG program; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.2 an “eligible farm” means a targeted farm that qualifies for grant funding by achieving an individual rank score that is equal to or greater than 70 percent of the county’s average quality score of all farms granted preliminary approval by the SADC through the County PIG program within the previous three funding cycles, as determined by the SADC; and

WHEREAS, “Funding cycle” means the time period beginning on the date the Committee receives an appropriation for the County PIG program and ending on the date the Committee receives a subsequent appropriation for the County PIG program, which are herein defined, for the purpose of calculating eligible farm criteria, as FY2020, FY2021 and FY2022 funding cycles; and

WHEREAS, the applications considered to derive the county averages over the last three funding cycles received Green Light Approval between January 21, 2020 and August 15, 2024; and

WHEREAS, Atlantic, Bergen, Cape May, Morris, and Passaic Counties have not submitted applications which received preliminary “Green Light” approval during the past three funding cycles, therefore it is not possible to establish a 2025 average quality score for these counties; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.9(a)7, the SADC has implemented waivers in counties that lack a sufficient number of applications during the three prior funding cycles upon which to calculate eligible farm criteria; and

WHEREAS, because of the increased processing time and administrative burden associated with processing waivers it is recommended that the SADC utilize the average quality scores adopted in 2022 for Cape May and Morris Counties; and

WHEREAS, if applications are received from Atlantic, Bergen, or Passaic Counties, where there has been no quality score for over five (5) years, the SADC will consider any application submitted under the waiver provision as per N.J.A.C. 2:76-17.9(a)7 and Resolution#FY2020R6(5); and

WHEREAS, all other Counties have had sufficient activity to calculate an average quality score and minimum eligibility criteria (Schedule A); and

WHEREAS, pursuant to N.J.A.C. 2:76-17.9(a)7 and Resolution #FY2020R6(5), applications from all other Counties for farms that fail to meet the minimum score requirements, the County may request a waiver of the minimum score criterion.

NOW THEREFORE BE IT RESOLVED:

1. The WHEREAS paragraphs above are incorporated herein by reference.
2. The SADC adopts 70 percent average quality score values for determining an “eligible farm” pursuant to N.J.A.C. 2:76-17.2 for the County PIG Program; and
3. This approval by the Executive Director is pursuant to the authority granted by resolution #FY2020R6(5).
4. That the 70 percent of average quality scores for determining an “eligible farm” pursuant to N.J.A.C. 2:76-17.2 shall be effective as of January 1, 2025, and shall apply to an application for the sale of a development easement that is received by the SADC pursuant to N.J.A.C. 2:76-17.9 prior to December 31, 2025.

8/26/2024

Date



Charles Roohr, Deputy Executive Director
State Agriculture Development Committee

SADC County PIG "Eligible" Farm Standard Effective 1.01.25 - 12.31.25								
	2020 Average Quality Score	2021 Average Quality Score	2022 Average Quality Score	2023 Average Quality Score	2024 Average Quality Score	2024 70% of Average Quality Score	2025 Average Quality Score	2025 70% of Average Quality Score
Atlantic	****	****	****	****	****	****	****	****
Bergen	****	****	****	****	****	****	****	****
Burlington	68.5	67.82	67.8	67.02	65.96	46	66.67	46
Camden	****	****	51.29	51.3	51.29	35	51.39	35
Cape May	59.89	59.89	65.72	<<<<<	<<<<<	<<<<<	<<<<<	46
Cumberland	60.93	60.85	60.43	61.73	62.10	43	63.76	44
Gloucester	65.29	65.21	66.63	64.19	64.49	45	65.18	45
Hunterdon	64.85	64.9	64.12	65.92	66.27	46	67.20	47
Mercer	70.48	68.96	66.13	64.74	64.74	45	64.76	45
Middlesex	64.29	66.04	62.36	<<<<<	53.47	37	53.48	37
Monmouth	70.83	71.47	68.62	64.77	69.92	48	72.01	50
Morris	63.24	62.85	62.16	<<<<<	<<<<<	<<<<<	<<<<<	43
Ocean	65.89	65.89	<<<<<	<<<<<	60.07	42	58.23	40
Passaic	****	****	****	****	****	****	****	****
Salem	70.19	69.78	69.61	67.87	68.57	47	67.23	47
Somerset	73.7	73.7	67.72	61.25	61.25	42	61.39	42
Sussex	46.91	46.91	<<<<<	<<<<<	<<<<<	<<<<<	49.55	34
Warren	64.15	63.42	63.43	68.03	64.91	45	65.01	45

** Averages are rounded down to the nearest whole number

Pursuant to N.J.A.C. 2:76-17.2, an "eligible farm" means a targeted farm that qualifies for grant funding by achieving an individual rank score that is equal to or greater than 70 percent of the county's average quality score of all farms granted preliminary approval by the SADC through the county planning incentive grant program **within the previous three funding cycles**, as determined by the SADC.

The SADC is utilizing the period of 01.21.2020 - 08.15.2024 because 1) 2020 was the first of the last 3 appropriation years, 2) it's believed the program has slowed in anticipation of the Statewide formula 3) we want to provide the Counties with the most flexibility.

N.J.A.C. 2:76-17.9 (a) and 17.2 (County Planning Incentive Grant Program)

These standards are effective January 1, 2025 through December 31, 2025

- <<<<< to decrease processing time, the SADC utilize the average quality scores adopted in 2021
- ***** N.J.A.C. 2:76-17.9 -7: any farm not meeting this standard may seek a waiver