

PUBLIC HEARING

before

ASSEMBLY COMMITTEE ON CONSERVATION,

NATURAL RESOURCES AND ENERGY

To explore additional steps the State can pursue to preserve
open lands and provide recreational opportunities

April 13, 1988
Old Cape May County Court House
Cape May Court House, New Jersey.

MEMBERS OF COMMITTEE PRESENT:

Assemblywoman Maureen Ogden, Chairperson
Assemblyman Frank A. LoBiondo

ALSO PRESENT:

Raymond E. Cantor
Office of Legislative Services
Aide, Assembly Committee on Conservation,
Natural Resources and Energy

State Library

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New Jersey State Legislature
ASSEMBLY COMMITTEE ON CONSERVATION,
NATURAL RESOURCES AND ENERGY

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March 30, 1988

NOTICE OF A PUBLIC HEARING

As previously announced, The Assembly Committee on Conservation, Natural Resources and Energy will hold a series of public hearings during the month of April. Unlike the previous announcement, this notice includes specific information regarding the hearing on April 20th. The complete schedule for the hearings is as follows:

Monday, April 11, 1988, 10:00 a.m. - State House Annex, room 334, Trenton, New Jersey.

Wednesday, April 13, 1988, 10:00 a.m. - the old Cape May County Court House, Cape May Court House, New Jersey.

Wednesday, April 20, 1988, 10:00 a.m. - Tatum Park, Special Service Center, Middletown, New Jersey.

Thursday, April 21, 1988, 10:00 a.m. - Somerset County Environmental Education Center, Basking Ridge, New Jersey.

The purpose of these hearings is to explore additional steps that the State can pursue to preserve open lands and provide recreational opportunities. The committee is interested in receiving testimony on a broad range of potential land use techniques, legislation, or other approaches to preserve open land.

Due to time constraints oral testimony may be limited to 10 minutes. Written statements and other documents, to be included in the public record, are welcome and encouraged.

Anyone wishing to testify at any of these public hearings should contact Raymond Cantor or Leonard Colner, committee aides, at (609) 292-7676.

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ASSEMBLYWOMAN MAUREEN OGDEN (Chairperson): Good morning. We'd like to start the Committee hearings at this time. I'm Assemblywoman Maureen Ogden, Chairman of the Conservation, Natural Resources and Energy Committee.

I'd like to say how glad I am to have a reason to be down here in Cape May. We spent last night over in Cape May. My husband and I and other couples have been coming down to Cape May for long weekends for about 25 years. Since we hadn't been down since last fall, it's wonderful to have a reason to be back down here.

First, I'd like to introduce those who are up on the dais with me. This is Ray Cantor from Legislative Services; Judy Jengo, who is from the Assembly Majority Staff; and I think everyone here knows Assemblyman Frank LoBiondo.

Just briefly I'd like to say that this is the second of four statewide hearings that our Committee is holding on open space. Specifically we are interested in learning what your needs are here in South Jersey, particularly in Cape May County.

Public open space is what we're really talking about, rather than just private open space. One realizes driving down from the more populated northern part of the State -- which is where I live -- that you do have a lot of private open space. But what we're concerned with in these hearings that we're holding throughout the State is: your desire to have more public open space; what your plans are; whether municipalities and counties need planning grants to plan for open space; what your financial needs are; what tools you are currently using to preserve open space; whether you're working with the State government; whether you're receiving Federal grants; where you think you are going to be in the next 10 years; whether you have overall master plans; what's been the role of, say, private organizations, citizens, groups; really the total spectrum of how we preserve open space for future posterity;

the methods that are currently being used, what's successful, what needs remediation, what isn't working so well; what you know about, say, other states, what they're doing that you think would be appropriate here in the State of New Jersey.

This is not specifically, obviously, for a specific piece of legislation. It's not dealing with, really, a controversial issue where there is a tremendous public outcry. But rather, it's a hearing which is fact gathering and trying to prepare for the future; thinking of another bond issue for Green Acres, maybe either this year or probably next year; and what needed legislation should we pass between now and then to implement more effectively public funds that we do spend.

So that's basically the parameters of the hearings that we're holding. At this time I'd like to turn the floor over to Assemblyman Lobiondo, if you'd like to say a few words.

ASSEMBLYMAN LOBIONDO: Yes, thank you, Maureen, and good morning. I'd like to extend my thanks to everyone for coming out today, and especially to Maureen for coming down from the 22nd District from Essex and Union here to Cape May County, and specifically to Cape May Court House.

I'm proud to be hosting this hearing today, which is on the subject of open space preservation, in an area that many of us refer to as God's country, those of who live here and close to here. We're truly blessed in the First District. We have very close to us natural resources that involve the ocean, the bay, marshes and wetlands, forest, acres of farmland, and certainly the wildlife that goes with those open spaces. We all know that these gifts to us must be protected and preserved. Yet we also recognize the need to balance this with economic growth.

And I think therein lies the key to what this hearing is all about. We want to keep what we have, yet we want to be able to provide for a future for economic development. That is why we, the Committee on Natural Resources, are here today;

to listen to you about how we as a State can best address the issue of preserving open space, while at the same time allowing the growth that is so necessary for us.

We think of open space generally as acres of farmland and forest, but open space is also city parks and other recreational areas, for the people of the First District and for the entire State. Each of these categories of open land will be addressed by this Committee, and hopefully by those testifying here today. Now is the time to present testimony on a broad range of potential land use techniques that we can have to preserve open space, and after this Committee concludes its hearings throughout the State, we will then review and digest the material presented to us, for the purpose of recommending legislative initiatives to meet the needs of our residents for today, and also for tomorrow.

So again, I thank you for taking the time to come out this morning. We will now proceed with the hearing.

ASSEMBLYWOMAN OGDEN: Thank you very much, Frank. We do have a list here of those who contacted Ray Cantor, telling him of their desire to testify at this hearing. If there are others who are here this morning who haven't signed up, we do have a pad and paper there. We would appreciate your signing up.

In terms of calling people to come and speak about open space needs, we're going to first call State officials, and then after that we'll go to county officials.

I see Assemblywoman Dolores Cooper from Atlantic County is here with us. So Dolores, as soon as these two gentlemen finish signing up, we'd like you to come up and speak. (referring to two members of audience) Oh, Dolores? I actually meant for you to be the lead-off speaker, if you wish to be. I assume you wish to be?

A S S E M B L Y W O M A N D O L O R E S G. C O O P E R:
Yes. I have a long day ahead.

Good morning, Madam Chairman, members of the Committee. It is indeed a pleasure to come to my sister county to be the first to testify on this very very crucial issue. Of course you know I am Assemblywoman Dolores Cooper, Second District in Atlantic County.

I'm going to be directing my comments this morning in support of the following critical open space planning needs: Number one, we need stable long-term funding for acquisition and development. We need funding support for municipal and county open space master plans. We must establish a statewide conference to set open space recreation priorities. And we must establish a solid, do-able strategy for urban parks.

Over the past four years, Atlantic County has initiated an aggressive program of land acquisition for county park development. Our target area for acquisition has been, and will continue to be, the Great Egg Harbor River, which is relatively undeveloped and currently under study for U.S. Wild and Scenic River status. Recent Atlantic County acquisitions include: The 1825 Lake Lenape tract in Hamilton Township, and the 550 acre River Bend parcel in the lower part of the river in our Egg Harbor Township.

Atlantic County's long-range goal is to establish a Great Egg Harbor linear park, or greenway system, along this magnificent southern New Jersey river. The key to Atlantic County's continuing success in establishing a greenway or linear park system along the river, or for that matter, acquiring other critical open space parcels, will be stable, long-term State funding for acquisition and development.

Atlantic County supports and needs the Natural Resources and Preservation Act to stabilize the State funding source, and reduce the up and down cycle of available monies. Speedy action in obtaining stable, long-term funding for both acquisition and development, is needed. Without stable funding, counties and municipalities will miss critical

opportunities of acquiring land and water acreage for public benefit. Without stable funding, recreation projects become stalled and lose momentum, and often are put off year after year. The Natural Preservation Act is vital to the greening of New Jersey.

The second special need is to establish a grant program directed to our municipalities and counties in order to develop open space and recreation master plans. Many of our faster growing municipalities need that extra push, that extra incentive, to organize local open space issues into a master plan. Now, what should that master plan include?

- 1) Identify short- and long-range open space and recreation objectives;
- 2) Target areas for acquisition;
- 3) Identify other methods of open space preservation besides direct acquisition, such as, scenic easements, developer contributions of land or funds for open space, etc.
- 4) Key into State and county open space and recreation programs;
- 5) And last, identify recreation needs and assets.

Funding is required for local governments to produce open space master plans, because this type of planning is often an afterthought, or something which is developed in a rush to fulfill a grant obligation. We must do a better job in assisting municipalities and counties in addressed green space planning now, and into the turn of the century.

The third critical need which we in Atlantic County are calling for, is the formation of a statewide conference to establish, what we call, the priorities of the future in open space preservation and recreational opportunities. We in New Jersey must develop a forum for action, an outline of our needs, a list of recommendations for the future which has broad spectrum support from State and local park agencies, from public officials, from park planners, and interested citizens.

Recognizing that the challenges facing New Jersey parks and open spaces are as varied and numerous as the parks themselves, the need exists to hold a strategic planning forum on open space preservation techniques and recreation planning. Knowledgeable and diverse groups of park professionals and open space advocates from around the State are needed to examine pertinent issues, and hammer out immediate as well as long-range goals, to produce an action plan which outlines those goals for everyone to understand; basically, an expansion of this type of public forum we have here today, here in Cape May Court House, but expanded for interaction and idea development. It is time to exchange ideas and get on with the master program to protect our existing State parks, county facilities, and set a course of action for the next 20 years which can receive a broad public consensus.

And last but not least, there is a need to develop a solid strategy, complete with planning and funding, for our urban park areas. It's time that we in New Jersey recognize that our greatest recreation needs are in our urban areas, close to the people. We must strengthen and support parks in our older cities. We must look for new approaches to provide green spaces in our urban areas. I feel we're not doing enough. Many combinations must be tried.

New York and Pennsylvania are trying new approaches. They are supporting a new concept of urban cultural park programs. An urban cultural park can line historic, recreation, and economic revitalization, into a multidimensional force to bring back life to our cities. And of course, take one look at Atlantic City and that will give you that idea. Others are trying school park programs, which allow multiple use of community resources for public benefit.

We have to rethink the urban park concept, and utilize these greenways as vital tools in the revitalization of our cities, not -- and I repeat, not -- as an afterthought to an

urban renewal. We need a solid strategy for urban parks which set the tone and direction for reclaiming and creating urban greenways, for without planning and without funding, our urban parks will die.

I was thinking, let's turn back to the time of the Bible. Adam and Eve walked through the Garden of Eden. So let us put the gardens back into the Garden State. Thank you.

ASSEMBLYWOMAN OGDEN: Thank you very much, Assemblywoman Cooper. It's a most appropriate statement, to begin this hearing down here in Cape May County, calling for the greenways and the stable funding, planning, a statewide summit, and particularly urban park areas. This is something that we have been hearing more and more about, the need for open space -- smaller open spaces, but where so many people will be able to see it in their daily lives.

ASSEMBLYWOMAN COOPER: As I often say, let us save in the south what the north has lost. Thank you.

ASSEMBLYMAN LoBIONDO: Just one comment, Dolores. The proposal that you discussed for a statewide conference, I think is very interesting. I assume you will, in the future, be presenting some concrete ideas for how that can take place. Needless to say, you'll make sure that we in South Jersey at least have our fair share of representation?

ASSEMBLYWOMAN COOPER: You know I will.

ASSEMBLYMAN LoBIONDO: Okay, thank you.

ASSEMBLYWOMAN COOPER: Thank you.

ASSEMBLYWOMAN OGDEN: Next, representing the State of New Jersey Department of Environmental Protection, is the Director of the Green Acres Program, Bonnie Hammerstedt.

B O N N I E G. H A M M E R S T E D T: Good morning. I'm especially pleased to be here this morning since this is the District in which I live. And I was very very pleased to be able to be present on Monday at your hearing.

And because I was there Monday, and really didn't get a chance to go through my entire statement, I thought maybe I would read it for you today. We did have an entire panel Monday that was able to address your questions. But for the sake of those present today, I think they should hear what Natural Resources has to say about the Legacy Program here in New Jersey.

I might also take one second to give you a little bit of information. In September, the Natural Resources Department is planning on having an open space forum. And the plans for that -- I know you're more than aware of them, but for the sake of the public -- are just now being developed, and there will be publicity and lots of information available in the near future. But in conjunction with what Dolores was saying, we also feel there is a need.

ASSEMBLYWOMAN OGDEN: It sounds as though you'll have good attendance, since this idea is spontaneously springing up in different parts of the State.

MS. HAMMERSTEDT: We are potentially expecting over 900 people. So, yes, we're planning on very fine attendance.

Our generation's open space legacy should be greenways, the green threads of protected land that we can weave together our open space resources to form the fabric of New Jersey's future quality of life. We currently bequeath much less than we inherit. Sadly, financial reality negates large acquisitions. There is a method by which we can still preserve the best of what is left. That method we call "Greenways."

As protected land corridors along waterways, shorelines, scenic roads, and trail routes, greenways link urban and rural spaces, protect water resources, wildlife habitat and other natural resources. They enhance the landscape pattern by creating green breaks in the monotony of development. They offer walking, and bicycling, and other recreational opportunities. Greenways even benefit economic

growth and development by protecting the natural resources that are vital to support growth. Pleasant living areas and working environments are maintained, which then attract new growth investments. We must not discount our State's tourism industry which is largely based on the desirability of the State's natural resources and the importance of a healthy, attractive environment.

Greenways are countrysides with protected natural, rural and historic corridors. Greenways are trails for walking, hiking, bicycling, horseback riding, jogging, and other forms of passive and active recreation. They may have protected adjacent corridors, railroad and utility rights-of-way, historic travel routes like the Cannonball Trail along the Ramapo Ridge, and streets of an historic district where the architectural integrity has been preserved and affords a step back in time. Streams and rivers with protected corridors are an example of trails for public use. The benefits derived by New Jersey's citizens and visitors may come from the views of the tree-lined waterways, either from boats or canoes. They may be protected wildlife habitat areas, protected shoreline which can be viewed at a distance, and bay shorelines which entice people to walk along them. Using these protected areas the public can gain access to the water for swimming, fishing, and boating.

Recreation areas may be linear greenways conducive to the public having multiple purposes and opportunities. The linkages have to be planned to serve the population. They may be along river corridors, whose shorelines are preserved in basically their natural condition to allow the public use in the form of trails and paths. Trail corridors established on railroad rights of way and along historic routes of travel would also be considered recreation. In an historic district, the historic structures, the streets, and the sidewalks, should be considered as serving as an historic recreation greenway. A greenway corridor may include all of these.

Conservation areas are corridors protected essentially to preserve natural scenic beauty and the environmental values of the State which we chose to protect, such as water quality and quantity. Waterway conservation corridors may be enjoyed by boaters and canoeists and by individuals at selected viewing points. Various linkages can serve the public's recreation needs and allow for the preservation of our State's open space.

Greenways is not a new term. The acquisition principles that it embodies connect open space areas, protect and provide access to water resources, and are key components of New Jersey's Green Acres Program. Launched by the Regional Plan Association's publication of its report, "Race for Open Space" in 1960, the Green Acres Program has been financed by six voter approved bond issues over the past 27 years.

In November 1961, New Jersey's voters approved the first Green Acres bond issue. Forty million dollars of this first initiative was designated for the acquisition of the State parks, forests, natural areas, and fish and game lands. Twenty million dollars was set aside as State matching grants for county and municipal acquisitions.

By 1971, the voters realized the importance of the first issue, and elected to bond \$40 million for additional State acquisition of parkland, forests, and fish and game areas, and \$40 million for local acquisition, which totaled \$80 million.

I have attached to my written comments, for your general information, a chart which outlines the history of the Green Acres Program. You will notice the program took on considerable changes incorporating development funding and later an urban emphasis. By 1983, the fifth in the series of the Green Acres bond issues was voter approved.

The Green Trust, a revolving fund that provides low interest loans for municipal and county projects, was capitalized at \$83 million. The balance, which was \$52

million, was reserved for the continuation of State acquisition and development. The Green Trust, by the way, is the very first of its kind in the country to be used as an incentive for local governments to participate in open space preservation.

Although the Green Trust in theory is a fiscally sound program, the original under-capitalization has only permitted an average funding level of \$25 million. We have not been able to fund 50% of the funding request at any one time. In fact, though we've approved \$37 million of projects for the last still pending appropriation of the 1983 bond issue, we actually funded only 40% of the \$90 million in funding requests. And I was informed yesterday that the final posting of that bill will be Monday, before the Senate. Hopefully, when it's passed on Monday, it will then go for the Governor's signature.

Using the additional \$35 million made available last November for the Green Trust, and the interest and local paybacks from the 1983 loans, we will be able to fund nearly \$40 million in projects next year. The following year using only the interest and loan paybacks, the funding level will drop to \$5 million.

Some of our Green Acres accomplishments to date are listed below. And I won't go through those, except for a couple that are very important; which is the \$710 million in State bond funds which was approved to date by the voters.

Time is very short, as most of you are aware due to the publication of the Council on Outdoors report last year. Short are our funds.

Through the Greenways initiative, the efforts of all levels of government and the private sector can be focused toward a common open space and recreation goal of linking together our protected open space areas to form an effective environmental and recreation system.

Scenic roads, river and stream corridors, shorelines, and trail routes, already exist or are potential greenways. The key is to ensure permanent continuity of the resources. acquisition in fee simple is only one available technique. Scenic easement purchase, effective use of State environmental regulation authorities, including the freshwater wetlands, CAFRA, and municipal land use planning and zoning controls, are other techniques. We continue to work with the Nature Conservancy and the New Jersey Conservation Foundation in acquiring areas that become available. In some instances, immediate action may be imperative, but State funds are not available. Cooperation with land trusts is essential. The appropriate technique depends on the potential effectiveness of that technique which protects the resource values. In most cases, fee simple acquisition is the only means of providing for public access.

Coordination opportunities exist at all levels of government and across State agencies. We should be working more closely with the Department of Transportation and the Department of Agriculture, exercising a concerted effort to preserve whatever open space becomes available. We should also be investigating the potential use or access to our greenways and blueways through properties owned by other public institutions. Retention of the scenic road offers the opportunity for a cooperative effort involving DOT, DEP, and the Department of Agriculture, and local governments. Initially we are looking toward the Agricultural Preservation Program's purchase of development easements within designated districts as an important tool in preserving the rural countryside along certain roads. At the same time, we're working with the Agricultural Program in acquiring active farmlands in fee simple and then leasing the land for farming operations.

Stream corridors are being preserved through a variety of techniques, local zoning and sub-division review in some municipalities, fee simple and easement purchases in others. With the expected support of the State Development and Redevelopment Guide Plan, we hope to see stream corridor preservation programs adopted by all communities within the State. In some instances, parkland acquisition will also be required to allow for public access to the water for direct boating and fishing. Abandoned railroad rights-of-way, utility rights-of-way, and stream corridors, are all excellent resources for trail corridors.

There are problems and obstacles that we can expect to encounter.

Linear connectors, particularly public use trails, are difficult to operate and maintain. The Division of Parks and Forestry, with its problematic Andover-Netcong right-of-way, has enlisted the assistance of volunteer groups with a great deal of success. Land has been cleaned up along the right-of-way because of an increased willingness of people to report violations. Dumping trash or other improper uses are being more closely monitored.

The Governor's Council on New Jersey Outdoors projected a recreation open space land deficit of 373,000 acres in March of 1987. This deficit has been reduced over the past year by 11,620, leaving an unmet need of over 361,852 acres. An average cost for our State land acquisition program ranges from \$1000 per acre in the Pinelands to over \$10,000 per acre outside the Pinelands. County and municipal costs for parklands acquisition are approximately \$16,000 per acre. This figure was realized by our Division during the year 1987.

The beauties of the past are the gifts of the future. New Jersey's open space legacy lies in the continued protection and development of the environment. Without the financial resources to continue preserving these gifts, the legacy will

die. Human beings are responsible for their environment. We are responsible for our endowment. Please help us protect it. Perhaps your influence in the Legislature to encourage a stable source of funding the Natural Resources Program will help. And also, I might add that we are desperately in need of a new Green Acres bond issue.

ASSEMBLYWOMAN OGDEN: I think that the Commissioner of the DEP, Richard Dewling, called, when he testified before Appropriations, for \$200 million. The Governor's Council on Outdoors last year called for \$800 million.

MS. HAMMERSTEDT: Right.

ASSEMBLYWOMAN OGDEN: Maybe we can go for something in between the two.

MS. HAMMERSTEDT: It sure would be nice.

ASSEMBLYWOMAN OGDEN: Two hundred million sounds like lot of money, but in terms of our need I think it still falls short.

MS. HAMMERSTEDT: Yes, and the Council's figure, you must realize, was based on a minimum need. So even the \$800 million was a minimum need.

ASSEMBLYWOMAN OGDEN: I just have a couple of questions, Bonnie. In terms of the access -- you mentioned that several times -- to the public waterways or countryside, has the DEP done a survey of where it's needed, for instance, where the paths need to be constructed or a fairly simply road?

MS. HAMMERSTEDT: We have an inventory list, and we also, I might add, have a wish list -- you might say -- of areas that could be provided for as access areas with easements, yes. And those areas do encompass the entire State.

ASSEMBLYWOMAN OGDEN: Assemblywoman Cooper mentioned the need for planning dollars for open space for both municipal and county level, and it was mentioned on Monday too. Are there any funds along those lines from the DEP?

MS. HAMMERSTEDT: The only program that's available through our Division is the Green Trust Program for county and local governments. It's been a very successful program. Last year we had over \$100 million in requests for projects. We were only able to fund \$20 million. That was what our maximum funding capacity was last year. This year, because of the interest that we gained by the paybacks -- which, by the way, is a two percent loan for 20 years -- we were able to increase that appropriation and have added almost \$4 million to it. Unfortunately, that's the last roll down on the '83 bond issue. Now the voter issue that was up in November for \$35 million, will probably realize another \$4 million or \$5 million in interest. Next year, it's projected that in 1989, after we use that \$35 million we'll be reduced to \$5 million. That won't do much for local governments.

ASSEMBLYWOMAN OGDEN: You know, there are various citizens' efforts like, adopting a tree, or adopting a wetland, or adopting an acre, things of that sort to help stretch public dollars. Is this something that can work in conjunction with the Green Acres Program?

MS. HAMMERSTEDT: It has worked successfully in other states. It probably would work for us in this State if it was an ongoing initiative. Unfortunately with programs like that you get a one shot deal at adopting a tree for one year. It's kind of the logo or the slogan carried for that one year. Something like that has to be an ongoing project. Otherwise, you only realize what that one year affords you. Yes, it could work very nicely with our program, but it would have to be something that was on a continuing basis.

ASSEMBLYWOMAN OGDEN: You couldn't just give a lump sum that could be used for a period of time?

MS. HAMMERSTEDT: Well, it depends on how much that money is.

ASSEMBLYWOMAN OGDEN: Yes, how much it is.

MS. HAMMERSTEDT: Yes. If there was a substantial appropriation created for it, and it had a five-year life expectancy, a lot could be done in five years.

ASSEMBLYWOMAN OGDEN: But it is possible for the State to work in conjunction with private individuals or organizations in that way?

MS. HAMMERSTEDT: Absolutely, yes. We would encourage that.

ASSEMBLYWOMAN OGDEN: Frank, do you have any questions or comments?

ASSEMBLYMAN LOBIONDO: No.

ASSEMBLYWOMAN OGDEN: Thank you very much, Bonnie.

MS. HAMMERSTEDT: Thank you for having me again.

ASSEMBLYWOMAN OGDEN: Next, I'd like to call Mayor Frank McCall of Wildwood Crest, and also President of the Cape May County League of Municipalities.

M A Y O R F R A N K M c C A L L: First of all I would like to welcome the members of the New Jersey Assembly to God's country -- as Assemblyman LoBiondo has well pointed out -- and I appreciate your interest in South Jersey.

Wildwood Crest, for a period of approximately a quarter of a century, has been interested in saving lands in our own community. The history of our community has been that we have actively sought to make the--

ASSEMBLYWOMAN OGDEN: Apparently there is a problem in hearing, with the microphone. I don't know whether it's not working properly.

ASSEMBLYMAN LOBIONDO: Well, those mikes are only for recording, aren't they?

MR. CANTOR (Committee Aide): Those are just for recording. They are not for amplification.

ASSEMBLYWOMAN OGDEN: Maybe the best way would be if you sit at the end of the table so that everyone could hear. Do you think--

MAYOR McCALL: If I can stand, I'm comfortable standing. That's fine.

MR. CANTOR: Well, if you stand you need to hold the microphone.

ASSEMBLYMAN LoBIONDO: The mike is used for the recording of the testimony.

ASSEMBLYWOMAN OGDEN: Is this other microphone for--

MR. CANTOR: No, no amplification.

ASSEMBLYWOMAN OGDEN: Oh, I see.

ASSEMBLYMAN LoBIONDO: Just project a little more. You can do it.

MAYOR McCALL: Fine, thank you. For 25 years Wildwood Crest has been in the process of trying to save our natural resources. So much so that the community has spent its own money on doing things like buying our beaches from people who had previously owned those beaches. In our community we feel we need to retain those natural resources.

For a period of time we were capable of access to funding through the Green Acres Program with the State of New Jersey. And even though that funding had gone away, we still continue. We are in the process now of spending over a million dollars in this current session of litigation with landowners, through condemnation to acquire those lands.

In 1981, we began a program of cultivating open spaces in Wildwood Crest. And that cultivation came from the construction of parks and playgrounds for recreational purposes.

In 1985, we again began to address things in our community, such as changing the zoning to prevent an overabundance of construction, and to allow for the preservation of the simple things -- like side yard setbacks, front yard setbacks -- to give more of a feeling of openness in our community.

In 1986, we began a program in the community where we began a tree planting program through our environmental commission.

We in our community feel a sense of need and a sense of direction to ensure that for the preservation of our community that the land become the master, and the developer or the individual become the servant of the land. We have found that in many areas -- and again, history repeats itself so often -- that when man becomes the master and the land becomes the servant, we all wind up somehow or another getting into trouble.

I would like to recommend that if the State is going to continue to pursue this direction, that several things happen:

Land that is to be acquired, if it's from private individuals, that those individuals be compensated fairly for the land that will be acquired from them.

In the development of the land, that the lands developed be open for access for public use. We have seen here in Cape May County where the State had acquired Higbee Beach recently, and closed it for a year and prevented public access. The continuation of the acquiring of land, the continuation of the development of the land is absolutely appropriate. If the State is going to set aside parcels of land, they should, in a long-range program, also set aside the ability to maintain the property for public use, for recreational use. So often things occur and there's a real excitement for a year or a year-and-a-half. Things change in State government, new people come in, and things are left to abandon. I really think if the State is going to begin to pursue these things, a long-range planning for the development and maintenance of the open spaces be a crucial part of the consideration.

ASSEMBLYWOMAN OGDEN: That's an issue that's been debated for several years. The real problem is how it should be funded, whether it should be with motel/hotel occupancy tax, or whether it should be the Realty Transfer Tax, or a combination. It is a hot issue in the Legislature, and

everyone is very much aware of it. It's just a question of how to raise the necessary dollars.

MAYOR McCALL: Okay. I would like to also suggest, with the surplus that the State has currently in effect, that the surplus be gotten into -- I don't want to say almost immediately-- But in the next budget year begin to develop the program from the surplus, so as not to cause the debate to go on for years and nothing to occur.

ASSEMBLYWOMAN OGDEN: I certainly agree with that observation.

MAYOR McCALL: Again, I want to thank you for coming to Cape May County. And I say to you -- and I say to you as I'm often referred to as the Mayor of Camelot -- that we concur with the proposals of open space, and we concur with the maintenance of the integrity of the land. Thank you.

ASSEMBLYWOMAN OGDEN: Thank you very much, Mayor McCall.

ASSEMBLYMAN LoBIONDO: Yes, thank you.

ASSEMBLYWOMAN OGDEN: Is Mayor Lewis Vinci--

ASSEMBLYMAN LoBIONDO: No, he's not here.

ASSEMBLYWOMAN OGDEN: Oh, he's not here.

ASSEMBLYMAN LoBIONDO: Is there any representative of Mayor Vinci here? (no response) No.

ASSEMBLYWOMAN OGDEN: Are there any other elected representatives here this morning? (no response) We have someone -- Mr. Elwood Jarmer, who has a real time restriction -- of the Cape May County Planning Board?

E L W O O D J A R M E R: I don't want to move ahead of any elected officials.

ASSEMBLYWOMAN OGDEN: I don't believe that we have any other elected officials.

MR. JARMER: Good morning, and welcome to Cape May County -- as some other people have already suggested to you -- and welcome to this wonderful old building, which is on the

National Register, and has been preserved by the county as part of our culture and heritage here.

Committee members, my name is Woody Jarmer. I'm the Planning Director for Cape May County. I've been here since '73, and I've been planning throughout the State of New Jersey for over 25 years. It's very nice to be able to speak here, within a stone's throw of my office. That's a real first for being able to present testimony.

ASSEMBLYMAN LOBIONDO: Hopefully it won't be the last.

MR. JARMER: Hopefully. I'll try to be brief. Let me touch on the two major items that I think are of are of great importance; and that is the need first; and secondly, the techniques, or, how do you do it.

There has already been some testimony by a DEP official on the statewide needs. Needless to say, your statewide plans for open space and recreation talk about hundreds of thousands of acres that we're deficient. I don't need to dwell on that. This deals only really with active recreation.

There are a number of other open space issues that are related that also need to be addressed.

The Shore Protection Master Plan that was prepared by DEP in the early '80s, talked about 54 reaches, hundreds of beach protection projects, probably hundreds of millions of dollars that are needed. I understand that that money is just about gone.

Here in Cape May County that's a very critical need. We finally after -- and the Cape May City Administrator is here, he can confirm this -- and Congressman Hughes worked very hard to get the Federal government to fund the rebuilding of Cape May City's beaches. But there's going to have to be a State share. The question is, where is that going to come from? In any case, shore protection is certainly a major and critical need here in Cape May County, if not along the entire

New Jersey shore. And I understand that we're just about out of money there. So, that's another critical open space need.

Agriculture, of course Peter Furey is also going to comment on, I understand. But Cape May County's agricultural program is finally off the ground and running. We have some applications now for acquisition of easements. I understand that that money is starting to look a little tight, and that may well be going dry soon. So there is another area where perhaps more critical in other areas of the State, but we still feel it's important here in Cape May County for the preservation of agriculture.

We have deficiencies in Cape May County. I won't go into those details, but a couple of little bullets will give you an idea of the nature, the magnitude, the issue here in the county.

We have 26 some campgrounds in the county, containing some 15,000 campsites that have something like 50,000 people in them in the summer. You don't realize off of Route 9 all those little driveways for campgrounds are full of a lot of people. They're all here to recreate. In the summer, our year-round population of approximately 100,000, swells to as much as a million on a good summer weekend. Tens of thousands of boat slips and moorings provide for boating and fishing opportunities for millions of people over the summer period.

I'd like to make one final point in terms of need, and how critical it is. The State of New Jersey, I don't know if it has the lowest unemployment rate in the nation now--

ASSEMBLYWOMAN OGDEN: One of the lowest.

MR. JARMER: --but one of the lowest, certainly. We are doing fantastically economically. That's been reflected -- and I've seen it in my planning work -- to the magnitude of development activity. Land is being gobbled up by development very fast. I'm not being negative on development and economic growth, but the land is being consumed rapidly. So time is running out from that perspective.

The area of the State that is the most sensitive, however, is the coastal region, from my perspective. That's where the growth is the greatest, and the pressures are the greatest. For example, in 1985 -- the last time I was able to put this statistic together -- the coastal counties of Atlantic, Cape May, Monmouth, and Ocean, accounted for some 18,000 dwelling units, a third of the whole output of the State for dwellings.

ASSEMBLYMAN LOBIONDO: New dwellings?

MR. JARMER: New dwellings, and not just new dwellings. I didn't talk about hotels, condos, boat slips, all those other things that are being developed in the shore region. It's awesome. The development pressures are awesome.

Techniques: I think these most precious resources -- our natural resources -- deserve our full measure for their protection. Maybe I shouldn't use the word "tinkering," but using zoning, and TDR, and some other things, we're tinkering, experimenting with how to deal with open space. I don't think we have the time, and I'm not sure that's appropriate. I've worked for years-- I've been very active in the American Planning Association and with the State Legislature in some TDR bills. We're trying to get a Transfer Development Rights bill. We've tried several versions. It isn't going anywhere. The courts have said, "Well, it's a nice idea, but it's not legal." So I don't think we can tinker with subdivision and zoning and these other techniques. We have to go to the heart of the matter, which I'll get to in a minute.

The island of Nantucket faced this problem, and they faced it squarely. They concluded that the only way they were going to preserve natural resources is to buy them and put them in a public trust. Now mind you, this is not a plug for Dukakis. The Massachusetts Legislature, however, did have a bill, and Nantucket now puts about \$10 million a year worth of natural great resources into the public trust.

ASSEMBLYWOMAN OGDEN: And you know where they get that from?

MR. JARMER: They get that from the Real Estate Transfer Tax.

ASSEMBLYWOMAN OGDEN: And what we've been fighting for for a couple of years is really a very small amount compared to what they're providing for. I think they're up to two percent.

MR. JARMER: That's right. They're up to two percent. I think there's a misconception of what that would do to the economy and to land resources. I think, and maybe some research is necessary on this to show how it affects real estate, but my guess would be -- in dealing with planning over 25 years in this State -- land values don't go down. Land values don't go down where you have good preservation of natural resources. They go up. And so a small investment in a Real Estate Transfer Tax would reap a lot of harvest in terms of increasing land values. I daresay that many people that sell property don't even realize that there's a Real Estate Transfer Tax. It seems to me that that's the resource. The land is the resource, and we should try to work it out so we can help pay for it by the value of the land. It just makes sense. I don't know how it comes out in politics, but to me it makes sense. I think it needs perhaps some research to prove that that may be the way to go.

Well a few other thoughts here that I've jotted down that are not in my remarks. This year, on my agenda for Cape May County, is to hopefully look at a greenbelt open space program. I think I was short cut on this by the recent proposals of the U.S. Fish and Wildlife to do something in the counties. You may have seen that, a slough of green space running from the bay up to the Great Egg Harbor. But that looks good and we want to work with them on that proposal, to preserve a wide slough of green space and open space throughout the county.

There had been some indications that the State parks in the county are in a state of not too good repair. I think you should get some testimony from some of your DEP officials on that. I'm not knocking the DEP. They have budget problems too. They've told us that they just don't have the money to maintain the parks the way they should. So there is a lot of maintenance that needs to be done, I know even here in Cape May County.

Clearly, in any case, I think we need money. We did it with transportation. We finally faced up to the fact that we needed to fund transportation; to some extent on a longer term basis than a year to year, budget to budget, scenario. And we faced up to that. We now need to face up to do the same thing with our natural environment. The time is now. We have to act quick, because I think the State economically is doing very well, and a lot of open space that needs to be preserved is in jeopardy.

Thank you for coming, again, and for the opportunity to comment. I'll be happy to answer any questions.

ASSEMBLYWOMAN OGDEN: Just one comment, Mr. Jarmer. I do have in a bill which basically was triggered by my spending a week up in Nantucket several weeks ago. It would be permissive. It would provide one percent to municipalities for open space -- the Realty Transfer Tax, basically -- and one percent for counties. I feel, as you do, that it's the actions of the communities themselves and the counties that increase the value of the property. And when Realtors receive six percent, basically they're doing nothing -- well, they're doing a little bit, but certainly not as much as everyone else is doing to keep up the value of the land -- that we should do that. I frankly haven't pushed that legislation yet because I wanted to see the stable funding source go through, and when we're having such a tremendous problem in just getting, what is it, \$200 on \$100,000, I wonder if after that goes through

whether I'll be able to get mine through? I'll certainly need a lot of help from everyone. On the other hand, it would be permissive.

The Realtors, speaking at the hearing in Trenton on Monday, said that a tax like that is regressive in terms of providing housing for low and moderate income people. Clearly that's one of the public policy goals of the State, but I wonder, in terms of other kinds of development, what percentage we have of low and moderate income? I think it's really pretty small in terms of the total picture.

So my bill is in there. It's just a question of not wanting to damage the stable funding efforts at this point, and secondly, realizing that I'm going to have to gather quite a coalition -- maybe as large as the freshwater wetlands -- to get it through.

But I agree with you totally. I think that's the way to do it. That's what's making it possible to preserve land up there in Nantucket with the tremendous development pressures they have there.

MR. JARMER: Again, thank you for the opportunity to come.

ASSEMBLYWOMAN OGDEN: Thank you.

ASSEMBLYMAN LoBIONDO: Thank you, Woody.

ASSEMBLYWOMAN OGDEN: Next, I'd like to call Mr. Furey, Peter Furey, of the New Jersey Farm Bureau.

P E T E R F U R E Y: (from audience) Madam Chairman, I'd like to give my time to David Rizzotte, President of the State Board of Agriculture.

ASSEMBLYWOMAN OGDEN: All right. Peter had very patiently sat through three-and-a-half-hours in Trenton on Monday, and we said we would accord him a high ranking on the list of those who would testify.

D A V I D R I Z Z O T T E: Thank you, Assemblywoman. Thanks, Pete. My name is Dave Rizzotte. As Peter said, I am the President of the New Jersey State Board of Agriculture. I also wear many other hats. I'm a member of the Atlantic County Ag Development Board. I have a four-year appointment to that position. I'm President of the New Jersey Peach Promotion Council.

And I must emphasize here today that I'm here to make some comments at this hearing as a farmer and a property owner. I'm not representing any of the groups previously mentioned.

I'd like to apologize for not having any written statements. Because I was notified of this hearing on short notice -- about four o'clock yesterday afternoon -- I didn't get a chance to put it in writing. But I thought it was important once I did find out about it to come out and have some input.

I've been very involved in land use issues, going back to the Pinelands Plan when it was proposed -- the Master Plan for the Pinelands -- when I was Chairman of the Coalition to Save Agriculture in the Pinelands. I represented a group that was interested in protecting their rights as landowners against the State Master Plan for the Pinelands. I got quite an education in that experience. I've also dealt with Assemblywoman Ogden in her TDR legislation, and Bob Shinn. I helped promote the Farmland Preservation legislation. And we currently at the State Board level are reviewing the State Development and Redevelopment Plan, which is going to have a dramatic effect on the State of New Jersey. So I've dealt with, like I said, land use issues quite a bit.

I'm kind of going to make somewhat different statements from this point on regarding open space, from some of the other speakers that went before me.

I think all too often there is a misconception on the part of legislators on the protection of open space. I think, at this particular time, in southern New Jersey anyway, we have more open space than we can handle. One needs to just drive around and take a look at many of our State parks and forests and, as Woody Jarmer mentioned, there are areas where we have problems with upkeep. So I think we should really take some of the money that is allocated towards open space preservation, and upgrade some of the facilities that are already in existence, before we go on to purchase other areas of open space.

I think it's also important to realize that we now have in place in Farmland Preservation the ability to set aside, what I consider, taxpaying open space. All the farm ground which has been purchased up to now through Farmland Preservation, and hopefully all that's anticipated -- since we see the tremendous rise in the Farmland Preservation Program since some changes in the legislation through the last election. We have preliminary approval right now for between 12,000 and 15,000 more acres of farmland to be preserved. So there is a lot of interest out there in the farm community on the sale of development easements. So I think we need to look harder as legislators at the taxpaying open space, and where we're going to get the funds to preserve this open space.

I know there's been requests before from the speakers before me on a need for funds. And I'm also, as a farmer and a landowner, asking for some funds for Farmland Preservation; because I've been around the State in my tenure on the State Board, and I can see what land values are, not necessarily here in our area -- Cape May and Atlantic and Cumberland and Salem -- but when you get up into Burlington and Monmouth and Somerset and Hunterdon, there's a tremendous escalation of land values. If we don't show our farm owners some good faith and come up with further funding for Farmland Preservation, we

could stand to lose quite a number of acres in those growing counties.

So that's why I'm here today. And I know that Secretary Brown and Donald Applegate, who runs the State Ag Development Committee, did give testimony in Trenton. So I don't want to go into too many details on what's needed. But I will make one point further. Bonnie spoke earlier of over \$700 million so far set aside for Green Acres. So far for farmland we've set aside \$50 million. I know I'm a little bit prejudiced, but I think we've got to start a catchup procedure and set aside more money for the preservation of farmland, which is taxpaying open space.

The State Board has requested, and spoke with the Governor, for a \$250 million bond issue next year. I hope we could see that put into place. This will make available the necessary funds to bring in the 12,000 to 15,000 -- and hopefully a lot more -- acres into Farmland Preservation.

There is also made mention of the Realty Transfer Tax, and the Natural Resources Preservation Fund. If you think back to the Blueprint Commission on Agriculture, the concept of realty transfer I believe was first utilized in that plan. And it so happens that the only thing at this time was probably left out of realty transfer is the preservation of agricultural land. So I would like to see agriculture included in any subsequent Realty Transfer Tax as an ongoing fund, because I don't feel that the bond issues can continuously be tapped for funds necessary for Farmland Preservation. We too need an ongoing fund for Farmland Preservation.

I'd also like considered any conversion tax or any change in the rollback tax associated with farmland, that all that money go into a Farmland Preservation Fund.

So I mentioned a few ideas, a bond issue, possible entrance of Farmland Preservation into the Realty Transfer Tax, and any conversion tax, as some funding sources for future Farmland Preservation.

We might also need appropriations from the general fund to keep farmer interest, once the \$50 million original bond issue is used up. And at the rate we're going, it's not going to take too long for that money to be used up.

So again in conclusion, I'd like to emphasize that we also need taxpaying open space, predominantly in the form of farmland, with also the emphasis on regular open space and county and State parks.

I'd like to thank you for this opportunity to be here this morning, and hopefully answer any questions that you might have.

ASSEMBLYWOMAN OGDEN: Thank you for being here, Dave, and speaking for the farm community. As you know, the \$50 million bond issue for farmland was passed in '81, and up until '87 I think we had only preserved -- because of the matching funds being 50/50 State and county -- only preserved, I think it was 1500 acres.

MR. RIZZOTTE: Sixteen hundred.

ASSEMBLYWOMAN OGDEN: Or 1600, okay. But in terms of the need it was still a small percentage. So I'm really glad that the voters agreed with Public Question No. 4. We changed it to 80/20. I think the best thing that could happen is that we really quick spend the \$48.5 million, or whatever was left in 1987. So, you know, I fully support that.

In terms of taxpaying open space, I believe what you're talking about is farmland?

MR. RIZZOTTE: Farmland.

ASSEMBLYWOMAN OGDEN: Are you talking about farmland that is restricted through the development rights having been acquired? Is that what you're speaking about?

MR. RIZZOTTE: Yes.

ASSEMBLYWOMAN OGDEN: What do you think about the possibility of programs for, say, the farmer who possibly doesn't want to enter into a deed restriction in perpetuity,

thinking they want to pass it on and have it part of their estate, say for 10 years or 15 years, a set period of time? Obviously the money they would receive for that would be less because if it's not in perpetuity it would also be less tax relief, but do you think that that's an appealing concept?

MR. RIZZOTTE: Well personally, in perpetuity for me is a roadblock in my individual instance, and I imagine there are others in the farm community that would keep them from entering the Farmland Preservation Program. So I would consider, you know, a shorter period of time in the 15 to 20 year range -- and I know it's being discussed. I think it's a very good possibility and something that we need to look into at the State Ag Development Committee, as an option for the property owner that is interested, but that in perpetuity scares him away. I think it's something that we will have to take a look at in the future.

ASSEMBLYWOMAN OGDEN: Frank, do you have any questions or comments?

ASSEMBLYMAN LOBIONDO: No. Thank you, Dave.

ASSEMBLYWOMAN OGDEN: Thank you very much.

MR. RIZZOTTE: It's nice to see an Irishman in the Assembly, by the way. (laughter)

ASSEMBLYWOMAN OGDEN: Next I'd like to call Pat Sutton of the Cape May Bird Observatory.

P A T S U T T O N: I'd like to thank you for letting me speak. I have a time constraint as well. I'm not only representing the Cape May Bird Observatory -- which is the southernmost office of the New Jersey Audubon Society -- I am here speaking for the New Jersey Audubon Society, which, with its 8600 members, is a conservation, environmental education, and wildlife research organization.

We feel strongly that open space natural areas are being lost at a rapid rate, and that acquisition is the only long-term solution. A stable source of funding is absolutely necessary to carry out the following:

- Acquisition of areas designated as natural areas by the State Natural Areas Council. Designation is not enough to preserve these areas. We feel that acquisition is imperative.

- Acquisition of priority areas and adequate buffers around them, established by the State Natural Heritage Program's extensive cataloging and inventorying of endangered and threatened species, as well as unique features. The sites determined by this Natural Heritage Program should be acquired.

- We also feel that more money should be made available to the Farmland Preservation Act for farmland retention.

The New Jersey Audubon Society promotes the establishment of greenbelts, migratory bird corridors of open space areas in this State, so critical to millions of migratory birds each spring and fall. Establishment of these corridors of open space will benefit resident birds and wildlife, as well as us humans. This could be achieved by connecting existing State parks, wildlife management areas, county parks, and national lands.

State agencies that are currently reviewing growth, need to take a stronger stand and consider the total picture. The idea has been that almost anything can be built as long as there is mitigation. Certain areas should be preserved in toto. Too many pristine areas have been opened up by a mitigation measure. Sprawl and the loss of pristine areas has resulted, especially in South Jersey.

There is a strong need for cluster growth. To achieve this, current review of projects must be aware of the total growth patterns. At present, in Cape May County, there are many examples of this problem. There is one long standing golf course being bulldozed, as we speak, for condominiums, as another enormous tract within the proposed Cape May National Wildlife Refuge, is being considered for another golf course.

New Jersey State Library

The largest population in New Jersey of tiger salamanders, an endangered species, was found at a site in Lower Township. Projects all around this site has already received approval by CAFRA to be built. This site, though, had to set aside a portion of it for the salamanders. The system, though, seems to have no means of correcting itself, and so an important part of the salamander habitat is at this very moment undergoing intense alterations, and will be lost forever.

With development pressures so intense, the big picture must be considered, rather than reviewing project by project.

On the local level, one of the greatest promotions of sprawl is the antiquated septic system law, Chapter 199, New Jersey Public Health Law. This law is in effect breaking up large tracts of forest by permitting septic systems to be built almost anywhere. Many of these septic systems fail, which has been an inducement for public sewerage and the subsequent sprawl, leaving few, if any sizable, intact, open space areas.

I thank you. If you have any questions--

ASSEMBLYWOMAN OGDEN: Thank you. When you say that you believe acquisition is essential, are you talking just about fee simple -- you know, actually acquiring it outright -- or do you think it's possible to have the development rights being acquired, various forms of easements like--

MS. SUTTON: That's certainly an alternative, but I think long-term acquisition is probably going to be essential.

ASSEMBLYWOMAN OGDEN: Total acquisition?

MS. SUTTON: Total acquisition. There are too many unknowns that may come as the future develops; future pressures that, unless it is purchased, I don't know that we can ensure these areas will remain intact.

ASSEMBLYWOMAN OGDEN: Well with the pressure being so intense throughout the State, possibly in terms of total dollars it's going to have to be more on a piecemeal basis; like for instance maybe acquiring development rights for a

period of time, while one tries to acquire the dollars to buy the land in fee simple.

ASSEMBLYMAN LoBIONDO: Excuse me. Pat, when you spoke of buffer areas, could you just explain that a little bit?

MS. SUTTON: I was referring to the Natural Heritage Program's listing of sites where there are very important endangered species -- endangered and threatened plants and animals -- that have been determined in an intensive cataloging and inventory by this heritage program. I'm sure that even though a plant is on a tiny little plot of land, if it's developed all around it, even though that tiny little plot is saved, the development pressures around it -- erosion, all the problems that would be created by growth around it -- would probably mean the end to that site even though the little plot was set aside. So not only where these things exist, but enough of a buffer to ensure that growth and development around the site won't alter it.

ASSEMBLYWOMAN OGDEN: That's what you're really saying about the habitat for the tiger salamanders?

MS. SUTTON: Yes. The site where they were found was going through CAFRA review, and through what was determined CAFRA did insist that a portion of that site be given to an organization like the Nature Conservancy, which is happening. But unfortunately, a number of sites immediately next to that site were also part of the tiger salamander habitat, and they had already received approval simply because there had nothing found. In other words, there had been a very poor job of determining what was on the land, and it just breezed through. Then it was too late.

ASSEMBLYWOMAN OGDEN: The bill for the State to take over the Natural Heritage Program from the Nature Conservancy is on its way. It was passed in the Assembly and is now over in the Senate. So hopefully we'll be able to finish that task, and really help both conservationists alike by identifying the

sites before development is either planned, or we try to preserve it through acquisition.

MS. SUTTON: Exactly.

ASSEMBLYWOMAN OGDEN: Thank you very much.

MS. SUTTON: Thank you very much.

ASSEMBLYWOMAN OGDEN: I understand that Peter Furey also wanted to speak for himself. Sorry, Peter. I thought you had given your spot to Dave.

MR. FUREY: Almost.

ASSEMBLYWOMAN OGDEN: This is Peter Furey of the New Jersey Farm Bureau.

MR. FUREY: Thank you, Madam Chairman, Assemblyman LoBiondo. I certainly want to build upon what Secretary Brown testified on Monday, and what Dave Rizzotte just spoke to, especially as far as the philosophy of their remarks.

I don't want to repeat the statements that have been made. I would like to say right up-front that I think farmers are very strong advocates of open space. And in fact, the farming community as a whole are the largest base of open space landowners in the State.

What I've handed out to you is a little bit of statistics for the Committee's consideration. The first sheet is the most recent tally of all the land under the Farmland Assessment Program in the State. You will see at the bottom of the first column, the cropland harvested as of 1985 was 635,000 acres. If you go over the cropland pastured, permanent pastured, woodland, 413,000, and a total of 1.2 million acres. That's almost twice the amount of land that is currently under public ownership. So the land ownership factor among the farm community is quite significant.

I think the thrust of what I want to say is that the government policy for open space protection has to boost the investor confidence. I have some very specific remarks about that.

The second sheet is a crop summary for 1986, which comes from the annual New Jersey Ag Statistics reports. In the second column there titled, "Acres Harvested," I'd like to call your attention to the fact that there is 437,000 acres of field crops, as compared to a much smaller figure of fruit and vegetable crops, for a total of 504,000. The point there is that the field crops, which consist primarily of corn, soybean, and hay crops, unfortunately these are the commodities that are under the most stress financially. And in many instances, especially in the northern part of the State, the percentage of non farmer ownership of these acres is rather high. So when you hear the amount of acreage that is being lost to development, you'll find that in these low intensity crop areas. The reason for this is the prices are suffering because of a world-wide surplus in most of these commodities.

I think that is significant from the standpoint of the pressure on farmland for conversion. Many times we look at it from a non farmer's standpoint, as a development pressure cause for the shift. We rather look at it as a deeper agricultural economic source, and I think that has to be factored in to the State policy on open space protection. And we do. We do consider that, but I think it has to be factored in. And in my remarks I want to emphasize that.

The last two sheets are just evidence about our own organization, the New Jersey Farm Bureau. The last sheet shows that we have, according to our membership information, a little more than 500,000 acres represented. We consider ourselves the largest landowners organization. I heard the Realtor testimony on Monday. I'd like to make a difference. The Realtors many times speak for property rights, but theirs is a transitory, brief period, whereas the farmers are more of a long-term landowner.

My basic point here for the consideration of the Committee is this business of landowner confidence. I think

right now it has to be recognized that landowners' view government policy on open space as a-- I don't know how to-- We think that the government policy is a little bit schizo. On the one hand we have compensation programs, and on the other hand we have down zoning programs.

Now, the Pinelands was a very large precedent for down zoning without compensation. In fact, their policy refutes the obligation to compensate landowners. That was tested in a lawsuit in Burlington County by the Pacific Legal Foundation in 1983. Representatives from the Commission testified that Pinelands development credits were not to be considered compensation. We've also seen the State Planning Commission draft proposal, which for agricultural land calls for an overall gross density of one to 20 acres, which is a sharp difference from the current zone that we have now.

On the other hand we have the Green Acres Program, which pays fair market value. We have the Ag Retention Program, which compensates landowners for the restrictions equivalent to easement appraised development rights. Most local zoning, where the town committee and the planning board are close to the landowners, more sensitive, they are reluctant to use the police power to preserve open space because of the economic considerations.

So what I would love to see this Committee do -- and perhaps there should be a proposal to send a message out to the landowners to settle them down because we are seeing, very quietly, an unprecedented wave of farmland being sold. It's still being farmed, but the title is being changed, in northern New Jersey, southern New Jersey, all over; primarily because they fear the State in its desire -- and that's all been evidenced with your previous speakers-- We all want the open space. The farmers want the open space. But they are afraid that they are going to be saddled with the cost.

I do not think it's mutually exclusive to be in favor of sound planning, but also protection of property rights. And I think some of our compensation programs have to be fine-tuned. And if you're looking for initiatives, I think if the open space landowner can be assured that his development right equity will be protected, that he would be a little more confident and relaxed that his investment in that land is not going to be jeopardized. Now, we may have to insert some overall planning so that we send clear signals to the development community what areas would be preferred, where your sewer lines ought to go-- And this could come from a regional perspective to give the municipalities some guidance. So, we're not necessarily opposed to sound and proper planning.

My message here today is the landowners are scared, and there's an awful lot of shifting going on right now that's very quiet. Some of these land sales are not even being recorded immediately, and it's a tragedy. And it's simply a matter of government policy that's getting in the way of itself. I think the intentions of the State Planning Act are very noble, and the creation of a commission is not necessarily wrong, but as soon as they came out with their policy it took a sharp left turn, and the landowners are very fearful.

ASSEMBLYWOMAN OGDEN: What would you specifically recommend, Pete, that this Committee could do?

MR. FUREY: I would love to see a sense of the Assembly or a sense of the Legislature resolution, calling for a recognition of legitimate property rights in connection with open space protection programs.

We had the two U.S. Supreme Court decisions last summer which people are interpreting with quite a bit of variety. Some landowners are trying to say that this is the ultimate protection. It is only an incremental statement, and it's of limited application right now, especially since it addresses mostly the Federal court precedents.

For the State of New Jersey Legislature, especially if the Governor would sign on, I think this would settle things down and buy us some time to develop the funding mechanisms. We are all in favor of a stable funding source. And I think the young woman who preceded me hit the nail on the head about acquisition as opposed to zoning. I mean, the worst case scenario we see is to down zone, have the property changed, and then have the zoning change five or ten years later because of a change in government policy. We think down zoning gives planning a bad name. The down zoning in the Pinelands makes all the property owners in our constituency think that they are next, rather than look at it as a proper legitimate use of government policy to protect the public interest.

When Mr. Jarmer said New Jersey's economy is strong-- I think New Jersey's economy is the strongest in the United States. And I think we are always going to have significant development right value in our property, especially with our highway network -- the interstate highway network. Virtually no place in the State is more than an hour's commute from significant job centers. That's always going to give us -- if the government, down zoning police power doesn't get in the way -- it's always going to give us some good land value.

So we're in the middle. We're trying to assure the property owners that we can benefit, perhaps, from planning. But then we turn around and we see things like the Pinelands. That program was a regulatory program with impunity. Time and time again -- Dave mentioned he was a member of a coalition -- it was-- The public interest prevails, guys. You know, there are public statements. There are winners and losers in regulatory programs. That drives landowners bananas. That's my message today.

ASSEMBLYWOMAN OGDEN: Thank you very much. Any questions?

ASSEMBLYMAN LOBIONDO: No. Thank you, Peter.

ASSEMBLYWOMAN OGDEN: Thank you for coming to two hearings, Pete.

MR. FUREY: I tell people I have the most interesting job, to represent a \$600 million industry, private sector, and then to lobby and talk about public issues. It's very stimulating.

ASSEMBLYWOMAN OGDEN: Appreciate it. Larry Newbold, from the Rutgers Extension Service?

L A R R Y N E W B O L D: Thank you very much, and welcome to Cape May County.

As an agricultural agent in this county for over 25 years, I'm also a resource management agent from Cook College, a full professor, a farm boy, and a member of a farm family that had a farm in the family for over 100 years, until last month, and we sold it. Most of it is going to go into housing. Luckily, part of it will probably be used as a park.

As a farm boy, we're probably a little bit more realistic and try to get down to fix the mowing machine tongue when it breaks. It's the farmer's job to get off the tractor and fix it. I think we try to use some good common sense in what's going on in the State of New Jersey.

First off, I think that the best taxpaying open space that you have is agriculture, but I don't think that you can pass a law and force agriculture to stay in the State of New Jersey. Secretary of Agriculture, Art Brown, who was a fellow county agent for a number of years up in Atlantic County, has predicted that with the current rate of demise of agriculture, in 20 years you will have no farms left in the State of New Jersey. This is drastic. It's criminal to have this happen to a State like New Jersey.

You look at the campgrounds in Cape May County. As a resource management agent, I'm probably as much responsible for the campgrounds you see here as anyone. We have 50 private campgrounds. I've constantly told the fellows and gals, "How

would you like to ride through Camden, Camden, Camden, Camden, and Camden, and then finally hit the ocean?" You yourself, in your travels in Cape May County, see the open space. You enjoy it. It's something different than North Jersey. I have seen North Jersey. I have seen the problems. And we hope that we can prevent some of these problems down here. But believe me, if you look at the planning board's records, most of the woodland you're looking at, most of the farmland, already has major subdivisions filed against it. And it's scary when you see what's going to happen in the future.

I don't think that you can pass a law and save agriculture. I'm concerned about the infrastructure of agriculture. And this gets down to the profitability of farming. Most farmers would be happy to stay in farming if they could make a profit at it. There are many problems that originate, one of which is just the simple thing of getting parts for tractors. In Cape May County our farmers have to go approximately one-hour's drive to Hammonton or over to Bridgeton to get parts for a tractor. That's a two-hour ride round trip. You can do the same thing for pesticides, for fertilizer, and right on up and down the alley.

There are problems that make farming difficult. As these homeowners move in next to an adjacent farm because they like the open space, of course the farmer is unable to use pesticides. They do not like the noise of agriculture. They don't like the smells. Some of the neighbors to my mother's property were concerned that we used to raise cabbage. And of course, after you cut the cabbage it has quite an odor to it. And they're not too happy about this.

Farmers need clean, clear water, just like all of us need. We need basically the same quality water. We probably could get away with a little bit less in quality, but we need water. If you're aware of what's going on in Cape May County one of the meetings that I hope to attend at one o'clock is a

meeting with the USGS down in Cape May, looking at the water problems of Cape May County. I was a member of the County Water Policy Commission in this county 25 years ago, a member of the County Environmental Council until its recent demise. I was concerned then, and I'm still concerned, about the water under this county.

As you well know we have critical areas, one up in the area around Sandy Hook, and we have a big gigantic circle in South Jersey, critical area two. General Whipple, who is in charge of DEP's water resources, has projected that by the year 2000 or after that, we'll have serious difficulties in Cape May County. I have serious difficulties with this when I realize that we have agencies who are responsible for development, and really have to ask some very poignant questions as to who's really in charge and why do you allow things like this to happen? Critical area three is being considered for the coastal areas here. We have some serious problems. And once you create the problems, once you eliminate the farms, once you blacktop over everything, they're gone forever.

Dr. Mohammad Ali, Ferdows Ali, who is the water specialist for the State Department of Agriculture, was in Cape May County a week ago. We were looking at some of the water users of Cape May County. He has projected that agriculture uses about one to two percent of the State's total water supply. So obviously a lot of other people are using water too.

Our farmers are concerned whether we're going to have the water to irrigate the crops, and if we don't, if we get salt water into the aquifers of this county, it is over. Having had geology, and many other courses at Cook College, I know that once you bring salt water onto a peninsula like Cape May County, basically you've destroyed the aquifers forever. There is no way to recharge it in our lifetime, or in many other lifetimes to boot.

Over the last 25 years Cook College has had a lot of difficulty getting proper funding. This has bothered me and many others. It's a shame that we do not have research money to look at sewage sludge disposal on land the way we should have it, proper integrated pest management, better and safer pesticides, the list goes on. Luckily now the funds are starting to flow. We are getting funding, and we do appreciate that. The question is, we've lost about 20 years of good research, and as you know, we do not just flip a switch and get answers to problems. Sometimes it takes a whole lifetime of research just to come up with one major breakthrough.

Yesterday we met with George Howard, Fish and Game. The State of New Jersey has difficulty with deer problems, and as a good farm boy it doesn't make much sense when places like Princeton pass laws saying that they have no hunting. Then they hunt them with cars, and have difficulty because of accidents in the area.

The State Fish and Game has been purchasing a great deal of land here in South Jersey, which I think is commendable. But again, just to purchase the land and not to manage it properly does not make sense. A lot of the farms that have been purchased have not been maintained. Many of the houses and structures on these farms are deteriorating, and this was brought to Fish and Game's attention yesterday.

There are a lot of hunters in New Jersey that like this open space. I'm one of them. But when you go the McNamara Fish and Game lands, and you find that you have more hunters per square inch than we probably have in this room right now, all with shotguns, and you take a son through a hunter's safety course, and you say to him, "Well son, today we eliminate all the things you just learned about hunter safety," and we crowd all of these people into one little piece of land because there are a few pheasants on it, it doesn't make sense. The good farm boy says, you better put the pheasants

around to the farms that you do own, and spread this group around so we can enjoy hunting.

We have rabbit problems on our beaches. We planted beach grass for dune erosion and protection. And because we have no natural enemies of rabbits, no hunting allowed along the barrier islands, the rabbits eat the beach grass. Common sense says, trap the rabbits, put them back on the farms where they belong so that we can do a good job of managing both of these resources.

I think we need to rethink how we look at land. It's not a commodity to use and abuse and throw away. It's a very limited resource. Once we destroy it, it's going to be hard to replace, if not impossible. The farms are certainly the answer to many of our problems.

Bob Dewling (sic) mentioned that 80% of the sewage sludge right now is unfit for land application. I know Cook College is not recommending sewage sludge on any agricultural land, or even for homeowner use. So if we can't put it in the ocean, we can't burn it, and we can't put it on the land, what do we do with it?

To get to this point, it doesn't take much common sense to realize that we were heading for these disasters. One of our specialists at Rutgers University predicted the solid waste management crisis 17 years ago. We had a geologist in this county that predicted water problems approximately 17 years ago. How long does it take before people finally begin to realize we're heading for problems? To me it's like being out here in the ocean in one of these cigarette boats that will do better than 100 miles an hour, you have the throttle right to the wall and you're heading for the jetty. Good common sense says you pull the throttle back and you take a look at where we're heading. Either that, or at least you don't hit it at 100 miles an hour and wait for the disaster that's going to be following it.

Farmland I think is probably the answer to many of our problems, but we better preserve it, and it is a very complex issue. I don't think we can just pass laws and regulations. Most of the farmers are very uptight about the way they were treated under the Pinelands Act. They felt they had their land confiscated, and I think rightly so. And I think this is one of the reasons that you're getting a backlash now, that farmers are concerned because they don't trust too many people.

If you have good farmland producing crops, of course you have the oxygen situation, you have the scrubbing of air pollution, you have water recharge, and of course you have problems like flood prevention that you have in North Jersey. When you blacktop over everything you're going to have problems, sure as God made little apples.

We know this from soil surveys. We've had the accelerated soil survey in this county. We have soil surveys. You know what the holding capacity of this land is. When you exceed it, automatically you're going to have problems. And sometimes all the money in the world aren't going to solve problems.

Often we get people saying, "Well, science will solve it." Science hasn't solved the common cold, they haven't solved heart disease, cancer, or AIDS. And the chances are if you overpump the aquifers under a county, or create a situation in the air where you cannot grow plants, then even all the money in the world, and all the science is not going to solve it.

I mentioned at the legislative dinner meeting that we had recently that Mercer County, they have air pollution problems up there with acid rain, 21 times more acidic than normal rainfall. This is information that came out of last year's study.

We have a letter from Congressman Hughes about ozone problems, and this letter came from Chris Daggett, who is in

charge of the northeast section just on ozone problems. In 1987, there were exceedances of ozone standards recorded at New Jersey's 14 ambient ozone monitoring sites. The ozone monitoring site nearest us here are the Brigantine Wildlife Refuge and Millville. They had four exceedances in the Brigantine Wildlife Refuge, and they had seven in Millville. If you know enough about ozone, you don't even have foliage on trees and shrubbery when you run into problems like this.

So with acid rain creating a problem, with ozone problems, a good question: Are we going to have farms? A lot of problems. Very few answers. But I think we have to look at the entire picture when we solve our problem. We just don't solve our problem by putting sewage treatment plants in, and creating another problem by overdrafting the aquifers. This takes good planning, good enforcement. I think we need to work with nature and not against it. I think it also takes leadership.

Having been a Captain in the Air Force flying jets, we used to land at about 110 miles an hour. I think as a leader you have to be out front. Don't wait and find out which way the mob wants to go, and then run around in front and decide, "Oh that's the way you want to go? Fine." I think once in awhile you have to be out front, and we depend upon the State agencies, the Federal agencies, to warn us when we're heading into problems, not wait until after the problems hit us and then try to solve it.

Sometimes we wonder who that enemy really is, when we see houses going in the middle of swamps, and found out who the agencies are behind it, who is pushing it. These problems are being created. I don't think all of the money in the world is going to solve it. Thank you.

ASSEMBLYWOMAN OGDEN: Thank you. I think the postscript is that we have found the enemy and it is us.

MR. NEWBOLD: (speaking from audience) Yes.

ASSEMBLYWOMAN OGDEN: And I take it that your final conclusion is similar to what Peter Furey was saying in terms of the farmers, because that can do so many of the things that you've been advocating correct -- at least to a certain extent, although some things like ozone and acid rain are coming from beyond our border -- but through the retention of agriculture. So, I would assume that you would endorse, what Peter said, is for this Committee and the Legislature to try and send a message to the farmers that whatever program is pushed forward would guarantee fair compensation to property owners.

MR. NEWBOLD: Definitely. In most cases this is the only retirement that the farm families have. This is their retirement program. In my mother's case, when my dad passed away, this is her revenue for her future. And you cannot come in and just by passing a piece of legislation and by the signing of the Governor's signature just take that value away. If we're going to preserve it, we need to preserve it now. I think even in some areas here in Cape May County that weren't preserved were the wetlands, the marshes, and the woodlands.

What's more, you've got a problem now, even if you do preserve what's here. I see this cancer of houses going in all over. And I begin to wonder who is enforcing the sewage problems? Pat mentioned earlier about the regulations dealing with putting septic tanks in. No question, there is a problem. There is also a problem with enforcement. You can go out and take a perc test in the middle of a swamp right now, because we've had a drought. What happens when we get rain? Then the people are doing the backstroke there and the houses are flooded. The septic tanks don't work. The house is up for sale this year, next year, right on down the line. We already have nitrate problems in the water here now.

So we have problems that North Jersey has too. We're not immune to them. Thank you.

ASSEMBLYWOMAN OGDEN: Thank you very much.

ASSEMBLYMAN LoBIONDO: I think one comment might be in order. I know a question that has been asked of me, besides just normal development pressure, why does it seem like agricultural lands -- farmlands -- are diminishing now? And I know from personal experience of my own family, where first and second generation farm the land, put their heart and soul into it, and the next generation decides that they're going to move onto another career. Many of our farmers are up in age, and are not at the age where they can actively farm any more. I think that, at least in the First District -- especially in Cumberland County, I don't know about Cape May County -- that this is one of the problems that many farmers who 10 or 15 years ago did not actively consider doing something with their land, all of a sudden find that they can't physically do it themselves, and their children are either not interested, or for some other factors-- So I think that's part of the reason why we're seeing it, in addition to the development pressures that we have.

MR. NEWBOLD: We've tried to convert them into sod farms, campgrounds, things of this nature, which still preserve the open space.

ASSEMBLYMAN LoBIONDO: We have that I know in Cumberland County, where there were many vegetable farms, and in the case of many of my own uncles who are not vegetable farming any more but are grain farming because it's less intensive physical pressure. But it's only a matter of a couple more years and the pressure will be there for them to do something because they just can't keep up with it. So it moves on. The process is there, but unless we do what you're saying and recognize it now, we're going to have an even deeper problem five years from now.

MR. NEWBOLD: No question.

ASSEMBLYWOMAN OGDEN: Thank you. Robert Patterson, Executive Director of the Camden County Chamber of Commerce. (Chairperson is informed that the witness is from Cape May) Oh, it's wrong. I'm sorry.

R O B E R T P A T T E R S O N: Good morning. Welcome to Cape May County on such a nice windy day.

ASSEMBLYWOMAN OGDEN: Thank you. Sorry we had a typo here.

MR. PATTERSON: I'm not too well prepared today. I've been away for three weeks and this was kind of a surprise to me when I returned to my office on Monday, to find you were coming here today and that you would like me to appear before you.

I represent the Cape May County Chamber of Commerce, which represents a multitude of diversified businesses and commerce in Cape May County, about 850 different members; some in the campground business, some in the motel/hotel industry, the restaurant industry, the retail industry, the real estate industry, and the development industry. We are concerned about open space. We're also concerned about economic development and economic growth. And there has to be an even balance that we can all live with.

We've been concerned over the years about some of the regulations that have been passed, which we feel not a lot of thought was given to. Larry Newbold alluded to the Pinelands Act, and felt the farmers have had their land confiscated. Not just farmers. A lot of other private individuals have felt that their lands were confiscated under the Pinelands Act.

A lot of people feel their land was confiscated under the Wetlands Act. Many people invested money for their retirement, their old age, their future, in the wetlands. And they are no longer able to develop those wetlands, but yet no provision was made to buy those wetlands from them. They have the privilege of paying taxes on them, but not using them. We do not want to see all the wetlands blacktopped in concrete

from stem to stern, because that certainly would devalue our resort industry and our open space, which is what makes the resort industry and the recreation industry so valuable, and those properties that are here so valuable.

So we feel that we are in favor of recreation, we are in favor of open space, but there has to be a balance. And some of the regulations that have been passed, such as the Pinelands Act, the Wetlands Act, the Coastal Area Facilities Review Act, coastal zoning, farm zoning, many of the preserves that have been established in our area particularly, have given us thousands of acres of open space, they have restricted development for many people. We do want to continue to be a recreation and resort area, but we would also like consideration given, more insight given, to the fact that there are people who have to make a living, jobs have to be created and kept to keep people working, so that someone can enjoy this open space and this recreation.

And that's basically our comments today. Thank you very much.

ASSEMBLYWOMAN OGDEN: Thank you.

ASSEMBLYMAN LoBIONDO: Thank you, Bob.

ASSEMBLYWOMAN OGDEN: The Chairman of the Cape May Environmental Commission, Charlotte Todd?

CHARLOTTE TODD: I think it's afternoon.

ASSEMBLYWOMAN OGDEN: I think it is too.

MS. TODD: Can you hear me?

ASSEMBLYWOMAN OGDEN: Yes.

MS. TODD: Good afternoon. I am Charlotte Todd, Cape May City's Environmental Commission Chairperson. I wish to thank Assemblywoman Chair Maureen Ogden, and members of the Committee, Frank LoBiondo, this Committee on Conservation, Natural Resources and Energy, for conducting a hearing on open space preservation in our beautiful county today.

And quite literally I do mean that Cape May County is a lovely place to stay and to live today. Geographically, it is the southernmost part of our most densely populated state in the country. It's an area that we hope will remain with open space, but unfortunately at this point a lot of competition for this open space has really only just begun.

Our county boasts that our foremost industry is tourism, and we are a hot vacation spot. We richly provide recreational diversity, which enhances all of our lives. However, controls to protect the open space needs of a vacation oriented industry is not always balanced. Many well-intentioned plans do fall through the cracks. And to examine the process of open space protection one needs to pursue how local municipalities value preservation.

Town councils generally appoint zoning and planning board officers. Some communities have hired personnel to help as well. Zoning ordinances and town master plans are supposed to ensure all aspects of natural resources and our open space. And this preservation is carried out by citizen members, who are appointed to the cited boards. Often these boards have a city solicitor and township managers to advise them. Often public members will express pressure directly or indirectly on appointed board members. But of course this is due process. From time to time master plans are updated and zoning ordinances change, but not always with natural resource protection as priority number one.

Another body which offers recommendations to the planning boards are those which are called environmental commissions. The environmental commissions were created, but they're optional for city governments. And, generally speaking, their recommendations have very little clout. And as a matter of fact, unfortunately in our county, we have no citizen environmental advisory group.

Generally speaking though, governing bodies in each of our counties has a different approach and different concepts for dealing with open space. And in my estimation, therein lies the rub: because mandatory educational updates, and factual input of workshops with DEP environmental land use consultants' reports, are almost unheard of when citizen groups determine whether or not open space is to be used up. Education is partially the answer to open space preservation.

Now, I have a report before me here from The Wall Street Journal, Friday, November 27, 1987, and this report talks about some things that California is doing with land use and open space. They say that, "The ease with which local voter sponsored measures can be placed on ballots here, has spurred the movement in California." And they say that in Los Angeles, 71% of voters have approved cutting in half allowable commercial and industrial construction in many parts of the city. The city is also considering sharply reducing new construction permits because of the strain on the city's sewage system.

In San Diego, voters have given themselves the right to approve or reject construction in undeveloped areas around the city. They also voted to cap the number of housing construction permits by half the rate of 1986.

Californians are so willing to halt development, in one straw vote they proposed a ban on new construction statewide until Federal clean air standards were met. This is something that I think New Jersey can relate to. Fifteen out of seventeen growth control measures put to voters in California communities, were approved. This was in '87.

And lastly, Population Environmental Balance Inc., a Washington based environmental group, surveyed 1650 communities across the country. One in five had instituted various land use controls as a means of planning growth management strategies. And I'll give you a copy of this article if you'd like to see the rest of what it says.

In Cape May County, our open space initiative must be directly tied to the supply of our natural resources, primarily our water supply. A fair appraisal might include an equation which goes something like this: Open space acreage plus population quotient, means nothing in the desert.

Other factors are important, and that is, for instance, in 1982 our Cape May County Planning Board recommendations on water supply from the Cohansey Aquifer have gone unheeded. This is a copy of our planning board report from 1982. It says, in that particular document, "Finally, salt water intrusion, our main pollution concern in the county, remains difficult to assess. It's no longer known how much longer the Cohansey well fields in the southern county can we draw upon at the current rates before sea water forces abandonment of these wells. Therefore, water conservation measures should be explored to the greatest possible extent. Water consumption could reduce significantly by 25% using reasonable water conservation measures, with no noticeable affect on life style or on the tourist economy." To my knowledge, Cape May City is the only community in Cape May County now voluntarily using a water conservation program, and that's not even mandatory.

So, perhaps I think at this point-- I've read about other communities where developers have to pay impact fees for insufficient community facilities, such as schools and the like. Perhaps developers in our county could pay for desalinization plants if necessary, for if our entire county goes unchecked in growth and density, we will not have balances in terms of water supply for all of us.

So we'd like you to help us preserve our lands. We'd like you to make sure that our county has sufficient funds to protect purchased lands and protect our unique environment. Help us with stronger communication. Help us with education in this particular county. Make sure that environmental

commissions, at this point, are mandatory throughout the State. They are just optional now. And make sure that environmental commissions have some good quality people sitting on their boards, people with some backgrounds. I'd also like to see that these particular boards have more input in terms of impact on planning boards. Very often recommendations go totally by the wayside.

And visit us often. I'd like to thank you very very much for coming, and for your reflective attention. We think this is an important topic. And we hope to see you again.

ASSEMBLYWOMAN OGDEN: Thank you very much. I had read that article in The Wall Street Journal, although I don't know at this point where I put the clippings. So if you have extra copies I'd appreciate it.

I would like to point out that, as you know, that California is one of the initiative and referendum states, and New Jersey is not. We tried in the previous session. Dick Zimmer had been a proponent of that for a long time, but while it passed in the Assembly it never passed the Senate.

But the other option, as you hinted at, is available to, I believe, both counties and municipalities. I think there are a number of counties now talking about voting on the bottle bill. And I think that's at the initiative of citizens' groups.

But certainly what you had to say about the need for planning in terms of water supply is a really key issue.

MS. TODD: Thank you.

ASSEMBLYWOMAN OGDEN: We have Carl Demusz who had a time constraint? And then we have two more people listed, Thomas Keck of the Belleplain State Forest, and Jay Otto of the New Jersey Campgrounds. Is that correct? (unidentified member of audience informs Chairperson that there is one additional witness) Oh, one more beyond that? All right.

C A R L D E M U S Z: Thank you, Assemblywoman. My name is Carl Demusz. I wear two hats. I'm here first of all as a citizen of Cape May County for my entire life, and also I'm the President of the Greater Cape May County Board of Realtors, as well as a member of the New Jersey Association of Realtors, and I serve on the Legislative Committee of the New Jersey Association of Realtors. My other hat is that I am the Chairman of the Lower Township Planning Board, and I'm not here representing the planning board, but I did hear some comments made in some testimony that I think I should clarify.

One is the comment by Mr. Newbold about houses being able to be built in the swamp when a perc test is taken in drought weather. That's false because to get a perc test approved they do what's called a seasonal water table. By doing that, the engineer goes out and digs a hole and actually checks to see where the seasonal high was and not where it happens to be at the time, because that would be very misleading. As Mr. Newbold pointed out, it would be a problem.

Also, on our planning board we do have an engineer -- a township engineer and a planning board engineer -- who does guide the members through the various applications. One of the things that we do adhere to is the county 208 Program, which controls our water quality, which we take very seriously. I think it should be pointed out that there are steps being taken.

Also on the planning board level, when a developer comes in to do a development, open space is of course one of the prime things you have to look at, and I think it's very important. When we look at the open space, if a development is on a 60 acre piece of land, generally a third of that land is put aside as preserve land, and possibly more depending on the environmentally sensitive areas of that land. We do have a member of the environmental agency on our planning board, and he's very helpful. We take his comments very seriously because

he knows much more about it than we do, and we appreciate his input.

So planning boards are not totally in disarray, and they're not totally neglecting any of these important issues that are brought up. We do feel that they are important as far as open space.

Getting back to the other hat I wear as President of the Greater Wildwood/Cape May County Board of Realtors, we have approximately 640 members, and in NJAR we have 46,000 members. One of our concerns is, of course, private property rights. Okay? That is what makes America as great as it is, and New Jersey as great as it is.

Also what was brought up about the Realty Transfer Fee. Approximately seven percent of the people would be carrying the load for the entire population if they are going to be taxed to cover the open spaces or the public use lands. I find that to be very unfair, and I think that's one of the reasons that the Realtors are against it. It's taxing one small group of people for the entire good of the State, or even further than that when you consider that a lot of our tourists are from out of the State. So I know that there's no immediate answers to the problem of funding, but I don't think that's the right solution either. I think that there are some other things that can be looked into, and must be looked into, before you decide that a realty transfer fee is the only equitable solution to the problem. I don't think it will work.

Therefore, my main reason for speaking today is that the open spaces are very important. I have followed the Green Acres, the Green Trail, all the previously mentioned conservation steps, and I think they're necessary and should be funded. I just question the type of funding that we're going to use. That's basically my statements. Are there any questions?

ASSEMBLYMAN LoBIONDO: Do you have any suggestions as to what you would consider fair for a permanent source of funding?

MR. DEMUSZ: For the funding? You have to look at it that it's going to benefit the entire State. So I feel that any funding should really be impacted on the entire State, and not just a small group of people from the State. Approximately seven percent of people transfer their property annually, therefore that's taking that seven percent and telling them that they must cover the cost of everything being done.

And when you say that that's hardly noticeable when you say in Massachusetts it's two percent, settlement costs for approximately a \$60,000 home now can run \$5000, add to that and it gets higher and higher. The State has made it clear to us that they want affordable housing. One of the things that you have to consider that's part of raising the cost of housing. The Mount Laurel Act, I'm sure you're familiar with, dictated that there must be affordable housing for the low and moderate income--

ASSEMBLYWOMAN OGDEN: What if you exempted affordable housing?

MR. DEMUSZ: I'm sorry?

ASSEMBLYWOMAN OGDEN: I said, what if you exempted affordable housing from the formula?

MR. DEMUSZ: That would not really solve the problem. You need to address affordable housing, and as far as the transfer fee, okay that would eliminate that one small problem. You have another problem that we have to consider too with the open spaces. Someone has to pay for the open spaces. Okay? If you're asking the developer to come in -- and we do this all the time at the planning board, where we tell them we want them to fund different things.

One of the things that were mentioned is the farms that are being transferred right now. There's more than ever before. It's a little deceiving because one of the reasons-- In Lower Township we require, if you're going to develop farmland, you have to replace it with like farmland. So what we've done is say that they must go out and purchase acre for acre, and they must restrict it to farmland use. And at that point when they do that, a farmer sells the property -- okay? -- transfers title from, say, a farmer's name to a big corporate name, but then it goes on to be farmed; and it's farmed generally by that same farmer, because a corporation doesn't haven't anything to do with farming. They don't know anything about it. They rent it back to that farmer for taxes.

So you see, a lot of the things that are being said are true, but there's reasons for them. We're not losing as much farmland. What we're losing is farmers. It's not profitable to farm in New Jersey. I worked on a farm from the time I was nine years old until I was 16. It's not profitable to farm in New Jersey. If you could find a way to make it profitable to farm, you'll save the farms. They don't want the farm. They can't afford to farm. I mean, they would want the farm, but they can't afford to farm. So, maybe the answer to the problem is to find a way to make it profitable to farm, even if you fund them somehow. That's one way to preserve farmland.

ASSEMBLYWOMAN OGDEN: You're saying in your township what you require is, if someone sells their farm for a subdivision or a shopping center what have you, that they're required to replace the lost acreage with other farmland?

MR. DEMUSZ: Right. The developer that comes in, not the person that sells. The person that sells is out of the picture. Now the developer that comes in -- and we just recently did it on two project that come to mind immediately. Last month there was a shopping center and a nursing home. And

this was done through the State not the township, by the way. They required it through CAFRA, which is a State agency. They required that they have to replace that acreage with tillable farmland, and that farmland that they replace it with has to be deed restricted to be used for nothing but farming or open space, but they said farming and basically that's what they were pushing for. In fact, in those cases they are going to be farmed by the people who are selling it as farmland.

ASSEMBLYWOMAN OGDEN: So this is a form of mitigation that the State required under CAFRA. Is that what you're saying?

MR. DEMUSZ: Yes. And this is happening throughout the areas that are covered by CAFRA. So you're really retaining a lot of open space through that, that may not come on the surface, but I think that that's going to have a huge impact. I think it's good. I'm not saying it's bad. I'm saying on the planning board it worked out fine. The developers balked a little bit, but they adjusted their prices to cover the cost of the farmland.

That's where I get to, when you get into single family housing, if you require them to do that, you have to expect the cost of the lots to go up because the developer is not going to do it at a loss. So they will raise the cost of housing. That's where I get to the Mount Laurel Act, that if the State wants us to produce more low and moderate income housing, they're going to have to find a way to address that problem. I don't know the answer to that one just yet; maybe an exemption in a case where you have someone willing to put up low and moderate income housing, from some of the Open Space Act.

And also, I wanted to point out real quickly on the State Planning Commission, the master plan that I reviewed very briefly, it looked to me like local input wasn't there; because they're saying they want to increase development in the areas

where there is already development. That works in some areas very well, but in this area you have a lot of barrier islands that are developed -- your Stone Harbor, Avalon, Wildwood -- and it might sound weird coming from a Realtor, but I think one of the problems is that those barrier islands weren't to be developed. They are not a good area to develop, and they are developed to capacity. In our area they're forcing development to the developed areas where there is no way to develop it, and they're opening up all the areas that really could be developed. I think that there needs to be more local input to the State Master Plan.

ASSEMBLYWOMAN OGDEN: I think that's what's coming next, this cross acceptance procedure.

MR. DEMUSZ: That will be a big help, because the plan as I saw it, I can't agree with that map at all. Okay? If they do get local input on it I think they can improve it greatly, because we do have some very good planning boards in this area, and we work closely with the county planning board.

ASSEMBLYWOMAN OGDEN: They are seeking both county and local input.

MR. DEMUSZ: Good. Okay, that's all I had. Thank you very much for allowing me to speak.

ASSEMBLYWOMAN OGDEN: Thank you. Thomas Keck, Superintendent of the Belleplain State Forest? I know that you were one of the first ones. Sorry to keep you waiting so long.

T H O M A S K E C K: It's quite all right. It's worth the wait. Good afternoon, Assemblywoman Ogden, Assemblyman LoBiondo, panel members. I'm very thankful for the opportunity to be here today and express my viewpoint on the challenge of preserving open space in our Garden State, and in particular, in South Jersey.

As a professional natural resource manager in the New Jersey Division of Parks and Forestry, I can attest to you the surging increases in visitation to your State parks, forests,

and recreation areas. Last year alone, on a statewide level, 9.5 million people pursued a myriad of recreation interests. Day use attendance at Belleplain State Forest alone -- located in the northwestern part of this county -- exceeded 100,000 people. And overnight visitation -- campers, group users -- is up by 20%.

Through personal contact with many of the visitors that come to the State Forest, I and my staff sense a deepened interest in the quality of leisure services that we provide. We have received a steady stream of public requests for expanding recreational opportunities and facilities. However, in too many instances, available manpower, capital improvement, and maintenance project resources, fall too short of the goal of properly entertaining these areas of concern. In essence, State park budgets have seen zero growth in certain accounts in the last few years. And this, of course, results in deferred maintenance programs, which ultimately cost more in the long run.

At the same time, regional and State economic development has surpassed the expectations of most. Formerly forested and prime agricultural lands are disappearing, with land usage patterns changing to residential housing and commercial enterprise. According to the 1987 report -- that I'm sure you're all familiar with -- the Governor's Council of New Jersey Outdoors indicated that land values statewide were increasing an average of 24% to 36%, and in some areas as much as 100%, and that this trend was expected to continue. This rapid growth leaves one wondering where future generations are going to spend their leisure time.

My three children, like many others, seek the tranquility of the New Jersey outdoors, an outing to the zoo, a walk on the beach, camping and an open fire. But more and more people are finding their favorite spots. We're not alone any more. In order to preserve and enhance our quality of life

as we know it today, and to project a wholesome image of our community and our State, State, local, and county governments must jointly manage growth so to minimize its lasting impact on open space and natural resources.

I feel we must possess collectively the courage and the foresight to continue investing in our future as we have in the past. We must acquire environmentally sensitive lands, recreation areas, scenic and culturally significant sites, and productive forest and agricultural tracts, while these lands remain available and economically obtainable.

We need to consolidate fragmented parcels of public land. A case in point being Belleplain State Forest, in which freshwater wetlands, endangered species habitat, and recreational areas, are interspersed with numerous interior exceptions. Varying techniques have already been cited in the Governor's Council on New Jersey Outdoors on how these areas can be managed and acquired.

While preservation of open space is a vital concern, so is the establishment of a stable funding source for sound planning, maintenance, and management, of existing recreational facilities. It remains my hope that the legislative efforts under way to advance the Natural Resources Preservation Restoration Fund, will continue. As we collectively have a stake in the availability and suitability of recreation and open space, we must ensure that this opportunity doesn't slip past us, and those yet to come.

In closing, I would like to extend an invitation to Assemblyman LoBiondo, as his staff notified me the other day, at any time consider yourself welcome to come out to Belleplain State Forest, where I might be able to personally show you some of these areas of my concern. Thank you.

ASSEMBLYMAN LoBIONDO: Sure. Thanks for the invitation.

ASSEMBLYWOMAN OGDEN: Thank you very much. Could you tell me what percentage, either at Belleplain State Forest or at the State forests throughout the State, what percentage are visitors from out-of-state, and whether it's significant, and if there is a differential in fees?

MR. KECK: There is no differential in fees for out-of-state visitors as compared to in-state visitors. Senior citizens, of course by law, are given reduced, and in some cases completely free opportunities in their State parks. In answer to your question about out-of-state visitation in general, we had a questionnaire in 1983 that tried to identify that very issue. And the overwhelming majority of people using State parks are State citizens. I'm sorry, but the actual percentage point doesn't come to mind, but I could find that out for you.

ASSEMBLYWOMAN OGDEN: And do you think that the current fees are in line with what's being provided? What I'm asking, obviously, is whether those who are using the facilities should pay a higher portion than they currently are? Not to exclude people, but sometimes I feel that the fees have become too low. If you go to the hockey game, or you go to a Broadway play, you certainly pay an incredible amount of money compared to what you're paying for a weekend.

MR. KECK: Well, I feel that the fees that we do charge, the few that there are, are rather modest, and I believe they are kept modest so that the largest percentage of the population can in fact come and utilize the public domain. If you look at the fees that we charge for overnight and for parking and things like that, compared to national statistics we are either within in the median or in the lower range. So I don't feel that our fees are excessive in any way. I feel that all citizens of the State should utilize their parks and forests, and if they haven't in the past, I feel that certainly in the future they will.

ASSEMBLYWOMAN OGDEN: Thank you very much.

MR. KECK: Thank you.

ASSEMBLYWOMAN OGDEN: Jay Otto, of the New Jersey Campgrounds?

J A Y O T T O: I want to thank you for inviting me here today. My name is Jay Otto, and I'm the Executive Director of the New Jersey Campground Owners Association.

I know Assemblywoman Ogden mentioned that this hearing is primarily concerned with public lands, but I think you should consider the open lands in the hands of the private sector, used for recreational purposes, and specifically the private campgrounds in New Jersey. There are about 130 of these private campgrounds in New Jersey, 86 belong to the New Jersey Campground Owners Association. Cape May County alone has 49 registered campgrounds, and another 20 in Atlantic County. That's more than half the campgrounds in the whole State, between Cape May County and Atlantic County.

These campgrounds are providing recreational activities to hundreds of thousands of families each year. There are over 25,000 individual campsites in these campgrounds in the State. These campgrounds have hiking trails, they have boating, they have canoeing, fishing, planned activities, and of course they all have swimming. These are the recreational activities that are provided already by the private campgrounds in the State of New Jersey. With these activities it's no wonder that camping is one of the most popular recreational activities there are.

But we too are losing campgrounds to development, and one of the reasons is government regulations and land values has made it prohibitive to expand or develop new private campgrounds. In the last two months, the two closest campgrounds to Atlantic City have closed down due to private development. The campground owner could no longer afford to pay the taxes and operate it as a recreational facility, so

therefore they sold out to development. At the end of this year, another campground in Gloucester County will be closing down for the same reason. That means over 1000 campsites lost to the camping public at that recreational facility this year alone.

We have a Farmland Preservation Act, maybe consideration should be given to a recreational land preservation act, or some type of relief to the private campground operators who are operating recreational facilities for the citizens of our State. Let's not always consider land grabbing, which then is not maintained -- as has been brought out -- but let's consider relief to our private recreational providers. Privatization of government services is the trend right now, and probably the future. Let's look at our open land in the hands of private sector, and consider help there.

Now, Mr. Newbold mentioned a little while ago that maybe in 20 or 30 years there will be no farms left. Well, the same thing could happen to our private campgrounds in the State of New Jersey. If things continue the way they are, we might not have any private campgrounds either, and the State certainly does not want to go out and build 25,000 campsites to replace that recreational facility which is in danger. Basically that's my testimony.

ASSEMBLYWOMAN OGDEN: So currently your campgrounds are taxed at whatever the--

MR. OTTO: Residential or commercial property.

ASSEMBLYWOMAN OGDEN: --the municipality lists your property as.

MR. OTTO: Yes.

ASSEMBLYWOMAN OGDEN: I see. How do your fees compare with what's being charged at public campgrounds?

MR. OTTO: Oh considerably higher, because naturally the fees charged have to run the facility and pay the taxes. Whereas of course the public parks are subsidized by the government.

ASSEMBLYWOMAN OGDEN: How much specifically? What for instance is--

MR. OTTO: An average you mean?

ASSEMBLYWOMAN OGDEN: An average, right.

MR. OTTO: An average for a family would probably be about \$15 to \$20, depending on the hookups they use in the campground.

ASSEMBLYWOMAN OGDEN: Is that for a night or a weekend?

MR. OTTO: For a night, \$15 a night. And of course it's different in different parts of the State. Cape May County is considerably higher.

ASSEMBLYWOMAN OGDEN: And that compares with public-- Do you know?

MR. OTTO: That's considerably higher than the public parks.

ASSEMBLYWOMAN OGDEN: I wonder what the public parks are?

MR. KECK: (from audience) If I can interject. The family campsites in the State parks currently charge \$8 per night for a family campsite.

ASSEMBLYWOMAN OGDEN: So what you're really saying is that you feel that a lot of these private campgrounds could be preserved if you had something like the farmland assessment for campgrounds that remain in open space.

MR. OTTO: Yes, some type of relief along those lines, right. I know one of the campgrounds that just recently closed up they were paying like \$40,000 a year in property taxes. They couldn't produce enough money running it as a recreational facility to meet those demands.

ASSEMBLYWOMAN OGDEN: When you say there are a 130 private campgrounds throughout the State, do you know how much acreage that represents?

MR. OTTO: No, I don't.

ASSEMBLYWOMAN OGDEN: But you were saying that with two closing last month, I believe, and one more, that's a thousand acres you say we're going to be losing?

MR. OTTO: A thousand campsites.

ASSEMBLYWOMAN OGDEN: A thousand campsites, okay.

MR. OTTO: Yes, not acres, campsites.

ASSEMBLYWOMAN OGDEN: Even more acres, probably.

MR. OTTO: Well--

ASSEMBLYWOMAN OGDEN: Probably not?

MR. OTTO: Well, I don't know how many acres that would represent, but the average campground is probably 20 to 30 acres, 40 to 50 acres, some of them are quite a bit higher.

ASSEMBLYWOMAN OGDEN: Thank you very much.

MR. OTTO: Thank you.

ASSEMBLYWOMAN OGDEN: We have one more person I understand who wishes to testify.

D A N S T R O N B O M: Good afternoon. I'm Dan Stronbom. I'm the other agricultural resource management agent here with Rutgers Cooperative Extension. Thank you for this opportunity to come and add my voice to the chorus of those in support of the Farmland Preservation Program.

I've worked closely with the Cape May County Ag Development Board over the past year, and we have just received certification and are ready to go as of the end of December, and already we have three applicants who are very interested in the program.

What they're concerned about, and what a lot of people are concerned about, the funds are going to run out; that there are already so many applications in that by the time, through no fault of their own, Cape May County's applications do come in, that they're going to find that the monies will not be available. The farmers feel it's an excellent program, certainly there is lots of thinking about it. It's a major decision to make. We're happy that three have already started the process.

I think it's an excellent program because it deals directly with the problem at hand. It deals directly with the problem of the pressure to sell farmland. But even more importantly, it allows for an investment in the farm, which can improve farm operations and thus make the farm more profitable.

Each of the applicants who have entered into the application procedure, as I've talked to them -- that's why I was late this morning because I was talking to another applicant -- they see a future in farming. We're not like the midwestern farmers here. There's a ready market here in Cape May for fresh produce. The farmers want to stay in farming, but they need help with the investment in their lands, to improve their operations and make them more viable.

One can conceive of an argument where people not connected with farming or not close to the open spaces as we are down here, saying, "Well you can just legislate open space." But I think one has to think also about the quality of the open space, and particularly the quality of farmland. It's picturesque. They generate tax dollars. Even more than that, they give us the fresh produce that we all enjoy so much.

My final word is that you probably couldn't find a better manager for open space than a farm owner. If they have the opportunity to retain their farms, invest in their farms, they will maintain it and you will have quality space, rather than if you legislate open space you're going to have lesser quality than that.

So, more funds do need to be made available. And I think a commitment to this should be made fairly soon, so that farmers like those in Cape May who are considering going into the program, have some assurance that after going through a fairly complicated application procedure, that there is some chance that they will get into the program. Thank you.

ASSEMBLYWOMAN OGDEN: I'm frankly one of the ones who's happy that we have a problem now with the question of enough funds, because it was a problem that we had in total reverse for six years after the '81 bond issue was passed and no one was applying. I'm glad that the Public Question No. 4 that was on the ballot in November has totally turned this around, because my feeling is -- even though I don't represent a single farmer, or have a single farm in my district -- that most of the constituents in my district and throughout the State would support more public funds to acquire development rights. And I feel that's something that will go through the Legislature without too much trouble.

MR. STRONBOM: Great. Thank you.

ASSEMBLYMAN LOBIONDO: Thank you.

ASSEMBLYWOMAN OGDEN: I'd like to close the hearing at this point, and thank everyone who has been here, and especially those who have waited patiently to testify closer to the end. Thank you very much.

(HEARING CONCLUDED)

APPENDIX

NEW JERSEY'S OPEN SPACE LEGACY

NJ DEPARTMENT OF ENVIRONMENTAL PROTECTION
Richard T. Dewling
Commissioner

Helen C. Fenske
Assistant Commissioner for
Natural and Historic Resources

Bonnie G. Hammerstedt
Administrator, Green Acres Program

(609) 588-3450

If dialing from a State number, dial 6 and
the last four numbers

Open Space Legacy for New Jersey

Our generation's open space legacy should be greenways - the green threads of protected land that can weave together our open space resources to form the fabric of New Jersey's future quality of life. "We currently bequeath much less than we inherit." Sadly, financial reality negates large acquisitions. There is a method by which we can still preserve the best of what is left. That method? Greenways.

As protected land corridors along waterways, shorelines, scenic roads and trail routes, greenways link urban and rural spaces, protect water resources, wildlife habitat and other natural resources. They enhance the landscape pattern by creating green breaks in the monotony of development. They offer walking, and bicycling and other recreation opportunities. Greenways even benefit economic growth and development by protecting the natural resources that are vital to support growth. Pleasant living areas and working environments are maintained which then attract new growth investments. We must not discount our state's tourism industry which is largely based on the desirability of the state's natural resources and the importance of a healthy, attractive environment.

Types of Greenways:

Greenways are: Countrysides with protected natural, rural and historic corridors. Greenways are trails for walking, hiking, bicycling, horseback riding, jogging, and other forms of passive and active recreation. They may have protected adjacent corridors, railroad and utility rights-of-way, historic travel routes like the Cannonball trail along the Ramapo Ridge and streets of an historic district where the architectural integrity has been preserved and affords a step back in time. Streams and rivers with protected corridors - are an example of trails for public use. The benefits derived by New Jersey's citizens and visitors may come from the views of the tree lined waterways, either from boats or canoes; from protected wildlife habitat; protected shorelines which can be viewed at a distance and bay shorelines which entice people to walk along them. Using these protected areas the public can gain access to the water for swimming, fishing or boating.

Recreation areas - may be Linear greenways conducive to the public having multiple purposes and opportunities. The linkages have to be planned to serve the population. They may be along river corridors, whose shorelines are preserved in basically their natural condition to allow public use in the form of trails and paths. Trail corridors established on railroad

rights-of-way and along historic routes of travel would also be considered recreation. In an historic district, the historic structures, the streets and sidewalks would be considered as serving as an historic recreation greenway. A greenway corridor may include all these.

Conservation areas - are Corridors protected essentially to preserve natural scenic beauty and the environmental values (e.g. mountain ridges, connector parks, wildlife habitat [which maintain natural diversity of the state protecting water quality and quantity]). Waterway conservation corridors may be enjoyed by boaters and canoeists and by individuals at selected viewing points (e.g. road segments and crossings, public waterfront parks). Various linkages can serve the public's recreation needs and allow for the preservation of our state's open space.

Green Acres History

'Greenways is' not a new term. The acquisition principles that it embodies connect open space areas, protect and provide access to water resources, and are key components of New Jersey's Green Acres Program. Launched by the Regional Plan Association's publication of its report - Race for Open Space in 1960, the Green Acres Program has been financed by six voter approved bond issues over the past 27 years.

In November 1961 New Jersey's voters approved the first Green Acres Bond issue. \$40 million of this first initiative was designated for the acquisition of state parks, forests, natural areas, and fish and game lands. \$20 million was set aside as state matching grants for county and municipal acquisitions.

By 1971 the voters realized the importance of the first issue and elected to bond \$40 million dollars for additional state acquisition of parkland, forests and fish and game areas and \$40 million for matching grants for local acquisition---totaling \$80 million.

I have attached to my written comments, for your general information, a chart which outlines the history of the Green Acres program. You will notice the program took on considerable changes incorporating development funding and later an urban emphasis. By 1983 the fifth in the series of Green Acres bond issues was voter approved.

The Green Trust - a revolving fund that provides low interest loans for municipal and county projects - was capitalized at \$83M. The balance (\$52M) was reserved for the continuation of state acquisition and development. The Green Trust, by the way, is the first of its kind in this country to be used as an incentive for local governments to participate in open space preservation.

Although the Green Trust in theory is a fiscally sound program, the original under-capitalization has only permitted an average funding level of \$25M. We have not been able to fund 50% of the funding request at any one time. In fact, though we've approved \$37 million of projects for the last, still pending appropriation of the 1983 bond issue, we actually funded only 40% of the \$90 million in funding requests.

Using the additional \$35 million made available last November for the Green Trust, and interest and loan paybacks from the 1983 loans, we'll be able to fund nearly \$40 million in projects next year. The following year using just the interest and loan paybacks, the funding level will drop to under \$5 million.

Some of our Green Acres accomplishments to date are listed on your comment sheets.

- \$710 million in state bond funds approved to date by the voters.
- Coupled with federal and local funds, over \$1 billion has been invested in New Jersey's open space and recreation resources.
- Over 57,000 acres of county and municipal parkland has been acquired and over 197,000 acres of state parks, forest, wildlife management areas, natural areas, historic sites and recreation areas have been purchased. A total of 255,000 acres of public open space has been preserved and made available for public use and enjoyment.
- Over 700 state and local recreation facility development projects have been funded.
- Protected and developed trail corridors - Appalachian Trail and Patriots Path.
- Contributed to the economic revitalization of urban areas - Liberty State Park, Wiggins Park in Camden.

Where Should We Be Headed?

Time is short; funds are limited.

Through the Greenways Initiative, the efforts of all levels of government and the private sector can be focused toward a common open space and recreation goal of linking together our protected open space areas to form an effective environmental and recreation system.

Scenic roads, river and stream corridors, shorelines and trail routes already exist or are potential greenways. The key is to ensure permanent continuity of the resources. Acquisition in fee simple is only one available technique. Scenic easement purchase, effective use of state environmental regulation authorities including Freshwater Wetlands, CAFRA and municipal land use planning and zoning controls are other techniques. We continue to work with the Nature Conservancy and the New Jersey Conservation Foundation in acquiring areas that become available. In some instances, immediate action may be imperative but state funds may not be available. Cooperation with Land Trusts is essential. The appropriate technique depends on the potential effectiveness of that technique which protects the resource values. In most cases, fee simple acquisition is the only means of providing for public access.

Coordination opportunities exist at all levels of government and across state agencies. We should be working more closely with the Department of Transportation and the Department of Agriculture exercising a concerted effort to preserve whatever open space becomes available. We should also be investigating the potential use or access to our greenways and blueways through properties owned by other public institutions. Retention of the scenic road offers the opportunity for a cooperative effort involving DOT, DEP and Department of Agricultural, and local governments. Initially we're looking toward the Agricultural Preservation Program's purchase of development easements within designated districts as an important tool in preserving the rural countryside along certain roads. At the same time, we're working with the Agricultural Program in acquiring active farmlands in fee simple and then leasing the land for farming operations.

Stream corridors are being preserved through a variety of techniques - local zoning and sub-division review in some municipalities, fee simple and easement purchases in others. With the expected support of the State Development and Redevelopment Guide Plan, we hope to see stream corridor preservation programs adopted by all communities within the State. IN some instances, parkland acquisition will also be required to allow for public access to the water for direct boating and fishing. Abandoned Railroad rights-of-way, utility rights-of-way and stream corridors are all excellent resources for trail corridors.

There are problems and obstacles that we can expect to encounter.

Linear connectors, particularly public use trails, are difficult to operate and maintain. The Division of Parks and Forestry with its problematic Andover-Netcong right-of-way has enlisted the assistance of volunteer groups with a great deal of success. Land has been cleaned up along the right-of-way and, because of an increased willingness of people to report violations, dumping trash or other improper uses are being more closely monitored.

The Governor's Council on New Jersey Outdoors projected a recreation open space land deficit of 373,472 acres in March 1987. This deficit has been reduced over the past year by 11,620 acres, leaving an unmet need of 361,852 acres. An average cost for our state land acquisition program ranges from \$1,000 per acre in the Pinelands to \$10,000 per acre outside the Pinelands. County and municipal costs for parklands acquisition are approximately \$16,000 per acre. This figure was realized during 1987.

The beauties of the past are the gifts of the future. New Jersey's Open Space legacy lies in the continued protection and development of the environment. Without the financial resources to continue preserving these gifts, the legacy will die. Human beings are responsible for their environment. We are responsible for our endowment. Please help us protect it!---perhaps your influence in the legislature to encourage a stable source of funding for the Natural Resource Program will help.

Governor's Council on New Jersey Outdoors
Funding Needs Update

Governor's Report Recommendations

- * \$400 million for state projects
 - \$300 million for open space acquisition
 - \$100 million for recreation facility development

- * \$400 million for Green Trust assistance for municipal and county projects
 - \$250 million for capitalizing the Green Trust for low-interest loans
 - \$150 million for incentive grants (in combination loans)

Update of Funding Needs and Recommended Source

- * \$400 million for state projects
 - \$300 million in Bond Funds for open space acquisition and access programs (see attached).
 - \$100 million for recreation facility development to be funded at \$18 million annually from the proposed Natural Resources Preservation and Restoration Fund.

- * \$400 million for Green Trust assistance for municipal and county projects
 - \$165 million in Bond Funds to provide for the \$250 million need for capitalizing the Green Trust for low-interest loans, less the \$35 million provided under the 87 Bond, and \$50 million to be provided from \$10 million annually under the proposed Natural Resources Preservation and Restoration Fund.
 - \$150 million in Bond funds for incentive grants (in combination loans).

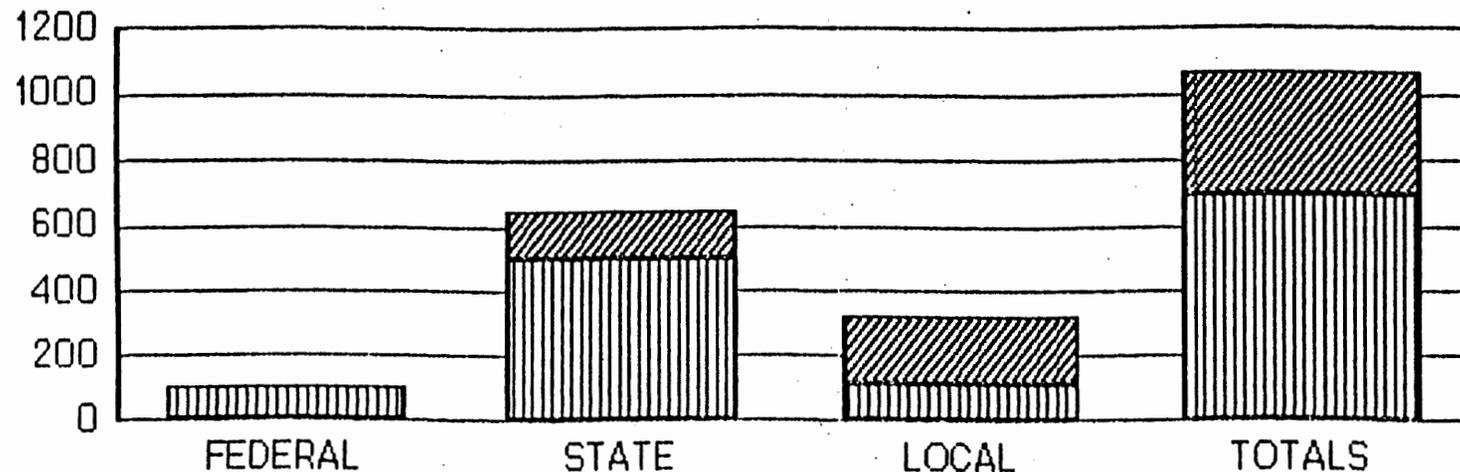
Summary of Total Funding Needs

\$615 million in Bond funds
\$ 28 million provided annually from the proposed Natural Resources Preservation and Restoration Fund.

PUBLIC RECREATION OPEN SPACE SUPPLY AND NEED

CURRENT TOTAL OPEN SPACE DEFICIT
361,852 ACRES

ACRES (in thousands)



ACREAGE ESTIMATES AS OF JANUARY 1, 1988

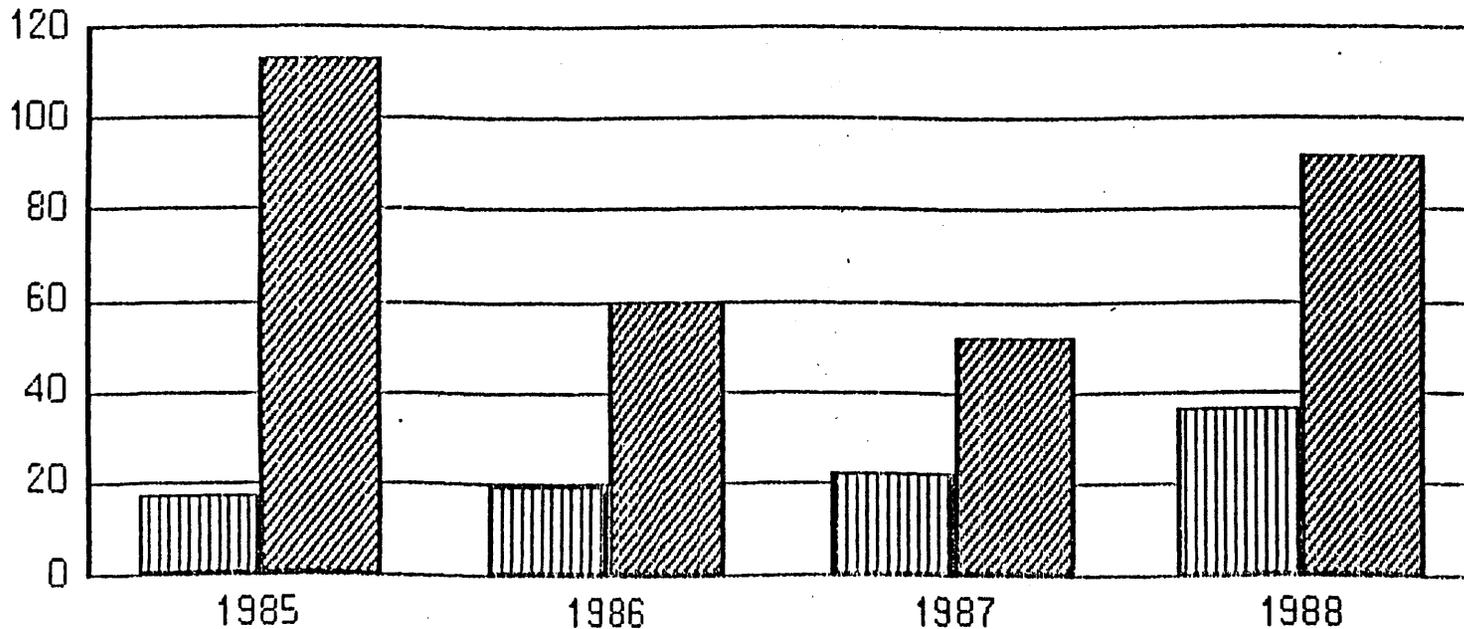
▨ CURRENTLY PRESERVED

▨ ADDITIONAL PUBLIC NEED

8X

LOCAL GREEN TRUST GRANT AND LOAN PROGRAM

MILLIONS OF DOLLARS



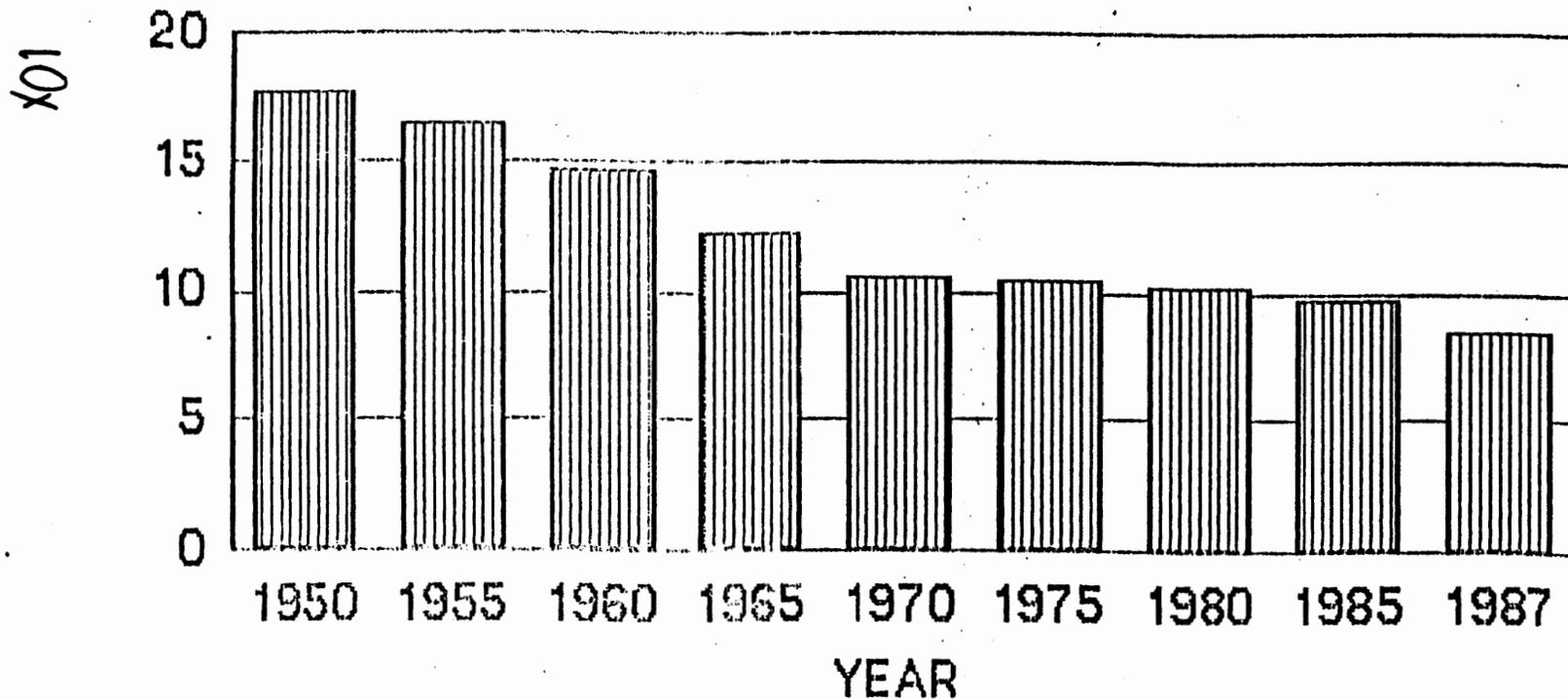
▤ PROJECTS AUTHORIZED

▨ FUNDING REQUESTS

xb

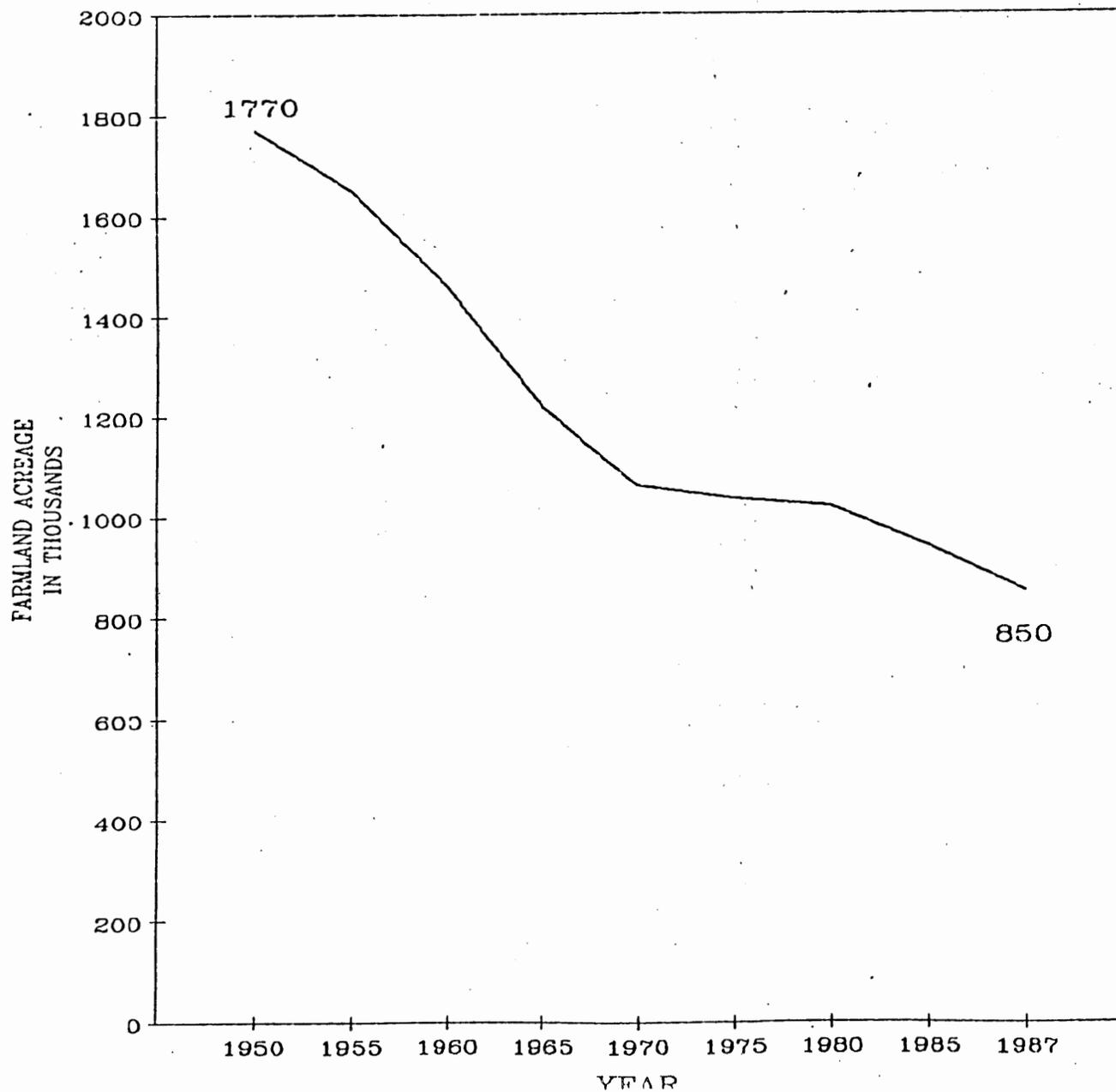
DECLINE IN NEW JERSEY'S FARMLAND

ACREAGE (in thousands)



▨ FARMLAND ACREAGE

DECLINE IN NEW JERSEY'S FARMLAND 1950 - 1987



LEGEND

— FARMLAND ACREAGE

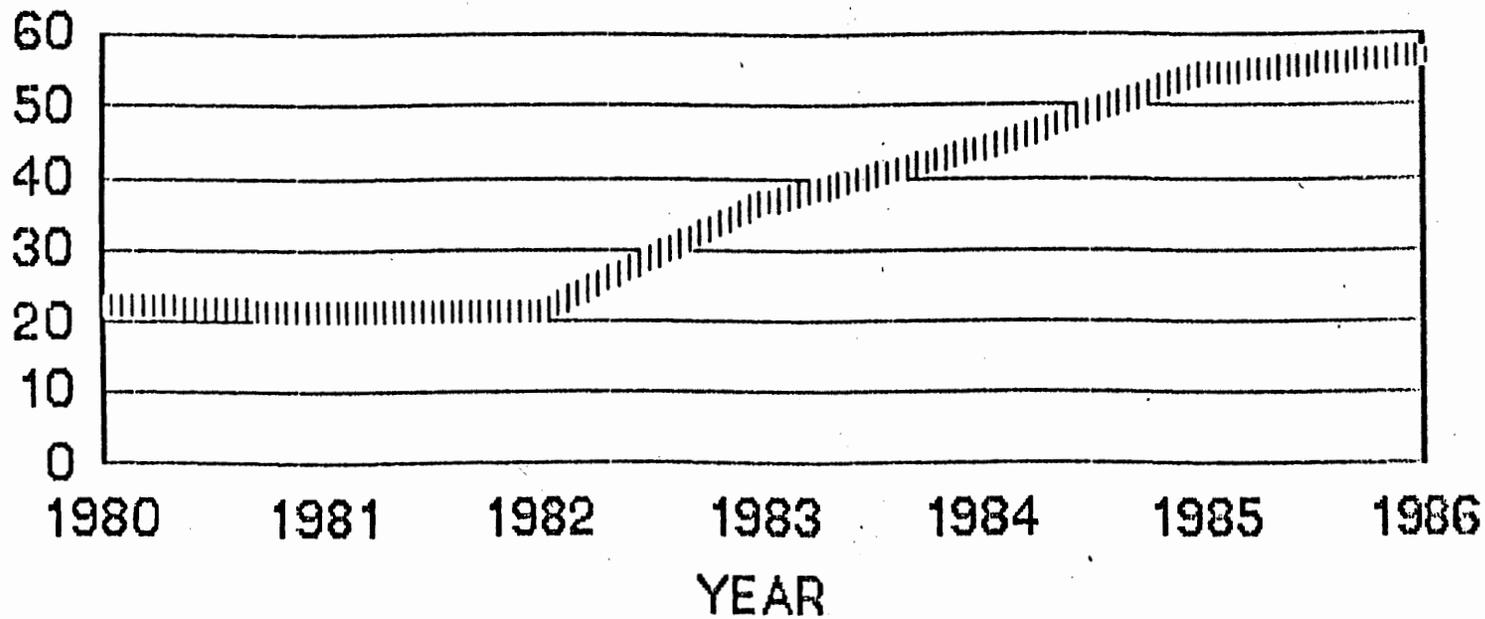
LOSS OF 950 THOUSAND
NEW JERSEY FARMLAND
ACRES FROM 1950 -1987

NJ BUILDING PERMITS

NEW RESIDENTIAL CONSTRUCTION

12X

PERMITS ISSUED (in thousands)



PERMITS

STATE OPEN SPACE ACQUISITION PROGRAM

Fiscal Year 1989 Proposed Program*

Pinelands	\$10,000,000
Freshwater Wetlands Areas	4,000,000
Marine and Freshwater Access	4,000,000
Coastal Beaches and Dunes	10,000,000
Bear Swamp (Sussex County)	5,000,000
Skylands	3,000,000
Delaware Bay Shoreline	1,250,000
Greenways	5,500,000
Special Natural Resource Areas	500,000
Additions and Interior Exceptions	1,000,000
Opportunities, Contingencies and Condemnation Awards	<u>5,750,000</u>
TOTAL	<u>\$50,000,000</u>

* Program deleted at the recommendation of the Commission on Capital Budget and Planning from the FY 89 budget package currently under consideration by the legislature.

State Open Space Potential Acquisition Projects
Currently Under DEP Review

Division of Parks and Forestry

Parks, Forests and Recreation Areas 22,629 ac.

Includes additions to 33 existing areas, extension of trail corridors and connectors of existing public lands, and stream corridors and water access sites.

Natural Areas 74,514 ac.

Includes additions to 17 existing areas, and establishment of 66 new areas to protect significant natural features including habitats for rare and endangered plant and wildlife species.

Historic Sites and Areas 1,696 ac.

Includes the Delaware and Raritan Canal State Park Acquisition Plan and 13 other projects.

Division of Fish, Game and Wildlife 120,007 ac.

Includes 40 projects to add 85,380 acres to existing wildlife management areas to expand and diversify protected blocks of wildlife habitat, increase recreational potential and improve administrative efficiency.

Includes 8 new wildlife management areas totaling 34,627 acres to protect outstanding wildlife habitats, especially for endangered species and to supply recreation open space in regions where deficient.

Open Space Needs as of January 1, 1988

Supply

	Prior to 1987 (acres)	Added in 1987 (acres)	Total (acres)	Goals ¹ (acres)*	Deficit (acres)
Federal	94,000	N/A	94,000		
State	485,000	9,486	494,486	744,319	155,833
County	63,626	878	64,504	221,129	156,625
Municipal	44,119	1,256	45,375	94,769	49,394
Total	686,745	11,620	698,365	1,060,217	361,852

¹ Open space goals adopted by the Governor's Council on New Jersey Outdoors in its March 1987 report. These goals are based on Balanced Land Use Guidelines.

Green Acres Assisted Open Space Acquisition

	Prior to 1987 (acres)	1987 (acres)	Total (acres)
State	187,719 ¹	9,456	197,175
County	35,485	661	36,146
Municipal	20,438	1,256	21,694
Total	243,642	11,373	255,015

¹ Includes donation of 1,947 acres as part of an entire acquisition project.

	Open Space Needs (acres)	Estimated Cost
Municipal	49,394	\$ 790,304,000.
County	156,625	2,506,000,000.
State and Federal		
Pinelands	64,000	64,000,000.
Outside of Pinelands	91,833	910,833,000.
TOTAL	361,852	\$4,271,137,000.

HISTORY OF GREEN ACRES

YEAR	AMOUNT	PROGRAM AREA	THRUST
1961	\$ 60 million	Acquisition Only \$40 million-State acquisition \$20 million-County and Municipal matching acquisition grants	<u>First Bond Issue</u> State - Acquired over 90,000 acres, including 10,556 acres of Wawayanda State Park and 4,973 acres for the Assunpink WMA. Local - Acquired over 16,000 acres, including 2,800 acre Mercer County Central Park, and Essex County's Roseland Park (146 acres).
1971	\$ 80 million	Acquisition Only \$40 million-State acquisition \$40 million-County and Municipal matching acquisition grants	<u>Continuation and Establishment of New Jersey's Open Space System</u> State - Acquired over 30,000 acres, including major additions to Wawayanda State Park (2,876 acres) and Winslow WMA. Local - Acquired over 16,000 acres, including Bergen County's Ramapo County Park (624 acres), Atlantic County's first park, Estell Manor Park (1,672 acres) and Hunterdon County's first park, South Branch Park (784 acres).
1974	\$200 million	Acquisition and Development \$100 million-Acquisition - \$ 50 million-State - \$ 50 million-Local \$100 million-Development - \$ 50 million-State - \$ 50 million-Local	<u>First Time For Development</u> State - Acquired 2,453 acres to protect the Appalachian Trail Corridor, 2,292 acre Ramapo Mountain State Forest, and 8,083 acre West Plains Pigmy Forest in the Pinelands. Funded major development, including Spruce Run and Round Valley Recreation Areas and upgraded campground restrooms and shower buildings throughout the state. Local - Assisted in the development of such key parks as Camden County's Wiggins, Essex County's Branch Brook and Bayonne's Kill von Kull Parks, and acquisition of Middlesex County's Ambrose and Doty's Brook Park.

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YEAR	AMOUNT	PROGRAM AREA	THRUST
1978	\$200 million	Acquisition and Development \$100 million for state and local urban acquisition and development projects \$100 million for non-urban state and local acquisition and development projects	<u>Urban Emphasis - Waterfront Parks</u> State - Acquired 680 acres at Liberty Park and 14,191 acres in the Pineland's Cedar Creek Watershed and funded development at Liberty State Park and the Pequest Fish Hatchery. Local - Assisted Bridgeton City's development of Cohansey Riverfront Park, and Monmouth County's Seven Presidents Park development, and funded West New York's purchase of Waterfront Park, and East and West Windsor acquisitions along the Millstone River Corridor.
1983	\$135 million	Acquisition and Development \$83 for initiation of Green Trust low interest loan program for local projects \$52 million for state projects - \$28 million for acquisition - \$24 million for development	<u>Green Trust Initiated</u> State - Major acquisitions in the Pinelands, including Makepeace Lake (6,877 acres), Upper Wading River (3,037 acres), and Manumuskin River (3,765 acres). Development at Liberty State Park as well as other state areas funded. Local - Through the Green Trust low interest loans and 25% grants, acquisition projects and urban projects emphasized. Acquisitions include Atlantic County's 2,393 acre Great Egg Harbor River Park and Hunterdon County's 100 acre Uplands Reservation. Development projects included Pennsauken's Fish House Cove Park, Elizabeth's Arthur Kill Park and Burlington County's Smithville Park.
1987	\$ 35 million	Local Acquisition and Development \$35 million for Green Trust	<u>Open Space Legacy</u> Projects for the full \$35 million will be approved by the end of this year.

16X

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STATES/REGIONS	FEDERAL**						STATE***						LOCAL***					
	1980 CENSUS		SIZE (ACRES)		PER CAPITA		LAND AREA		PER CAPITA		LAND AREA		PER CAPITA		LAND AREA		PER CAPITA	
			RECREATION ACRES	PERCENT OF AREA	NATIONAL RANK	ACRES PER 1000 POP.	RECREATION ACRES	PERCENT OF AREA	NATIONAL RANK	ACRES PER 1000 POP.	NATIONAL RANK	RECREATION ACRES	PERCENT OF AREA	NATIONAL RANK	ACRES PER 1000 POP.	NATIONAL RANK		
NORTHEAST																		
CONNECTICUT	3,107,576	3,118,080	11,000	0.353%	50	0.00	50*	198,921	6.300%	11	0.06	43*	40,012	1.283%	7	0.01	34*	
MAINE	1,124,660	19,836,800	137,000	0.691%	47	0.12	38	428,128	2.158%	27	0.38	15	21,000	0.106%	35	0.02	21*	
MASSACHUSETTS	5,737,037	5,007,360	82,000	1.638%	40	0.01	47*	589,055	11.764%	6	0.10	35*	543,153	10.847%	1	0.09	6*	
NEW HAMPSHIRE	920,610	5,755,520	717,000	12.458%	14	0.78	17	274,812	4.775%	14	0.30	20*	35,500	0.617%	15	0.04	11*	
NEW JERSEY	7,364,823	4,779,520	93,000	1.946%	38	0.01	47*	468,994	9.813%	8	0.06	43*	137,443	2.876%	3	0.02	21*	
NEW YORK	17,558,072	30,321,280	140,000	0.462%	49	0.01	47*	5,234,265	17.263%	2	0.30	20*	231,535	0.764%	11	0.01	34*	
PENNSYLVANIA	11,863,895	28,728,320	727,000	2.531%	37	0.06	40*	3,448,026	12.698%	3	0.31	19	180,080	0.627%	14	0.02	21*	
RHODE ISLAND	947,154	675,200	1,000	0.148%	51	0.00	50*	57,548	0.523%	9	0.06	43*	14,917	2.209%	4	0.02	21*	
VERMONT	511,456	5,934,720	312,000	5.257%	26	0.61	19	252,200	4.250%	15	0.49	9	2,000	0.034%	44	0.00	48*	
	49,135,283	104,156,800	2,220,000	2.131%		0.05		11,151,949	10.707%		0.23		1,205,642	1.158%		0.02		

TOTAL

STATES/REGIONS	1980 CENSUS		SIZE (ACRES)		LAND AREA				PER CAPITA	
			RECREATION ACRES	PERCENT OF AREA	NATIONAL RANK	ACRES PER 1000 POP.	NATIONAL RANK			
NORTHEAST										
CONNECTICUT	3,107,576	3,118,080	249,933	8.016%	35	0.08	49*			
MAINE	1,124,660	19,836,800	586,128	2.955%	47	0.52	32*			
MASSACHUSETTS	5,737,037	5,007,360	1,214,208	24.248%	14	0.21	41			
NEW HAMPSHIRE	920,610	5,755,520	1,027,312	17.849%	20	1.12	18*			
NEW JERSEY	7,364,823	4,779,520	699,439	14.634%	23	0.09	48			
NEW YORK	17,558,072	30,321,280	5,405,800	18.488%	19	0.32	39			
PENNSYLVANIA	11,863,895	28,728,320	4,555,106	15.856%	21	0.38	38			
RHODE ISLAND	947,154	675,200	73,463	10.880%	27	0.08	49*			
VERMONT	511,456	5,934,720	566,200	9.540%	29	1.11	20*			
	49,135,283	104,156,800	14,577,591	13.996%		0.30				

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STATES/REGIONS	FEDERAL				STATE				LOCAL												
	1900 CENSUS	SIZE (ACRES)	RECREATION ACRES	PERCENT OF AREA	NATIONAL RANK	ACRES PER 1000 POP.	PERCENT OF AREA	NATIONAL RANK	RECREATION ACRES	PERCENT OF AREA	NATIONAL RANK	ACRES PER 1000 POP.	PERCENT OF AREA	NATIONAL RANK	RECREATION ACRES	PERCENT OF AREA	NATIONAL RANK	ACRES PER 1000 POP.	PERCENT OF AREA	NATIONAL RANK	
NORTH CENTRAL																					
ILLINOIS	11,426,518	35,612,800	552,000	1.5501	42	0.05	43	354,213	0.9951	39	0.03	50	250,946	0.7051	12	0.02	218				
INDIANA	5,450,224	22,976,400	327,000	1.4221	43	0.06	408	450,667	1.9601	30	0.08	308	84,520	0.3651	20	0.02	218				
IOWA	2,913,808	35,817,600	207,000	0.5781	48	0.07	39	217,303	0.6071	43	0.07	418	115,453	0.3221	23	0.04	118				
KANSAS	2,363,679	52,337,920	570,000	1.0891	46	0.24	35	437,689	0.8361	41	0.19	32	100,595	0.1921	29	0.04	118				
MICHIGAN	9,262,078	36,450,560	3,597,000	9.8411	17	0.39	258	4,344,600	11.9191	5	0.47	10	113,500	0.3111	24	0.01	348				
MINNESOTA	4,075,970	50,910,720	3,435,000	6.7471	22	0.84	16	6,177,333	12.1341	4	1.52	3	419,648	0.8241	10	0.10	5				
MISSOURI	4,916,806	44,124,000	2,120,000	4.8051	29	0.43	23	582,051	1.3191	37	0.12	34	130,988	0.2711	25	0.03	178				
NEBRASKA	1,569,825	49,052,160	594,000	1.2111	45	0.38	28	309,118	0.6301	42	0.20	31	27,891	0.0571	41	0.02	218				
NORTH DAKOTA	652,717	44,352,000	2,312,000	5.2131	20	3.54	12	605,971	1.3661	36	0.93	5	30,900	0.0701	40	0.05	59				
OHIO	10,797,630	26,242,560	333,000	1.2691	44	0.03	44	524,226	1.9981	28	0.05	47	234,009	0.0871	9	0.02	218				
SOUTH DAKOTA	690,768	49,609,280	3,221,000	6.4261	23	4.66	11	240,131	0.4941	47	0.35	16	14,316	0.0271	478	0.02	218				
WISCONSIN	4,705,767	34,832,640	1,824,000	5.2361	27	0.39	258	1,088,564	3.1251	23	0.23	278	2,369,094	6.8011	2	0.50	1				
TOTAL	58,865,670	481,339,520	19,082,000	3.9441		0.32		15,331,946	3.1851		0.26		3,871,850	0.8071		0.07					

STATES/REGIONS	FEDERAL				STATE				LOCAL												
	1900 CENSUS	SIZE (ACRES)	RECREATION ACRES	PERCENT OF AREA	NATIONAL RANK	ACRES PER 1000 POP.	PERCENT OF AREA	NATIONAL RANK	RECREATION ACRES	PERCENT OF AREA	NATIONAL RANK	ACRES PER 1000 POP.	PERCENT OF AREA	NATIONAL RANK	RECREATION ACRES	PERCENT OF AREA	NATIONAL RANK	ACRES PER 1000 POP.	PERCENT OF AREA	NATIONAL RANK	
NORTH CENTRAL																					
ILLINOIS	11,426,518	35,612,800	552,000	1.5501	42	0.05	43	354,213	0.9951	39	0.03	50	250,946	0.7051	12	0.02	218				
INDIANA	5,450,224	22,976,400	327,000	1.4221	43	0.06	408	450,667	1.9601	30	0.08	308	84,520	0.3651	20	0.02	218				
IOWA	2,913,808	35,817,600	207,000	0.5781	48	0.07	39	217,303	0.6071	43	0.07	418	115,453	0.3221	23	0.04	118				
KANSAS	2,363,679	52,337,920	570,000	1.0891	46	0.24	35	437,689	0.8361	41	0.19	32	100,595	0.1921	29	0.04	118				
MICHIGAN	9,262,078	36,450,560	3,597,000	9.8411	17	0.39	258	4,344,600	11.9191	5	0.47	10	113,500	0.3111	24	0.01	348				
MINNESOTA	4,075,970	50,910,720	3,435,000	6.7471	22	0.84	16	6,177,333	12.1341	4	1.52	3	419,648	0.8241	10	0.10	5				
MISSOURI	4,916,806	44,124,000	2,120,000	4.8051	29	0.43	23	582,051	1.3191	37	0.12	34	130,988	0.2711	25	0.03	178				
NEBRASKA	1,569,825	49,052,160	594,000	1.2111	45	0.38	28	309,118	0.6301	42	0.20	31	27,891	0.0571	41	0.02	218				
NORTH DAKOTA	652,717	44,352,000	2,312,000	5.2131	20	3.54	12	605,971	1.3661	36	0.93	5	30,900	0.0701	40	0.05	59				
OHIO	10,797,630	26,242,560	333,000	1.2691	44	0.03	44	524,226	1.9981	28	0.05	47	234,009	0.0871	9	0.02	218				
SOUTH DAKOTA	690,768	49,609,280	3,221,000	6.4261	23	4.66	11	240,131	0.4941	47	0.35	16	14,316	0.0271	478	0.02	218				
WISCONSIN	4,705,767	34,832,640	1,824,000	5.2361	27	0.39	258	1,088,564	3.1251	23	0.23	278	2,369,094	6.8011	2	0.50	1				
TOTAL	58,865,670	481,339,520	19,082,000	3.9441		0.32		15,331,946	3.1851		0.26		3,871,850	0.8071		0.07					

STATES/REGIONS	FEDERAL				STATE				LOCAL												
	1900 CENSUS	SIZE (ACRES)	RECREATION ACRES	PERCENT OF AREA	NATIONAL RANK	ACRES PER 1000 POP.	PERCENT OF AREA	NATIONAL RANK	RECREATION ACRES	PERCENT OF AREA	NATIONAL RANK	ACRES PER 1000 POP.	PERCENT OF AREA	NATIONAL RANK	RECREATION ACRES	PERCENT OF AREA	NATIONAL RANK	ACRES PER 1000 POP.	PERCENT OF AREA	NATIONAL RANK	
NORTH CENTRAL																					
ILLINOIS	11,426,518	35,612,800	552,000	1.5501	42	0.05	43	354,213	0.9951	39	0.03	50	250,946	0.7051	12	0.02	218				
INDIANA	5,450,224	22,976,400	327,000	1.4221	43	0.06	408	450,667	1.9601	30	0.08	308	84,520	0.3651	20	0.02	218				
IOWA	2,913,808	35,817,600	207,000	0.5781	48	0.07	39	217,303	0.6071	43	0.07	418	115,453	0.3221	23	0.04	118				
KANSAS	2,363,679	52,337,920	570,000	1.0891	46	0.24	35	437,689	0.8361	41	0.19	32	100,595	0.1921	29	0.04	118				
MICHIGAN	9,262,078	36,450,560	3,597,000	9.8411	17	0.39	258	4,344,600	11.9191	5	0.47	10	113,500	0.3111	24	0.01	348				
MINNESOTA	4,075,970	50,910,720	3,435,000	6.7471	22	0.84	16	6,177,333	12.1341	4	1.52	3	419,648	0.8241	10	0.10	5				
MISSOURI	4,916,806	44,124,000	2,120,000	4.8051	29	0.43	23	582,051	1.3191	37	0.12	34	130,988	0.2711	25	0.03	178				
NEBRASKA	1,569,825	49,052,160	594,000	1.2111	45	0.38	28	309,118	0.6301	42	0.20	31	27,891	0.0571	41	0.02	218				
NORTH DAKOTA	652,717	44,352,000	2,312,000	5.2131	20	3.54	12	605,971	1.3661	36	0.93	5	30,900	0.0701	40	0.05	59				
OHIO	10,797,630	26,242,560	333,000	1.2691	44	0.03	44	524,226	1.9981	28	0.05	47	234,009	0.0871	9	0.02	218				
SOUTH DAKOTA	690,768	49,609,280	3,221,000	6.4261	23	4.66	11	240,131	0.4941	47	0.35	16	14,316	0.0271	478	0.02	218				
WISCONSIN	4,705,767	34,832,640	1,824,000	5.2361	27	0.39	258	1,088,564	3.1251	23	0.23	278	2,369,094	6.8011	2	0.50	1				
TOTAL	58,865,670	481,339,520	19,082,000	3.9441		0.32		15,331,946	3.1851		0.26		3,871,850	0.8071		0.07					

PER CAPITA:

STATES/REGIONS	LAND AREA					PER CAPITA					LAND AREA					PER CAPITA				
	1900 CENSUS	SIZE (ACRES)	RECREATION ACRES	PERCENT OF AREA	NATIONAL RANK	ACRES PER 1000 POP.	NATIONAL RANK	RECREATION ACRES	PERCENT OF AREA	NATIONAL RANK	ACRES PER 1000 POP.	NATIONAL RANK	RECREATION ACRES	PERCENT OF AREA	NATIONAL RANK	ACRES PER 1000 POP.	NATIONAL RANK			
ALASKA	401,851	365,333,120	316,991,000	86.768%	1	788.83	1	7,228,031	1.978%	29	17.99	1	136,528	0.037%	45	0.34	2			
ARIZONA	2,718,215	72,645,120	28,287,000	38.939%	8	10.41	9	2,849,666	3.923%	17	1.05	4	253,650	0.349%	21	0.09	68			
CALIFORNIA	23,667,902	100,031,360	43,613,000	43.599%	7	1.84	14	1,421,031	1.421%	35	0.06	43*	666,727	0.667%	13	0.03	178			
COLORADO	2,889,964	66,300,800	23,667,000	35.696%	9	8.19	10	783,622	1.182%	38	0.27	22	107,705	0.162%	31	0.04	118			
HAWAII	964,691	4,112,000	495,000	12.038%	15	0.51	21	856,723	20.835%	1	0.89	6	8,374	0.204%	27	0.01	348			
IDAH0	943,935	52,743,680	32,899,000	62.375%	3	34.85	5	3,362,655	6.375%	12	3.56	2	12,100	0.023%	47*	0.01	348			
MONTANA	785,690	93,049,320	27,436,000	29.486%	10	34.88	43	534,600	0.575%	44	0.68	8	2,600	0.005%	50	0.00	428			
NEVADA	800,493	70,332,160	56,576,000	80.441%	2	70.68	2	328,639	0.467%	48	0.41	12*	8,267	0.012%	49	0.01	348			
NEW MEXICO	1,302,894	77,654,400	22,745,000	29.290%	11	17.46	7	280,832	0.362%	49	0.22	29*	33,500	0.043%	42	0.03	178			
OREGON	2,633,105	61,557,760	32,205,000	52.317%	5	12.23	8	599,995	0.975%	40	0.23	27*	50,360	0.082%	39	0.02	218			
UTAH	1,461,037	52,526,720	32,668,000	62.193%	4	22.36	6	97,108	0.185%	51	0.07	41*	230,393	0.439%	18	0.16	3			
WASHINGTON	4,132,156	42,567,040	11,628,000	27.317%	12	2.81	13	989,190	2.324%	25	0.24	25*	85,000	0.200%	28	0.02	218			
WYOMING	469,557	62,072,960	30,685,000	49.434%	6	65.35	3	340383	0.548%	46	0.72	7	17230	0.028%	46	0.04	118			
	43,172,490	1,120,925,440	659,895,000	58.871%		15.29		19,672,475	1.755%		0.46		1,612,374	0.144%		0.04				

TOTAL

STATES/REGIONS	LAND AREA		PER CAPITA				
	1980 CENSUS	SIZE (ACRES)	RECREATION ACRES	PERCENT OF AREA	NATIONAL RANK	ACRES PER 1000 POP.	NATIONAL RANK
ALASKA	401,851	365,333,120	324,355,559	88.784%	1	807.15	1
ARIZONA	2,718,215	72,645,120	31,390,316	43.210%	8	11.55	9
CALIFORNIA	23,667,902	100,031,360	45,700,758	45.686%	7	1.93	15
COLORADO	2,889,964	66,300,800	24,558,327	37.041%	9	8.50	10
HAWAII	964,691	4,112,000	1,360,097	33.076%	10	1.41	17
IDAH0	943,935	52,743,680	36,273,755	68.774%	3	38.43	4
MONTANA	785,690	93,049,320	27,973,200	30.063%	11	35.56	5
NEVADA	800,493	70,332,160	56,912,906	80.920%	2	71.10	2
NEW MEXICO	1,302,894	77,654,400	23,059,332	29.695%	13	17.70	7
OREGON	2,633,105	61,557,760	32,855,295	53.373%	5	12.48	8
UTAH	1,461,037	52,526,720	32,995,501	62.817%	4	22.58	6
WASHINGTON	4,132,156	42,567,040	12,702,190	29.840%	13	3.07	13
WYOMING	469,557	62,072,960	31,042,613	50.010%	6	66.11	3
	43,172,490	1,120,925,440	681,179,849	60.769%		15.78	

* DUPLICATE RANK.

** INCLUDES LANDS OWNED BY THE FOLLOWING FEDERAL AGENCIES: NATIONAL PARK SERVICE, FISH AND WILDLIFE SERVICE, FOREST SERVICE, BUREAU OF RECLAMATION, TENNESSEE VALLEY AUTHORITY, CORPS OF ENGINEERS AND BUREAU OF LAND MANAGEMENT. INFORMATION DATED 1984, SUPPLIED BY THE PRESIDENT'S COMMISSION ON AMERICANS OUTDOORS. FIGURES PROVIDED WERE IN THOUSANDS.

*** STATE AND LOCAL RECREATION LAND FIGURES FROM THE NATIONAL ASSOCIATION OF STATE LIAISON OFFICERS' 1986 NATIONAL RECREATION / RESOURCE INVENTORY.

STATE SUMMARY

NEW JERSEY FARMLAND ASSESSMENT SURVEY

	CROPLAND HARVESTED	CROPLAND PASTURED	PERMANENT PASTURE	WOODLAND/ WETLAND	TOTAL FOR AGRIC. USE
ATLANTIC	16,928.3	1,981.4	807.0	26,601.2	46,321.6
BERGEN	866.8	113.6	306.8	2,746.9	4,033.9
BURLINGTON	79,283.8	4,626.1	10,182.2	62,587.4	156,645.4
CAMDEN	10,413.9	379.3	742.1	3,265.3	14,806.6
CAPE MAY	6,634.2	384.9	529.9	6,365.7	13,914.8
CUMBERLAND	52,463.9	1,100.2	3,555.9	29,743.4	86,836.6
ESSEX	146.0	2.5	20.0	122.3	290.8
GLOUCESTER	59,591.4	3,055.7	4,116.0	17,910.9	84,554.0
HUDSON	—	—	—	—	—
HUNTERDON	75,748.9	6,982.9	20,380.0	47,033.2	152,201.0
MERCER	31,108.3	1,729.7	4,334.8	13,822.7	50,992.0
MIDDLESEX	25,658.8	1,017.3	1,582.8	11,482.3	39,746.4
MONMOUTH	46,618.4	3,042.8	8,008.7	20,468.8	78,194.7
MORRIS	14,378.0	1,966.1	4,281.2	14,458.3	35,095.3
OCEAN	6,441.0	427.7	736.9	7,498.6	15,104.3
PASSAIC	371.4	122.9	169.0	7,707.3	8,369.7
SALEM	78,493.9	4,021.4	9,720.3	31,195.9	123,425.0
SOMERSET	33,543.9	5,001.4	9,175.1	18,672.9	66,451.6
SUSSEX	39,543.0	7,233.4	22,517.5	56,900.1	126,124.0
UNION	238.3	44.2	26.9	70.6	380.4
WARREN	56,660.5	5,656.9	14,026.7	34,560.3	110,908.0
TOTAL 1985 TAX YEAR	635,132.7	50,890.3	115,221.1	413,214.1	1,214,396.1

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Crop	Unit	Acres harvested	Yield per acre	Production (1,000)	Season avg price per unit (\$)	Value	
						Total (\$1,000)	per acre (\$)
FIELD CROPS							
Corn for grain	bu	104,000	107.0	11,128	1.65	18,361	177
Wheat	bu	30,000	43.0	1,290	2.45	3,161	105
Oats	bu	4,000	54.0	216	1.50	324	81
Barley	bu	20,000	62.0	1,240	1.25	1,550	78
Rye	bu	10,000	31.0	310	2.80	868	87
Soybeans for beans	bu	117,000	29.0	3,393	4.75	16,117	138
Alfalfa hay	ton	43,000	3.40	146	---	---	---
Other hay	ton	72,000	2.10	151	---	---	---
All hay	ton	115,000	2.58	297	102.00	30,294	263
Corn for silage	ton	27,000	15.50	419	---	---	---
Potatoes	cwt	8,100	240	1,944	6.10	11,858	1,464
Sweet potatoes	cwt	2,000	110	220	19.60	4,312	2,156
TOTAL FIELD CROPS	ton	437,100	---	1,318.3	---	86,845	---
FRUIT CROPS							
Apples	lb	---	---	100,000 1/	.124	12,416	---
Peaches	lb	---	---	105,000 1/	.236	23,643	---
Blueberries	lb	7,900	3,800	30,000 1/	.774	23,216	2,939
Cranberries	bbl	3,300	98.5	324 1/	52.80	17,160	5,200
Strawberries	cwt	900	42	38	54.30	2,063	2,292
TOTAL FRUIT CROPS	ton	12,100 2/	---	135.6	---	78,498	---
VEGETABLES FOR FRESH MARKET							
Asparagus, Jan-June 3/ ...	cwt	1,900	19	36	64.60	2,326	1,224
Snap beans, Jan-Dec	cwt	5,200	40	208	26.50	5,512	1,060
Cabbage, Jan-Dec	cwt	3,200	240	768	11.10	8,525	2,664
Sweet corn, July-Dec	cwt	12,200	80	976	14.40	14,054	1,152
Cucumbers, July-Dec	cwt	2,000	125	250	21.90	5,475	2,738
Eggplant, July-Dec	cwt	900	175	158	24.00	3,792	4,213
Escarole, Jan-Dec	cwt	900	165	149	21.30	3,174	3,527
Lettuce, Jan-Dec	cwt	2,600	165	429	12.70	5,448	2,095
Peppers, July-Dec	cwt	6,600	85	561	22.10	12,398	1,878
Spinach, Jan-Dec	cwt	2,500	67	168	28.30	4,754	1,902
Tomatoes, July-Dec	cwt	6,200	110	682	23.10	15,754	2,541
Total - 11 market crops	cwt	44,200	99	4,385	18.50	81,212	1,837
VEGETABLES FOR PROCESSING							
Tomatoes	ton	3,000	17.42	52.3	72.80	3,805	1,268
Cucumbers	ton	770	8.47	6.5	193.00	1,258	1,634
Total - 2 processing crops .	ton	3,770	15.59	58.8	86.10	5,063	1,343
Other Vegetable Crops 4/...	ton	7,780	4.56	35.5	129.00	4,580	589
TOTAL PRINCIPAL VEGETABLES ..	ton	55,750	5.63	313.6	289.70	90,855	1,630
TOTAL ALL CROPS	ton	504,950	---	1,767.5	---	256,198	---

1/ Utilized production.

2/ Not included in all crops total.

3/ Includes both fresh market and processing amounts.

4/ Not published seperately to avoid disclosing individual operations.

New Jersey State Library

22x

ment of dues includes the annual dues of the American Farm Bureau Federation, for a one-year subscription to This Week in Farm Bureau, and Northeast Agriculture (Membership fee \$10.00 To Oct 31).

NEW JERSEY FARM BUREAU DUES STRUCTURE

- \$90.00 . . . Farmer or Commercial Fisherman.
- \$150.00 . . . Large farms and corporations.
- \$75.00 . . . For nonfarmers and retired farmers who are interested in New Jersey Agriculture and wish to support the New Jersey Farm Bureau and/or participate in its services.

INVOICE

If the information provided is incorrect, please make necessary corrections. (Please complete the survey listed below to help us serve you better.) Make your check payable to New Jersey Farm Bureau and mail to: 168 W. State St., Trenton, NJ 08608.

BUSINESS STRUCTURE

Degree of Farming: 1,770 full time; 748 part time; 561 retired; 152 agribusiness; 64 ocean fisherman;
7 bay fisherman; 7 farm employee; 484 nonfarmer.
 Legal Structure: 1,757 sole proprietor; 456 partnership; 461 corporation.
 Interest in Farmland: 1,721 own; 243 own & lease to others only; 517 own & lease; 193 lease only.
 Family Operation: 2,281 Yes; 295 No.
 Acreage Farmed: 2,281 0-49; 408 50-99; 621 100-249; 390 250-499; 141 500 & over.
 Marketing: 334 terminal mkt.; 351 auction; 90 consignment; 309 broker; 221 roadside mkt.;
172 co-op; 224 other

COMMODITIES AND LABOR (Check ALL that apply)

GRAIN / HAY

892 Corn
287 Soybean
358 Wheat
983 Hay

VEGETABLES

821 Fresh Market
168 Processing

FRUIT / BERRY

243 Peach
231 Apple
292 Berry Crop

HORTICULTURE

428 Nursery
329 Bedding Plants
299 Christmas Trees
205 Forest Products

LIVESTOCK / HORSE

357 Dairy/Veal
359 Beef Cattle
160 Poultry
183 Hogs
447 Horse

FISHERIES

74 Finfish
32 Lobster
31 Clams
20 Oysters

LABOR

98 Seasonal Migrant
76 Day Haul
71 Labor Camp
62 Crew Leader

TOPICS OF INTEREST

731 Trucking Regulations
697 Water Allocation Regulations
500 Forestry Management
621 Greenhouse Regulations
595 Roadside Marketing
444 Migrant & General
321 Labor Regulations
1,252 Land Use Regulations
1,306 Right to Farm
317 Young Farmers
 Activities
238 Women's Programs

MEMBER SERVICES OF INTEREST

811 Legislative Activity
248 Individual Problem Solving
175 Commodity Committees
243 Policy Development
545 Tax Records & Accounting
740 Safemark tires, batteries, etc.
399 Grain Marketing
693 Seed & Chemicals
2,117 Farm Family Insurance
713 Member Health Plan
31 Other (Please Explain) _____

Member Name _____ Township _____ Phone No. _____

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FTB MEMBERSHIP

DEBTAGE OWNED

...0...

$$\begin{array}{r} 1303 \\ + 40 \\ \hline 1343 \end{array} \quad \begin{array}{l} 1,000 \cdot X \\ 40 \cdot = \\ 40,000 \cdot 00 \end{array}$$

$$\begin{array}{r} 448 \\ \times 75 \\ \hline 33600 \end{array} \quad \begin{array}{l} 390 \cdot X \\ 75 \cdot = \\ 29,250 \cdot 00 \end{array}$$

$$\begin{array}{r} 650 \\ \times 200 \\ \hline 130000 \end{array} \quad \begin{array}{l} 583 \cdot X \\ 200 \cdot = \\ 116,600 \cdot 00 \end{array}$$

$$\begin{array}{r} 394 \\ \times 300 \\ \hline 118200 \end{array} \quad \begin{array}{l} 360 \cdot X \\ 300 \cdot = \\ 108,000 \cdot 00 \end{array}$$

$$\begin{array}{r} 289 \\ \times 600 \\ \hline 173400 \end{array} \quad \begin{array}{l} 116 \cdot X \\ 600 \cdot = \\ 69,600 \cdot 00 \end{array}$$

$$\begin{array}{r} \downarrow \\ 69,600 \cdot 00 + \\ 108,000 \cdot 00 + \\ 116,600 \cdot 00 + \\ 29,250 \cdot 00 + \\ 40,000 \cdot 00 + \\ 507,320 \quad 363,450 \cdot 00 * \end{array}$$

see computer files ⁴²² & membership applications)

California Towns Vote Restrict Expansion Services Lag Behind

momentum of the Movement Recalls Proposition 13's; Left and Right Team Up

blems for Mayor Bradley

By FREDERICK ROSE

Reporter of THE WALL STREET JOURNAL
RANCHO PENASQUITOS, Calif. — As
ntly as the 1960s, the land here was
run with grazing cattle. Now, it is cov-
by middle-class housing developments
names like Woodcrest Glen, Mountain
7 and Vista Mar.

ut although more than 10,000 houses
e been built here—2,100 in the past two
s alone—community facilities haven't
pace. The high school, which was
for 2,000 students, has had to set up
porary classrooms to accommodate an
illment of 3,100. The town library is so
ll that only 40 people are allowed in-
at one time. And nearby, a major sew-
station keeps breaking down. Earlier
year, it spilled more than 20 million
ons of raw waste into an ocean estu-

"I think Pompeii took better care of its
age," says Kathleen Zaworski-Burke,
lives in Mountain View. "People can
pushed just so far and then they re-

Whether Role

A growing number of people, particu-
ly in the populous southern half of Cali-
fornia, are fighting the notion that more is
essarily better. Up and down the coast,
ommunities are adopting measures to re-
ct growth. In some communities, the
trols halt most new construction. In
ers, they sharply limit or redirect it.
all of them suggest that Californians
turning decisively from their expan-
sionist past. And that raises an important
question: If the region that has symbolized
an sprawl for decades is rejecting it,
the heartland be far behind?

Right now, the nation's economy is in
flux and tax breaks are evaporating, but
the growth-control movement was
prompted by economic boom times. Hous-
ing starts last year were the highest in a
decade, and commercial construction rose
to records. In California alone, housing ac-
tivity was the highest since the boom years
of the 1960s.

The movement has a political momen-
tum that recalls the sudden sweep of Prop-
osition 13, the 1978 California ballot mea-
sure that prompted a nationwide wave of lo-
cal tax and budget cutting. Like that meas-
ure, it is creating new political alliances,
blurring the traditional distinctions be-
tween liberal and conservative. In fact, the
armor for slower growth may be part of
the fallout from Proposition 13, which
curbed spending on local services while
development continued unabated.

THE WALL STREET JOURNAL FRIDAY, NOVEMBER 27, 1987

New Power Base

"There is a new political power base
out there in suburbia that's hard to put
your finger on, [but] seeds are being
planted that will sweep the nation," says
Mark Baldassare, a political scientist and
pollster at the University of California at
Irvine.

The ease with which local voter-spon-
sored measures can be placed on ballots
here has spurred the movement in Califor-
nia. But some growth-control efforts are
already appearing elsewhere. Dover, N.H.,
has imposed a moratorium on applications
for major housing projects. And earlier
this month, after years of traffic jams,
voters in Fairfax County, Va., toppled
growth-minded members of the county
board of supervisors.

Population Environment Balance Inc., a
Washington-based environmental group,
surveyed 1,650 communities across the
country. One in five had instituted various
land-use controls, and many of these said
they planned to bring in growth-manage-
ment strategies soon, says Robert Gray,
who conducted the study.

Capping Permits

But California is doing the most. In Los
Angeles, by a 71% majority, voters have
approved cutting in half allowable com-
mercial and industrial construction in
many parts of the city. The city is also
considering sharply reducing new con-
struction permits because of strains on the
city's sewage system. Residents of the bur-
geoning towns of San Clemente, Oceanside
and Carlsbad have sharply reduced the
number of new houses that can be built
each year.

In San Diego, which includes Rancho
Penasquitos, voters have given themselves
the right to approve or reject construction
in undeveloped areas around the city. They
also voted to cap the number of housing-
construction permits at half the rate of
1986. But the cap is temporary and has
loopholes, so Mrs. Zaworski-Burke and
other community organizers plan to take
tougher measures to the voters next
year.

Californians are so willing to halt devel-
opment that, in one straw poll, almost half
agreed with a Draconian proposal to ban
new construction statewide until federal
clean-air standards are met, according to
Richard Dresner, a New York pollster who
conducted the sampling.

Fifteen of the 17 growth-control meas-
ures put to voters in California communi-
ties earlier this month were approved. And
they won despite strong opposition from
development and real-estate interests. In
San Francisco last year, developers and
their allies spent \$360,000 in a vain attempt

Curbing Growth: Towns Approve Restrictions in Southern California

Voter alienation is tripping up some politicians. Three-term Los Angeles Mayor Tom Bradley—once thought unbeatable—is in political trouble because he didn't support a recent growth-control initiative. A close ally of his in the city council was defeated earlier this year after she strongly opposed the same measure.

Growth-control efforts attract a wide range of supporters, including liberals and conservatives, environmentalists and urban reformers. "It's a new ball game politically," says Laura Lake, a leader of Not Yet New York, a Los Angeles anti-growth coalition.

In California's Orange County, a left-leaning former mayor and the fiercely conservative former head of the county Republican organization are working together on an important growth-management campaign. The two say that they get along fine as long as they avoid discussing Nicaragua and nuclear power.

Some critics see the growth-control movement as the indulgence of a self-satisfied middle class. And some charge that there are racist roots. "The fact is that a lot of people don't like seeing Hispanics and Asians around," says Daniel Garcia, the president of the Los Angeles Planning Commission.

But poor black and Hispanic areas of Los Angeles voted strongly in favor of the citywide growth-control measure that has reduced commercial-construction density. "This isn't an elitist movement; this talk of elitism comes from those who are just taking care of themselves," says Lawrence Agran, the left-leaning mayor of Irvine, Calif., and a leader of the proposed Orange County initiative.

The changing political view of development matches changes in the urban landscape itself. What started as a flight from cities after World War II is coming full circle. Suburbs are no longer a patchwork of houses interspersed between farmers' fields. Today they are often threaded with expressways and pierced by office towers and regional shopping centers. Between 1960 and 1980, when the nation's population rose 26%, the population of urban fringe areas nearly doubled.

People's hopes haven't changed. "They expect the suburbs to be predominantly residential and uncongested—your basic Ozzie and Harriet life," says Mr. Baldasare, the University of California pollster.

But insufficient community facilities are a widespread problem. Public-works projects have suffered from years of gov-

ernment penny-pinching, and some giant bills are building.

Until recently, Washington paid for many municipal facilities and services. But federal grants to cities have dropped to less than 10% of cities' revenues from 25% before the Reagan years.

Roads and highways, in particular, are suffering from overuse. The number of cars and trucks on American roadways has climbed about 63% since 1970 while the mileage of streets and roads has grown less than 5%. Traffic in Rancho Penasquitos is so congested at rush hour that it takes 40 minutes to drive just two miles to a nearby freeway entrance. In Southern California as a whole, drivers on major arteries spend about 10% of their time stopped or barely moving. Unless the freeway network is expanded, that proportion is expected to jump to 50% by 2010.

Supporters of strict growth controls in Orange County are urging residents to pin development to traffic. An initiative, likely to go on the ballot next year, would halt most commercial and residential construction in any area where traffic on major roads doesn't average 35 miles an hour—an impossible goal, the measure's opponents say. The county is even considering building toll roads to parallel existing freeways, a step that would have been heresy not long ago in the land where car is king.

For some years now, California communities have turned to developers to foot the bill for growth, charging "impact fees" to pay for everything from schools and libraries to highway interchanges. These fees have spiraled in recent years—amounting to \$6,500 and more for each new residential unit in California.

Developers argue that such charges are misdirected, and the levies do raise an important issue: Who pays for growth? Cities and towns have traditionally borrowed to finance new facilities. Then, taxes from a growing population paid off the debt. But lately homeowners have been balking, voting down bond issues for new freeways to still-virgin land or sewage-treatment plants for people who haven't yet arrived. "We're not going to pay for our own demise," insists Tom Rogers, the conservative who is pushing Orange County's anti-growth initiative.

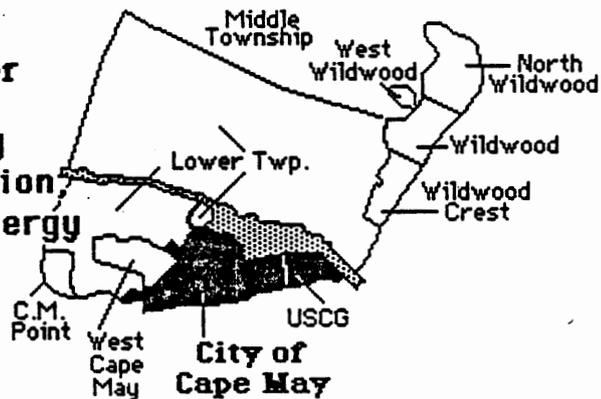
Developers say that the nation can't turn its back on new construction. They maintain that growth controls are economic suicide. "You cannot stop progress," snaps John C. Cushman III, the president of Cushman Realty Corp., a commercial real-estate broker based in Los Angeles. "If you stop it, you will kill the goose that laid the golden egg."

lock tough controls on the number of office buildings. The winning side is \$80,000. And last year in the small town of Campbell, Calif., development opponents outspent growth-control supporters 1-1—and still failed to block a measure imposing a building-height limit.

Some growth-control measures have been challenged in court, but most have survived. "The right of a city to zone itself is power that the courts tend to guard," says Douglas Ring, a Los Angeles lawyer specializing in growth issues. Recent U.S. Supreme Court decisions do make it clear, though, that communities must draft controls carefully to avoid landowners' arguments that they have been deprived of the rights to their land without due pro-

tection. Meanwhile, elected officials—long dependent on developers' campaign contributions and politically inclined to compromise—are coming under fire from voters who want tougher controls. "There's a tremendous frustration in the community, a sense of being disenfranchised," says John Benn, a member of San Diego's planning commission.

**Testimony of
Fred Coldren
Cape May City Manager
before the
New Jersey Assembly
Committee on Conservation,
Natural Resources and Energy
April 13, 1988**



Thank you, Mr. Chairman, and members of the Assembly Committee on Conservation, Natural Resources and Energy for inviting and considering this testimony in support of New Jersey's efforts to preserve open lands and provide recreational opportunities.

From more than a dozen years of direct coastal management experience¹, I am convinced New Jersey and its coastal municipalities and counties urgently need a strong new regional mechanism to effectively deal with the many problems of and threats to our multi-billion dollar seashore economy and environment.

PRESENT STRUCTURES ARE NOT ADEQUATE.

With all due respect to everyone's best efforts and good intentions, our present laws, regulations, and public structures have not been adequate to stop pollution, control density, minimize overcrowding and traffic congestion, maintain our valuable beaches, waterways, and healthy environment, and serve as an advocate for the seashore region of our state with sufficient strength and unity to get swift results.

County and municipal planning boards and enforcement officials need stronger regulatory authority for our own use PLUS the proposed regional Coastal Commission to save the Jersey Shore from overdevelopment,

¹ City Manager since 1980; Director, Cape May County Dept. of State and Federal Relations (1974-1980); City Councilman (1976-1980); Member, Cape May County Beach, Inlet and Bay Stabilization Committee since 1975; and Member, Cape May Planning Board since 1980.

permanent gridlock, and the environmental and economic catastrophe that we will face if this Legislature fails to come to grips with our needs.

CONCERNS ABOUT 'HOME RULE'.

Let us understand the concerns that some municipal and county officials will no doubt express about an infringement of so-called 'home rule', but we must realize that the benefits of strong regional planning, comprehensive coastal policies, and a coordinated action plan to solve our mutual problems are far more important.

I am convinced that in its review of the various legislative proposals, the Legislature will incorporate adequate safeguards to preserve legitimate local prerogatives. One that I do want to endorse is that **Cape May County should have its own member on the Coastal Commission**, rather than having the county with the most shoreline in the state lumped into representation with other counties.



1988 Seasonal Beach Tag



1988 Weekly Beach Tag

ENVIRONMENTAL THREATS NEED STRONG ACTION, NOW!

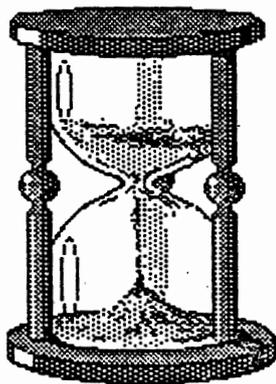
We need to remember the problems of last summer to motivate strong action now. Remember the nationwide headlines of beaches closing due to waves of illegally dumped garbage, hospital wastes, and sludge; the dolphin deaths; the barge of contaminated wastes shuttling along our coast; and the excuses by polluters and regulators on why sludge and toxic waste dumping into the Ocean hasn't ended yet.

We in Cape May remember, though we were more fortunate than many coastal communities in north and central New Jersey. Next summer could be worse. The time for action is NOW!

SUPPORT FOR GOVERNOR'S KEAN'S COASTAL INITIATIVE:

As one among the dozens of local officials who Governor Kean involved in the early stages of planning for what has now evolved into the proposal for a Coastal Commission, I know the municipal and county office holders appreciated the opportunity to participate, and that our views and concerns have been given full consideration. We found Policy and Planning Director Brenda Davis and her staff to be candid and sincerely eager to develop a fair consensus and workable plan.

Now, we welcome the Legislature's deliberations and appeal to you to proceed without delay to hammer out the policy decisions, safeguards, and language needed to create this new Coastal Commission without further delay. **Before summer 1988!**



Important for "Eutrophication"

Long term development on shorelines

encouraging "a case or more shall be

required to maintain 10 ft wide bank in

to natural state or if over bank in

from rocky shores, such distances

will be required to plant 1/10 of

and bank in trees and plants

indigenous to the area (NOT KUDZU)

such a low bank etc, that

provide a handicap to development

might prove to retain the natural

in the area, plant natural

conditions, but too protect the

by improving change, 30X

In addition, such legislation would, perhaps, raise the consciousness of builders, developers and planners and put a moratorium on the philosophy to "clear the land" and install in them a respect for the land and regard for nature.

One can only envision what such simple legislation could accomplish if one looks at the total picture extended across the state or possibly the nation.

Shelburne Center
 10 W. Stillbay
 Champlain, N.Y. 12919

(609) 465-8075
 3lx

