

Garden State Preservation Trust
Nov. 21, 2012 Meeting Minutes

Chairman Michael Murphy called the meeting to order at 11:07 a.m. Executive Director Ralph Siegel read a statement certifying compliance with the Open Public Meetings Act and then called the roll. Public members present were: Chairman Murphy, Andrew Buzby, Robert Hughey and Gregory Romano. Ex-officio members present were Martha Sapp (for DEP Commissioner Bob Martin), James Requa (for Department of Community Affairs Commissioner Richard Constable III); Tim Brill (for Agriculture Secretary Douglas Fisher) and Jim Petrino (for Treasurer Andrew Sidamon-Eristoff).

Absent was public member Kenneth Atkinson.

CHAIRMAN'S REMARKS

Chairman Murphy thanked members for coming and wished all to have a Happy Thanksgiving. He also thanked "loyal" members of the public for attending.

APPROVAL OF MINUTES OF SEPT. 18, 2012, MEETING

Mr. Siegel noted the consideration of these official minutes was a formality because a substantive version of the minutes had been submitted on Sept. 18 and had completed the Governor's Veto review period on Oct. 3. He also pointed out that the minutes had been prepared from paper notes and memory because the GSPT steno-recorder machine had evidently failed during the meeting and left no audible recording.

Mr. Siegel asked if there were any corrections or clarifications to the draft minutes from the Sept. 18 meeting. There were none.

Moved by Mr. Requa.

Seconded by Chairman Murphy.

Approved 7-0.

Mr. Brill abstained because he had not attended the Sept. 18 meeting.

EXECUTIVE DIRECTORS REPORT

Mr. Siegel reviewed the contents of the members' meeting books with the resolutions and the package of SADC Farmland Preservation recommendations. He made note of press releases and press clippings copied for the members, including those concerning the SADC press conference marking the preservation of 200,000 farmland acres. He also made note of recently completed updates to acreage preservation statistics under the GSPT period from FY2000 thru FY2012. He said it was particularly impressive that 114 towns have preserved 1,000 acres or more during this period.

Mr. Siegel reviewed the fiscal aspects of the SADC recommendations for FY2013.

Mr. Siegel noted the GSPT at the September meeting adopted Resolution #12-011 directing that whenever the programs recommend the reallocation and re-use of funds from old appropriations acts, the programs must provide a detailed accounting that lists the specific projects being withdrawn or cancelled. He said this information must include

the specific sums appropriated to each cancelled project and the appropriations act in which each cancelled project was first authorized.

Mr. Siegel said the SADC's submission of funding recommendations complied with this new policy. He said the listing of cancelled and withdrawn projects prepared by the SADC was a model for how this information was to be structured and reported in accordance with the policy in Resolution #12-011. He said the listing showed precisely where the \$8.6 million and \$1.4 million were coming from, which can give the board members confidence that those funds are indeed available to cover the reallocation being recommended.

Mr. Siegel acknowledged "a terrific job" done by SADC fiscal officer Bryan Lofberg, who was in attendance, for documenting the cancelled and withdrawn projects.

Mr. Petrino told Mr. Siegel he was impressed and pleased with the listing of cancelled and withdrawn projects.

PRESENTATION OF SADC RECOMMENDATIONS FOR FY2013

SADC Executive Director Susan Payne introduced her staff and made a presentation with a PowerPoint slide show to review the recommendations for the Farmland Preservation Program for FY2013.

Ms. Payne began by presenting a big-picture briefing on the status and issues in farmland preservation in New Jersey.

Ms. Payne discussed the 200,000-acre press event recently held at a newly preserved farm in Upper Pittsgrove. She described it as a milestone for the 30-year-old program and placed New Jersey's accomplishments in a national perspective.

- ✓ New Jersey's preserved-farm acreage ranks its program 4th in the United States.
- ✓ The total of 2,128 preserved farms is a 2nd highest total of preserved farms of any state in the United States.
- ✓ The public investment of \$922 million is the top expenditure on farmland preservation of any state in the United States.
- ✓ The permanent preservation of 25% of the state's agricultural land base is the highest percentage preserved of any state in the nation.

Ms. Payne said the New Jersey program is looked upon nationally as a model.

Ms. Payne highlighted some critical projects. She made note of the Princeton Nurseries transaction of 1,900 acres preserved in three counties in partnership with the Green Acres program. She said it was the largest cooperative acquisition ever done with the two programs.

Ms. Payne said her agency was also developing standards to regulate the installation of solar panels on farms.

Ms. Payne reviewed preservation data charts on the PowerPoint presentation. She said because there have been only two sets of appropriations in the past four years, annual expenditures to complete projects have declined to below \$40 million in 2012 for the first time since 2002.

Ms. Payne said the most recent Census of Agriculture showed 733,450 acres in production, which would include woodlands. The DEP's Land Cover Data research in

2007, which uses a different measurement system, showed 641,818 acres in agriculture, which would exclude woodland. She said the DEP data represents a 22% loss in the past 21 years averaging about 8,500 acres lost a year.

Ms. Payne said in the Highlands region specifically there were 114,091 acres in agriculture. She said 35,602 of these acres were in the highly restrictive “preservation area.”

Statewide, Ms. Payne said, 58,858 acres in agricultural production were located not on preserved farms but on permanently preserved refuge or park lands that were being leased out to farmers with strict limits on the type of production permitted.

Ms. Payne said the data she presented shows that the threat to New Jersey farmland is still alive and real, providing the motivation to keep the program going. Ms. Payne said with 200,000 acres preserved, there remains about half a million acres at risk and in need of protection.

(The presentation is available in its entirety at the GSPT Web site www.gardenstatepreservationtrust.org)

Ms. Payne said all 18 counties with farmland preservation programs have submitted comprehensive farmland preservation plans, as have 46 municipalities conducting their own “planning incentive” farmland preservation programs. She said this planning was integral in targeting which regions and which projects were most important.

Ms. Payne then turned her attention to the specific recommendations being made for FY2013 totaling \$79.5 million. She said most of it will be going out in grants to counties (\$38.5 million) and municipal agencies (\$16.25 million) and to nonprofit programs (\$4.1 million). She said \$20.6 million, about a quarter of the funds, are kept by the SADC for State Acquisitions.

Ms. Payne reviewed the ranking process used to ensure funds are allotted throughout the state in every county. She said the State Acquisition program uses a county-by-county scoring system to select priority farms in each county according to their local standards and farm sizes.

For the county programs, Ms. Payne said \$13.5 million will be distributed in base grants to 15 counties that applied for the funds and have used up their previous two grant allocations. She said there is also a \$25 million competitive pot of funds that these counties can access once they have used their base grant. She said a county can use up to \$5 million depending on the number of projects the county agency is completing.

Ms. Payne said the counties’ success in using the previous grant allocations determined the size of the base grant being proposed for FY2013. Citing examples, she said Burlington County has used 80 percent of the funds allocated in the past two funding rounds, and so the county qualified for the full base grant of \$1,000,000. On the other hand, Camden County’s program has used little of its previous grant funds so far, so it did not receive a base grant at all in the FY2013 recommendation.

Ms. Payne said the same approach is used for the municipal “PIG” grants of between \$500,000 and \$750,000. She said 31 towns would receive grants totaling \$16.25 million. She said three new PIG towns -- Hopewell Township in Cumberland County, and Frankford and Green Townships in Sussex County -- would receive starting grants of \$750,000. She said the other 28 towns would receive base grants of \$500,000 because they have used most of their funding from previous grants. She said other PIG towns that

have not been as active have no need of additional grants in FY2013 because still have their prior grant allocations in place.

Ms. Payne said four nonprofit land trusts will share matching grants totaling \$4,083,320. The land trusts have targeted a total of 14 farms, but the grants are flexible to allow funds to be used on the projects that can be completed the soonest.

Mr. Requa said he was surprised to hear about legislation to appropriate \$123 million from the 2009 bond funds. Ms. Sapp explained these were the Green Acres appropriations approved by the GSPT in September.

Mr. Romano asked if the State Acquisition program included "fee-simple" acquisitions in which the land is purchased outright by the SADC and comes into state ownership for eventual re-sale at auction. Ms. Payne said it did but she said the SADC was doing few fee-simple acquisitions because of the difficulty involved. She said the majority of State Acquisitions were done with development easements.

Ms. Sapp asked if the nonprofit grants covered the full request. Ms. Payne said some farms did not qualify but that all of those that did qualify were funded. Mr. Romano, who was Ms. Payne's predecessor as director of the SADC, explained the SADC is not required to provide a specific percentage of its funds to nonprofits, nor is the SADC required to remain with the percentage cap, as the Green Acres program is required to do.

Mr. Romano -- who now works at the New Jersey Conservation Foundation -- said many farms are preserved by nonprofit trusts with no state funding. He suggested these acres may not be included in the state statistics but that they ought to be.

**RESOLUTION #12-012 TO APPROVE THE STATE AGRICULTURE
DEVELOPMENT COMMITTEE RECOMMENDATIONS FOR FARMLAND
PRESERVATION PROGRAM GRANTS FOR FISCAL YEAR 2013
FROM THE 2009 REFERENDUM FARMLAND PRESERVATION BOND FUND
PL 2009 C.117.**

Chairman Murphy called for action on the resolutions and directed Mr. Siegel to conduct the votes.

Mr. Siegel advised board members who intended to recuse from the vote of their need to step away from the meeting table and to join the audience for the duration of their recusal.

Mr. Siegel explained there were three resolutions because the grants are coming from three different funding sources. He said this resolution was funded from the 2009 Bond Fund, which was providing the bulk of the funding.

Moved by Mr. Hughey
Seconded by Mr. Requa
Approved 7-0.

Mr. Buzby recused himself because of grants to Salem County, where Mr. Buzby sits as chair of the County Agriculture Development Board.

RESOLUTION #12-013 TO APPROVE THE STATE AGRICULTURE DEVELOPMENT COMMITTEE RECOMMENDATIONS FOR FARMLAND PRESERVATION PROGRAM GRANTS FOR FISCAL YEAR 2013 FROM THE GARDEN STATE FARMLAND PRESERVATION TRUST FUND.

Mr. Siegel explained these funds from the GSPT's own trust fund were being made available by the cancellation or withdrawal of projects from old appropriations.

Chairman Murphy called for action on the resolution.

Moved by Mr. Hughey

Seconded by Chairman Murphy

Approved 7-0.

Mr. Buzby again recused himself because of grants to Salem County.

RESOLUTION #12-014 TO APPROVE THE STATE AGRICULTURE DEVELOPMENT COMMITTEE RECOMMENDATIONS FOR FARMLAND PRESERVATION PROGRAM GRANTS FOR FISCAL YEAR 2013 FROM THE 2007 REFERENDUM FARMLAND PRESERVATION BOND FUND PL 2007 C.119.

Mr. Siegel explained these funds from the 2007 Bond Fund were being made available by the cancellation or withdrawal of projects from old appropriations.

Chairman Murphy called for action on the resolution.

Moved by Mr. Hughey.

Seconded by Mr. Petrino.

Approved 7-0.

Mr. Buzby again recused himself because of grants to Salem County.

RESOLUTION #12-015 TO APPROVE THE STATE AGRICULTURE DEVELOPMENT COMMITTEE RECOMMENDATIONS FOR NONPROFIT GRANTS TO THE NEW JERSEY CONSERVATION FOUNDATION FOR FISCAL YEAR 2013 FROM THE 2009 REFERENDUM FARMLAND PRESERVATION BOND FUND PL 2009 C.117. AND FROM THE GARDEN STATE FARMLAND PRESERVATION TRUST FUND

Mr. Siegel explained this grant was separated from the prior resolutions so Mr. Romano could participate in those votes. This separate resolution was prepared to accommodate the need for Mr. Romano to recuse himself. Mr. Siegel said such an accommodation found be made for any board member upon request so they could participate in the majority of the votes.

Chairman Murphy called for action on the resolution.

Moved by Ms. Sapp.

Seconded by Mr. Requa.

Approved 7-0.

Mr. Romano recused himself from the vote and stepped away from the board table because of grants to the New Jersey Conservation Foundation, where he is an employee.

BOARD COMMENT

Board members made no special remarks.

PUBLIC COMMENT

Tom Gilbert of the New Jersey Keep-It-Green campaign introduced himself and said he was speaking on behalf of KIG's 175 member organizations. He thanked the board members for their action to fund these critical projects. He praised Ms. Payne for doing "a remarkable job" in her presentation to show the programs accomplishments and the magnitude of the work that remains to be done.

Mr. Gilbert said, "It speaks volumes for why we need to not only renew funding for these efforts but to have a sustainable funding source in place."

"As we all head off to enjoy our Thanksgiving meals and New Jersey Fresh produce, now is the time to make sure we have plenty of New Jersey produce for many decades to come."

Chairman Murphy added that he agreed Ms. Payne's presentation was impressive and professional. He made note that Rutgers University would soon be joining the "Big Ten" athletic conference with many large agricultural states such as Iowa.

Mr. Siegel made reference to a press clipping in the member's meeting packets about the dramatic increase in land prices in Iowa.

ADJOURNMENT

Chairman Murphy asked for motions to adjourn the meeting.

Moved by Mr. Hughey.

Seconded by Chairman Murphy.

Approved by unanimous voice vote.

Respectfully submitted

A handwritten signature in black ink, appearing to read 'R. Siegel', with a stylized, sweeping flourish at the end.

Ralph Siegel
executive director/board secretary
April 30, 2013

Others in attendance representing agencies:

GSPT DAG Ed Pillsbury; Governor's Authorities Unit attorney Brett Tanzman; OLS staff member Carrie Anne Calvo-Hahn; Assembly staff member Thea Sheridan; NJ Historic Trust Executive Director Dorothy Guzzo; Kelly Mooij of the New Jersey Keep-It-Green Campaign, various SADC staff.