



2007 Annual Report
N.J. State Agriculture Development Committee

From the Executive Director



Susan E. Craft

Given projections that New Jersey could be the first state to reach full build-out, there is a particular urgency to our farmland preservation efforts. The more than 162,000 acres of farmland preserved statewide by the close of 2007 is an impressive achievement, but we have much yet to do to ensure agriculture has the sizable land base it will need to continue to thrive in the decades ahead.

Recognizing the demand for farmland preservation will only increase in the coming years, the State Agriculture Development Committee (SADC) more than two years ago began an exhaustive review of all of our programs and procedures. The goal was to make sure the Farmland Preservation Program is positioned to meet that demand as effectively and efficiently as possible.

As a result, the SADC in July 2007 adopted comprehensive new rules that streamline the farmland preservation process. Our county grants program – our oldest and largest program – has undergone the most significant change with the introduction of a new County Planning Incentive Grant Program as an alternative to the traditional county grants program. The new program has proven to be hugely popular; by the end of the year, 15 counties had developed comprehensive farmland preservation plans that enable them to participate.

The County Planning Incentive Grant Program offers counties a number of advantages over the traditional program, including the ability to plan not only for protecting farmland but for sustaining the agricultural industry; a guaranteed minimum funding allocation once their plans have been approved; a shortened timeframe from landowner application to preservation; the ability to accept applications year-round rather than annually; and financial incentives for expeditiously completing transactions.

The new county program, the establishment of minimum criteria for all of our farmland preservation programs and other changes we have instituted will improve the farmland preservation process and provide greater predictability to our partners, which will only strengthen the farmland preservation partnership in the years to come.

When we preserve farmland, we are accomplishing much more than protecting the land. We are protecting all the other benefits we enjoy as a result, including preventing sprawl and more congestion, ensuring continued access to fresh, locally grown food and farm experiences, and helping to stabilize property taxes by keeping farmland – which pays far more in property taxes than it requires in services – on the local tax rolls.

By continually seeking new ways to improve the farmland preservation process, we can ensure the public derives the maximum benefits from its investment in farmland preservation and that New Jersey retains its well-deserved reputation as the Garden State for many generations to come.

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The State Agriculture Development Committee

The State Agriculture Development Committee (SADC) administers New Jersey's Farmland Preservation Program and promotes innovative approaches to maintaining the viability of agriculture. It administers the Right to Farm Program, staffs the Transfer of Development Rights Bank and operates the Farm Link Program, which matches farm sellers with potential buyers.

Cover Photo: Grain on a farm in Upper Freehold Township, Monmouth County. Photo by Stefanie Miller

Farmland Preservation Developments

In 2007, the State Agriculture Development Committee worked to implement new and amended rules, adopted July 2nd, that represent the most sweeping changes to the Farmland Preservation Program since its inception in 1983. The rules simplify regulatory and administrative procedures, improve the efficiency of the preservation process and make it more predictable, while retaining the same high level of public accountability.

Key changes include establishment of a new County Planning Incentive Grant (PIG) Program as an alternative to the traditional County Easement Purchase Program. The new County PIG Program encourages counties to undertake a more comprehensive planning approach to farmland preservation and rewards those that expeditiously complete acquisitions with the potential for additional funding.

Counties participating in this program are required to submit comprehensive farmland preservation plans that include past and future farmland preservation activities, program goals and objectives, proposed farmland preservation project areas, targeted farms, minimum eligibility criteria, a funding plan and steps the county has taken or plans to take to promote agricultural economic development to sustain agriculture as an industry.

Once a county's plan is approved, it is eligible for a base grant, which the SADC established at \$2 million for FY2009. The county then can submit to the SADC individual eligible applications for preservation year-round until it expends its base grant. Counties that expeditiously preserve farms and exhaust their base grants are eligible to compete for additional funding in a competitive grant fund. In FY2009, the competitive grant fund is \$15 million, with counties eligible for a maximum combined grant of \$5 million.

The new County PIG Program enables counties to plan for preservation and offers them greater predictability than the traditional County Easement Purchase Program, in which counties submit individual applications to the SADC on an annual basis, with the highest-ranking farms statewide ultimately eligible for preservation funding.

The County PIG Program is similar to the SADC's Municipal Planning Incentive Grant Program. By the December 15th deadline for both programs, 15 county applications and 37 municipal applications had been submitted to preserve more than 4,100 farms covering approximately 240,000 acres at a total estimated cost of \$3.5 billion.

Minimum Eligibility Criteria

The new rules also established minimum eligibility criteria for farms applying to any of the SADC's farmland preservation programs. The criteria are intended to ensure that all farms can sustain a variety of agricultural operations and represent a prudent investment in state funding.

To ensure farms 10 acres or less can support commercial farming operations, at least 5 acres or 75 percent of the land, whichever is less, must be tillable and consist of soils that are capable of supporting agricultural and horticultural production. Additionally, they must produce agricultural or horticultural products of at least \$2,500 annually. For farms greater than 10 acres, at least 50 percent of the land, or a minimum of 25 acres, whichever is less, must be tillable and capable of supporting agricultural or horticultural production.

Silos loom over shoppers at the community farmers market on the former Winner farm in Moorestown, Burlington County. The SADC in May provided a grant to Burlington County to assist in preserving the farm. The county also is operating a community-supported agriculture (CSA) farm there, as well as community gardens on an unreserved portion of the farm. (Photo courtesy of Burlington of Burlington County)



The criteria also include standards that must be met to demonstrate development potential of the land, including limits on freshwater or modified agricultural wetlands and steep slopes.

The SADC also combined its Direct Easement Purchase and Fee Simple programs under a single State Acquisitions Program, geared at preserving priority farms that are strategically located in each county.

Throughout 2007, the SADC worked closely with counties, municipalities and nonprofits in preparing for implementation of the new rules. In February, the SADC adopted a policy and timeline to address how it would transition from existing rules to the proposed new and amended regulations. This included closing out all municipal PIG projects associated with prior appropriations by June 30, 2008. The SADC in July adopted standards for determining eligible farms under the County Planning Incentive Grant Program and for

determining priority and alternate farms under the State Acquisition Program. In September, the SADC adopted implementation procedures for its county and municipal planning incentive grant programs, addressing key criteria for the review of planning incentive grant plans, the issuance of approvals and encumbrance of funds. This was followed in January 2008 with implementation details that outlined procedures for the SADC to conduct final review of applications under the County Planning Incentive Grant Program.

Counties developing comprehensive farmland preservation plans were eligible to apply for a maximum \$30,000 grant from the SADC to assist in eligible costs for the preparation of those plans. A total of 12 counties applied for the grants in early 2007.

The SADC also compiled and distributed state and county agricultural profiles, consisting of a collection of statistical and geographic data, to assist counties in preparing their comprehensive farmland preservation plans.

Coordination with Preservation Partners

The SADC held a series of survey workshops in late 2007 and early 2008 for county agriculture development board administrators, legal counsel, consultants and other staff who review surveys to be submitted under the Farmland Preservation Program. The workshops were aimed at eliminating common mistakes that can lead to delays in the preservation process.

Septic Policy Adopted

The SADC in September adopted a policy that allows septic systems to be located on preserved farmland under certain limited circumstances. The policy applies only to septic systems servicing residential and agricultural uses located within nonseverable exception areas – areas that were excepted from the deed of easement at the time of preservation but cannot be sold separately from the preserved land. The policy was developed to address situations in

which landowners have preserved their farms with non-severable exception areas with the intent of using these areas for future residential or agricultural uses, but for various reasons have been unable to obtain approvals.

Farmland Affordability

The SADC in June began a series of visits to 15 counties to meet with county agriculture development boards, county boards of agriculture and other interested farmers to solicit their ideas on how to make farmland more accessible to new and established farmers. Among the ideas discussed was requiring that preserved farmland be kept in agricultural production; currently, preserved farmland must be retained for agricultural use and production. This outreach effort built on the earlier efforts of the SADC's Farmland Affordability/Availability Task Force, which issued several wide-ranging and innovative recommendations. The SADC will review the suggestions generated from the county visits, as well as the task force's recommendations, before deciding how to proceed in addressing this issue.

Commercial Nonagricultural Activities on Preserved Farms

The SADC in July 2007 proposed rules to provide for commercial nonagricultural activities and the erection of cellular towers on preserved farms under certain circumstances, as directed by legislation. The proposal set forth the eligibility, information required, evaluation criteria, review process and conditions to obtain a special permit to erect a cell tower or conduct a commercial nonagricultural use on a preserved farm. The rules, with amendments based on public comment, were subsequently approved for adoption by the SADC in April 2008. The SADC was prepared to begin accepting applications in June following publication of the rules in the *New Jersey Register*.

Farmland Preservation Summit

More than 150 – representing the broad-based farmland partnership among all levels of government, nonprofits and other interested groups – attended a March 2007 farmland preservation summit organized by the SADC and Rutgers University's School of Environmental and Biological Sciences. Topics included discussions of the new farmland preservation rules and how the changes affected counties and municipalities; a federal tax incentive for conservation easement donations; monitoring and other post-preservation responsibilities; right-to-farm updates; and municipal strategies to retain and strengthen agriculture.

Soil and Water Conservation Funding

The SADC approved approximately \$742,000 in cost-sharing grants to help landowners fund 48 soil and water conservation projects on farms that have been permanently preserved or enrolled in eight-year preservation programs. In addition to \$300,000 in the FY2008 state budget for these grants, the SADC was able to identify \$783,000 in interest earnings on prior farmland preservation bond funds that it directed to this grant program. At year's end, the SADC had a balance of approximately \$341,000 for soil and water conservation grants.

In February 2008, the Department of Agriculture redirected an additional \$783,864 from cancelled projects in other conservation programs to the soil and water conservation grant program. By July 2008, the SADC had fully obligated all available funding for this program. The FY2009 state budget includes no new funding for these projects.

Farmland Preservation Funding

Governor Corzine in November ceremonially signed into law five bills that provide \$97.125 million for farmland preservation acquisitions in FY2008, including \$45.15 million to assist counties in preserving farmland under the county grants program; \$15.375 million to help municipalities and counties preserve farms in project areas they identified under the Municipal Planning Incentive Grant Program; \$6 million for grants to nonprofit organizations and \$30.6 million for the SADC to directly acquire farmland or the development rights to farms.

The legislation signed by the Governor represented the last major appropriation through the Garden State Preservation Trust, which provided an average of \$86 million annually for farmland preservation over a period of nine years.

With Garden State Preservation Trust funding exhausted, the Governor also used the bill-signing event to urge passage of a \$200 million bond referendum to continue funding for farmland, open space and historic preservation, and for the purchase of flood-prone properties through the Blue Acres Program. Voters in November approved the measure by a 54-46 percent margin. Of the \$200 million approved, \$73 million will be used to fund FY2009 farmland preservation efforts.

Farmland preservation efforts beyond FY2009 are dependent on the identification of a new source of state funding.

The SADC was allocated an additional \$2.3 million in federal Farm and Ranch Lands Protection Program for federal fiscal year 2007. Those funds will be used primarily to help preserve farms under the Nonprofit Grants Program and potentially additional projects under the State Acquisition Program. The SADC will receive approximately \$4 million in federal farmland preservation funding for federal fiscal year 2008, which will be targeted to applicant farms in the SADC's FY2009 nonprofit grant round. A total of \$1.329 million in federal funding was used to help preserve four farms in 2007.

Governor Corzine signs farmland preservation funding bills at Schober Orchards in Monroeville, Gloucester County, in November. Those present include Senator Stephen M. Sweeney, Assemblyman John T. Burzichelli, Senator Fred H. Madden, Jr., Assemblyman Douglas H. Fisher and New Jersey Farm Bureau President Richard Nieuwenhuis.



2007 Acquisition Highlights

A total of 178 farms covering 10,788 acres were preserved in 2007, including 42 farms covering 2,377 acres in the Highlands and 2 farms covering 626 acres in the Pinelands. By year's end, a grand total of 1,646 farms covering 162,335 acres had been preserved statewide since the inception of the program, including 321 farms covering 27,803 acres in the Highlands and 59 farms covering 8,833 acres in the Pinelands.

Several counties celebrated farmland preservation milestones during 2007, including Morris County, which announced the preservation of its 100th farm in October, and Middlesex County, which announced the preservation of its 50th farm later that same month. Two counties celebrated the preservation of 10,000 acres – Monmouth County in May and Gloucester County in November, while Hunterdon County announced the preservation of its 20,000th acre of farmland in April and Burlington County marked the preservation its 25,000th acre in October.

County Grants Programs

The SADC provides counties with grants to fund 60 to 80 percent of the costs of purchasing development rights on approved farms. A total of 90 farms covering 6,092 acres were permanently preserved under the traditional County Easement Purchase Program in 2007.

Under the FY2008 county funding round, the SADC in June 2007 granted final approval to the preservation of the top-ranked 57 farms totaling 3,514 acres at an estimated state cost of \$45 million. To maximize geographic distribution of funds, the SADC also approved the preservation of eight additional Warren County farms covering 516 acres – all located in the Highlands Preservation Area – using \$1.88 million from the SADC's Highlands fund, and approved the transfer of two Cumberland County farms totaling 829 acres and one Sussex County farm totaling 67 acres to the State Acquisition Program to be considered for preservation at a total SADC cost of \$1.92 million.

Cumberland County was the only county choosing to participate in the traditional County Easement Purchase Program in FY2009, submitting applications to preserve 14 farms covering 729 acres. Bergen and Atlantic counties did not participate in either county program.



The Desiderio farm (also known as Tranquillity Farm) in Chester Township became Morris County's 100th preserved farm in October. The SADC provided a grant to Morris County to assist in the preservation of the farm through its County Easement Purchase Program. (Photo courtesy of the Garden State Preservation Trust)

Municipal Planning Incentive Grant Program

The SADC provides grants to municipalities and counties to purchase development easements to permanently protect large blocks of reasonably contiguous farmland in project areas they have identified. A total of 65 farms covering 2,743 acres were permanently preserved under this program in 2007.

Monmouth County announced that it had topped the 10,000-acre mark for preserved farmland in May at the Ernst Farm in Upper Freehold Township, which was preserved through the township's planning incentive grant.



The SADC in April 2007 approved \$15.375 million in supplemental funding for 14 project areas in 20 municipalities in seven counties under the Municipal Planning Incentive Grant Program. Funding was limited to highly performing municipalities and counties with projects that were under contract or in the final stages of acquisition. This included monies that the SADC redirected from other project areas where closings were not imminent.

Under its policy for transitioning to the new farmland preservation rules, the SADC notified municipalities and counties that it would be closing out projects associated with prior Municipal Planning Incentive Grant appropriations. Therefore, they were encouraged to close on all easement purchase applications associated with those appropriations by June 30, 2008, or risk those funds being re-directed to other projects during the annual review of PIG appropriations.

State Acquisition Program

Under its State Acquisition Program, the SADC directly purchases development easements or farmland outright (in fee simple) for farmland preservation purposes. The SADC also provides grants to assist counties and municipalities in fee-simple purchases. In all cases, the land is permanently deed restricted for agricultural use. When farms are purchased in fee simple, they typically are resold at public auction as permanently preserved farms.

The State Acquisition Program seeks to preserve the largest, strategically located, high-quality farms within each county. In 2007, the SADC preserved 12 farms covering 906 acres through direct easement purchases and 8 farms covering 867 acres through fee-simple purchases.

Under the Highlands Water Protection and Planning Act, the SADC is required to expend a minimum amount of funding for state acquisitions in each county, provided there is adequate demand and quality farms. The amount to be spent must at least equal the average annual sum spent in each county from FY02-04 for state acquisitions.

As of March 2008, the SADC had met or exceeded expenditure goals in every county except Camden, Atlantic and Mercer. The SADC expects to meet its expenditure goal in Mercer County based on pending applications. Despite numerous outreach efforts to landowners in Camden and Atlantic counties over the past three years, and regular coordination with



The Delaware Township/ Juniper III farm was preserved through the SADC's Direct Easement Purchase Program in June 2007. (Photo by Stefanie Miller)

the respective county agriculture development board coordinators, the SADC did not receive sufficient qualified applications to meet the goals in those counties.

Nonprofit Grants Program

The SADC provides grants to nonprofit organizations to fund up to 50 percent of the acquisition costs for development easements or to purchase farmland in fee simple for farmland preservation purposes. In 2007, 3 farms covering 180 acres were preserved under the nonprofit program.

The SADC held one FY2008 funding round for this program, granting preliminary approval in April 2007 to four nonprofit organizations for maximum grants of \$1.5 million each to assist them in preserving their highest-ranked farms in eight counties.

The FY2009 funding round drew a record 45 eligible applications from nine nonprofit organizations seeking total funding of more than \$40 million. Because of the high demand, the SADC requested that each nonprofit resubmit no more than their three highest-ranked applications, which resulted in a total of 19 applications.

Eight-Year Program

As an alternative to permanently preserving their land, landowners may choose to voluntarily restrict development for a period of eight years. Although they do not receive any direct compensation for this, enrollment in an eight-year program does qualify them for certain benefits of the permanent program, including eligibility to apply for 50 percent cost-sharing grants for soil and water conservation projects, provided funding is available.

In 2007, 2 farms totaling approximately 105 acres enrolled in eight-year programs, and 9 farms totaling 345 acres renewed their enrollment. At year's end, a total of 217 farms covering 13,770 acres were enrolled in eight-year programs.

State Acquisition Program Expenditures by County

<u>County</u>	<u>Expenditure Target FY2005-2009*</u>	<u>Actual/Pending** FY2005-2009</u>
Atlantic	\$ 6,535,000	\$ 2,464,700
Bergen	0	\$ 1,900,000
Burlington	\$ 5,779,000	\$ 13,471,000
Camden	\$ 9,591,000	\$ 1,849,000
Cape May	0	0
Cumberland	\$ 2,454,000	\$ 4,986,000
Gloucester	\$ 1,349,000	\$ 7,011,000
Hunterdon	\$ 23,954,000	\$ 39,956,000
Mercer	\$ 10,707,000	\$ 9,385,000
Middlesex	\$ 4,883,000	\$ 8,532,000
Monmouth	\$ 13,667,000	\$ 21,567,000
Morris	0	\$ 3,502,000
Ocean	0	\$ 4,769,000
Passaic	0	\$ 3,525,000
Salem	\$ 11,675,000	\$ 30,328,000
Somerset	\$ 8,284,000	\$ 10,966,000
Sussex	\$ 1,051,000	\$ 1,467,000
Warren	\$ 9,862,000	\$ 12,568,000

*Minimum expenditure requirement for FY2005-2009 under the Highlands Water Protection and Planning Act.

**Includes closed, contracted and pending as of 3/24/2008.

Easement Purchase Grants to Counties (Closings)

<u>County</u>	<u>Landowner</u>	<u>Municipality</u>	<u>Acres</u>
Atlantic	Bertino Trust	Hammonton	219
	Variety Farms, Inc.	Mullica	407
Bergen	Kohout, L.	Mahwah	47
Burlington	Bur Cty/Winner Farm	Moorestown/Mt. Laurel	58
	Bur Cty/C. Ervin	North Hanover	286
	Bur Cty/Thomas D.	Southampton	103
	Bur Cty/Fenick, S. & E.	Springfield	44
Cape May	CMay Cty/Barber, R. & C.	Dennis	31
	CMay Cty/Johnson, W. & T.	Upper	5
Cumberland	Loatman, Henry, Jr.	Hopewell	118
	Stanger, G. & J.	Stow Creek	44
	Timberman, G. & J.	Stow Creek	36
Gloucester	Glo Cty/Dennis, A., E., & D.	Clayton Boro/Elk	47
	Glo Cty/Rioux, S. & E.	East Greenwich	60
	Glo Cty/Haynicz, D., E. & D.	Elk	55
	Glo Cty/Emerson, R. & G.	Franklin	29
	Glo Cty/Harrell, T. & D.	Franklin	19
	Glo Cty/Turk, W. & M.	Harrison	28
	Glo Cty/Eachus, V. & P.	Mantua	96
	Glo Cty/Eivich, E. & S.	Mantua	26
	Glo Cty/Leone, J. & S.	Mantua/East Greenwich	27
	Glo Cty/Blue Bell Fishery LLC	Monroe	112
	Glo Cty/Zirbser, E. & J.	South Harrison	28
	Glo Cty/DiBella, C. & J.	Woolwich	34
	Daley, F. Jr. & D.	Alexandria	31
	Nemeth, J.	Alexandria	117
	Niebuhr, A. & L.	Alexandria	45
	Cifrese, L. & Geha, R.	Delaware	34
	Peabody, R. & K. /Manners B. & J.	East Amwell	46
	Gunther, J. & A.	Franklin	65
	Hilken, E.	Franklin/Raritan	35
	Borwegen, R. Jr. & B.	Holland	39
	Milz, D. & P.	Holland	45
	Shire, C. & D.	Holland	114
	Rozansky, E.	Kingwood	51
	Fentzlaff, E. & N.	Lebanon	40
	Kuhl-Makarick Properties LLC	Raritan	44
	Moreira Family, LLC	Raritan	85
	Readington Twp/Kappus	Readington	51
Emmet, C. A.	Tewksbury/Readington	124	
W. Amwell Twp/Atchley	West Amwell	53	
Mercer	Mer Cty/Kalinowski-Keris	Washington/West Windsor	50
Middlesex	Farmer, W. & S.	Monroe	9
	Schauer, B.	Monroe	27
Monmouth	Barclay Trust	South Brunswick	149
	Helminger, W.	Upper Freehold	19
	Helt, B.	Upper Freehold	11

Easement Purchase Grants to Counties (Closings)

<u>County</u>	<u>Landowner</u>	<u>Municipality</u>	<u>Acres</u>	
Monmouth	Lemack, E. & B.	Upper Freehold	33	
	Scibilia, A. & M. Sheltered Valley Vineyard and Tree Farm, LLC	Upper Freehold	13	
Morris	Chester Twp/Desiderio	Chester	26	
	Devine, M.	Harding	54	
	Haeberle, R.	Harding	32	
	Scaff Family Farm, LLC	Harding	29	
	Thebault, J. & L.	Harding	96	
Ocean	Fellows, W., W., & C. & Sinclair C.	Washington	33	
	Johnston, G. & I.	Washington	37	
	Friedrich, J. #1	Jackson	48	
	Friedrich, J. #2	Plumsted	24	
Salem	Coleman, W. & T. #2	Plumsted	13	
	Coleman, W. & T. #3	Alloway	50	
	Bowers, E. & A.	Alloway	144	
	Culver, D. & S. #1	Lower Alloways Creek	71	
	Culver, D. & S. #2	Mannington	106	
	Hancock, W., III	Mannington	86	
	Hancock, W., III #2	Mannington	10	
	Myers Family Irrevocable Trust #1	Mannington	75	
	Myers Family Irrevocable Trust #2	Mannington	109	
	Whitaker, J. #1	Mannington	45	
	Whitaker, J. #2	Mannington	33	
	Myers, E. (Estate H. Myers)	Mannington	26	
	Myers, E. (Estate H. Myers)	Pilesgrove	71	
	Brooks, R. & J.	Pilesgrove	105	
	Bishop Brothers Farm	Upper Pittsgrove/Pittsgrove	82	
	Brooks, W., Jr.	Upper Pittsgrove	195	
	Hitchner, J. & M.	Upper Pittsgrove	164	
	Sussex	Fairclough, J. & B. #1	Upper Pittsgrove	72
		Fairclough, J. & B. #2	Hampton	38
		Fairclough, J. & B. #3	Hampton	49
Hahn, A. & E.		Hampton	32	
Ortiz, N. & V.		Lafayette	17	
Proulx, J. & J.		Lafayette	42	
Angle, J.		Lafayette	31	
Harper, G. & M.		Sandyston	22	
Hull, T.		Sandyston	205	
Takacs, K.		Sandyston	33	
Warren	Gebhard, A.	Sparta	5	
	War Cty/Van Horn	Wantage	164	
	Convey, F. & H., F. Jr., & J. & Jones, M.	Allamuchy	98	
	Jansen, P. & H.	Franklin	148	
	Heath, J. & M.	Harmony	76	
		Washington	9	

Municipal Planning Incentive Grant Program (Closings)

<u>County</u>	<u>Landowner</u>	<u>Municipality</u>	<u>Acres</u>	
Hunterdon	DiSabatino, S. & P.	Alexandria	52	
	Rounsaville, E.	Alexandria	68	
	Dugger, E. & H.	Delaware	55	
	Robichaud, S.	Delaware	23	
	Torsilieri, D. & C	East Amwell	19	
	Wielenta North	East Amwell	23	
	Wielenta South	East Amwell	73	
	Passerello, J. & M.	Franklin	64	
	Stephens, R. & L.	Franklin	15	
	Jeness, W. III	Holland	17	
	Kovi Family Farm Limited Partnership	Raritan	130	
	ReadingtonTwp/D'Urso	Readington	78	
	Readington Twp/Hamewith Farm LLC	Readington	82	
	Readington Twp/Acettola	Readington	64	
	Readington Twp/Arnaudy	Readington	26	
	Readington Twp/Padovani	Readington	30	
	Readington Twp/Saranno	Readington	58	
	Readington Twp/Staats	Readington	53	
	Readington Twp/P. & D. Cuchiaro	Readington	25	
	Chandor, J. & M.	Tewksbury	42	
	Emmet I, C. A.	Tewksbury	28	
	Emmet II, C. A.	Tewksbury	11	
	Tauber, G. & C.	Tewksbury	14	
	W. Amwell Twp/Fulper Preservation LLC			
	Heifer I	West Amwell	44	
	W. Amwell Twp/Fulper Preservation LLC			
	Heifer II	West Amwell	37	
	Monmouth	Holmdel Twp/F & F Nurseries	Holmdel	59
		Aker, F. & J. & Mazza, P.	Howell	10
		Okerson, C., III & J.	Howell	35
		Plum Tree Holding Company	Howell	42
		Reed, C.	Howell	16
Schottman, D. & Shaffery, M.		Howell	9	
Sunset Stables, LLC		Howell	27	
Cuddihy, J. Jr.		Howell/Freehold	65	
Eisner, J. & M.		Manalapan	56	
Lois K. Rogers GST Trust #1		Manalapan	51	
Lois K. Rogers GST Trust #2		Manalapan	53	
Moccia, M. A.		Manalapan	37	
Schultz, R. & M.		Manalapan	31	
Sullivan, C. & Silsbe, C.		Manalapan	13	
McFie, S. & B.		Millstone	12	
Restine, P. & B.		Millstone	20	
Teller, T.		Millstone	26	
Wagner, L.		Millstone	24	
Blanda, W.		Upper Freehold	49	
Ernst, R. & L.		Upper Freehold	131	

Municipal Planning Incentive Grant Program (Closings)

<u>County</u>	<u>Landowner</u>	<u>Municipality</u>	<u>Acres</u>
Monmouth	Hock, D. & Ricci, K.	Upper Freehold	28
	Hock, D. & Ricci, K.	Upper Freehold	11
	Jannuzzelli, J. & J.	Upper Freehold	46
Morris	Porter, J. & K.	Mendham	22
	Willemsen, A. & C.	Mendham Twp/Borough	30
	Naughtright, J.	Washington	57
	Turnquist, G.	Washington	28
Salem	Ostrum, G. Jr. & S.	Pilesgrove	140
Somerset	Harms, M. & L.	Bedminster	30
	Anderson, A. & Wegner, K. & R.	Franklin	58
	Lake, F. & J.	Franklin	20
	Riya Investment LLC	Franklin	18
	Hill, N.	Blairstown	29
Warren	Ruh, A.	Blairstown	136
	Woodcock	Blairstown	22
	McNearney, D. & Hamlen, B.	Harmony	20
	Gessie, G. & V.	Knowlton	28
	Czar, S. III & R.	Pohatcong	67
	Czar, S. III & R.	Pohatcong	25
	Willever, W. & W.	Pohatcong	27

Nonprofit Grant Program (Closings)

<u>County</u>	<u>Landowner</u>	<u>Municipality</u>	<u>Acres</u>
Salem	NJCF/Caltabiano	Pilesgrove	85
Somerset	Montgomery Friends of Open Space/ Raymond	Montgomery	57
Warren	Ridge & Valley Conservancy/Black	Blairstown	38

The Heil farm in Alloway Township, Salem County, was purchased outright for preservation by the SADC in July 2007 under its fee simple program. It will be resold at public auction with permanent deed restrictions.



State Acquisition Program (Closings)

Direct Easement Purchases

Cumb/Salem	Mitchell, J.	U. Deerfield/Pittsgrove	69
Hunterdon	Modica, J. & Y.	Bethlehem	75
	Delaware Twp/Juniper III, LLC	Delaware	61
	Walker, L.	Delaware	80
	Colonial Sportsmen Club, Inc.	East Amwell	92
	E. Amwell Twp/Rieter	East Amwell	19
	E. Amwell Twp/Rieter	East Amwell	52
	Balogh, K.	Holland	99
	DeCroce, R. & A.	Kingwood	110
	Schenker, A.	Tewksbury	74
Morris	Church of Light	Mount Olive	69
Salem	DiGregorio, J. & C.	Pilesgrove/Mannington	103

Fee Simple Purchases and Grants

<u>County</u>	<u>Landowner</u>	<u>Municipality</u>	<u>Acres</u>
Burlington	Estate of W. Erb	N. Hanover/Chesterfield/ Springfield	138
Hunterdon	Segreaves, M.	Alexandria	138
	Holcombe, T. & S.	West Amwell	72
	J.B. Case Family Partnership	West Amwell	87
Salem	Heil, E.	Alloway	143
	Schroeder Family Farm	Pittsgrove	83
Warren	Jayne Investment Group	Greenwich/Pohatcong/Alpha	127
	RJDD, LLC	Mansfield	78

Total Farms/Acres Preserved by Program in 2007

	<u>Farms</u>	<u>Acres</u>
County Easement Purchase	90	6,092
Municipal Planning Incentive Grant	65	2,743
State Acquisition		
Direct Easement Purchases	12	906
Fee Simple Purchases	8	867
Nonprofit Grants Program	3	180
TOTAL	178	10,788

Related Programs

Right to Farm

The SADC manages the Right to Farm Program in partnership with New Jersey's 18 county agriculture development boards (CADBs). Under the Right to Farm Act, farm owners and operators are protected from restrictive municipal ordinances and public and private nuisance actions, provided they operate responsibly in accordance with state guidelines and meet certain other criteria. In the event of disputes, formal complaints must be filed with the appropriate county agriculture development board or the SADC before any court actions can be taken.

The SADC in 2007 responded to more than 100 right-to-farm inquiries, issued two conflict resolution determinations in cases initially heard by the Committee and issued two decisions in cases where CADB decisions were appealed. CADBs made 10 decisions regarding site-specific agricultural management practices, a process that can provide commercial farms with the assurance they are eligible for right-to-farm protection to guard against potential or future complaints.

The SADC encourages mediation as a way of resolving conflicts as early as possible, before the more lengthy formal complaint process is initiated. The mediation process is voluntary, involves a trained and impartial mediator, and typically consists of one or two short mediation sessions. Because the mediator has no decision-making authority, successful mediation is based on the voluntary participation and cooperation of all parties. A total of six cases were mediated in 2007.

To help farmers take proactive steps to avoid conflicts from occurring, the SADC in early 2007 secured a federal grant to develop a publication offering advice from experienced farmers on how to prevent disputes and maintain good relationships with neighbors and municipalities. "Farmer-to-Farmer Advice for Avoiding Conflicts With Neighbors and Towns" features a wide range of advice solicited from more than 50 farmers. The SADC coordinated development of the publication in cooperation with the N.J. Department of Agriculture, New Jersey Farm Bureau, the Northeast Organic Farming Association of New Jersey and the Rutgers New Jersey Agricultural Experiment Station Cooperative Extension. Published in March 2008, the brochure has been widely distributed and is available online at www.nj.gov/agriculture/sadc/publications/farmersadviceforavoidingconflicts.pdf.

In July 2007, the SADC proposed rules to extend right-to-farm protection to equine service activities, including the boarding, keeping, rehabilitation and training of horses, as well as complementary equine activities that meet certain conditions; establish an agricultural management practice (AMP) for equine activities that sets the standards with which equine farms need to comply to be eligible for right-to-farm protection; and clarify the equine activities permitted on preserved farms and under what conditions. The SADC in June 2008 adopted the rules that expand the list of equine activities protected under the Right to Farm Act and establish an AMP for equine activities. It did not adopt the proposed rule to clarify the equine activities that are permitted on preserved farms; therefore, the SADC's interpretation of the deed of easement -- that equine-related service activities are permissible on preserved farms as long as they are ancillary to equine production -- continues to apply. The rules are intended to help ensure equine operations remain viable while providing the public with the assurance that farms need to meet certain standards to obtain protections of the Right to Farm Act.

Farm Link Program

The SADC continued to assist new and established farmers in identifying farming opportunities through its Farm Link Program. Farm Link is a resource and referral center for new and established farmers seeking access to land, farming opportunities, and information on estate and farm transfer plans, and for landowners looking for farmers to work their land. Farming opportunities include farms for lease, farm partnership and farm manager opportunities, apprenticeships, and preserved farms for sale. The Farm Link Program maintains online listings of farming opportunities where farmers and landowners post short profiles of farming opportunities sought or available. As of December 2007, there were 94 active farm-seeker listings, 53 active farm-owner listings and 16 listings of preserved farms for sale.

Farmland Stewardship

The Farmland Stewardship Program addresses post-closing requests, conducts annual monitoring of preserved farms on which the SADC holds the easements, coordinates county monitoring efforts, and investigates potential violations of the farmland preservation deed of easement.

In 2007, the SADC formally took action on 10 landowner requests to divide the premises of preserved farms; eight requests for agricultural labor units; five requests to replace existing single-family dwellings; and one request to exercise a Residual Dwelling Site Opportunity (RDSO). As the result of concerns raised regarding a nursery farm market, the Committee evaluated items sold at the market to confirm that more than 51 percent of the annual gross sales from the farm market were from items grown on the farm, which is consistent with the farmland preservation deed of easement.

The SADC also began reviewing potential farmland preservation deed of easement violations related to extensive earth movement and grading in preparation for greenhouses on a farm in Franklin Township, Hunterdon County, and the extent of a veterinary practice, as well as grooming, kenneling and canine obedience training services, on a farm in Lumberton and Southampton townships, Burlington County. In early 2008, the SADC determined that both farms were in violation of the deed of easement. At the request of the SADC, the Attorney General's office successfully secured a preliminary injunction in Superior Court to stop destruction of soils on the Franklin Township farm and is pursuing further legal steps to seek remediation of the disturbed area. The SADC is coordinating with Burlington County to take appropriate action regarding the violation on the farm in that county.

Transfer of Development Rights

The State Transfer of Development Rights Bank and other co-sponsors hosted a conference in June on the use of transfer of development rights (TDR) as a planning tool for environmental protection. Approximately 100 municipal officials, professional planners, environmental commission members and other interests attended the day-long conference.

Woolwich Township, Gloucester County, completed planning documents required to establish a TDR program and in March 2007 submitted them to the Department of Community Affairs' Office of Smart Growth for review. Woolwich Township is seeking to use TDR to help protect more than 4,000 acres of farmland-assessed land and create a stronger commercial ratable base.



State Agriculture Development Committee

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