
Public Hearing

before

ASSEMBLY AGRICULTURE AND NATURAL RESOURCES COMMITTEE

Assembly Concurrent Resolution No. 10

*(Concerning the constitutional dedication of portions of the
State Sales and Use Tax for open space, farmland, and historic preservation)*

LOCATION: Department of Public Works
Government Services Building
Clayton, New Jersey

DATE: February 27, 2007
6:00 p.m.

MEMBERS OF COMMITTEE PRESENT:

Assemblyman Douglas H. Fisher, Chair
Assemblyman Nelson T. Albano, Vice Chair
Assemblyman Herb Conaway Jr.
Assemblyman Ronald S. Dancer



ALSO PRESENT:

Lucinda Tiajoloff
*Office of Legislative Services
Committee Aide*

Elizabeth Stone
*Assembly Majority
Committee Aide*

Christopher Hughes
*Assembly Republican
Committee Aide*

***Hearing Recorded and Transcribed by
The Office of Legislative Services, Public Information Office,
Hearing Unit, State House Annex, PO 068, Trenton, New Jersey***

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ASSEMBLYMAN DOUGLAS H. FISHER (Chair): Good evening, everyone. It's nice to see everyone here tonight. And we wanted to start fairly on time, which is not always the case in Trenton. But we came here to Gloucester County, and I think we can do that.

We're here to have a public hearing concerning -- this is the Agriculture and Natural Resources Committee -- a public hearing on the Garden State Preservation Trust Fund -- the reauthorization. As we all know, it's been a highly successful program. The moneys will soon expire for projects. And we need to talk about just what we're going to be doing in the future, in terms of another round.

In the Governor's budget, at the present time, there's not actually any provision for this. But the Governor has indicated much support. But, also, there are a number of other priorities in our State that are also going to be discussed. And I think that we've got some tough sledding ahead.

Because of that, our Committee felt that it would be good to start this discussion now so that we can all hear, firsthand, the support and interest that everyone has up and down the state. There will be three public hearings: one here; one in Central Jersey and one in North Jersey -- the locations have not yet been determined.

We are here with the Office of Legislative Services, who will help us to conduct this meeting.

And we are also going to be discussing ACR-10, which concerns that constitutional dedication of portions of the State sales and -- sales tax for open space, farmland preservation, historic preservation, Green Acres -- similar to what was done in the last round. In this bill, there are some new

provisions that have been added, based on conversations that we've had with a number of stakeholders throughout the State of New Jersey. And we encourage you -- if you have copies of these bills, which I think we have enough -- if there is anything there that you would like to discuss and talk with us, we encourage you also to do that.

We have a number of speakers tonight that wanted to speak. And we're trying to make it so that it's an evening that we will get out of here at a reasonable time. So I don't know exactly how many of you -- because we didn't indicate, we didn't determine how many actually want to speak. If there is someone who filled out a form who doesn't want to speak, maybe we could figure that -- hear that now, so that we could sort of figure out a time.

I believe that if you can limit your remarks to three, four, five minutes -- somewhere in that range -- that would be helpful so that everyone could be heard.

And with that, we have some folks that we're going to call up first, to kind of give some overviews. And certainly, we have Ralph Siegel, who is Garden State Preservation Trust, who is here tonight -- is going to give the first presentation.

Before we start, we're going to call the roll.

MS. TIAJOLLOFF (Committee Aide): Assemblyman Dancer.

ASSEMBLYMAN DANCER: Here.

MS. TIAJOLLOFF: Assemblyman Conaway.

ASSEMBLYMAN CONAWAY: Here.

MS. TIAJOLLOFF: Assemblyman Albano.

ASSEMBLYMAN ALBANO: Here.

MS. TIAJOLOFF: Assemblyman Fisher.

ASSEMBLYMAN FISHER: Here.

MS. TIAJOLOFF: Assemblywoman Karrow is absent.

ASSEMBLYMAN FISHER: Assemblywoman Karrow made every effort to attend, but she had another engagement. And it's difficult when we're trying to get all of us in one spot at one time. So I'm sure she will join us for the other meetings.

Mr. Siegel.

RALPH SIEGEL: Good evening, members of the Committee.

Thanks for the invitation.

I was just going to ask about that. (referring to PowerPoint presentation) But that looks pretty up there now.

This is the point where everybody turns around and shows me the back of their head.

My name is Ralph Siegel. I'm the Executive Director of the Garden State Preservation Trust. I want to thank you for the invitation to come here and speak tonight on behalf of the Garden State Preservation Trust Chairman, Michael Murphy; our Chairwoman-elect, Jan Rosenfeld; and our local board member, Herb Wegner -- right in the neighborhood -- who is here tonight, I hope, if he didn't run away yet.

I have this little presentation that should cover most of the facts. If you might be interested, I'd be delighted to answer any questions. But this usually covers quite a bit of it.

Okay, the remote control works. That was the first question.

You will recall, hopefully, the Garden State Preservation Trust enactment in 1998 -- the voter referendum approving \$98 million a year for

30 years -- it's a 30-year dedication through 2029, intended to fund a 10-year land preservation program.

I'm doing something here to make this happen. (referring to feedback from microphone)

There. But the folks in the back need to hear me.

Can everybody hear me okay? (no response)

Prior to the Garden State Preservation Trust, New Jersey had bond issues. And while everyone in preservation is thankful for the voters for their commitment, this graph shows you that over those almost 30 years, the level of funding was reasonably inconsistent. A bond issue would be approved, and then those funds would be drawn down. So we'd have these spikes and valleys in funding. And so the objective was to try to develop a program that meets these criteria. And that's where the Garden State Preservation Trust comes from -- a 10-year program, \$98 million a year, a total of \$1.22 billion in bond funds, and a combination of the cash in the bond funds mean we have a total fund for the 10 years of about \$2 billion.

The first 10 years -- the \$98 million that comes into the Trust Fund -- total of \$980 million -- can be used to fund projects as cash, or can be used to start paying down bond indebtedness. After that, the debt service from 2010 to 2029 is funded by the \$98 million. One of the things that makes this dedication unique is, for these bonds, is that the taxpayers always know exactly what the cost of this is going to be to their budget. Debt service has become quite an issue recently, as it has actually been for some years. But it's returned to public attention. And with this dedication, people would say, "Well, how much are these bonds going to cost me in

2020?” “Ninety-eight million.” “Okay. Fine. How about 2025?” “Ninety-eight million.” The bonds are structured within the limit of the dedication.

Those are the three component programs. (indicating) The receipt funding -- there's the money flying in. And it breaks down the funds into the separate pieces -- the amount of funds we've been able to devote to the three programs, the percentages that have been already appropriated, and the remaining balances to be appropriated.

This shows the \$98 million dedication over the course of 30 years. It will add up to \$2.94 billion. And the Legislature, when it enacted the Garden State Preservation Trust in 1999, anticipated that there would be \$1 billion in financing and \$500 million in cash. The balance of the funds would go to pay debt. And it would fund a \$1.5 billion preservation program. And I'm happy to report we've done substantially better than that. On the comparison to what the Legislature intended seven years ago, eight years ago, we have financed higher. More significantly, we've used a lot more of the dedicated cash. We've done that because we've dramatically reduced what was proposed for interest payments. And as a result, we've developed a \$2.1 billion program for preservation. So the dedication of the Fund and the financing that we've done has been a success in funding this program at these levels.

Again, the original promise -- \$1.5 billion -- would have converted to about \$1.4 billion for land preservation, when you move the Historic Trust and the cost of the administration -- \$140 million a year over the 10 years. And this was the actual levels of appropriation that we've had.

The financing table that I showed you, and this table here, are both on the handouts for the public. They're copied in the back of the room. But for anybody that didn't get one, both of these are also on the GSPT's Web site. So you can get those easily.

Now, people will look at this and say, "If it was supposed to be \$1.98 billion over 10 years--" an average of \$198 million a year for 10 years -- "how come there's only \$1.71 million left? How come this sum is left? Why aren't we up to the higher averages for the last two years like before?" And the answer to that question is that in '04, '05, and '06 we invested in heavier appropriations and, as a result, that leaves less to be appropriated in the outer years. So that leaves us down to \$1.71 million. So over the course of the 10 years, it will average out to \$198 million a year. But that is an average. You can see it varies from year to year with some record appropriations in 2005.

Another important feature of the Garden State Preservation Trust Act, when it was enacted-- There's your typical piece of land. We use two appraisals: the current zoning and the prior zoning. This was implemented with the Garden State Preservation Trust Act -- was quite novel. If your land, in 1998, had a zoning that, for instance, would permit the subdivision for 10 units; and, up to 2004, there had been changes in zoning or environmental regulations that now you could only really get one building unit on that property, this is going to dramatically affect the appraisal on the property. And so we created the option of appraising the property according to the current zoning and the prior zoning. And we're able to offer the landowner a certified value for his property, based on the most beneficial appraisal. The result is that from 1998 to 2004, if there are

any changes in zoning, any downzoning, for instance that might occur, the landowner that comes into the preservation program is held harmless from that downzoning. Now, it's not 2004 anymore, but the Highlands Act of 2004 renewed this policy, going out through 2009. So the dual appraisal system still exists for property owners who have seen the development value of that property reduced because of zoning, or environmental regulations, stream corridor buffers, things like that.

Land preserved in acres -- a very lively and difficult question to answer. And the Green Acres Program -- these are the totals that we have going out through 2006, during the duration of the Garden State Preservation Trust program. And we tacked the farmland acres on top of that. And their annual preservation totals -- that bring us to the totals for the Garden State Preservation Trust. And without making you do the math, these numbers add up to those acres that you see for Green Acres and farmland preservation -- total of 292,000 acres that have been preserved and closed. These are acres -- these are projects where the closing has been completed.

We still have a substantial amount of money appropriated that has not yet resulted in the closing and permanent preservation of that property, including the money that's yet to be appropriated. And based on our per-acre costs, we estimate that the remaining funds appropriated but not yet spent will yield about another 120,000 acres. So the forecast for the GSPT, when all is said and done, is our preservation should exceed 412,000 acres.

And to put that into some kind of context, since we're here in Gloucester -- 412,000 acres would represent the landmass twice the size of

Gloucester County. And that has been preserved just in the last seven years. So it has been a pretty, I think, impressive outcome.

We just recently got our Fiscal Year 2006 figures. Both programs combined, in land acquisition, invested \$264 million in preservation of farms and natural lands, refuges, and so forth in the state over the course of 52 weeks. So you do that kind of math, and the average works out to these numbers of \$5 million in closings every week; on average, a million-dollar land deal every work day. And I point out that these funds that we're putting out are leveraged, roughly, two-to-one with local funds -- funds from municipal open space trust funds, county funds, nonprofit endowments, nonprofit fund-raising. All of that works out so, for the \$2 billion we're putting out there over 10 years, we will match that, probably, with about a billion dollars in local funds to reach these project costs. So it really is a success in every sort of measurement.

This is my favorite slide. It took about four hours to figure out how to make this one. So when people try to figure out who leads the United States in land preservation, we would expect it to be the big states, or the famously green environmental states. But the fact is, it is New Jersey. Next to California and Florida, we have the largest land preservation program. We have the second-largest publicly financed preservation program. And for a geographic area-- These are the pat-yourself-on-the-back slides that the PTA loves to see.

So if anybody has any questions, I'd be happy to answer them -- any other detail on these handouts or anything.

ASSEMBLYMAN FISHER: Any members of the Committee?
(no response)

Thank you very much for making that presentation.

MR. SIEGEL: Thank you. And I will stand by. I'm interested in what folks have to say. So if anybody-- If a question occurs, please don't hesitate. I will be right over here.

ASSEMBLYMAN FISHER: Okay.

Susan Craft. She is with the SADC.

S U S A N E. C R A F T: Good evening.

My name is Susan Craft. I'm the Executive Director of the State Agriculture Development Committee. I'm here on behalf of the Committee and its Chairman, Secretary of Agriculture Charles Kuperus.

Thank you for the opportunity to discuss the SADC's Farmland Preservation Program tonight. Obviously, GSPT renewal will have a profound impact on the continuation of the Farmland Preservation Program and the Program's future.

I won't give you a PowerPoint tonight. But we just wanted to touch on some of what we think are the important aspects of the Farmland Program, to keep in mind as we move forward in the discussion.

Preservation of our farmland helps ensure a stable land base will be available to support a strong and viable agricultural industry -- an industry that realizes \$866 million a year in annual farm gate receipts, accounts for a \$1.5 billion agricultural sector, and is the foundation of the State's \$82 billion total agriculture and food complex.

In addition to ensuring these continued economic benefits, the preservation of our farmland protects rural and open landscapes, provides access to fresh local produce and other farm products, and protects wildlife

habitat and air and water quality, all factors that contribute to the quality of life we enjoy in New Jersey.

Farmland preservation also is an important tool for towns to avoid some of the unwanted impacts of sprawl, including negative fiscal impacts, traffic congestion, and loss of community character.

Finally, preservation of farmland helps towns hold the line on property taxes by keeping privately owned, tax-paying farmland on the local tax rolls. As municipalities across the state well know, farmland contributes far more in property taxes than it requires in services.

The New Jersey Department of Agriculture projects that New Jersey will need a stable land base of approximately 600,000 acres to support a strong and viable agricultural industry into the future. As Ralph pointed out, approximately 150,000 acres of farmland have been permanently preserved to date. By the time the existing Garden State Preservation Trust Fund runs out, we expect an additional 50,000 acres will be preserved, for a total farmland preserved base of about 200,000 acres of land. That represents a tremendous amount of progress, considering that prior to GSPT, only about 48,000 acres of farmland had been preserved over the previous 14 years of program acquisition. And that is truly a testament to the power of the magnitude and the dependability of the GSPT funding stream.

As a result of this stable source of GSPT funding, an average of 160 farms have entered the program annually over the past five years, as opposed to only about 40 per year in the five years prior to GSPT.

The stable source of funding also has encouraged financial participation in farmland preservation by a number of other partners. Local

farmland and open space trust funds, established by county and municipal governments, as well as funding from nonprofit organizations, leveraged State dollars and have contributed a full one-third of total acquisition costs to date.

But as much progress as we've made, of course we're nowhere near the finish line. The preservation of 200,000 acres by the close of GSPT funding still leaves another 400,000 acres of land -- of permanent protection, if we are to realize our goal of preserving an adequate land base for New Jersey. Over the past four years, we've appropriated an average of \$130 million annually for farmland preservation. And that still doesn't meet current demand. This year alone, we had more than a hundred million dollars in applications that we were not able to fund.

The cost to preserve an additional 400,000 acres would total \$4 billion at today's average current acquisition cost of \$10,000 an acre in SADC funds; and as much as \$6 billion, at a projected cost of \$15,000 an acre, of State funds.

It's clear that New Jersey cannot afford to preserve all of the 400,000 acres through the purchase of development rights under the Farmland Preservation Program. The number is just too big. And I would suspect the same holds true for Open Space. Therefore, the SADC's goal is to preserve another 200,000 acres through the Farmland Preservation Program, while encouraging the aggressive pursuit of transfer of development rights and other tools to secure permanent protection of the remaining 200,000 acres.

I think it's so critical that we don't forget that all the farmland that ultimately will be preserved in New Jersey will likely be preserved in

most of our lifetimes. I really believe that personally. I think this is our last shot. Here we are-- I'm going to jump off my testimony for a moment. But here we are in the deep south of South Jersey. And I think many people in the state thought that South Jersey -- Cumberland and Salem -- would just forever be open. And that's not happening. We can see the evidence all around us. That development pressure really has arrived in every corner of New Jersey. And no place is beyond the developers' reach at this point.

The SADC looks forward to working with advocates and the Legislature to identify a sustainable funding source for the renewal of GSPT at a level that, at a minimum, supports the momentum of the program that has been achieved through the strong partnership among all levels of government, the nonprofit community, and of course farmland owners themselves.

The Garden State Preservation Trust Act provided New Jersey with tremendous opportunity to protect the farmland that is so critical to maintaining our quality of life and a strong agricultural industry. We have made a great deal of progress, but there is still much left to do.

We look forward to working with you to ensure that we continue the momentum of our farmland preservation efforts, and that we keep New Jersey green and growing for generations to come.

Thank you very much.

ASSEMBLYMAN FISHER: Thank you, Susan.

Any questions or comments.

ASSEMBLYMAN CONAWAY: I did have one.

ASSEMBLYMAN FISHER: Assemblyman.

ASSEMBLYMAN CONAWAY: If we could have Mr. Siegel back up to the table, with your discretion, Mr. Chairman.

MR. SIEGEL: When you say Mr. Siegel, I turn around and look for my father. (laughter)

ASSEMBLYMAN CONAWAY: We're on the record here, and the mike is running.

ASSEMBLYMAN FISHER: I will tell you that this hearing is being transcribed. And we'll be able to--

MR. SIEGEL: So I should say that again louder? (laughter)

ASSEMBLYMAN FISHER: Oh, absolutely.

ASSEMBLYMAN CONAWAY: My question related to the property tax relief aspects of these programs. And I wanted your comment on what value there is to the taxpayer, in terms of saving taxpayers' dollars, because of the presence and robustness of this program. If you could comment on that for the record.

MR. SIEGEL: There's no specific hard numbers to show what preserved acres, statewide -- what effect they have on property taxation in that community. It, in my personal view, goes somewhat to the question of aesthetic value, in terms of -- people have a value in their community, and they want to see it preserved, they want to see some of the acreage -- or much of the acreage preserved. They don't want the character of the community to change. And so it has a value in their eyes.

There's no question that a house in a community that has a substantial preservation landscape, compared with a house in a densely built-out community -- the house in the preserved community would be more valuable. The problem is that a lot of those communities are just

naturally escalating in real estate value anyway. And so it's hard to attach that increase in value to preservation per se.

I think the strongest anecdotal evidence that's connected is, when the Garden State Preservation Trust started there were 75 communities and counties that voluntarily increased their own property taxes in order to create trust funds, in order to pay for their share of open space preservation. Today we have more than 230.

Now, I suppose we can believe that in some of those communities they are -- they have suddenly gained a tremendous fondness for fresh agricultural produce, or they have all become wildlife bird watchers, or something. But the larger likelihood is that these people are feeling a great sense of anxiety about the communities in which they live, and the investments they've made in their homes; and that the community is changing around them and they want to try to take some control over that. And I think that is a property tax answer.

To preserve a piece of ground-- Will that show up in a tax bill? Not directly. But I believe that if people start to feel their community has become unlivable, and start to move away, that does have a property tax effect.

ASSEMBLYMAN CONAWAY: Ms. Craft.

MS. CRAFT: My experience tells me that -- and, again, focusing in rural areas -- that a primary motivation for municipalities in land conservation is to avoid the negative fiscal impacts of development.

I think that in the late '80s, and definitely through the '90s, and certainly into this century-- I think town councils and mayors have come to the conclusion that more development does not lower their taxes;

more development raises their taxes, in terms of local property taxes. And as you all know better than I, the burden of school children, and building schools, and servicing the school system is the primary driver there. And so I believe farmland preservation, in particular in rural areas, is probably the primary tool that many communities look to, to try to stabilize their taxes over time, by avoiding the total amount of growth that otherwise would have occurred in their communities.

ASSEMBLYMAN CONAWAY: And following on that, don't forget other attendant costs: road maintenance, road construction, sewerage, police protection, fire service, etc.

If I may-- And I ask this, because we are talking about dedicating sales tax revenue. And you know that we, in the Legislature, have made some efforts to preserve augmentation of the sales tax for property tax relief. And so a fund which is going to be funded from property tax -- excuse me, from sales tax revenue -- there might be a conflict there. Property tax relief programs, of course, are direct payments right into the taxpayers' pocket. It might not be so easy to draw such a direct connection with a farmland preservation or open space preservation program. But I think the argument can be made fairly.

And if you could -- I guess this is a yes or no -- that continuing to fund these programs, making sure they're in place, is -- provides an excellent value for taxpayers, in terms of reducing the upward pressure on their taxes. Is that a fair statement?

MS. CRAFT: I think so. Yes, sir.

ASSEMBLYMAN CONAWAY: Thank you, Mr. Chairman.

ASSEMBLYMAN FISHER: Thank you.

We're going to call Jeff Tittel up now, who is with the Sierra Club. And he is going to speak on bill -- or ACR-10.

J E F F T I T T E L: Jeff Tittel, Director, New Jersey Sierra Club.

And I want to thank the Committee, and also the Chair and all the members who show up so many times when chairmen have committee meetings on the road. Some of their members don't show up. And it's great to see everybody come to listen.

I just wanted to start out and say that we all know that New Jersey is the most densely populated state in the nation. Our population per square mile is denser than Japan, India, and China. And the only thing denser are the politicians that don't get it. And luckily, in this room there is no one like that. (laughter)

ASSEMBLYMAN CONAWAY: Thanks for the help.

ASSEMBLYMAN FISHER: Is that your quote for today?
(laughter)

ASSEMBLYMAN CONAWAY: Where's the press when you need them?

MR. TITTEL: But I wanted to start off with that, because one of the reasons that this is such an important program, and that ACR-10 is so important, is that it's an investment in our state, in our future, and in our families.

Green infrastructure -- and I think open space is green infrastructure -- is just as important to our communities and to our state as roads, and sewers, and colleges, and schools. And the reason is that it does so much, and to so much benefit, for society. When you think about how parks bring families together and let fathers bond with children, playing

catch, or whatever; picnicking; when you think about exercise and making us all healthy; when you think about what it does for the environment, how it helps prevent flooding -- and we've had three major floods in the last two years. When you preserve farmland and forests, instead of those waters running off and causing flooding, they soak into the land. I mean, in a heavy rainstorm, a farm field or a forest can soak up to three inches of rain. And so you think about -- that's not water that's going to be in someone's basement, or going into someone's living room.

And so it's critical. And I also want to thank the sponsor for adding what we used to call the *Blue Acres Program* -- but the ability to buy out flood-prone properties. Because I think it's critical in New Jersey, as we try to prevent flooding and design our future, to buy out some of the properties that are most flood prone. And I think this bill brings that program back, and I appreciate that -- or this ACR.

New Jersey has been number one in the nation in the loss of open space as a percentage of the entire state. But what's really critical when you look at the Garden State Preservation Trust in the last nine years, we've slowed that down. We were losing, at one point, almost 1 percent of the state per year. We've cut that in half. But, more importantly, we're now preserving more land per year than we're losing to development. And so it really is an important and effective tool in preventing sprawl.

It's also critical for our economy. When you think about the almost \$4 billion a year that's spent in New Jersey by open space advocates, and hunters, and fishermen, and people who visit the coast, and everything else, it's a big part of our economy -- just as farming is, so is recreation in the state.

It's critical for property taxes, and I'm glad you had mentioned that. Because there are studies out there that show preserved farmland-- And you think about open space in general. For every dollar you get in revenue from open space -- from the taxes from the farm, or preserved piece of land -- because they still pay taxes -- it's profit for the town. It costs you less than \$0.20 in services for that \$1.00 you get in taxes, versus lands that are developed, where it's -- for every \$1.00 you get in taxes, you pay \$1.25 to \$1.35 more in services. And that doesn't include infrastructure needs, like roads, and schools, and things of that nature.

The other part that's important is, by having open space and preserving farmland, it actually increases all of our home values. If you live in a community that has a lot of open space, your property values are higher. If you live near a park or preserved land, your property is actually worth 10 to 20 percent more than someone who is next to a development or a strip mall. So it actually helps increase your values of your land. It does so much for all of us, and that's why it's critical for this ACR to move forward.

In the race for open space, we're almost out of gas. When you look at those charts that Ralph put up, even though there's money left, all that money that's left is already appropriated or at least assigned to projects that are out there for open space in different communities around New Jersey and for buying farms. There's not an ability to add any new projects, any new farms, any new pieces of open space to those lists, because we have backlogs now.

We've passed, in more than 230 towns and 21 counties, open space referendums. The local match moneys to go to towns and counties to

buy open space -- there's more than a \$500 million backlog already. That's moneys that have been asked for that can't be given, because this is the most successful program in government history and it's now running out of money. And so it's really important, I believe, for that to go forward.

When you think about some of the other good things in this ACR-- I happen to be a big believer in payment in lieu of taxes to towns. I'm glad that it's in there. I come from a town, Ringwood, way up in the northern part of the state. We're about 70 percent open space. So we understand the importance of open space. We also know that there are, sometimes, impacts to towns about-- And I think it's important to give some money back to the towns on open space.

And I wanted to just address the sales tax, because I think that when you look to fund open space-- When you look at the rise in the sales tax every year in the State of New Jersey -- sales tax increases by about \$500 million a year. So when you're taking \$175 million of that for open space, you're only taking about a third of the increase that happens every year in the state, of the sales tax. Because we keep shopping and buying more, and so it goes up about \$500 million. So we're not taking it away from any existing revenue streams. It's actually all future revenues that are coming in, because of the growth that happens within sales tax.

But more importantly, I think it's better to have a bill in the hand than a Turnpike in the bush, quite frankly. We don't know if that's going to happen, but this can happen. And I think it's really critical for this Legislature to move this forward. Because I think the State of New Jersey depends on it. If we run out of money, which we're going to, it means we're going to be growing more houses than crops. It means that we're going to

see more flooding, more environmental degradation, and more pollution, more traffic, more sprawl, and higher property taxes. So this is an investment in ourselves and an investment in our state.

And I just want to thank you.

ASSEMBLYMAN FISHER: Thank you, Jeff.

What is the \$500 million backlog? What's that look like?

MR. TITTEL: That's the moneys that towns and counties have requested from the local match program and Green Acres to match moneys that they have put up from the localities. And so that's where that comes from. We have towns put up a penny or two, and they try to-- And I'll give you an example. One town I know -- Tenafly -- has put up \$4 million to buy a piece of property near the Oradel Reservoir. They asked the State for a match of \$2 million just to match a portion of it. They got \$400,000, so they haven't been able to close on it. That's the kind of example.

ASSEMBLYMAN FISHER: Okay. Thank you very much.

MR. TITTEL: Okay. Sure.

ASSEMBLYMAN FISHER: Yes.

ASSEMBLYMAN CONAWAY: Are those kinds of projects, then, going to be prioritized in a reauthorized program?

MR. TITTEL: Yes, and that's why we need to reauthorize it. Because they've already done the applications. The applications have been through the process and are sitting there, waiting to get funded.

ASSEMBLYMAN FISHER: Okay. Thank you, Jeff.

Now we have Ken Atkinson, who is Gloucester County Office of Land Preservation.

KEN ATKINSON: Good evening.

My name is Ken Atkinson, and I have the privilege of serving as Director for the Gloucester County Office of Land Preservation. And on behalf of the Gloucester County Board of Chosen Freeholders -- our Director Stephen M. Sweeney, our Deputy Director Robert M. Damminger -- I would like to thank you for the opportunity to address the Committee tonight to provide testimony on this extremely important matter.

In addition to my post as Director of our office, I also oversee the county's Farmland Preservation Program. And in cooperation with Vicki Snyder -- who serves as our Open Space Coordinator -- and the rest of our staff, our office has compiled an impressive record of accomplishments in the preservation of Gloucester County's rapidly diminishing agricultural areas and open space. Since the inception of Gloucester County's Land Preservation Program, we have successfully preserved more than 14,000 acres, with approximately 11,700 acres preserved as farmland, approximately 2,400 acres preserved as open space. These numbers encompass properties in 19 of Gloucester County's 24 municipalities. In fact, since 2003 alone, Gloucester County has preserved more than 4,330 acres of farmland and open space on 80 different properties. Susan could probably attest to this better than I, but we believe that this amount is the largest number in the state over that time period.

Through this program, we've also been able to acquire 11 new dedicated municipal parks, and expand other existing municipal parks and greenways. We have also been able to enlarge four of the county's own parks, and also help them move the county bike path forward with a key acquisition. In just the area surrounding the county golf course, we have added four additional properties and are currently in negotiations on two

others. Our office is also working on five new municipal parks, and presently has more than 20 applications pending for the Farmland Preservation Program. The desire for participation in the program is still vital, and it's still there.

It goes without saying that a large portion of these accomplishments would not have been possible without the funding that the county has received from the Garden State Preservation Trust over the years. Since 2003, Gloucester County has received almost \$15 million in funding from the GSPT. Gloucester County also relies on \$0.04 farmland and open space tax to help supplement our efforts. And, in addition, our freeholders have taken the proactive step of issuing a series of bond measures over the years to provide additional funds. However, even with these measures, our efforts to preserve farmland and open space in Gloucester County would have been significantly impacted without the funds received from the GSPT.

Gloucester County is not alone in this position. And I'm sure that over the course of your hearings, you're going to hear testimony from a plethora of State, county, and municipal, and nonprofit representatives echoing these sentiments. You know better than most the constant struggles that New Jersey faces as the nation's most densely populated state. To this end, since its inception, the GSPT has been one of the most successful tools in New Jersey. And they've helped to utilize -- to alleviate sprawl and also help reduce the costs associated with unabated residential growth that all levels of government experience.

Based on these examples, the Gloucester County Office of Land Preservation, in cooperation with our Board of Chosen Freeholders, fully

endorses the renewal of the Garden State Preservation Trust. We believe that the residents of New Jersey will also support this stance, and we request that the State ensure that they have the opportunity to do so by placing the renewal of the GSPT on the ballot in November. We would also like to request the current disbursement allocations remain the same.

Finally, we feel that Assembly Bill ACR-10, which concerns the constitutional dedication of portions of the State Sales and Use Tax for open space, farmland, and historic preservation -- we feel it would be an effective tool to ensure the continued success of Gloucester County and New Jersey's farmland and open space preservation efforts.

Gloucester County has long been labeled as one of the fastest growing counties in New Jersey. And some of our individual municipalities have even been identified as some of the fastest growing in the nation. Even with these obstacles, Gloucester County's Farmland and Open Space Preservation Program has been a resounding success. Tracts of pristine county farmland that stretch as far as the eye can see are now permanently preserved. And acres of open space have been secured for residents to enjoy as county and municipal parks.

However, we cannot continue our aggressive efforts without the State's assistance. To this end, we believe that it is essential that the GSPT be renewed. With your help, the Office of Land Preservation, in cooperation with our Board of Chosen Freeholders, can endeavor to ensure that Gloucester County safeguards its pastoral legacy and provides ample parcels of land for our citizens' recreational needs, both now and in the years to come.

Thank you.

ASSEMBLYMAN FISHER: Thank you, Ken. We appreciate you coming in.

Bob Tallon, from Crafts Creek and Spring Hill Brook Watershed Association.

ROBERT TALLON: Hi.

Thanks for letting me come here tonight.

I don't have a lot of facts for you. I came because I represent a group of about 40 -- maybe 45 people that -- we incorporated a watershed association, under what they call a 501c3 nonprofit, because of the concerns about our watershed in our area.

And our area has-- Our township, Mansfield, in Burlington County, has quite a bit of farmland preserved. But I do think there is a need for a lot more, not just to preserve our quality of water -- that's very important. And in our area, we actually are in an area -- like you probably are part of down here -- the critical water area. And we're watching our aquifers just getting lower and lower. So the farmland preservation, I think, will go a long way to help a lot of those things.

The movement toward growing our own fuels, I think, is important as we realize we're coming to the slope where we're going to run out of cheap energy, as far as the petroleum industry is concerned. I think it's a neat thing to do -- that our farmers will be growing more of our food, some of our fuels. I don't know any other way where this is possible if we don't have an investment in our farms.

I realize you can't go back to the way we were 50 years ago, when our local farms provided a really large part of our food. But I think

there can be a day when they do provide a substantial part again, and our local economies reap the rewards of investment in this area.

There are so many positive things I feel personally, and our group feels, that come from preserving open space, farmland, and the things we can do to keep it viable.

I came all the way down here, and it was a long drive, and I got lost. (laughter) But it was worthwhile just to say -- to speak from my emotions.

Thank you, guys.

ASSEMBLYMAN FISHER: No, thank you.

We want to get a number of different perspectives. And just talking about food production is certainly an important part of that. So don't feel that it wasn't important that we hear this.

MR. TALLON: It's both things.

ASSEMBLYMAN FISHER: Yes.

MR. TALLON: Thank you.

ASSEMBLYMAN FISHER: Thank you for coming down.

ASSEMBLYMAN ALBANO: Thank you.

ASSEMBLYMAN FISHER: Joanna Wolaver -- I can't pronounce it. She is from the New Jersey Audubon Society.

And I think that we're going to find out that there are a number of different players that are highly concerned about this reauthorization. And I encourage so many groups to participate.

And we're glad that you made it here, tonight, as well.

J O A N N A L. W O L A V E R: Thank you very much for the opportunity to speak.

Again, my name is Joanna Wolaver. I'm Conservation Project Director at New Jersey Audubon Society.

I'm here tonight representing the New Jersey Audubon Society's over 23,000 members from across the state, as well as the New Jersey—Keep It Green Campaign. This campaign is a coalition of over 90 environmental organizations, watershed associations, land trusts, faith-based groups; and historic preservation, affordable housing, and urban park advocates from across the state. And you have a list in the testimony, that I've submitted, of all of our campaign members.

This group is working to renew and strengthen the Garden State Preservation this year. We appreciate your leadership in taking on this issue.

As you know, and as you've heard tonight, the Trust will run out of money this year. And funds for grants to local governments have already been exhausted. At the same time, our state continues to face intense development pressure and is expected to reach full build-out in less than 25 years. And even the parks, natural areas, and historic sites that are protected have suffered due to chronic underfunding.

For these reasons, New Jersey Audubon Society and the Coalition strongly supports ACR-10. In particular, we are encouraged and thank you for increasing the total funding amount for GSPT, and including funds for operations and maintenance in addition to acquisition and capital projects.

Unfortunately, the need across the state is so great that in order to adequately meet acquisition, operation, and capital needs in our communities, we would need to increase the total dedicated amount to an

even higher amount, which is the unfortunate news. Funding in addition to this amount would also be necessary to adequately meet the needs of important programs beyond acquisition, capital, and operations, such as Blue Acres, as Jeff discussed.

While the GSPT has been a tremendous success, the need still vastly outstrips the available dollars, even if GSPT is renewed at higher levels. For example, as just mentioned, well over \$500 million in municipal and nonprofit Green Acres applications have gone unfunded. In addition, only one-third of the farmland identified by the State Department of Agriculture, as critical to the retention of farming as a viable industry in New Jersey, has been preserved.

We urge you to support this legislation and the recommended increase in funding as a critical investment in the quality of life of New Jersey and in our economy. Just to name a number of things in the way -- about the way this supports our economy: Protecting open space stabilizes local property taxes, as was mentioned before. The acquisition of open space, unlike new developments, does not burden municipal tax -- the municipal tax role. These areas quickly pay for themselves, and then provide long-term savings and substantial economic and environmental benefits to our communities. These areas also support the growth of our State and local economies by increasing retail and tourism activity, and attracting new industries and skilled workers to communities across the state.

Funding for continued protection of open space also safeguards air and drinking water quality, and provides important habitat for wildlife in all communities.

In addition, the Trust provides a vital match for the dedicated local open space taxes collected annually by all 21 counties and more than 225 municipalities. So in order for local governments to continue receiving Green Acres and SADC grants, the GSPT must be replenished this year.

To conclude, we encourage the Committee to support this legislation. And we thank you again for taking on this important issue to all New Jersey citizens.

Thank you.

ASSEMBLYMAN FISHER: Thank you, Joanna.

Any questions?

ASSEMBLYMAN ALBANO: Yes, just one quick question.

ASSEMBLYMAN FISHER: Assemblyman.

ASSEMBLYMAN ALBANO: Nice presentation.

You talk about a funding increase. How much are we talking?

MS. WOLAVER: Well, our group has estimated that we would need \$206 million a year to meet the acquisition, capital, and operations and maintenance needs.

ASSEMBLYMAN ALBANO: And what are you currently getting?

MS. WOLAVER: Currently, in the bill, it's \$175 million.

ASSEMBLYMAN ALBANO: Okay.

ASSEMBLYMAN FISHER: And while we often talk about how open space limits development and also has savings associated with it to various municipalities -- I hope that in the future-- And we will continue to hear about the spin-off to the economy on the positive side, just as you had mentioned -- as birding is.

A lot of times, the groups are fragmented in the ability to get that message out, of just how enormous the impacts are. So I'm hoping that we'll hear more and more of that.

MS. WOLAVER: And Jeff mentioned that hunting, fishing, wildlife watching is a \$3.9 billion industry for the State, which is pretty significant.

ASSEMBLYMAN FISHER: Yes. But we need to, I think, drive that message even more. Because a lot of times we don't hear it. We just talk about how there is no growth; and sometimes the end result is savings.

So I appreciate you coming and telling us as well.

MS. WOLAVER: Thank you very much.

ASSEMBLYMAN FISHER: Okay. Thank you.

Doug Zee, New Jersey Peach Promotion Council.

D O U G L A S Z E E: Good evening, Chairman Fisher and other Assemblymen.

Thank you for the opportunity to testify. I also represent the Gloucester County Board of Agriculture, as Secretary. And welcome to Gloucester County, the heart of the Garden State.

ASSEMBLYMAN FISHER: A little plug there. (laughter)

MR. ZEE: At the beginning of the Farmland Preservation, there were soil and water conservation funds set aside for matching fund grants. In the Garden State Preservation Trust Fund, everybody was on pins and needles about getting it passed. And I'm sure you would all continue to support anything that passes 60 to 40 every time that it's up for election. These 237 bond issues across the state -- every one of them passes with a huge majority in any town that it's put up in.

And in your bill, it says that there will be administrative costs out -- and maintenance and operational costs associated with lands acquired, developed for recreation and conservation purposes, with historic sites. If we could have, also added to that, maybe 3 percent set-aside for soil and water conservation funds -- matching funds for agricultural lands that are preserved -- would be a big help in this situation. Because that would be matched many times over by the farmer, by Federal funds, and other things. And it keeps the silt and the dirt from going farther down the rivers, and saves many thousands of dollars worth of dredging costs and other things.

So if that could be accomplished so we know that-- That's why they hold these hearings -- to cross the *Ts* and dot the *Is*. That would help the -- not only preserve the farms, but make the farms more prosperous, which is needed.

Thank you.

ASSEMBLYMAN FISHER: Okay. Great.

And we'll certainly take that under advisement. And we know that you've mentioned that to us. In fact, yesterday I heard it from you as well. So it's a second chance to hear it. It's starting to ring home.

We have Suzanne McCarthy, South Jersey Land and Water Trust.

Hi.

S U Z A N N E M c C A R T H Y: Good evening, and thank you for coming down here; and thank you for this bill, because we're very worried about it.

The South Jersey Land and Water Trust serves the South Jersey area, concentrating especially on Gloucester, Salem, and parts of Cumberland, and a bit of Atlantic County, as well. And we range up into Camden. We are the merger of the South Jersey Land Trust and the Federation of Gloucester County Watersheds, which merged last year. So we are both a watershed association and a land trust.

And the South Jersey Land Trust ancestry dates from 1990. Since then, we have preserved close to 2,000 acres of land in South Jersey as open space. And we now work, as well, to assist Woolwich Township in its farmland preservation program, using its planning incentive grant that it has from SADC.

We're very concerned that the Garden State Preservation Trust be renewed. We think it's absolutely critical. South Jersey has the most to lose if it's not, because it has the most to preserve. And it will be really overtaken by the development that has been creeping down here tremendously. If you drive out from here, and just drive around -- which, of course, it's too dark to do -- you will see what look like open lands. Almost all of them already have approvals of one kind or another, or you'll see them being built now. This has been especially so in Gloucester, but it's spread throughout Salem and Cumberland dramatically.

And in Gloucester, I am also the Chairman (*sic*) of the Environmental Commission in Franklin Township -- sat on the open space committee when we put together our open space plan. And I work for the Delaware Valley Regional Planning Commission as an environmental planner. So I have helped to put together the farmland preservation plans

for Woolwich and Franklin Township. I'm working on one in Upper Deerfield now.

Woolwich and Franklin have funding through planning incentive grants. They can only begin to do the farmland preservation that they have planned -- which is in their plan. There will be much greater need. The valuations that you determine when you put them into a plan are based on a particular moment in time. As you go forward over the years, it becomes more expensive. If they cannot get the funding that they need through the SADC to renew that, their efforts to protect land will cease, and it will be a major loss to those towns. But even more so, there are many other towns that now have begun to realize how important good farmland preservation planning and open space planning is. And they are actually undertaking the planning part of it, which will be sort of moot without the matching funds from the State, either through Green Acres or the SADC. I think that's really critical.

I think that municipalities have, really, only four tools to work with to protect themselves against sprawling growth and overgrowth. Besides zoning, which is very difficult; and TDR, which is very expensive and hard to do, particularly in rural communities that have no infrastructure, sewer and water; and conservation design clustering ordinances, which help protect some open space -- the main thing they have is preservation dollars to really try to offset the losses and to compensate farmers, especially, and other owners for equity losses. That's a very big issue down here in South Jersey. I guess it is throughout the state.

Farmers feel that changes in zoning or other kinds of programs have big impacts on their equity. It's all a very debatable topic. But there

is a certain amount of truth in that. And preservation dollars -- that pay for development rights, or that buy farms outright, or that buy open space -- are definitely fair, and just, and deal with the equity issue in a direct way.

I think that we've got to have the preservation dollars. We can't wait. They need to be renewed now. There are too many things in the works in too many municipalities for us to go any time without it.

I think, from the standpoint of water protection, preservation is also critical. The South Jersey Land and Water Trust has project grants from Green Acres to preserve land, particularly along greenways -- on the Raccoon and Oldman's Creek are our project areas. And we have protected land on the Big Timber Creek as well, and the Mantua. The best way to protect water quality, and enhance it, and improve it in all of our streams in South Jersey -- and throughout the state are impaired -- is to protect greenways. And you have to do land preservation to do that.

The second aspect of water -- perhaps more important even, it's hard to judge -- is that we all depend on groundwater down here. That's our drinking water. Every single town depends on groundwater. And the high recharge lands are the ones that are also the most buildable. So those are areas that most need protection. That's farmland and certain areas of open space and forested land. So I think that, from the standpoint of protecting drinking water and water quality, land preservation is critical and can't wait at all.

I think the efforts that we are making are to try to get the word out to people in South Jersey about just how critical this is. We have put together a postcard that we're sending to the Governor. And we've been distributing it. And I have to say that it's only been within a month -- three

weeks, or three-and-a-half weeks -- and we've already got a thousand of them off, because everybody wants to see this renewed.

Every municipal committee that I work with -- and I work with many, because there are 28 different projects we have done in 15 different municipalities -- we start, always, with a survey. And all of the people that address and answer the survey throughout the community, their main concern is development and keeping the community as it is. They say that over and over again. What they value in their community is, essentially, the open space, and the farmland that they can see, and the areas that they can walk in, and the parks they can play in.

I was shocked to find out that Newark has one of the lowest ratios of parkland of any major city in the country. So I think this is critical for urban areas just as much.

And I'll stop.

ASSEMBLYMAN FISHER: Thank you very much.

Andy Busby, from Salem County Development Board.

By the way, for those who are here from the district that I represent -- Senator Sweeney, Assemblyman Burzichelli -- they wanted very much to be here tonight. But it's a big district. Our district happens to be 800 square miles. So it's the largest in the state.

A N D Y B U Z B Y: I'd like to thank Assemblyman Fisher for his time, and the rest of the board for allowing me to speak to you here tonight.

I'm a Salem County vegetable grower. My son and I farm 125 acres of fresh-market vegetables. I'm here representing the County Agriculture Development Board and, I guess, the County Ag Board also.

Salem County-- In the past year, we've gotten an Open Space Advisory Committee, we've gotten an open space plan, we've gotten two active municipal planning incentive grants to municipalities. The freeholders have pledged to support farmland preservation in Salem County. Presently, we have about 22,000 acres preserved. And I would guess -- and I wanted to have a harder number on this -- we probably have in excess of 4,000 acres in application right now that we could move on. And the applications, right now, are some of the best quality applications we've seen since the beginning of the program.

Salem County has seen a significant amount of development pressure, especially, I'd say, in the last five years, as the rest of the state has. And we have a lot of guys who are trying to preserve their farms. And with that preservation money -- instead of sitting on it, they're purchasing more ground and preserving.

We're growing fruit, we're growing some nursery. But primarily it's vegetables and grain in Salem County. And I can't think that-- This has to be the most opportune time for us to be able to preserve ground in Salem County. If it doesn't happen -- as Susan mentioned earlier -- in our lifetime, it's not going to happen.

There's 120,000 acres of farmland-assessed ground in Salem County. The County Ag Development Board -- our goal, originally, was 60,000 acres. And I hope that we end up achieving that. But with your cooperation, I think we have a chance at it. And I thank you for allowing me to speak to you tonight.

ASSEMBLYMAN FISHER: Thank you, Andy.

Tony Stanzione, from the Cumberland Development Corp.

A N T H O N Y M. S T A N Z I O N E: Thank you, Assemblyman Fisher and other members of the Assembly, and staff.

Cumberland Development Corporation is a community and economic development group. But it also serves as a forum for 10 of the mayors in the rural communities in Cumberland County to talk to each other every month. And several of the towns that are part of the organization are--

First of all, I should say, they're all supportive of the Garden State Preservation Trust Fund. Sometimes you might not think that when you hear some of the mayors' concerns, because of the amount of taxable land that has been taken off their tax roles in the past many years. So there are communities that I represent that have lost a significant amount of taxable land. And their main concern is that this bill address the PILOT funding -- payment in lieu of taxes -- that helps these communities provide their basic services to their constituents, and also provides services to those who may be visiting those open spaces and preserved lands in the communities.

So that's basically what I wanted to say tonight -- is that, hopefully, the bill will address their concerns about continuation, and proper funding, and proper formulas for payment in lieu of taxes for preserved lands that have been taken off the tax roles in these towns.

So, again, we're supportive of the bill, but hope that it will also take care of the needs of the communities that have, in some cases, 30, 40, 50, and as high as 70-some percent of the lands now either permanently preserved or tax exempt.

Thank you.

ASSEMBLYMAN FISHER: Thank you, Tony.

And that will be addressed. This bill is to get the question on the ballot and to concern itself with the areas that, I think, collectively we are concerned with. And then, of course, there will be battles, or controversy, or a slug fest, or whatever you want to call it (laughter) after that. But if we don't get this on the ballot, if we don't get this money rededicated, then those issues will be moot in many respects.

But we do understand and are very-- I know, I happen to have one of the towns that -- one of the townships that has 70 percent of the land preserved, which is Downe Township, in Cumberland County. And that's an enormous pressure for a community to try to figure out how to continue its services with no ratable growth; and at the same time those that have to pay their share of taxes.

We have Herb Wegner, who is Pittsgrove Agriculture Advisory Committee, and also one of our committee members on the Garden State Preservation Trust.

How long have you been on there, Herb?

H E R B E R T W E G N E R: Four years.

ASSEMBLYMAN FISHER: Four years.

MR. WEGNER: I wasn't going to tell anybody that. (laughter)

Mr. Siegel spilled the beans.

Good evening, Assemblyman Fisher and members of the Committee.

Thank you for giving all of us the opportunity to speak.

I do spend most of my time talking to farmers and other landowners about preserving their farms.

I'd like to digress for just a second. I'm sure everyone's heard the projections that, in 30 years, or 40 years, New Jersey will be built out. The so-called *experts* in determining these kinds of facts have given us that kind of number, and I'm sure you've all heard that.

Well, there's another way to look at what build-out means. What build-out means, to those of us who are involved with preservation, it basically means that any land that is not preserved will be developed by that time. There might be a few exceptions, but 30 to 40 years from now -- and you can go as far as 50 years -- by the middle of this century, if the farm is not preserved, it probably won't be a farm anymore. If woodlands and other Green Acres areas are not preserved, they will not be here anymore. They will be developed. That's another way of looking at what build-out really means to us.

I always tell people I speak with, regarding farmland preservation, that farmland preservation is not preserving their farm for themselves or their families. Specifically, farmland preservation is about preserving agriculture in New Jersey for the future. There will be-- There is a great future for agriculture in New Jersey, for food sources and for energy sources, as was spoken about earlier.

And there's also another change I think that's on the horizon, that tells us about our need for farms. Up to now, we readily accepted fruits and vegetables from other sources. Things have been happening. There's more concern about homeland security and about what's happening -- what's coming into New Jersey. I really do think that the New Jersey consumers will realize that they don't want to be dependent -- completely dependent on other sources, other countries and far-away states, for our

fruits and vegetables. I feel much more comfortable eating the fruits and vegetables that are produced on farms in New Jersey. And I do think the average consumer is going to be of that same opinion as time goes on.

We all know that protecting farms, saving farms, not only gives us -- saves us agriculture, but does protect a way of life and a quality of life. And the gentleman here talked about the various impacts of what you have when you have massive development.

In Salem County and Cumberland County-- I know Mr. Buzby mentioned the number of acres that are in Salem County. In looking at what has been preserved, I think I could give an estimate -- a fairly close estimate -- that between Salem County and Cumberland County, we probably have 200,000 acres of farmland that are still not preserved. This is a tremendous amount of land -- tremendous amount of farmland, tremendous amount of agricultural capability -- that lies in this area. And I know there's probably another 30,000 acres in Gloucester County.

Why has that occurred, and why are we kind of lagging? I think Suzanne McCarthy kind of alluded to that. We were sitting down here -- thinking down here that we were not going to be having the development that we have. When I first brought up the issues about development in Salem County, in Pittsgrove Township -- where I live -- one of our township committeemen said, "Oh, well, they're in Washington Township, but they're never going to get down to Salem County." Well we've certainly found that that prediction was way off. They're there now.

And, of course, as a result of that, we've all been lagging in our efforts, and in our process and our success in preserving farms, to some

extent. We're learning what's happening, we're learning what this has meant to maybe -- lagging behind. And now we're starting to pick up.

And I think the point that Suzanne McCarthy made, and I want to make, is that there's an awful lot to be done down here in the southern part of the state. And we are just getting some of these programs started. It happens to be that we're just getting some of these programs started at the time we're talking about the Garden State Preservation Fund getting to the end of its acquisition period. This is what we're talking about. We're talking about extending the acquisition period. It's extremely important that we extend the acquisition period for another 10 years, which I think your bill addresses.

The window is rapidly closing. And I do feel that the end of 10 years it is-- Our ability to be able to procure land for acquisition for preservation is going to be severely limited, because we've all seen what the costs have done for land acquisitions in the last seven years, since the Garden State Preservation Trust Act was put into use.

So I want to impress upon you the need for us to plan a good strategy, to get this bill passed, to get the referendum passed. And we have to pursue completing the job that we started in New Jersey, and particularly the distance we still have to go in the southern counties in New Jersey.

Thank you very much.

ASSEMBLYMAN FISHER: Thank you, Herb.

Ed Gaventa, from New Jersey State Horticultural Society.

Good evening.

E D G A V E N T A: Thank you very much.

I just wanted to give you a firsthand experience. I'm a farmer from Logan Township, Gloucester County. I've also been a past president of the New Jersey State Horticultural Society, and I'm Chairman of the New Jersey Peach Promotion Council currently.

We, on our farm, preserved 87 acres in 2006. It's almost one-third of our property. And as a personal experience, I just want to let you know that there are a lot more people out there like us. We've taken that money and diversified our farm, recapitalized. We're going into a new entity with this. We're starting to grow wine grapes, and we'll be putting up a winery this year. So this is just one of the spin-offs that you're gaining by the use of this money.

If you asked me if we would be doing this without this money and this opportunity, I'd tell you absolutely not. So that's basically what I wanted to tell you -- that it's a successful program. And we're very much in favor of the continuation of it.

Thank you.

ASSEMBLYMAN FISHER: Okay, great.

Good luck to you in your new operation.

MR. GAVENTA: Thank you.

ASSEMBLYMAN FISHER: We have Paul Chrystie, from Coalition for Affordable Housing and the Environment.

PAUL CHRYS TIE: Thank you, Mr. Chairman.

The Coalition for Affordable Housing and the Environment is comprised of nearly 40 organizations who share the goals of revitalized cities, a clean environment, and adequate affordable housing for New Jersey's residents. And I'm pleased to be here today to support ACR-10.

The Garden State Preservation Trust has been a tremendous success, but it must be replenished because we still have critical needs to address. We agree with New Jersey Audubon and the Outdoor Recreation Alliance that open space, farmland, and historic preservation in New Jersey requires an annual investment of at least \$206 million. That would provide \$150 million a year for acquisition and capital projects, which bonding could increase to even more; and \$56 million a year to fund operations and maintenance needs that have been overlooked for far too long.

We must also ensure that urban areas participate equitably in the program this time. Numerous studies have shown that green spaces in urban communities not only provide critically needed habitat resources, but also increase property values; support neighborhood revitalization; and promote healthy lifestyles, especially for children.

The Coalition applauds the sponsors for raising the issue of Blue Acres needs. However, we believe that these needs should be met in addition to, and not in competition with, the other important components of ACR-10. And we look forward to discussing the issue with you as your bill moves forward.

Renewing the Trust will protect our environment and, if done equitably, promote urban revitalization and the economic benefits that go along with it. We support ACR-10, and we look forward to working with you to put this important question before the voters this year.

Thank you.

ASSEMBLYMAN FISHER: Thank you.

By the way, we're used to coming to hearings and getting beat up. (laughter) So this is a very pleasant surprise tonight.

UNIDENTIFIED SPEAKER FROM AUDIENCE: We could do that.

ASSEMBLYMAN FISHER: We're waiting for someone to walk up and just--

ASSEMBLYMAN ALBANO: Just don't bring up the budget.

ASSEMBLYMAN FISHER: --drop the other shoe.

Abe Bakker. I don't know what-- You represent so many; it doesn't say what you represent here.

Who would you like to represent tonight? (laughter)

A B E B A K K E R J R.: Cumberland County Board of Agriculture and the New Jersey potato growers association.

ASSEMBLYMAN FISHER: Okay.

MR. BAKER: My name is Abe Baker, and I have a 600-acre farm in Shiloh, New Jersey. And I spent the day going through all my ag statistics and everything. And I was going to give you lots of facts and figures, but everybody already took care of that.

So instead, I thought I'd give you a little bit of my personal journey to open space. I was born in Holland, the most densely populated country in the world. My family immigrated to the U.S., and I spent the '60s and the '70s growing up in Rahway, New Jersey. While not the most densely populated part of New Jersey, it was pretty well populated. And I have lots of fond memories, as a kid, of being able to go to the Rahway River Park and go fishing. And there were lots of undeveloped tracks of ground in a town where we would go and play guns as kids, or go camping, and do all of those things. So I can appreciate that component of the GSPT program for the people in New Jersey -- that you've got to have-- As a kid, I

appreciated having those open spaces to play in. And that kind of developed the reason why I ended up getting into farming. I realized I wasn't a desk kind of guy. I wanted to be outside all the time.

So I went to Rutgers University and studied agriculture. I ran into a young lady whose family were potato farmers in West Windsor. We got married, and I started working Summers on the farm. I eventually became a full-time farmer. And in the mid-'80s, we had the boom on the Route 1 corridor. And there was no GSPT program.

And so, left and right, all the farms were sold. And my father-in-law and I just decided, "Well, our kind of agriculture is dead here. All the dealers have moved -- you can't buy fertilizer anywhere in the area anymore; there are no chemical salesmen coming around; you have to go to South Jersey to buy a tractor. So let's go look for another farm." So we sold the farm there, bought more than double the size farm in Cumberland County. And now I'm sitting there between a John Deere dealer and an International dealer, and I've got salesmen all the time.

And the irony of it is, it wasn't five years after we moved that GSPT was paying as much for the development rights as what we got paid by the developer. That farm would still be there. Right off of Route 571, there's Rabbit Hill Road.

And now we're called Rabbit Hill Farms, in Shiloh. And now we're in an area where we have large, contiguous agriculture. And we need to keep those kinds of things, because you've heard the numbers about the - - over \$800 million that the industry is worth, and the \$82 billion of the food complex and everything. But that stuff all starts to go away if you

don't have all the infrastructure that goes into keeping big-time agriculture in an area like we still have in Cumberland County.

The good thing about the GSPT program is that it's a one-shot -- permanently preserves the ground. A lot of townships like to take the easy way out sometimes, and downzone the ground, saying, "Well, then it won't build out so fast." But elections happen every couple of years, new people get on the planning boards, things change. That ground is not preserved. With the preservation program, it's done. You don't have to worry about it again. And it's still a working asset for the town. You've heard how many towns-- They get open space, but it's off the tax roles. Here's a piece of ground that's paying more taxes than it uses in services. It's still producing an income. It's an asset to the community. We employ people -- lots of people. And that's always a plus -- anything in the economy today that's going to get jobs is a bonus.

And then, as I'm starting to get older, now the preservation program also has another component that seems attractive to me. I have three children. Some day they might like to take over the farm. As an estate planning tool, it works out wonderfully, because here's a nice, simple, easy way for one generation to retire, pass it on to the next generation. And if there is no next generation, now that person can retire and go do what they want. And the land that's left is affordable enough for a new farmer to move in and take over. And that way it stays in production, it doesn't die.

So, again, I'd like to thank you for this opportunity.

ASSEMBLYMAN FISHER: Thank you, Abe.

Dave Sheppard, from Cedarville.

DAVID SHEPPARD: My name is Dave Sheppard. I come from Cedarville, New Jersey, a little bit south of here. Most of you come south, and I came north, to here. I guess Doug's probably a little bit south of here, too.

I appreciate this time to come talk with you. I'm representing myself tonight, as an eleventh-generation New Jersey farmer. We've been here since 1680.

ASSEMBLYMAN FISHER: You look good. (laughter)

MR. SHEPPARD: I'm a little grayer than I used to be.

We've been farming the same farms for-- The farm I'm currently on we've been farming since the mid-1800s. And we've been here that long, and we must be doing a pretty good job of taking care of the ground, because the ground is still as productive as it ever was.

My concern-- I've served on the Cumberland County Board of Agriculture for I don't know how many years -- I'm Secretary; I've served on the Cumberland County Ag Development Board since its inception. I dropped off last year, when I decided to put my farm in -- applied to put my farm in the Farmland Preservation Program.

My concern tonight is the ability of a farmer to economically farm in the State of New Jersey. When we started farming, my brothers and I -- I have two brothers, Irwin and Tom -- we started around 1972, when we got out of college. We all three graduated from Cornell University. We could have done anything. We could have gone any direction we wanted, but we decided to stay in agriculture in New Jersey. We thought it was a good opportunity and we could serve a purpose of

something that needed to be done -- as the production of food for our country.

But today, the cost of producing food is getting higher, and higher, and higher all the time. And the basic need we have in production of agricultural products is land. And the exponential increase in the land values in Cumberland County has caused us to be -- have a hard time in actually buying land in the future -- presently and in the future. Because when we started buying land about 10 years ago-- We couldn't afford to buy the land for a number of years, because land competition was very great, and rents were high, and there wasn't much land available. But over the last 10 years, we've been able to purchase land. And we could buy ground for about \$2,000 an acre. Now that same ground is worth about \$10,000 an acre. And you can only support-- You could probably only support, from the agriculture off of that ground, about \$3,000 or \$4,000 an acre. So anything over the \$3,000 or \$4,000 an acre is moneys that-- You have to find other ways to obtain that money. And if you can't support it, then you have to go off the value of that land as its development value.

So it's important to us that this program continue, because it gives us the option of actually capitalizing land, and get a return on our investment, and get a return on the land, and still be able to farm it. If we can't continue to farm it because of its economic -- lack of economic value to support it, we'll have to sell it either to development or to another farmer that has the ability to support that.

In Cumberland County, we're just getting to the point now where the values are interesting -- the development values are interesting enough for us to even think about the program -- it hasn't been. Within the

last five years, it's probably gone from worth about a thousand dollars an acre development value to worth -- being worth about \$6,000 development value. And as I said, it's at this time when we're interested in doing the land preservation. And we need this to continue for at least the next 10 years.

In order for agriculture to survive, they must have land available to them at a reasonable cost. Paying the full value of the land, it would be impossible for a farmer to expect and support that cost from the return of the land. New and young farmers will not be able to afford to buy the land or lease the land. Because of these economics in agriculture, land would not -- would be out of sight for agriculture and would end up in development.

This is so important, right now, that this program continue over the next 10 years -- that your base agricultural vegetable production and nursery production is in southern New Jersey. And we want to keep agriculture in this area. We don't know what the agriculture is going to look like in 10 years. But we want the land available, in 10 years, for an agriculture that might develop. And if it's sold off in the next 10 years, it won't be available for future farmers, and it won't be available for Green Acres. And as the gentleman said, the build-out will occur, and it will occur very fast if this program is not continued.

Thank you.

ASSEMBLYMAN FISHER: Thank you, Dave. And thanks for bringing the financial perspective as well.

Jack Cimprich, who is the Mayor of Upper Pittsgrove.

Hi, Jack.

MAYOR JACK R. CIMPRICH: I want to thank you all very much for allowing me to speak this evening.

My perspective is that I am the Mayor of Upper Pittsgrove Township, in Salem County, which is just a little bit south of here. I own a 225-acre farm, which is preserved. I've been a college professor at Rowen University for 25 years, and I've been on the Planning Board for 26 years, and on the county Ag Development Board as member and vice chairman for 16 years.

From that perspective, I've gotten a little bit of appreciation about the preservation program. And particularly the fact that I was raised in North Bergen, New Jersey -- up in Hudson County -- and went to high school in Jersey City, gave me a little bit more of an insight than maybe some of the folks down here have. So when I came down here 36 years ago, my eyes were already open. And even though there was no development pressure at that time, I could see, from my office in Glassboro State College back then, that things were changing. Washington Township, which is right near here, went from 4,000 people, back in 1970, and I think they're approaching 60,000 people today. That was all peach orchards; and now, pretty much, it's all housing developments.

I certainly didn't want to see the Garden State become the *Housing Tract State*, at least not where I was living. So I got on the planning board. Eventually, no good deed goes unpunished, so they made me the Mayor. (laughter) And what we've done is, we've managed to get ahead of the curve. We were lucky that we kind of saw it coming, and so we got involved with the zoning that was talked about. We did the various things.

We also got our farmers interested in farmland preservation back before a lot of other townships got on that.

As a result, we have 7,000 preserved acres, almost 30 percent of the township. We may be number one in the state now, I don't know. But we're right up there. And we're very appreciative to Susan Craft, Ralph Siegel, all the others that have been involved in helping us make that possible.

I would like to see other townships that have large amounts of good farmland, who have more recently gotten involved and interested, who have now developed advisory committees and gotten their own dedicated taxes -- and now they're all getting up to speed, having spent the last five years building to the point where they can now maybe get some of this accomplished -- I would hate to see the rug pulled out from underneath them.

I think it's critical that we have this kind of funding pass. And I think it's critical -- it's probably not even enough, as the Audubon Society mentioned. I'd like to see double that amount. But I'd be very happy with whatever number you guys can come up with.

It is critical. We have, as has been mentioned, maybe a window of 30, 35 years. That's it. If we don't do something soon, and we lose the momentum of all these townships and all these counties that have now finally woken up to how critical their actions are, and how much we've got to do-- If we drop the ball, then lose the next five years -- which, by the way, may be a real estate recession, which is a good time to be, you know, trying to buy up these development rights -- we would really have nobody to blame but ourselves.

I think what's critical here is that New Jersey needs to be self-sufficient. And I don't think people realize that enough. We've talked about water, we've talked about energy, we've talked about food, and we've talked about transportation. They're all impacted by how much open space you have or you don't have. One acre of ground, where we are down here, receives 1.25 million gallons of rainfall a year, most of which goes right back in the ground if it's farmland. If it's developed, it runs into the rivers and it's gone; more silt, more all those problems.

So we're providing a buffer for all the residents of New Jersey -- the most densely populated state -- that are going to need these kinds of resources out into the future, even more as we have more development. Development is not going to stop. All we can do is mitigate some of the negative impacts of that development.

New Jersey is already the most developed state. It has the highest property taxes. You asked before about property taxes and, maybe, the impact this would have. Well, you don't have to be a rocket scientist to realize if you've got the most developed state, and you've got the most -- and the highest property taxes, there may be a connection. If we get more development by not taking advantage of preserving our open space, I don't think property taxes are going to get lower, they're only going to get even higher.

So one of the things the taxpayers know -- and that's why it was mentioned. I think Doug Zee said that 60 to 70 percent of the voters have approved all of these various bond initiatives over the last 25 years, because they're smart enough to know that. And these are the same taxpayers who are going to have to pay for it. And they vote to have their

taxes taken out of their pockets to preserve open space again, and again, and again. So this is a smart move for politicians, because they care about what the voters want.

ASSEMBLYMAN FISHER: It is not a given, I would say, in this environment and in the climate we're in today -- to suspect -- to believe that you might get 60 to 70 percent approval without a lot of hard work.

MAYOR CIMPRICH: You're right.

ASSEMBLYMAN FISHER: And that's why-- Frankly, one of the reasons we're doing these hearings is because if people remain silent, they may wake up and be totally surprised about what happens when you're measuring against property tax relief.

MAYOR CIMPRICH: And we can't take that for granted, and we do have to have a very strong educational effort to make sure that this does pass.

But what people have to understand is that this is critical for all residents of New Jersey, it's critical in keeping their taxes lower. Because the \$10,000 you spend to preserve one acre -- you spend that to send one child to school year, after year, after year. You spend the \$10,000 to preserve the acre, and you're done after one year. But that school -- you've got to keep paying that bill. And if there's two kids for a household, then it's double that. And you're just going to keep paying, and paying, and paying. So for the taxpayers, it's a very sound economic decision.

But there are the other issues as well: food, fuel, all of that. And these resources are going to only get more in demand as time goes on. So we really need to make sure that this bill passes. And I appreciate your efforts in doing that.

Thank you.

ASSEMBLYMAN CONAWAY: Chairman.

ASSEMBLYMAN FISHER: Yes.

We have a question from Assemblyman Conaway.

ASSEMBLYMAN CONAWAY: The Chairman is obviously right about the need to build public support.

But I did have a question. Someone talked about the operation of the board, and we had some issues in the past. And I just wanted your comments on -- if you had any concerns around ethical considerations dealing with how things get approved. We've seen, when a lot of money gets into an area, we've got to be very careful about how things get done. Votes have to be taken; conflicts of interests, and others. And I heard someone say, "I was on the board. I resigned, and then my farm went into the program." These are the kinds of things that get people's attention.

And so I wanted you to comment on -- if you could -- on any sense you had about the ethical framework that applies to the agricultural boards -- I guess whatever board determines what--

MAYOR CIMPRICH: The county ag development boards.

ASSEMBLYMAN CONAWAY: Ms. Craft may want to comment on that, too.

And, also, another sort of larger question you might want to comment on, and that is: transfer of development rights have been mentioned here a few times. And I've sort of held the question; but I thought, let's get it on the record. The taxpayer may say: "Would it be cheaper for us to invest all of this money into a TDR program rather than plowing it all into an acquisition program? Perhaps we could have -- use the

same amount of money and protect against more development pressure. We have a \$400,000 deficit in farmland that we need to save -- to preserve agriculture in the future. With the same amount of money, if we use TDR rather than direct acquisition, could we get closer to that \$400,000 goal?"

Your thoughts.

MAYOR CIMPRICH: Well, on the ethics issue, I would say that the-- My experience with the preservation program -- and like I said, I had 16 years on that committee -- it was extremely bipartisan. There was no indication whatsoever that I could see, at least in Salem County, that there was a problem as far as farms being selected because of who somebody knew or what party they belonged to.

I have to say that of all the programs that I've seen in the State of New Jersey, this may be one of the fairest ones that has been administrated. I'm sure that when you look at road work and other projects, there might be more hanky panky going on in some of those. This one has been extremely, I think, productive in terms of the dollars spent. I think the taxpayers get back a tremendous percentage of what their dollars are spent on, rather than waste, perhaps, in other programs.

So as far as ethics, I have no personal problems with that. To say that there are absolutely no problems anywhere -- I'm sure there are a couple of incidents that could be brought up.

ASSEMBLYMAN CONAWAY: Nothing is perfect.

MAYOR CIMPRICH: But if you take a look at the total number of acres, the total number of farms-- Yes, if you want to come up with one or two examples that there might have been some question about, that's a very small number compared to, like I say, any other kind of

bidding process, or any other kind of process that the State agencies might go through.

As far as TDRs-- Remember, a TDR doesn't reduce development, it just concentrates development. And I know there are a lot of folks that are very much in favor of it. I believe, as Susan Craft said, you probably need to have a good TDR program, along with an acquisition program. I don't think you could do it with just TDRs. I think TDRs are a way to, perhaps, enhance the acquisition program, because you can, with an acquisition program, preserve a fair amount of acreage. And the TDR program will take the acreage that's left, split that in half, and concentrate the development so that you're, in fact, now gaining additional open space. You'll have denser development where there is development, but you'll still have more open space. And, ultimately, that's better planning and better design. So I think you need to have the acquisition along with the TDRs, not replace the acquisition with the TDRs.

ASSEMBLYMAN CONAWAY: Thank you.

ASSEMBLYMAN FISHER: Thank you.

MAYOR CIMPRICH: Thank you.

ASSEMBLYMAN FISHER: Francis Rapa, New Jersey Conservation Foundation.

Good evening.

You are?

JANET EISENHAEUER: I'm Janet Eisenhauer, with New Jersey Conservation Foundation. We thought we would jointly speak, if that's okay.

And my sheet is in there also.

Thank you.

F R A N C I S R A P A: Thank you, Chairman Fisher, members of the Committee.

Again, I'm Francis Rapa. Janet and I, together, implement the New Jersey Conservation Foundation's programs in the Delaware Bay Watershed of southern New Jersey, which is roughly a 1,200-square-mile area comprised of Salem County, Cumberland County, and a major portion of Gloucester County, and probably half of Cape May County.

I'd like to begin by thanking you, Mr. Chairman, for your sponsorship of ACR-10 and for holding these important hearings. Under the Garden State Preservation Trust, since 1998, New Jersey has been able to save over 430,000 acres of important open spaces, farmland, and historic sites from an uncertain future. But there is still a lot of work to do.

As you all well know, time and money has just about run out for the GSPT. At this moment, renewing and strengthening the Trust is critical to the continued success of New Jersey's programs to protect important natural, cultural, historic, and agricultural resources. As New Jersey approaches build-out, these programs are helping to build a sustainable future for New Jersey and will continue to improve the quality of life in ways that are immeasurable.

The New Jersey Conservation Foundation is the largest and oldest nonprofit land trust in New Jersey. To date, NJCF has preserved or assisted in the preservation of well over 100,000 acres. The Garden State Preservation Trust has proven invaluable in our efforts to preserve open spaces for ecology, public health, recreation, and agriculture. Virtually

every acquisition project our organization has completed in the last 10 years has been possible because of the GSPT.

The New Jersey Conservation Foundation has recently used GSPT funds to leverage Federal funding for farmland preservation. The GSPT has helped advance our Camden Greenway program, where we are working with community groups to provide safe and accessible parks in Camden. And, of course, the New Jersey Conservation Foundation could not have acquired the magnificent 9,400-acre Franklin Parker Preserve in the heart of the Pine Barrens without the help of the GSPT.

Here in the 3rd Legislative District, the GSPT has been the lifeblood of our Burden Hill initiative, where we worked in partnership with the New Jersey Green Acres program to preserve some 2,000 acres in Salem County's 15,000-acre Burden Hill Forest complex.

Another 3rd District project: The New Jersey Conservation Foundation is working to preserve both farmland and natural areas in the tri-county farm belt of Gloucester, Salem, and Cumberland counties. At present, we are working on projects that, when completed, will protect about 900 acres of farms and natural areas in this region.

The New Jersey Conservation Foundation is proud to serve as a member of the Keep It Green Coalition of organizations working to promote renewal of the GSPT. ACR-10 is important because it funds the three key components that are essential to a successful GSPT renewal. These are acquisition, capital projects, and operation and maintenance. To adequately meet these needs, we advocate bonding an annual dedicated stream of \$150 million for acquisition and capital projects combined. This would annually produce \$225 million for acquisitions and \$100 million for

capital projects. In all, an annual dedication of up to \$206 million would adequately meet the GSPT's needs for the next 10 years. This would be money well-invested in New Jersey's future with many years of returns.

Again, thank you, Chairman Fisher and members of the Committee.

Janet and I will now be happy to answer any questions you may have.

MS. EISENHAUER: Actually, I'd like to say a few things.

MR. RAPA: Oh, yes. Janet would like to say-- (laughter)

MS. EISENHAUER: Yes, thank you very much for allowing us to speak.

My primary role is in acquisition preservation, through fee or easement purchase -- both Green Acres and Farmland Preservation. And I--

Just to give a little bit of my experience, I started working in land preservation in 1983, on a local level as a volunteer on my environmental commission; was one of the founders of the South Jersey Land Trust; and then started working for Gloucester County in open space and farmland preservation; and moved on to New Jersey Conservation Foundation about seven years ago. And we also assist the Old Pine Farm Natural Lands Trust, in Deptford Township, in acquisition.

So over these years, I've had the opportunity and the pleasure of working with many, many landowners, working with all of the State programs in all of their variety of modes -- Farmland Preservation and Green Acres. We worked in partnership with towns, counties, the other nonprofits.

And I think one of the points I want to make is that probably, I guess over those years -- maybe just in my own personal experience -- probably somewhere between 4,000 and 5,000 acres -- which may sound like it's not a lot -- actually it felt like a lot. It felt like pulling teeth. But it actually -- you know, in the big picture, of course, it's not that much. And, obviously, we have a very brief window of opportunity now, I think we all realize.

And when I hear the comments about, "We'll be at build-out in 25 or 35 years," to me, we have a much shorter window, because I'm watching communities -- in particular the farmland belt in South Jersey -- I'm watching communities with these large, large farms -- maybe 1,000-acre properties -- going under option.

And I think one of the points I want to make is that, although there still may be a large percentage of farmland in that community, when you plop down 1,200 homes in the middle of a farming realm, you disrupt the entire farming industry in that community. Because you can ask any farmer -- and I'm sure many of you have heard these kinds of -- and seen this happen. But as a farmer, you just can't function when you've got residential development next door.

At any rate, the other point that I'd like to make is that we do have a very short window. And the other point I'd like to make is that, in terms of funding, the-- It's essential that we, of course, refund the GSPT. And in doing that, we're not only refunding the State programs, but we're enabling funds to come into the State from many, many other sources. Because the nonprofits pull funding in at 25 to 50 percent match. So when the State spends a hundred dollars, another hundred dollars are brought in

from many, many sources, including foundations -- many foundations that fund us; the Federal government, which funds matching grants to nonprofits; and also landowner donations. So that's something, I think, that is an important point.

Lastly, I just wanted to explain one of the effects that our purchase of the Franklin Parker Preserve, in Woodland Township, had. We, as you know, purchased the 9,000-acre DeMarco property in 2005. And the year before it was acquired -- and this has to do with the in-lieu-of-tax program. The year before it was acquired, under the Farmland Assessment, Woodland Township received \$12,000 per year. The first year after NJCF acquired Franklin Parker, they then received in-lieu-of-tax at \$10 per acre. They went from \$12,000 per year to \$88,000 per year. Shortly thereafter, Green Acres purchased some additional funds (*sic*), which boosted the percentage of preserved land in Woodland Township to above 60 percent. They then were receiving \$20 per acre. And as of last year, they were receiving \$176,000 per year in-lieu-of-tax payments. They've eliminated their local-purpose tax as a result. They still have a high tax, in terms of the education needs.

And the point is that the preservation of land, obviously, can benefit the communities, in terms of their taxes, as well as the quality of life and all of the other issues that were discussed.

So thank you for your time.

ASSEMBLYMAN FISHER: Thank you.

Two things: One, very quickly -- just if you could tell us-- You mentioned this number, \$206 million. How did that work? How did you get that number?

MR. RAPA: That's the number that was arrived at by the Keep It Green Coalition of nonprofit and environmental organizations who basically have looked at recent acquisition trends, in terms of acres, cost paid per acre, and so on; factored in some inflation. And that is the number that was arrived at for future needs, working into the future.

I think a point that I'd like to reaffirm, that was made by Mayor Cimprich just a few minutes earlier-- He mentioned towns that are just now getting into the open space preservation game. I live in Woodstown. I serve on my planning board, and I chair the environmental commission. And we just recently completed our first environmental resource inventory, and open space and recreation plan. So we're just one example of a community that's going to be submitting an application to Green Acres for planning-incentive grant funding in the future, which our community really had not had a history of doing. So I wonder how many other communities are out there that are going to be engaging in those types of activities and really, again, increasing the demand for GSPT funding in the future.

ASSEMBLYMAN FISHER: Thank you.

I thank both of you for coming up.

I know we all want to get out of here at a reasonable time. We still have several more speakers.

I guess we'll just ask ourselves, collectively, to try to keep shortening it up so that everybody can get out at a reasonable time. I'll stay as long as -- and so will the members of the Committee -- as long as you all want to stay. But I suspect that you'll start to -- it will wane. (laughter)

Dr. David -- I can't read it. Well, you're from the New Jersey History -- Advocates for New Jersey History. But I can't read your last name. I'm sorry.

DAVID A. COWELL: Cowell.

I'd like to thank all the members of the Committee, particularly for getting me here so quickly, as I certainly got lost coming down. But that's all right.

ASSEMBLYMAN FISHER: Where did you come from?

DR. COWELL: Well, where I started was Point Pleasant, but nobody in Sewell knows where Clayton is, nobody in Deptford knows where it is. (laughter)

ASSEMBLYMAN FISHER: And besides that, I suspect that you'd never want to ask anybody in history, "where did you come from," because they'll-- (laughter)

DR. COWELL: But I do want to say, on behalf of the history community, and all of the environmental groups, that we're very supportive of the Garden State Trust. One component of that is the Historic Trust. And this has been the most successful engine for preservation and conservation of New Jersey's historic buildings and structures.

But as we expand both our open spaces and the farmlands, more and more structures will be on these lands. So our need is not only to keep the Trust operating, but also to make sure that there's money there to preserve the structures worthy of preserving on those sites.

We are heartily in support of this legislation. This is the perfect reason to have, in fact, a bonding issue. These are long-term

investments on the public's behalf. And they yield tremendously in terms of heritage tourism and the quality of life in the state.

Tourism in New Jersey is the second largest industry, as you're all aware. But we don't exploit our heritage tourism as, for example, Virginia, Pennsylvania, New York, Maryland do. We miss out on a great opportunity here. What has brought us to the point where we can, is the working of the Historic Trust and this funding. We've supported this on every public referendum, and we will give all of our resources to doing it again.

And we thank you very much, Chairman Fisher, for introducing the legislation.

ASSEMBLYMAN FISHER: Thank you. And thank you for coming down.

Ann Dorsett, from Gloucester County Board of Ag; Woolwich Township Committeewoman -- Environmental Commission, I'm sorry.

A N N D O R S E T T: It's never really been the problem that it might be thought to be. We're always among friends.

And I'm like you. I kind of came armed for bear, and I find the door is electric. And I really appreciate the support for agriculture. I'm very much in favor of this tax referendum. And I'm very much in favor of as much of it that can be put into agriculture as soon as possible. I realize there are so many other needs. But in this state, we have limited resources, we have limited land, we have limited water, and we even have limited time -- although you seem to be willing to spend it on us tonight. And I really appreciate the opportunity to say hello and greet you right here in our community. Because we do love it.

So, basically, I did want to say that -- more or less what they said is about what I was going to say. Agriculture is a living entity. It does require these things. I would beg that you would remember we use less water than so much of the development -- we need that. And we'd like to keep it coming -- keep our resources coming.

I live in Woolwich Township. We are working on a TDR program right now. It isn't cheap. We have experienced the development. It's been exciting. It's brought a lot of wonderful people -- some of the sort of people that you see here. But it is expensive. And so our township is very much trying to combine the land preservation with the concept of TDR. And it really is going to be simpler if we can keep preserving the land and use this money.

So I appreciate the opportunity.

Thank you.

ASSEMBLYMAN FISHER: Thank you.

Great, Ann. Thank you.

And I think that that's what we're going to find out: that TDR and preservation programs are going to work in tandem.

Matt Blake, American Littoral Society.

M A T T B L A K E: Thank you.

My name is Matt Blake. I'm the Conservation Coordinator with the American Littoral Society.

According to the Nature Conservancy and wider international recognition, the South Jersey Bayshore region represents one of the world's last great places. It is a designation sparingly used.

Indeed, the region's cultural, agricultural, and natural resources were important enough that the Littoral Society -- a national organization -- opened an office here last April. We are fully supportive of reauthorization of the Garden State Preservation Trust this year. It is one of the irreplaceable keys to preserving the Delaware Bayshore's natural resources, farmland, and quality of life.

Thank you, Assemblyman Fisher, for your sponsorship of this legislation. I think key to building broad public support for replenishing the Garden State Preservation Trust, and for South Jersey, will be highlighting the benefits open space offers the towns.

Most troubling in this debate has been the claim made by some that preservation unfairly burdens taxpayers and starves towns of ratables. Amazingly, this assertion is made in the absence of any study which might legitimize such a claim. To the contrary, countless studies in New Jersey and elsewhere clearly demonstrate how open space has a positive impact on the economy, quality of life, property values, and continued affordability. The public needs to know that when Green Acres -- the State acquisition agency -- buys land, it does not take it off the tax roles. The Green Acres Program makes significant annual payments in the form of payments-in-lieu-of-taxes program, which we support being made permanent.

In Cumberland County, between Downe, Maurice, and Lawrence townships alone, these payments are worth about \$780,000 annually. And that's not chump change. In addition, much of the open space being preserved by Green Acres in South Jersey is wetlands and, rightly, off limits to being paved over anyway.

We should welcome the State buying wetlands and flood plains. Because in addition to serving as nature's shock absorbers against the next storm, preserving land along waterways protects water quality, habitat -- which is critical to marine life and countless fisheries like oysters.

For this reason we applaud Assemblyman Fisher, because his bill would specifically authorize funding for a Blue Acres program, which would target lands important to the Bay and include highly scenic farms along such breathtaking waterways as the Cohansey River. Where uplands are being preserved, we should not overlook the result in tax savings such lands generate. And I think we covered that.

The natural and agricultural resources of the Bayshore are breathtaking but vulnerable. In New Jersey, where 14,000 acres of open space fall to the bulldozer each year, we are quickly approaching a point at which, if the land is not preserved, it will be developed.

As New Jersey counties to the north approach build-out, developers have turned their focus on South Jersey. If we hope to preserve agriculture and the phenomenal natural resources that together keep the beauty of the countryside close to home, then open space preservation must become a priority in every South Jersey community. This bill is an excellent step forward, that's all about protecting your quality of life and what's best about South Jersey.

Thank you.

ASSEMBLYMAN FISHER: Thank you, Matt.

George Wright, from Mannington Township.

G E O R G E B. W R I G H T: Thank you, Assemblyman Fisher and Committee.

I agree with practically everybody who has spoken so far. We desperately need an extension of the GSPT.

I'm from Mannington Township. It's the fourth largest farmland-assessed land in the state. It is very important to continue this program -- the GSPT.

I think these meetings are of utmost importance to get the word out that -- how important this legislation is.

I know, for instance, in Salem County, where I'm from -- and several of the other speakers have come from -- there was a question on the ballot about increasing the dedicated tax -- an increase of \$0.02 over the \$0.02 that's already in place -- and it was defeated in Salem County. So I think, as we move across the state with these meetings, it becomes very imperative that people are aware of how important this legislation is; and I suppose especially in North Jersey, where many of those may decide this.

So it's a very important legislation. I might add, in Mannington -- to put a focus on a small area -- we have one contiguous parcel of 2,000 acres which we desperately need to have preserved, as well as many smaller parcels that, though small, are very significant. And at this point in time, we can't fund the applications.

So here again, I want to thank you for being here, and hope that we can get this on the ballot.

Thank you.

ASSEMBLYMAN FISHER: Thank you.

By the way, on ACR-10, there are 30 sponsors in the Assembly. That's 30 out of 80. So any legislator that hasn't joined on, you might want to encourage them to sign on to that bill.

Allen Carter, from the Cape May County Board of Ag.

A L L E N C A R T E R: Mr. Chairman and Committee members, my name is Allen Carter. I'm the President of the Cape May County Board of Agriculture, Vice President of the Board of Managers of the New Jersey Agricultural Experiment Station, and a Director that sits on the New Jersey Farm Bureau. I own and operate a landscape supply and farm -- supply company, and work at one of the largest sod producers in the Northeast.

One of the things about going after so many distinguished speakers is that most of the points that I had written out have already been covered.

So, Mr. Chairman, or the Committee members, consider this the beating, because we'll keep beating it into you. (laughter)

Preservation of farmland makes good economic sense on many levels. It helps preserve the state's agricultural industry, which contributes more than \$800 million in farm receipts annually. Preserved farmland is privately maintained and continues to contribute to the local tax roles, thereby avoiding additional public costs for improvement, maintenance, policing, and liabilities associated with the publicly held land. Preservation of farmland is an important property tax stabilization tool for local governments, because farmland generates far more tax revenue than it requires in public service costs, thereby allowing municipalities and counties to reduce the negative financial impacts of sprawl and additional residential development.

When preserved, it remains not only in active agricultural, it also provides a scenic landscape and a local supply of fresh farm products. Preservation of farmland also helps with the recharge of water, with billions

of gallons being recharged on the acres that are already preserved within the Garden State.

In partnership with the county governments, municipalities, and nonprofit preservation trusts, these agencies are using GSPT funds to preserve acreage at a rate three times faster than the land is being lost to development.

I strongly support the reauthorization of the Garden State Preservation Trust Fund, and I hope that they meet their goals of doing 20,000 acres a year.

Thank you, Committee. I appreciate the time.

ASSEMBLYMAN ALBANO: Thank you.

Next speaker will be Patrick Mulligan.

PATRICK MULLIGAN: Thank you, and thank the Chairman. And I'm especially happy to see that an Assemblyman from South Jersey is sponsoring the resolution. That's very important.

I just want to make a few points. You've heard a lot about the intensity of the pressure -- the development pressure down here. It is intense. I live in South Harrison Township. They've been doing well with farmland preservation, but I can tell you the pressure to develop is intense.

And I think we have to convince the Governor that there's a connection between development and property taxes. The sprawl development that we've seen is one of the main reasons why taxes are high. So I think we have to make that connection.

We have a lot to lose down here in South Jersey. And I guess a more positive way to say it is: We have a lot to save. And I hope we can do

it. And I hope this bill is passed -- this resolution is passed -- and the bill is passed and funded.

I work a bit in the city of Camden for a nonprofit organization. And if you've seen that -- I don't know if you've seen that 20/20 segment recently. The plight of children in the city is desperate. And I think parks, recreation areas, green space would add a lot to the quality of life for children growing up in cities like Camden.

A study by Rutgers University a few years back, I think, gave us some figures on the disappearance of farmlands and open space. I think it was 50 acres a day. From what I've heard, that is going to be updated and issued shortly. And from what I can understand, the situation has worsened in the period between the two studies. So the situation is not improving, in terms of loss of open space and farmland.

I hesitate to bring this up, but I think it's important -- the hot topic, to pun a bit, is the global warming. And while it may be global, it's local. The problem is local, the actions that we take locally contribute to it, and the density of the population in New Jersey and the sprawl that causes long commutes contributes substantially to it. So I think, in our minds, we have to keep that at the forefront -- that what we do is part of the contribution to global warming. And what we do to resolve the issue can help to resolve it. Because it's going to be resolved locally, it's not going to be resolved globally. And we have to do our share. And I think this is an opportunity to contribute to that.

So I thank you very much, and I appreciate your efforts in having the refunding.

ASSEMBLYMAN FISHER: Thank you, Patrick. And thank you for coming in.

George Garrison, Commercial Township.

MAYOR GEORGE W. GARRISON: Thank you, Mr. Chairman.

Assemblyman Fisher, thank you for sponsoring this bill.

I think, without a doubt, all of us agree that the outstanding job that the Garden State Preservation Fund has done-- We all, from southern New Jersey, value the quality of life that we have, compared to the lack of planning of North Jersey. And those of you who don't know Commercial Township -- Commercial Township, in Cumberland County, is 32 square miles and 5,000 people. So we have plenty of open space. I'm one of the few that can look out my back window on the Morris River and see eagles on a regular basis, red-tailed hawks; wildlife which, without this preservation, we wouldn't have.

The one thing that I'm here for -- with the support of Downe Township and various other Bayshore communities -- pilot funding has been discussed briefly. And you said it would be taken up after the bill is done. But if we could urge you to have that in the legislation itself, to be addressed.

A couple of people have spoken about pilot funding and said that, with pilot funding, after this land is preserved -- that the host community benefits from it. Yes, there are a lot of benefits from it -- from the lack of development, lack of school taxes, and everything. We all agree on that. But if you take a piece of property, prior to it being preserved it has a value on the tax books. For instance, Downe Township is 70 percent,

Commercial Township is 55 percent. This past week, several of us were at the office discussing rural policing. And it was pointed out-- Like Estelle Manor is 80 percent; and a lot of other communities in southern New Jersey. The dependency that they have on these pilot fundings-- If you have a piece of property that has a value of \$1,000 or \$2,000 per acre, and you're only being returned, after preservation, \$20 per acre, you can see from your tax rate that there is a shortfall coming.

And we need to emphasize that the burden that it puts on the local taxpayer of the other necessities of trying to manage a municipal budget -- that there is a shortfall.

And in the Bayshore communities in particular, there is a lack of development. You can't bring in development. It's environmentally sensitive property, number one. Number two, the wetlands that you have in the areas that can be developed -- you don't have the tax base to work with.

Chet Riland from -- the Mayor of Downe Township, and myself worked on a resolution that was presented to the Cumberland Development Board and then, in turn, with the League of Municipalities. And from there, it was forwarded to Governor Corzine.

Not to take a lot of time from this Committee here -- you've spent a lot of time tonight. It's been a long night. You need to be commended on the amount of time that you've reached out to the community for this input.

I'd just like to pass copies of these resolutions for you to review; and urge you that, when the legislation is written, if something could be put in there for the funding -- on pilot funding, we would certainly appreciate it.

Thank you.

ASSEMBLYMAN FISHER: Thank you, Mayor.

We are down to three. So I will just shuffle them so there won't be -- who is last. (laughter) I'm not looking.

Ann Hess.

A N N H E S S: (speaking from audience) I'm not qualified to sit (indiscernible) with all these experts. I'm speaking as (indiscernible).

ASSEMBLYMAN FISHER: First of all, as a member of the public -- that's what this is -- you're very much qualified to speak. We very much want to hear what you have to say.

MS. HESS: What I'd like to say is--

I'm Ann Hess, from Deptford Township. And I'm really concerned, because Deptford Township is the second Voorhees, I guess, or becoming the shopping capital of the world. And it's very difficult to get people interested. And that's why I'm concerned here.

There are a lot of organizations here, but not people. The people don't understand. And in Deptford Township, we did not pass an open space program. It failed, because the people think that development gets more taxes. And forget about the land use and all that. It's whatever they think that's important to them as an individual. And they think *tax reduction*, by having more housing.

So my question is: How are you going to get people educated and get the people together? I mean, you go to township meetings and there are maybe 20 people there. You go to the planning board and the zoning board -- which is really important -- and there are very few people there.

ASSEMBLYMAN FISHER: There's no farmland preservation program in Deptford?

MS. HESS: There may be. It's very backwards if it is. There may be--

Joanie, do you know?

UNIDENTIFIED SPEAKER FROM AUDIENCE: I'm from the Environmental Commission in Deptford Township. We do not have (indiscernible).

MS. STONE (Assembly Majority Aide): You have to speak into the microphone.

ASSEMBLYMAN FISHER: I'm sorry. Because it's a hearing, and we have to have testimony, it has to be in the microphone. So I--

It's okay. We get your point.

And the question you asked the Committee is: How do we get the word out amongst other members, other than groups that represent various interests that relate to either historic trust preservation, open space, farmland preservation?

MS. HESS: I mean, even to the education of the high school, college, and stuff like that -- so people are interested. Knowing that-- And I say to the township members, "This is for your grandchildren, your great grandchildren. The land is the most important thing of all."

ASSEMBLYMAN FISHER: Well, I guess my answer to you would be that the people who are here today represent enormous constituencies, and they have been very successful over the years to get it answered. Now, on a local level, that is a decision that is made in a town

council or a commission form of government. And, obviously, there needs to be more grassroots efforts in the town that you live to get that word out.

MS. HESS: And I'll tell you one thing: I'm really happy and overwhelmed that there is so much going on to save the land in New Jersey. So I was really enlightened. And I thank you all for listening.

ASSEMBLYMAN FISHER: Thanks for coming in.

Dominick Sassi, Association of New Jersey Environmental Commissions.

D O M I N I C K J. S A S S I: Assemblyman Fisher and Committee members, it is a privilege and honor to speak before you regarding Assembly Resolution ACR-10 and the Garden State Preservation Trust.

First of all, most people know me as Jim Sassi. I'm from Carneys Point, where I've been a farmer virtually all of my life. I'm also a retired chemist; and now a budding environmentalist working part-time for the South Jersey Land and Water Trust as Preservation Coordinator, and for the Association of New Jersey Environmental Commissions as Project Director here in Gloucester and Salem Counties.

Since 1970, the Association of New Jersey Environmental Commissions, or ANJEC as we are perhaps better known, has been a voice for sensible planning and sustainable growth through protection of natural resources. I am representing ANJEC at this hearing, and we thank you for this opportunity to make our position known on ACR-10.

Many towns in New Jersey now realize the importance and desirability of livable and environmentally sustainable communities. Since 2002, ANJEC has been providing matching grants to New Jersey towns through its Smart Growth planning grant program. Over the past five years,

ANJEC has assisted 97 municipalities in New Jersey with nearly \$900,000 in grants for 112 local planning projects. These grants have funded such projects as environmental resource inventories, open space plans, farmland preservation plans, and bicycle-pedestrian network plans, to name a few. The projects have enabled communities to plan for protection of natural resources and the preservation of open space. But without refunding of the Garden State Preservation Trust, these plans cannot be implemented. Many towns have passed open space taxes and established open space trust funds. But these local funds are not sufficient, without the leverage of funding from the State, to meet the increase in cost of real estate.

I am well aware that some might take the position that we have already preserved enough open space and farmland in New Jersey. In reality, a great deal of undeveloped land remains in our state, despite the level of development. But by far, most of this remaining open space is unprotected.

The implications of this scenario can be put in perspective through my own personal experience as a farmer. At one time, I farmed as much as 700 acres throughout Salem County, along with a few acres in Gloucester County. Of those 700 acres, 120 acres are now preserved. About another 100 acres have been developed, and at least that much more has been approved for development. The remainder is unprotected and will almost certainly be developed.

This scenario is being played out all over New Jersey every day. We are losing our local food supply and paving over critical aquifer recharge areas. At a meeting last week in Carneys Point Township, a committeeman urged the Township Committee to pass a motion to send a letter to the

New Jersey Department of Environmental Protection, asking the agency to protect every inch of land in the township from additional development. Most of us are aware that this is not possible, and that the New Jersey Department of Environmental Protection cannot protect land from development, but can only regulate land use.

Preservation is the appropriate means to protect land from development. Now is not the time to allow the Garden State Preservation Trust to run out of money. We cannot fail to renew and strengthen the Trust. We must ensure that future generations have a safe and secure supply of food and water. This cannot happen without striking a balance between development and preservation to maintain a healthy ecosystem, and it cannot happen without renewal and strengthening of the Garden State Preservation Trust.

Thank you.

ASSEMBLYMAN FISHER: Thank you, Dominick.

ASSEMBLYMAN ALBANO: Thank you.

ASSEMBLYMAN FISHER: Our last presenter is Mark Cimino.

M A R K C I M I N O: Members of the Committee, distinguished guests, and members of the public that are here this evening, my name is Mark Cimino, and I'm a resident of Gloucester County.

Thank you for giving me the opportunity to testify with regard to this important issue facing all New Jersey citizens.

As members of the Legislature, you have broad responsibility in setting sound and reasonable public policy for this State and its citizens. Public policy is implemented through the political process, of course. And

through this political process, there are two general and different ways to implement public policy.

The first way is through the expenditure of moneys to support a certain public policy. The second way is to foster a certain public policy through the creation of laws. The public policy being discussed here this evening is the preservation of open space. In the past few decades, open space has been gobbled up by sprawl. While in the past, sprawl was mostly a North Jersey phenomenon, in more recent years it has become an increasing problem in South Jersey as well.

To achieve this important public policy of preserving open space from sprawl, ACR-10 and its Senate companion, SCR-136, utilize the expenditure of public moneys through the political process to achieve this goal. However, there is a serious problem that will preclude ACR-10 and SCR-136 from ever fully achieving the goal of not merely preserving open space, but counteracting the effects which sprawl has on our way of life. That problem is the lack of a consistent political agenda to implement the public policy at issue here.

On one hand, the Legislature is using the political process to expend money -- to power the purse, so to speak -- to preserve open space to counteract sprawl. But on the other hand, sponsors of the measure under discussion here this evening want to adopt laws that will encourage sprawl and result in reduced open space. In particular, there is a move afoot to resuscitate Law 2004 Chapter 89, which was passed back in 1984.

As you may know, Chapter 89 is referred to as the *Sprawl* or *Fast Track* bill. It allows developers to bypass the usual approvals through the fast-track process. Shortly after passage, the bill was derided as a boom

to big developers, encouraging sprawl, and a threat to open space. While never repealed, then-Governor McGreevey decided not to issue any Fast Track permits, citing conflicts with Federal environmental provisions.

This moratorium on the issuance of permits continues to this day. However, there has been a push to resuscitate Chapter 89. Under S-481, and its companion bill A-3936, the conflicts with Federal environmental provisions are removed, thus allowing Chapter 89 to be reinvigorated to allow large developers to once again bypass the normal approval process.

Now, the great irony here is that the sponsor of SCR-136 -- the companion to ACR-10 -- is also the sponsor of S-481, the bill to revive the Fast Track or Sprawl bill. This hardly represents a coherent political solution to fostering public policy that will be truly effective in reducing sprawl and preserving open space.

On one hand, the electorate and the public at large is led to believe that the Legislature cares about preventing sprawl and preserving open space through the expenditure of public moneys. On the other hand, laws are being proposed that pander to developers and other large political contributors that will undo the important public policy gains of ACR-10 and SCR-136 in preventing sprawl and preserving open space. Certainly, such an approach is disingenuous.

My challenge to this Committee, and the sponsors of the bill in the Assembly and the Senate as well, is simple: adopt a coherent policy that truly preserves open space and reduces sprawl. While I support ACR-10 and SCR-136, the sponsor of S-481 should be encouraged to withdraw this foolhardy law. Moreover, this Committee should take steps to repeal

Chapter 89 to ensure that some Governor in the future does not decide to revive the Fast Track bill through the issuance of Fast Track permits. Only with a comprehensive plan will the interests of the public at large be placed ahead of the big-money development interests that truly threaten the precious open space which we have remaining in this state.

Once again, I know it's been a long evening, but thank you for your time and consideration.

ASSEMBLYMAN FISHER: Thank you.

And little did I know this would be the last testimony.

(laughter)

MR. CIMINO: You saved the best for last, Mr. Chairman.

ASSEMBLYMAN FISHER: I had no idea.

But I thank you for your remarks.

And I thank everyone, on behalf of the Committee, for coming in tonight, and staying, and being so courteous and respectful of everyone's opinion.

And with that, any member of the Committee have any comment?

ASSEMBLYMAN ALBANO: Just, thank you everyone, for coming out tonight and giving up your time.

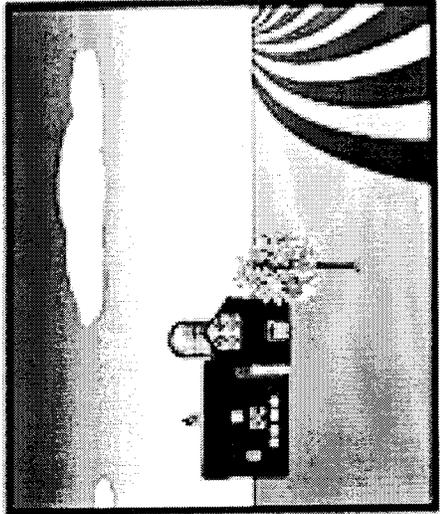
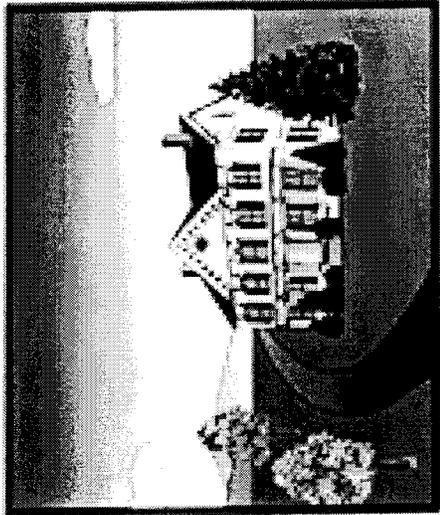
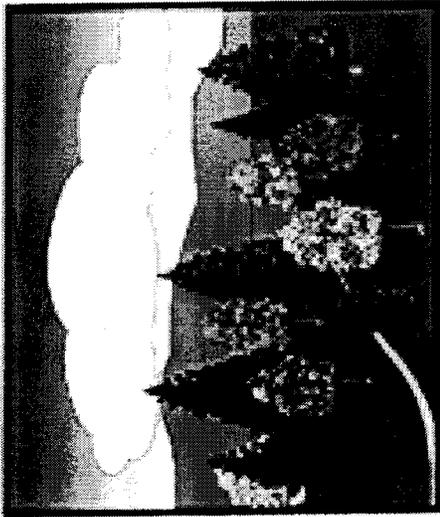
Thank you.

ASSEMBLYMAN FISHER: Thank you very much.

Meeting adjourned.

(HEARING CONCLUDED)

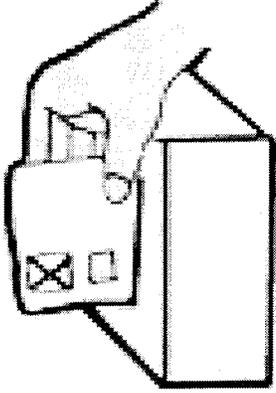
Garden State Preservation Trust



Saving New Jersey's Open Spaces, Historic Places and Farmland



\$98 Million Annual Sales Tax Dedication



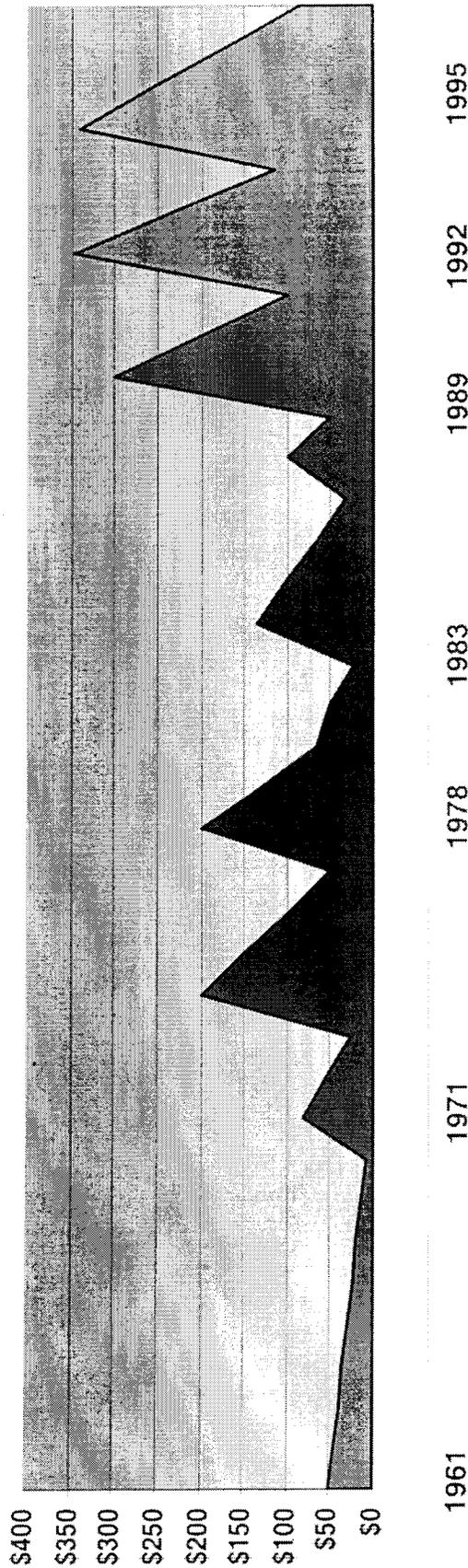
*Voters approved on
November 3, 1998*

*a constitutional amendment to dedicate
\$98 million
annually from 1999 through 2029
for a 10-year
land preservation program*

Since 1961 New Jersey had been bouncing from ballot referendum to ballot referendum...

From bond issue to bond issue...

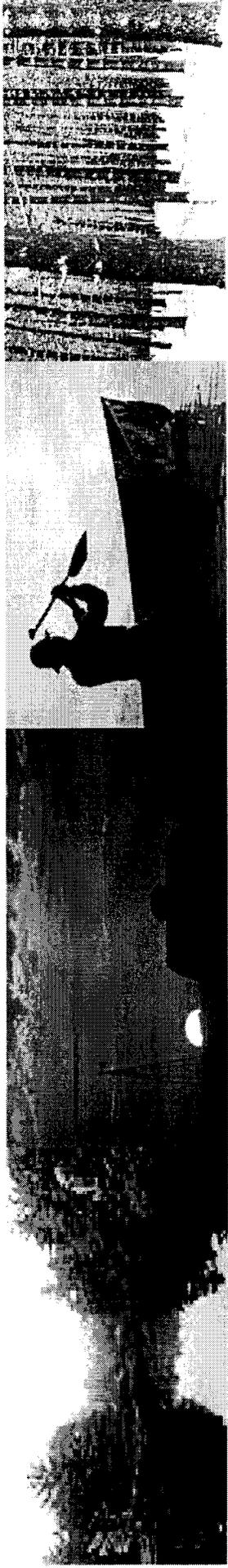
Annual fund levels were inconsistent ...

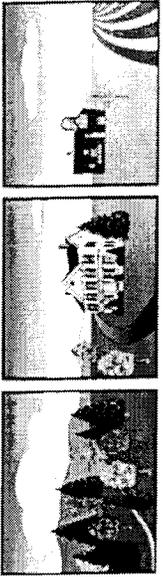


Average Annual Available Funds 1961-1998

A new program was developed that would be

- ✓ more consistently financed
- ✓ more ambitious
- ✓ more timely





Garden State Preservation Trust

- 10-year program
- \$98 million a year
- \$1.22 billion in bond funds
- \$2 billion total funding





GSPT Presentation

*Meanwhile, our taxpayers know exactly
the annual cost to future budgets*



**CASH FOR PROJECTS
OR DEBT SERVICE**

FY 2000	\$98 million
FY 2001	\$98 million
FY 2002	\$98 million
FY 2003	\$98 million
FY 2004	\$98 million
FY 2005	\$98 million
FY 2006	\$98 million
FY 2007	\$98 million
FY 2008	\$98 million
FY 2009	\$98 million

\$980 million

CASH FOR DEBT SERVICE

FY 2010	\$98 million
FY 2011	\$98 million
FY 2012	\$98 million
FY 2013	\$98 million
FY 2014	\$98 million
FY 2015	\$98 million
FY 2016	\$98 million
FY 2017	\$98 million
FY 2018	\$98 million
FY 2019	\$98 million
FY 2020	\$98 million
FY 2021	\$98 million
FY 2022	\$98 million
FY 2023	\$98 million
FY 2024	\$98 million
FY 2025	\$98 million
FY 2026	\$98 million
FY 2027	\$98 million
FY 2028	\$98 million
FY 2029	\$98 million



GSPT: Where Do We Stand?

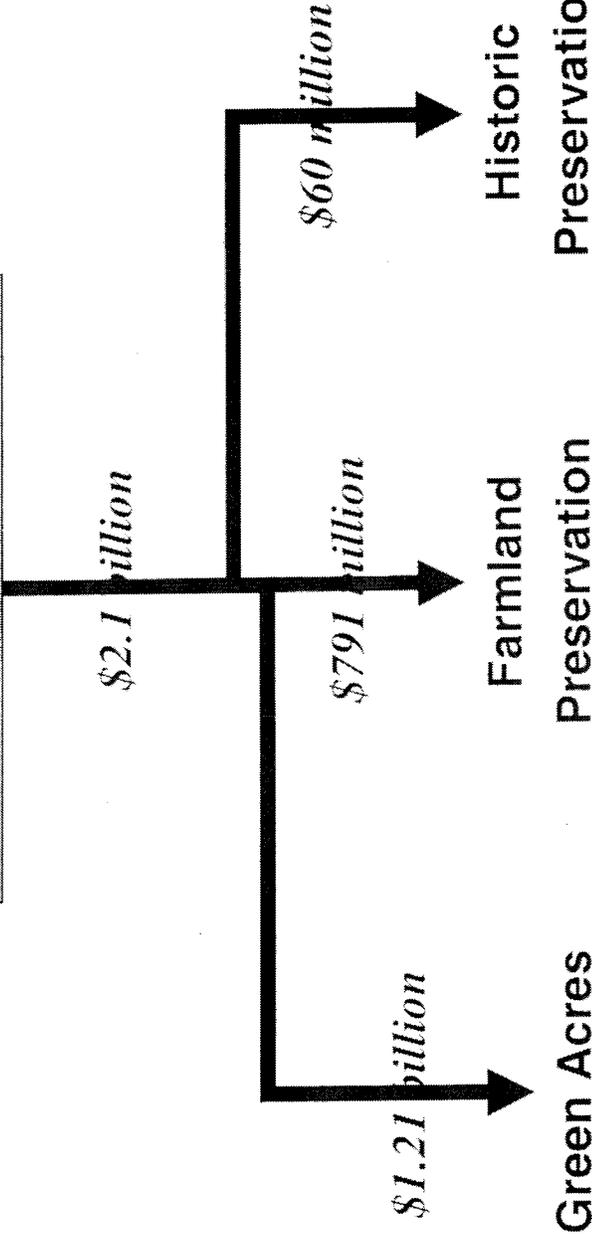
Dedicated Cash - \$98 million



Bond Funds - \$1.22 billion



**Garden State
Preservation Trust**



REMAINING

\$87 million

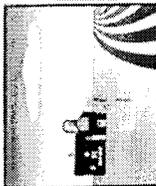


\$85 million



\$21 million

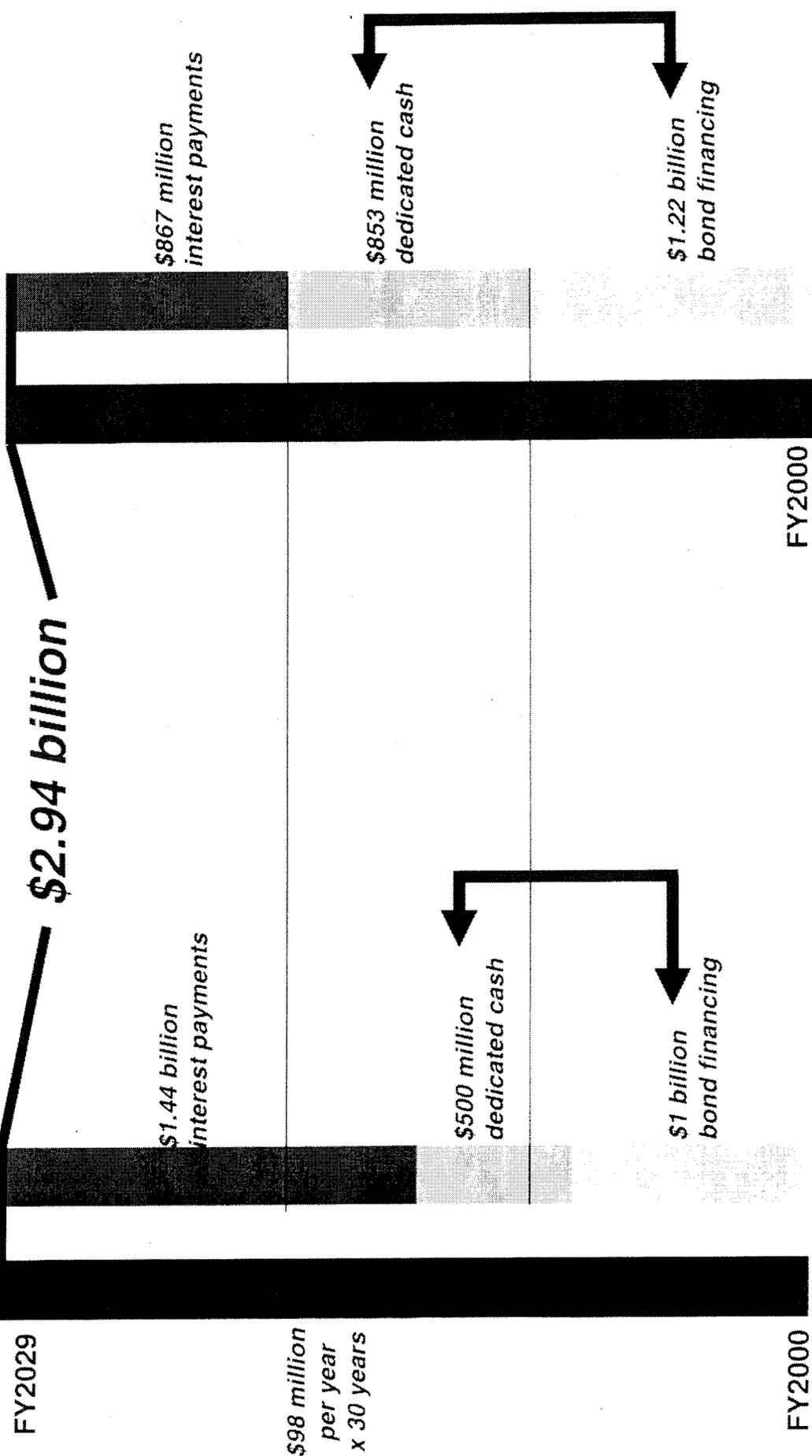




GSPT: Where Do We Stand?

Original 1999 Promise
\$1.5 billion for preservation

Current 2007 Outcome
\$2.1 billion for preservation

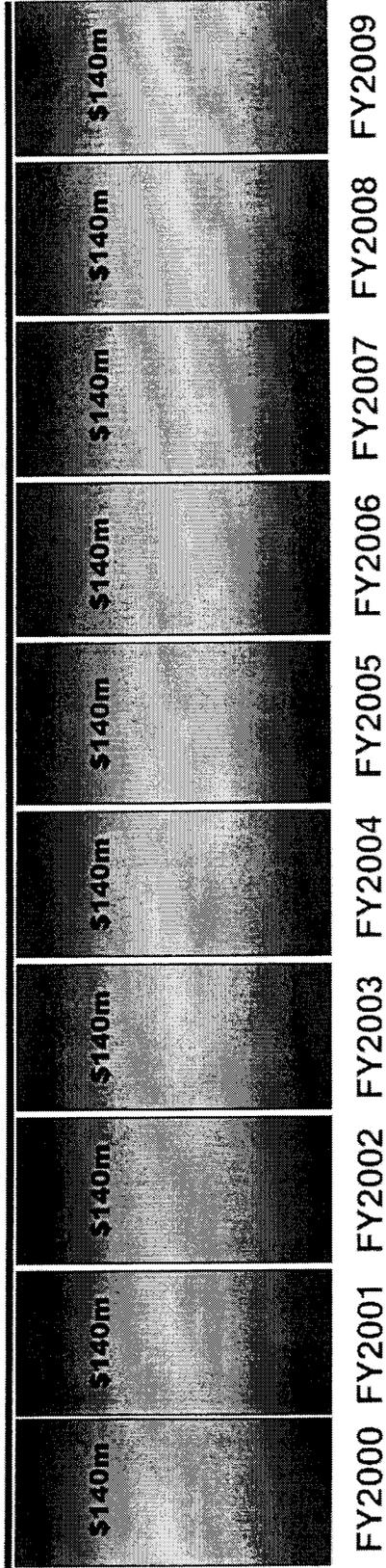


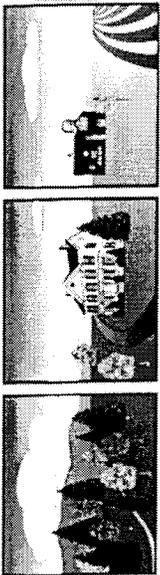


GSPT: *Where Do We Stand?*

Original 1999 Promise

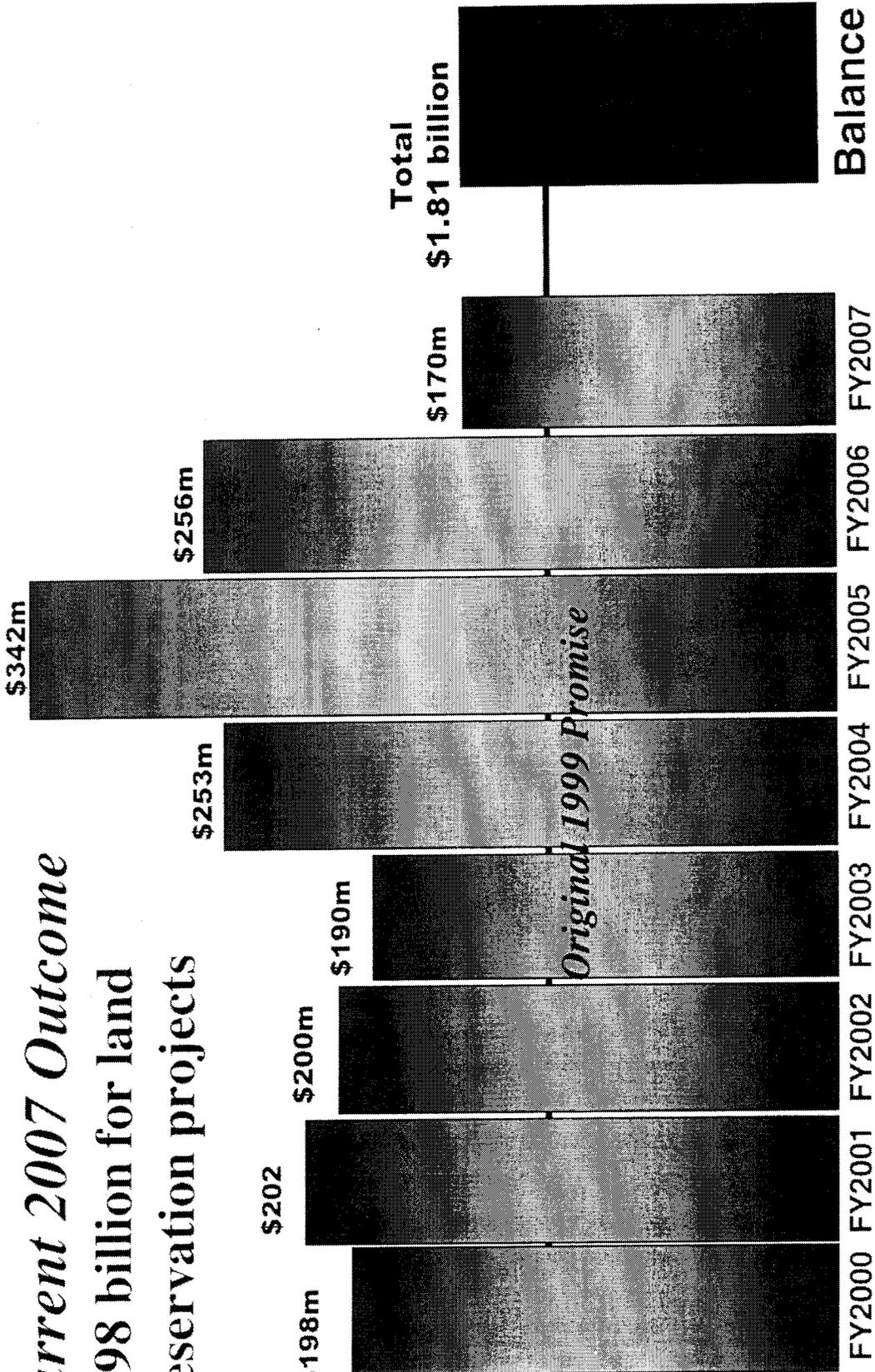
\$1.4 billion for land preservation projects

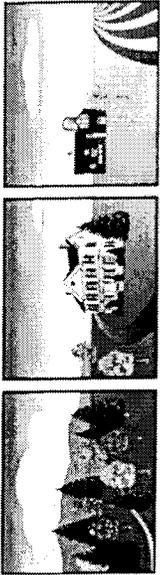




GSPT: Where Do We Stand?

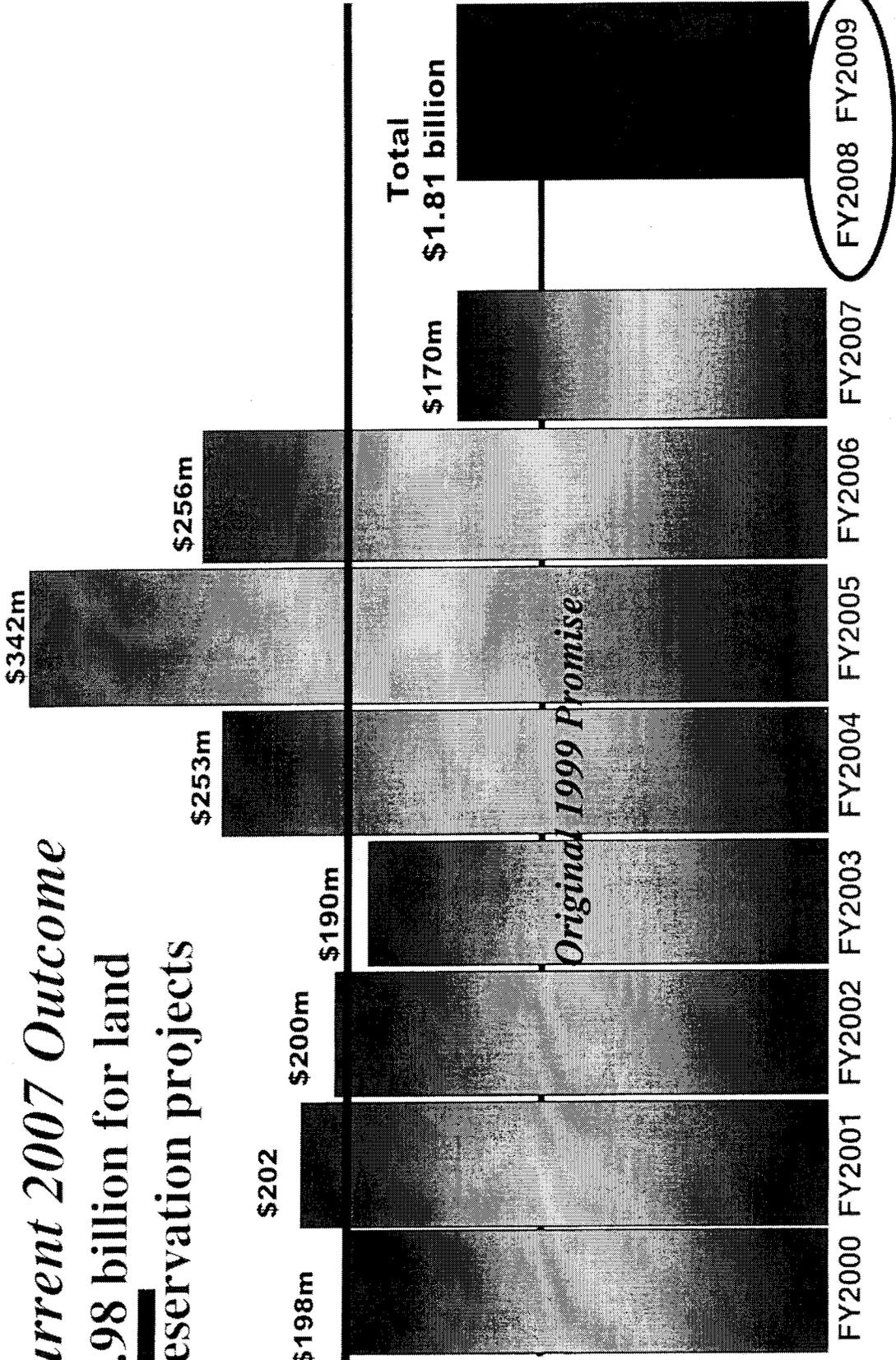
Current 2007 Outcome
 \$1.98 billion for land
 preservation projects





GSPT: Where Do We Stand?

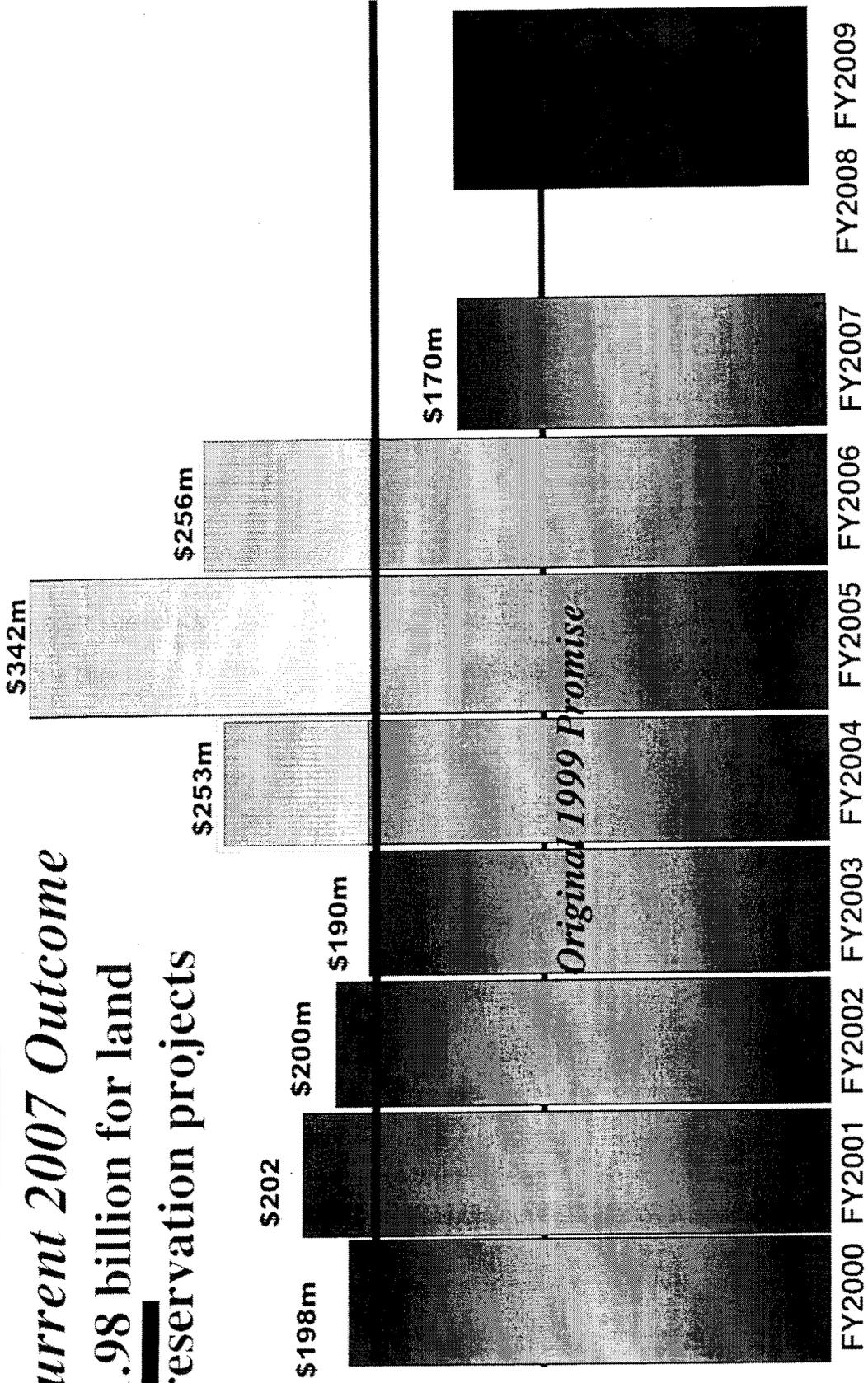
Current 2007 Outcome
\$1.98 billion for land
preservation projects

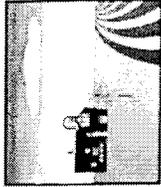




GSPT: Where Do We Stand?

Current 2007 Outcome
\$1.98 billion for land
preservation projects

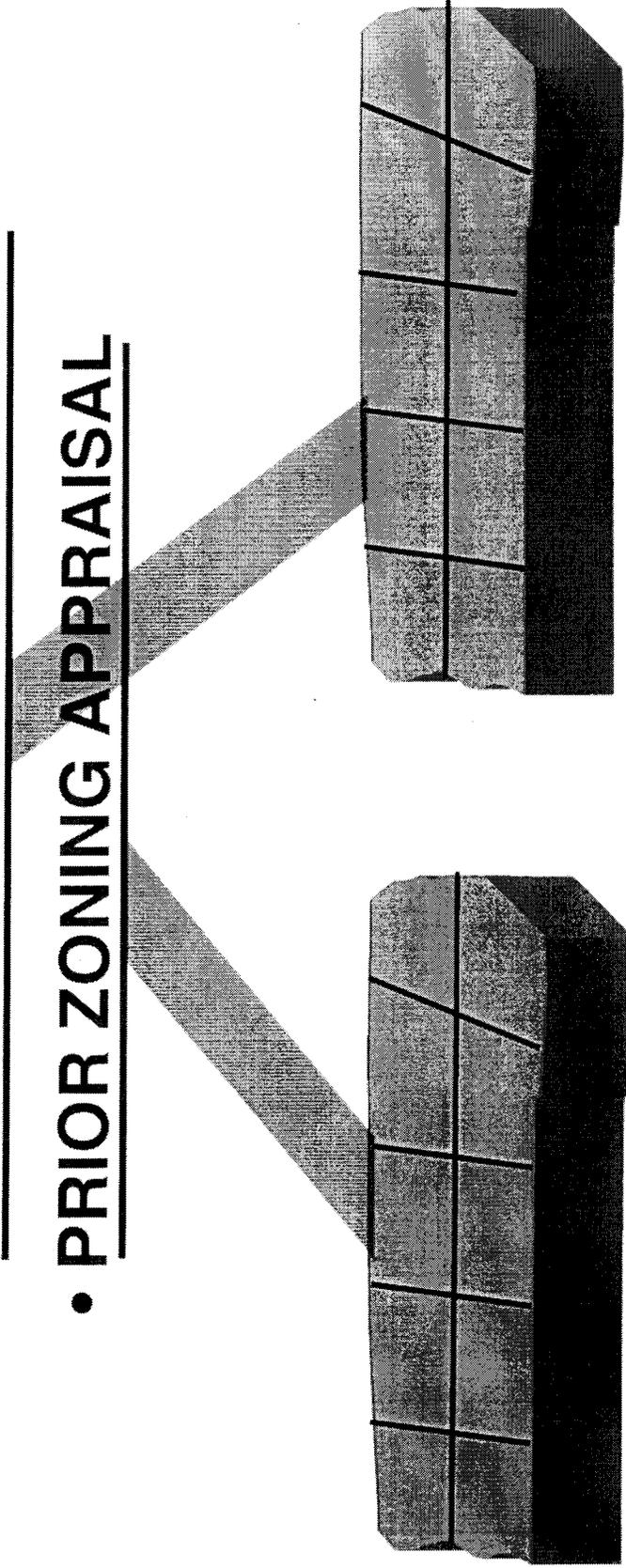




GSPT Presentation

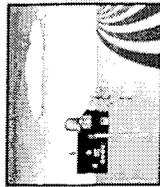
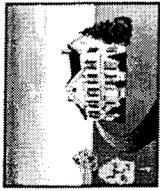
Garden State Preservation Trust Act 1999

- CURRENT ZONING APPRAISAL
- PRIOR ZONING APPRAISAL



1998

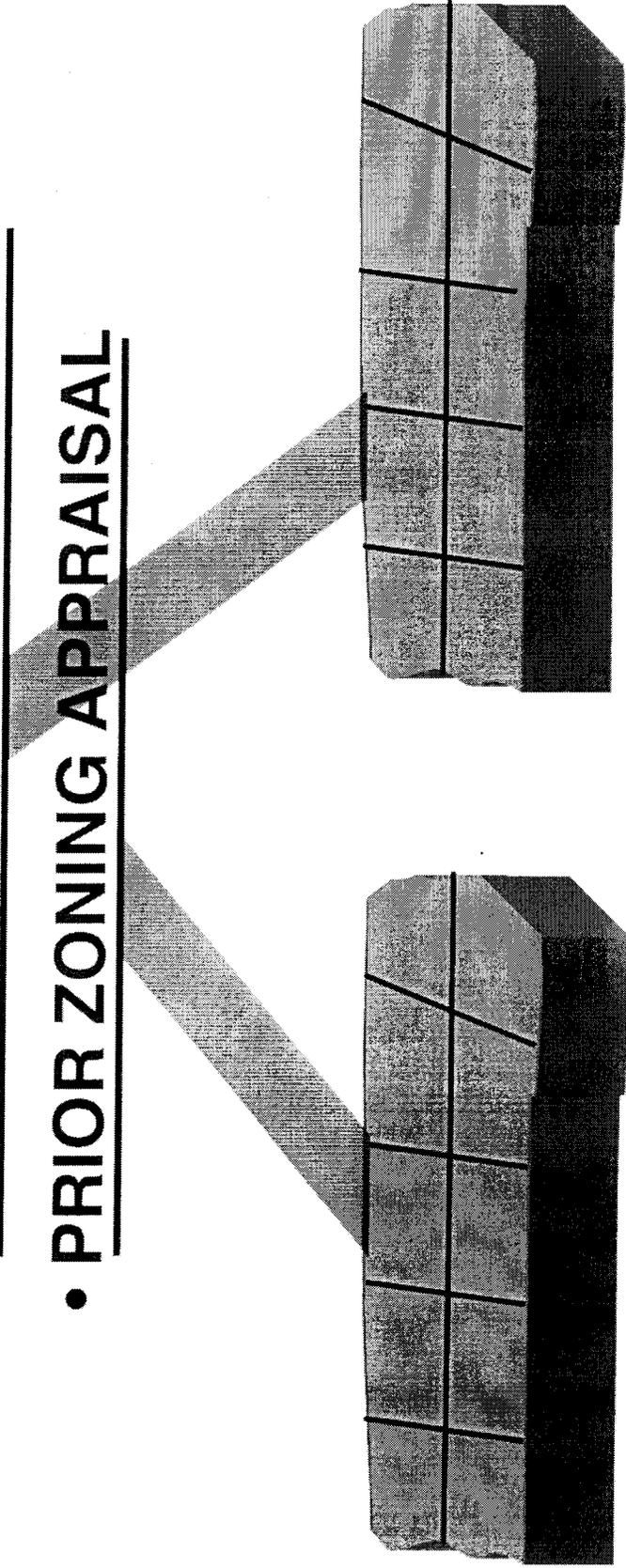
2004



GSPT Presentation

Highlands Water Protection & Planning Act 2004

- CURRENT ZONING APPRAISAL
- PRIOR ZONING APPRAISAL



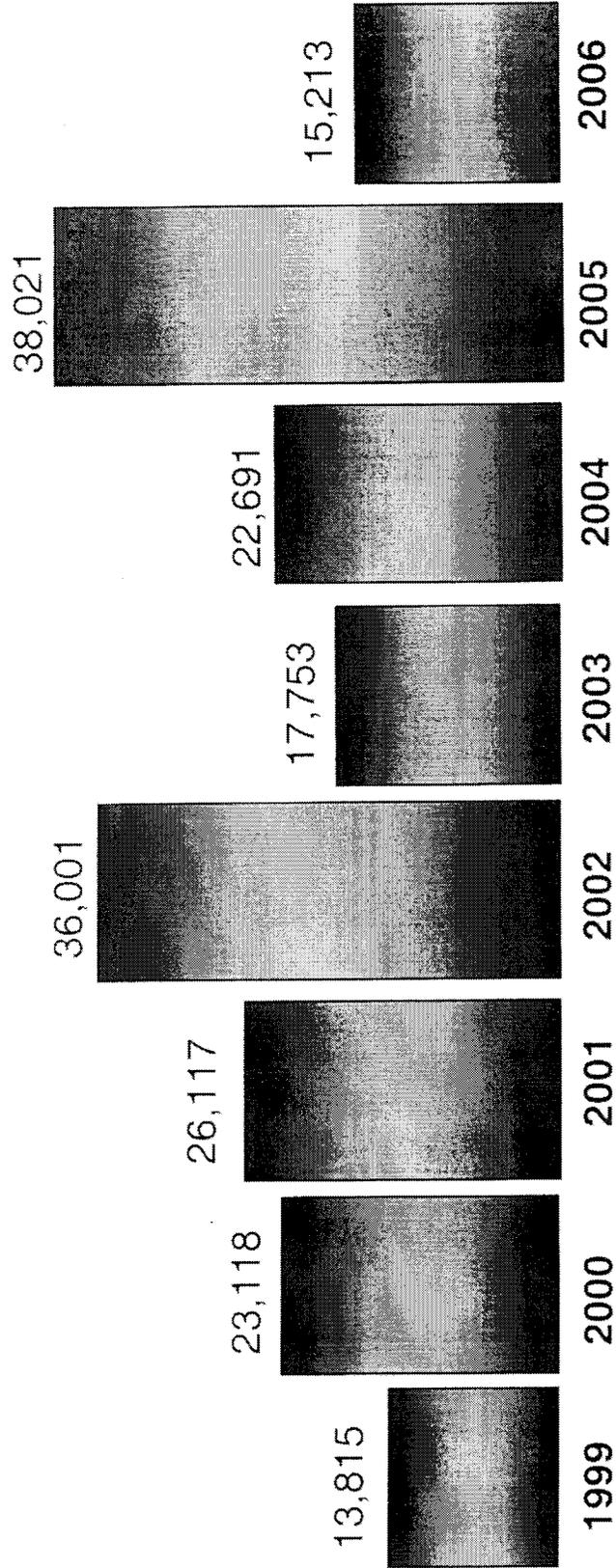
2004

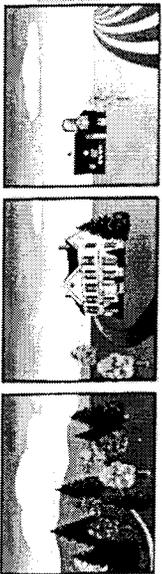
2009



GSPT: Where Do We Stand?

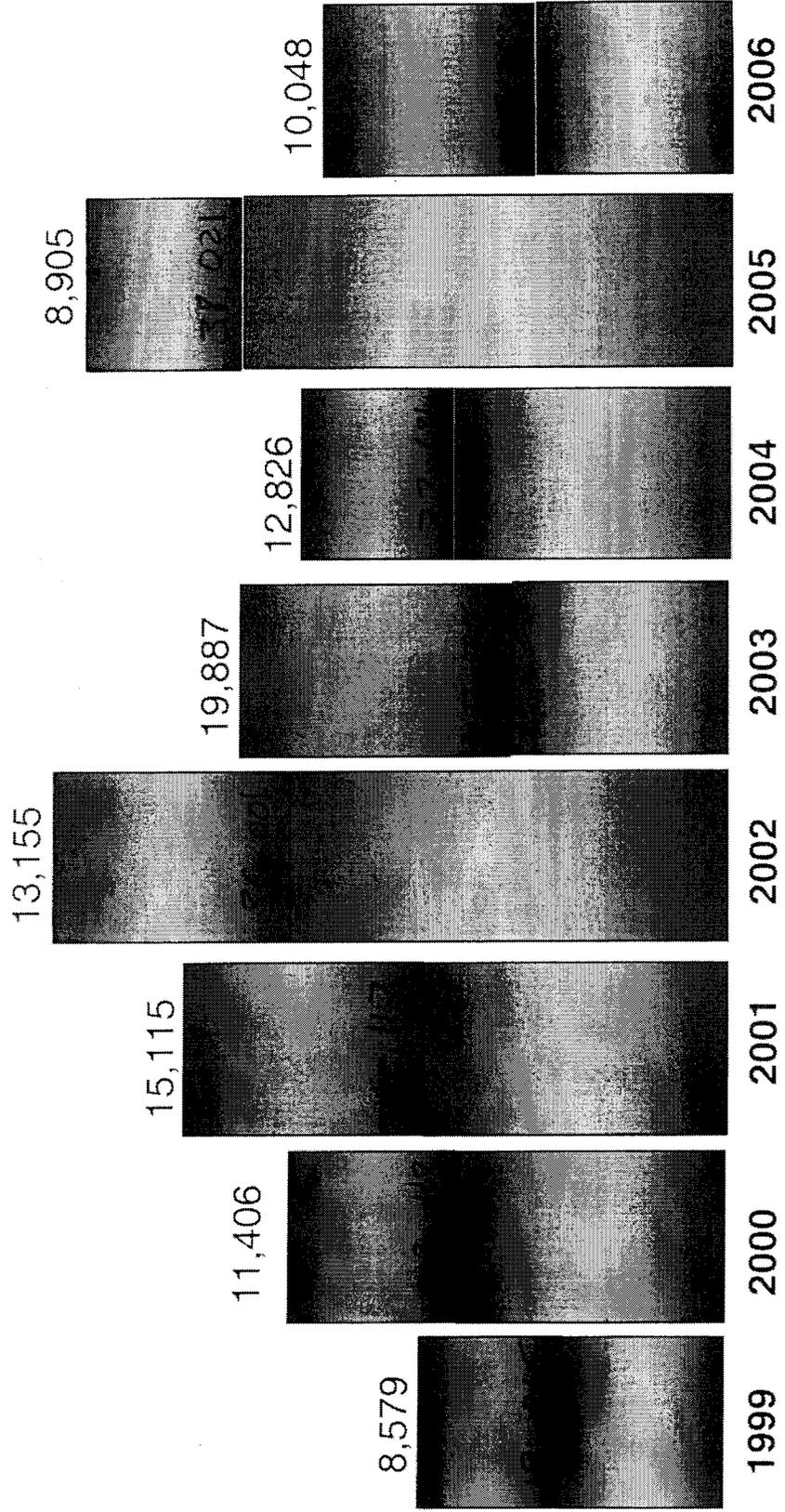
Land Preserved in Acres: Green Acres Program

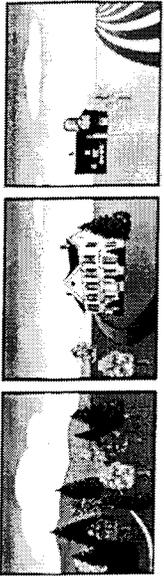




GSPT: Where Do We Stand?

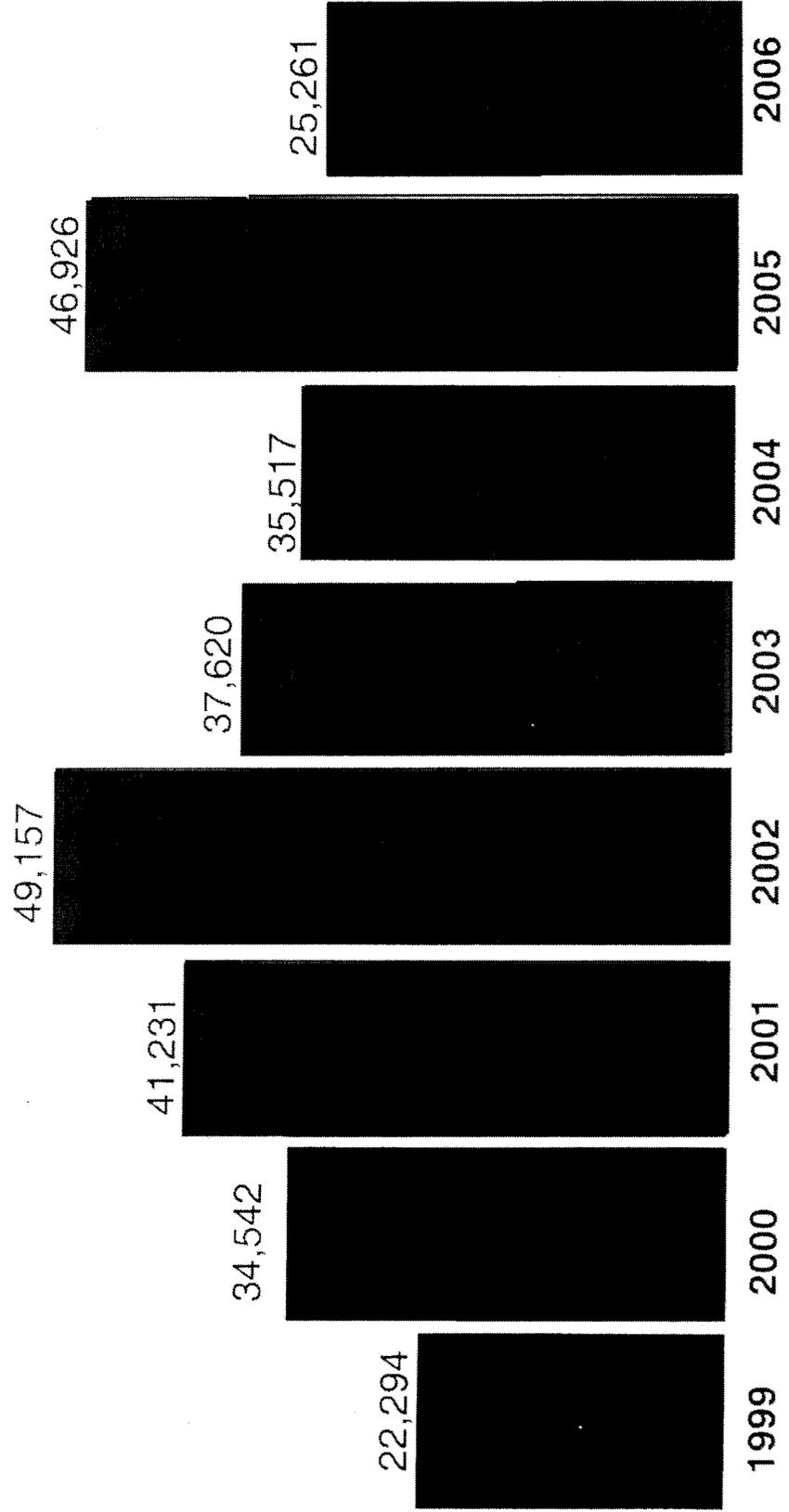
Land Preserved in Acres: Farmland Preservation Program





GSPT: Where Do We Stand?

Land Preserved in Acres: Garden State Preservation Trust





GSPT: Where Do We Stand?

Land Preserved in Acres: Garden State Preservation Trust

Green Acres: 192,729 acres

Farmland Preservation: 99,921 acres

GSPT Period Total: 292,650 acres

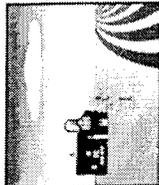
GSPT Appropriated: 120,000 acres



GSPT: Where Do We Stand?

Land Preserved in Acres: Garden State Preservation Trust

GSPT Forecast Total: 412,650 acres

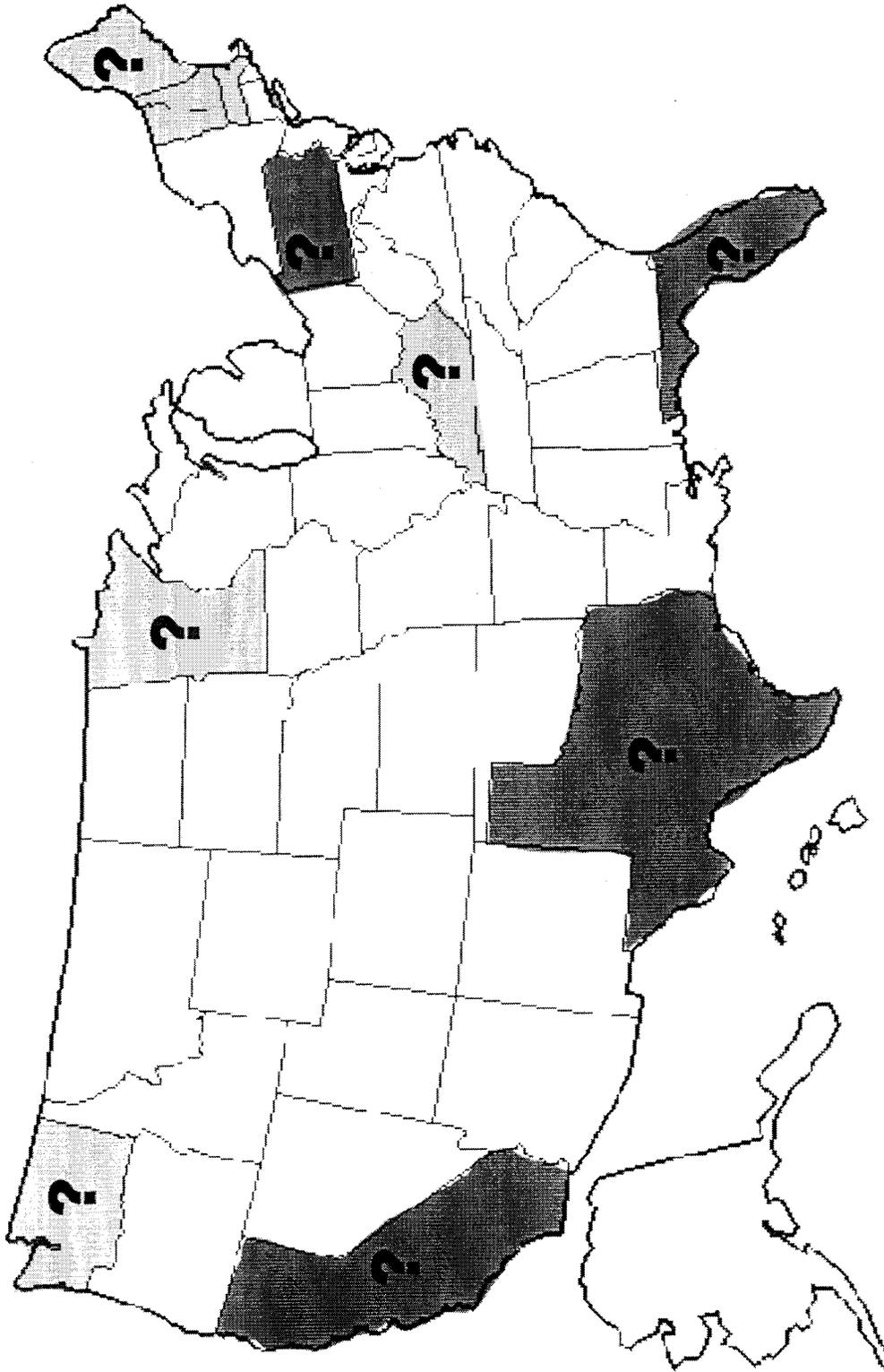


GSPT: Where Do We Stand?

Garden State Preservation Trust

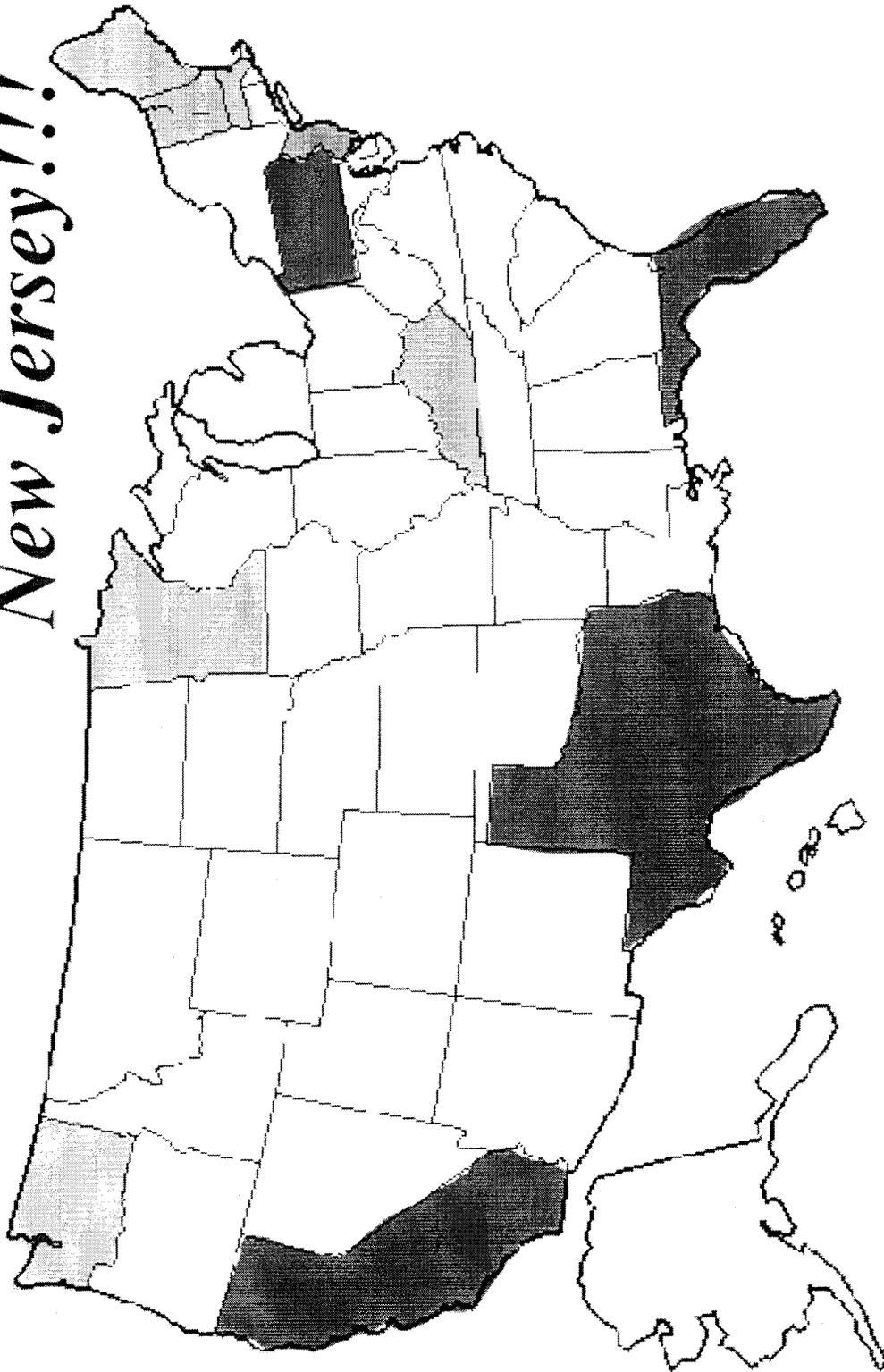
	FY2007	FY2008	FY2009
FY2006	\$196,000	\$195,000	\$185,500

- \$264 million in closings over 52 weeks
- \$5.1 million in closings each & every week
- On average, a \$1 million land deal every day
(leveraged roughly 2-to-1 with local funds)

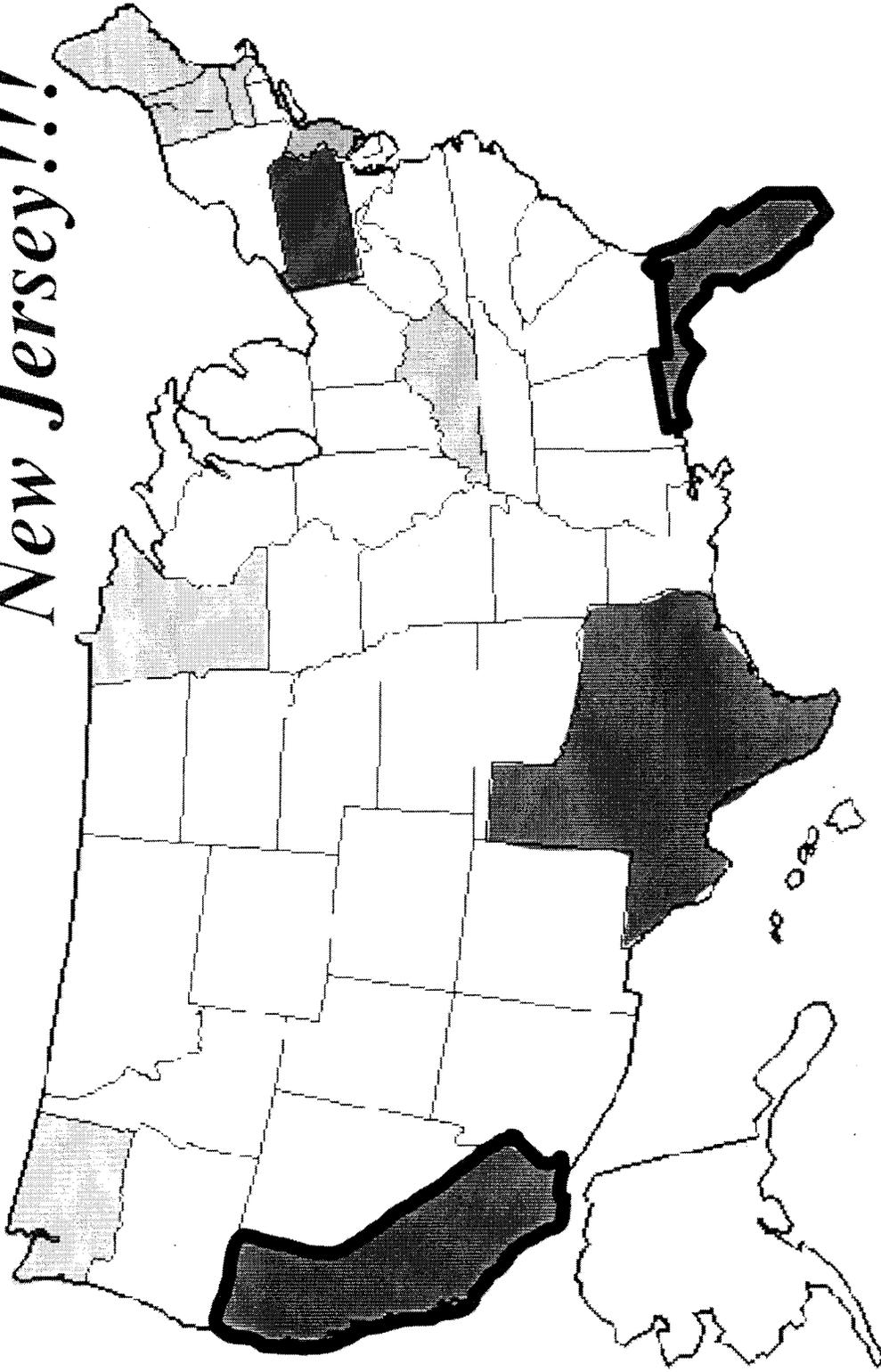


Who leads the nation?

New Jersey!!!

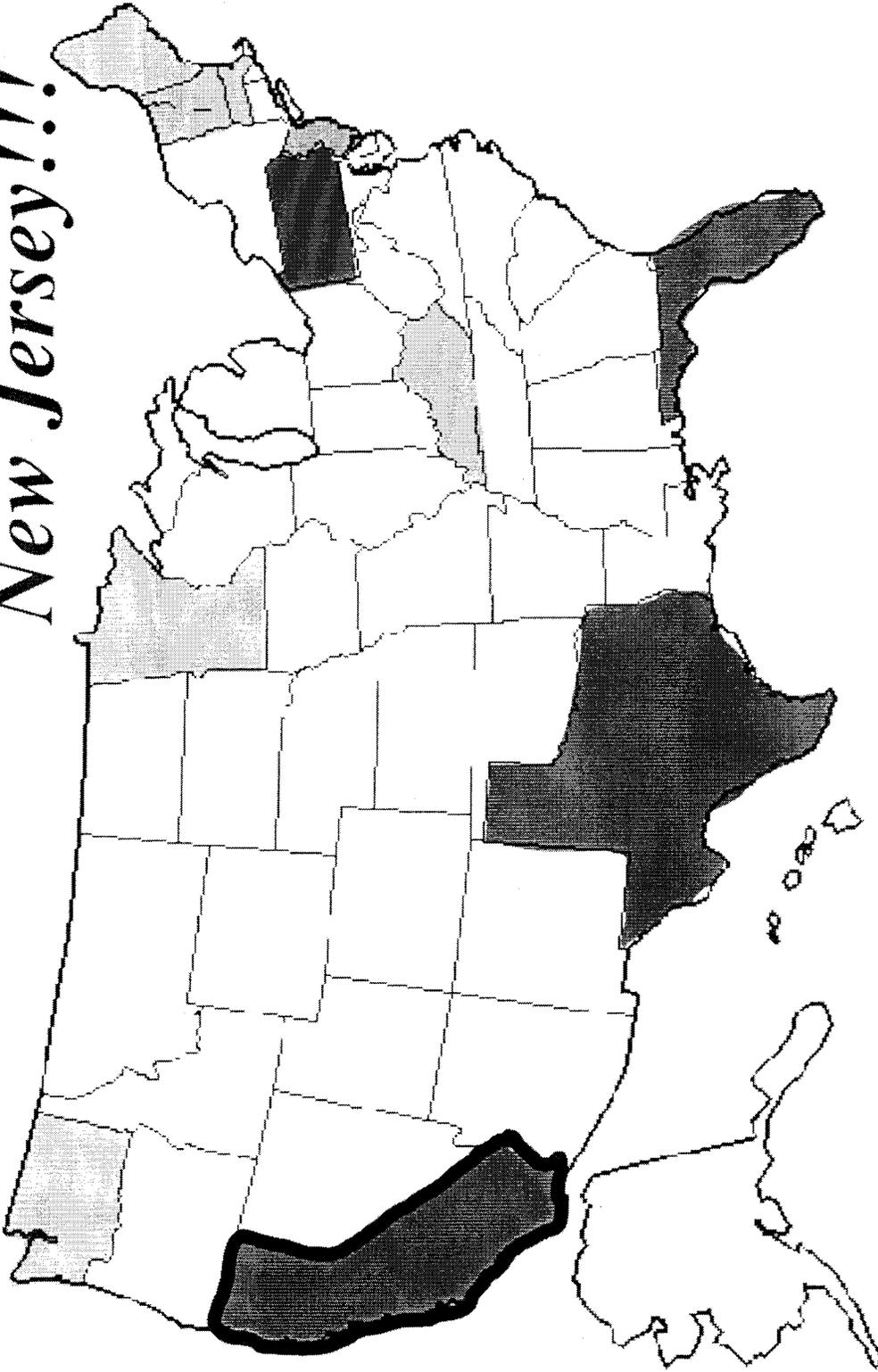


New Jersey!!!



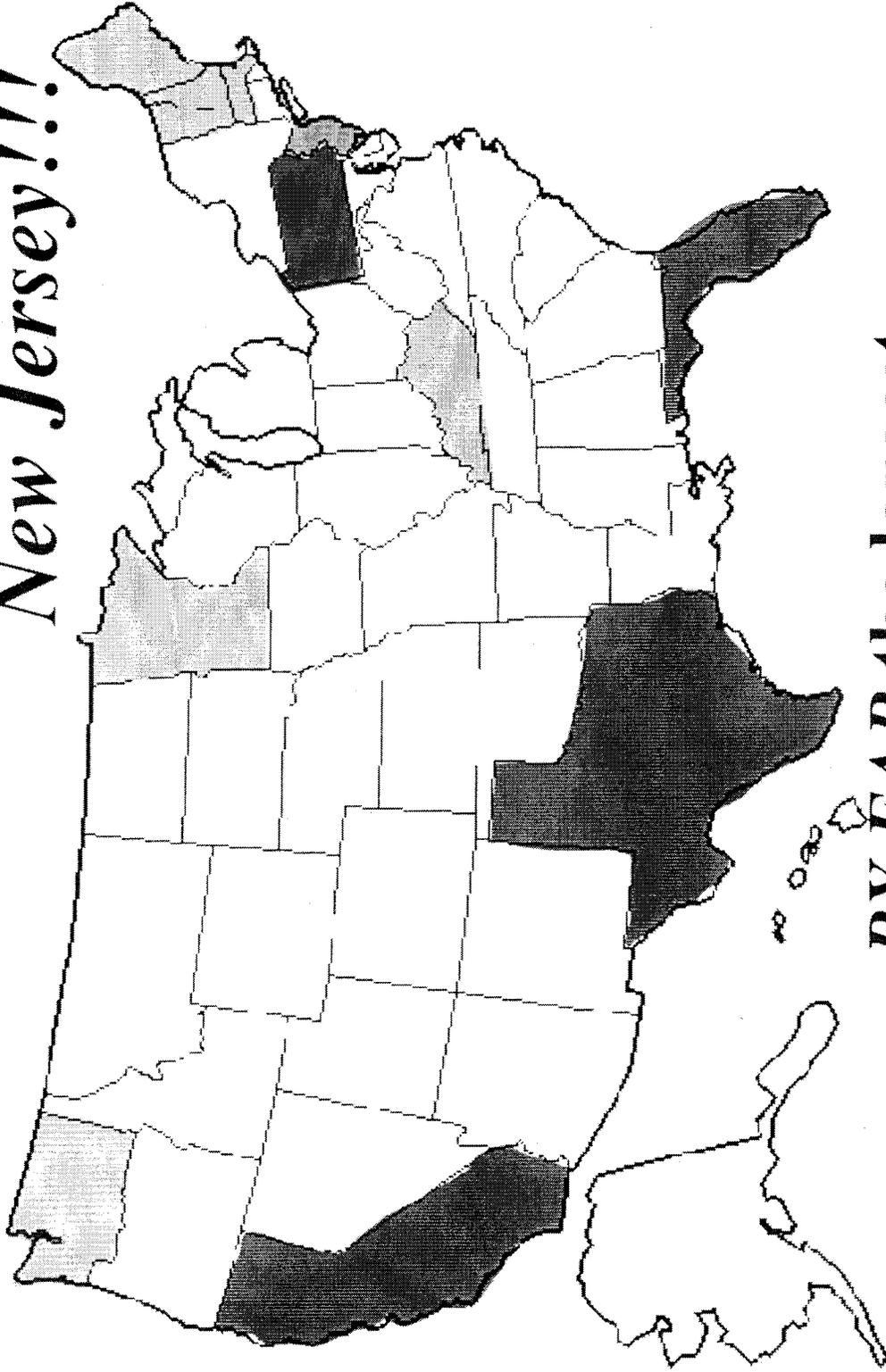
**The largest land preservation program in
the nation next to Florida & California**

New Jersey!!!



**Second largest municipal-bond financed
land preservation program in the United States**

New Jersey!!!



BY FAR the largest

land preservation program in the nation
for a geographic area of this size

Garden State Preservation Trust

New Jersey is tenth in population but with only 7,400 square miles it is the fifth smallest state in land area. This means the Garden State is the most densely populated state and faces a tremendous challenge to contain sprawl, preserve a good quality of life and maintain a viable agricultural industry.

Development is consuming our remaining open land, changing our communities, and placing our historic sites in jeopardy. Known as the Crossroads of Revolution, New Jersey is also a cradle of invention that has given us a historical heritage of national importance. As a result, New Jersey faces a challenge to preserve:

- our historical heritage
- our natural lands
- our parks
- our working farms

This mission has never been more crucial, difficult or expensive as real estate costs escalate daily and landowners face mounting pressures. Preserving land is a challenge in planning and a challenge in public finance that is the responsibility of all New Jerseyans.

The Garden State Preservation Trust is the *financing authority* that provides the funds to preserve forests and meadows, watersheds and wildlife habitats, parks and sports fields, working farms, agricultural landscapes and historic structures. Since the 1960s, New Jersey voters approved nine bond issues to preserve land. In 1998, voters did something better by approving an annual dedication of \$98 million from the sales tax.

The Garden State Preservation Trust leverages this \$98 million in constitutionally dedicated funds to issue bonds and to make the maximum dollars available:

- \$500 million bond issue – March 2003
- \$500 million forward delivery bond issue – May 2004
- \$150 million forward delivery bond issue – September 2004

Prudent planning and ambitious financing will provide \$2 billion for land preservation and \$60 million for historic sites over 10 years – more than in the previous four decades combined.

Today, New Jersey has the largest preservation program in the nation for a geographic area of this size. It is financed with Garden State Preservation Trust funds through three partnering agencies:

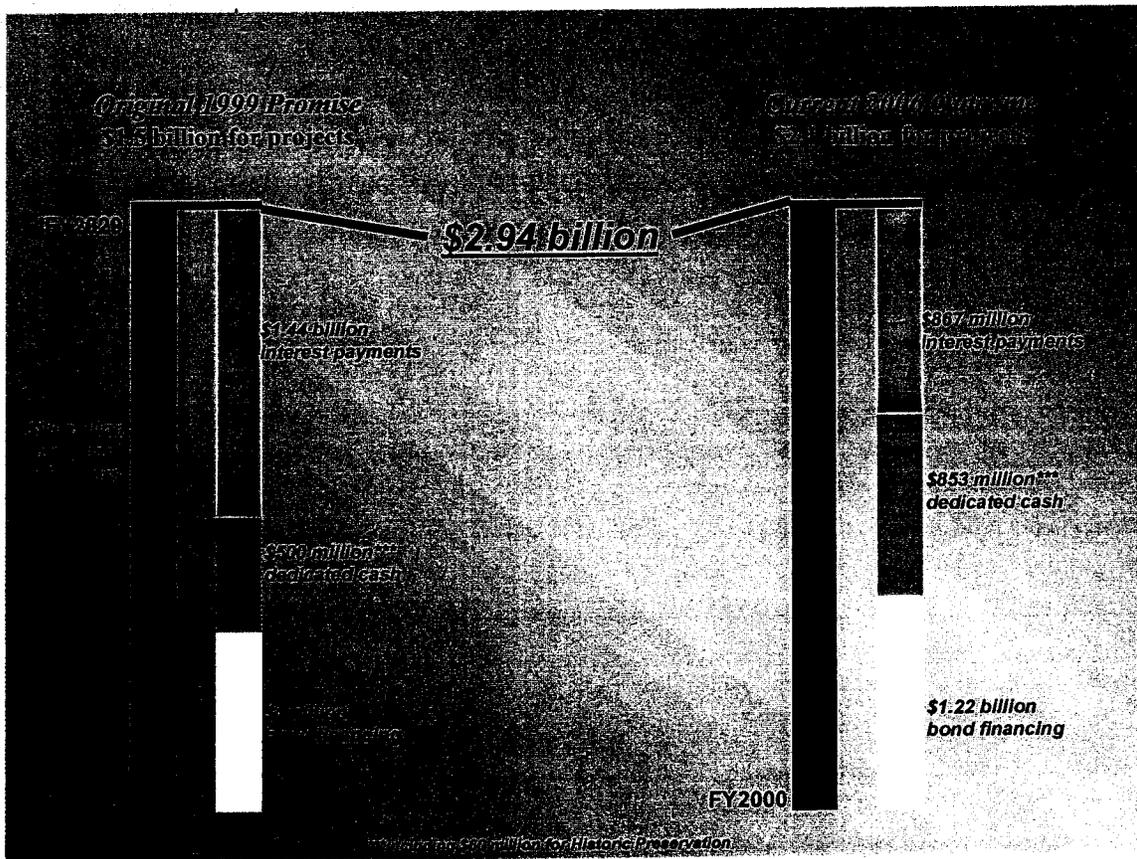
- The Green Acres Program, a division of the Department of Environmental Protection to *preserve natural lands and recreational parks.*
- The Farmland Preservation Program, administered by the independent State Agriculture Development Committee to *acquire the development rights on privately owned farmland.*
- Historic Preservation, administered by the independent New Jersey Historic Trust to *provide matching grants to save important historic buildings.*

In partnership with county governments, municipalities and non-profit preservation trusts, these agencies are using GSPT funds to preserve acreage at a rate *three times faster* than land is being lost to development. To keep this momentum going, the GSPT in the past two years has approved a record \$770 million for Green Acres and Farmland Preservation.



Garden State Preservation Trust

GSPT Financing



The Garden State Preservation Trust leverages this \$98 million in constitutionally dedicated funds to issue bonds and to make the maximum dollars available:

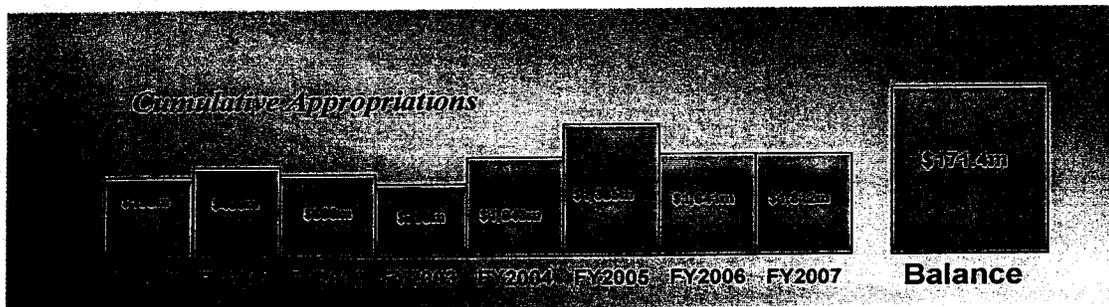
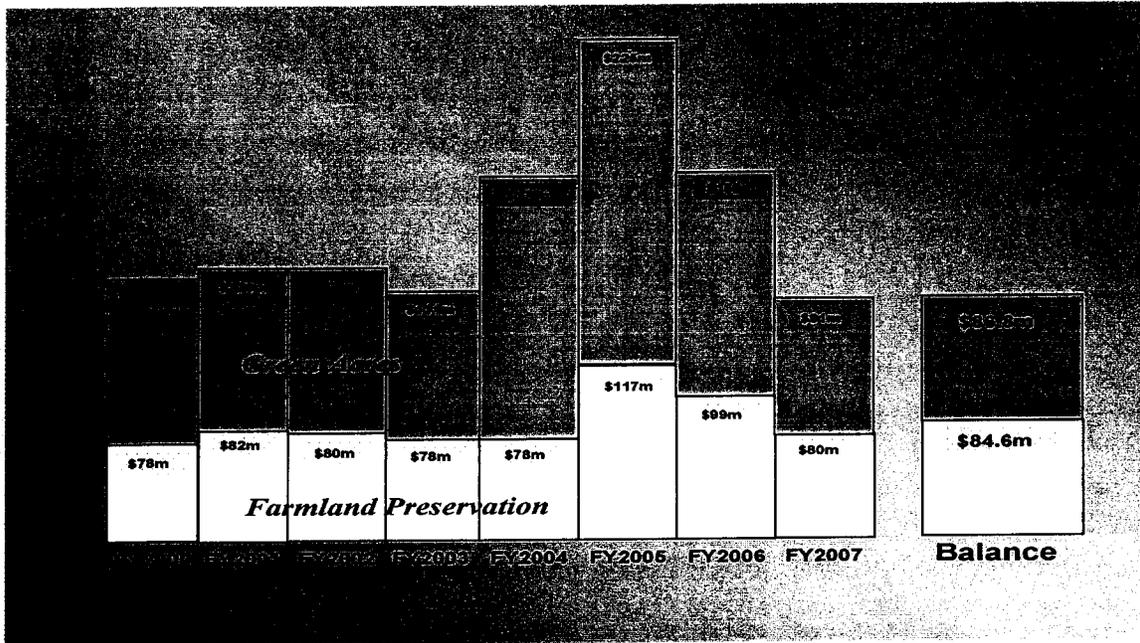
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Prudent planning and ambitious financing will provide \$2 billion for land preservation and \$60 million for historic sites over 10 years – more than in the previous four decades combined.



Garden State Preservation Trust

GSPT Appropriations



Today, New Jersey has the largest land preservation program in the nation for a geographic area of its size. It is financed with Garden State Preservation Trust funds through two partnering agencies:

- The Green Acres Program, a division of the Department of Environmental Protection to *preserve natural lands and recreational parks.*
- The Farmland Preservation Program, administered by the independent State Agriculture Development Committee to *acquire the development rights on privately owned farmland.*

In partnership with county governments, municipalities and non-profit preservation trusts, these agencies are using GSPT funds to preserve acreage at a rate *three times faster* than land is being lost to development. To keep this momentum going, the GSPT in the past three years has approved a record \$770 million for Green Acres and Farmland Preservation.

**Testimony of the NJ State Agriculture Development
Committee to the
Assembly Agriculture and Natural Resources Committee
Public Hearing
6 p.m., Tuesday, February 27, 2007
Gloucester County Government Services Complex,
Department of Public Works Government Services Building
Auditorium, Clayton**

Thank you for the opportunity to discuss the State Agriculture Development Committee's Farmland Preservation Program.

The preservation of our farmland helps ensure a stable land base will be available to support a strong and viable agricultural industry – an industry that realizes \$866 million in annual farm gate receipts, accounts for a \$1.5 billion agricultural sector and is the foundation for the state's \$82 billion total agriculture and food complex.

In addition to ensuring these continued economic benefits, the preservation of our farmland protects rural and open landscapes, provides access to fresh, local produce and other farm products, and protects wildlife habitat and air and water quality – all factors that contribute to the quality of life we enjoy in the Garden State.

Farmland preservation also is an important tool for towns to avoid some of the unwanted impacts of sprawl, including negative fiscal impacts, traffic congestion and loss of community character.

Finally, preserving farmland helps towns hold the line on local property taxes down by keeping privately owned, taxpaying farmland on the local tax rolls. As municipalities across the state well know, farmland contributes far more in property taxes than it requires in services.

The N.J. Department of Agriculture projects that New Jersey will need a stable land base of approximately 600,000 acres to support a strong and viable agricultural industry into the future.

Approximately 150,000 acres of farmland have been permanently preserved to date. By the time existing Garden State Preservation Trust funding runs out, we expect an additional 50,000 acres will be preserved, for a total of 200,000 preserved acres

That represents a tremendous amount of progress, considering that, prior to FY 1999 and the inception of the GSPT, only about 48,000 acres of farmland had been preserved over the previous 14 years of program acquisitions.

As a result of the stable source of GSPT funding, an average of 160 farms have entered the program annually over the past five years, as opposed to only about 40 per year in the five years prior to GSPT.

To keep up with increasing demand for the program, we've proposed new rules that will streamline the farmland preservation process and reduce the timeframe from landowner application to closing by about six months for most applicants.

The stable source of funding also has encouraged financial participation in farmland preservation by a number of other partners. Local farmland and open space trust funds established by county and municipal governments, as well as funding from nonprofit organizations, leverage state dollars and contribute a third of total acquisition costs.

But as much progress as we've made, we're nowhere near the finish line.

The preservation of 200,000 acres by the close of GSPT funding still leaves another 400,000 acres in need of permanent protection if we are to realize our goal of preserving an adequate land base for agriculture's future.

Over the past four years, we've appropriated an average of \$130 million annually for farmland preservation, and that still doesn't meet current demand. This fiscal year, we had more than \$100 million in unmet needs.

The cost to preserve an additional 400,000 acres would total \$4 billion at today's average current acquisition cost of \$10,000 per acre, and as much as \$6 billion at a projected cost of \$15,000 per acre.

It is clear that New Jersey cannot afford to preserve all of those 400,000 acres through purchase of development rights under the Farmland Preservation Program.

Therefore, the State Agriculture Development Committee's goal is to preserve another 200,000 acres through the Farmland Preservation Program while encouraging the aggressive pursuit of transfer of development rights and other tools to secure permanent protection of the remaining 200,000 acres.

All the farmland that ultimately will be preserved in New Jersey will likely be preserved in most of our lifetimes.

The SADC looks forward to working with advocates and the Legislature to identify a sustainable funding source for the renewal of GSPT at a level that -- at a minimum -- supports the momentum of the program that has been achieved through the strong partnership among all levels of government, the nonprofit community, and of course, farm landowners themselves.

The Garden State Preservation Trust Act provided New Jersey with a tremendous opportunity to protect the farmland that is so critical to maintaining our quality of life and a strong agricultural industry.

We have made a great deal of progress but there is still much more to do. We look forward to working with you to ensure that we continue the momentum of our farmland preservation efforts and that we keep New Jersey green and growing for generations to come.

S:\GARDEN STATE TRUST\GSPT
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My name is Ken Atkinson and I am the Director for the Gloucester County Office of Land Preservation, and on behalf of Gloucester County Freeholder Director Stephen M. Sweeney and Deputy Director Robert M. Damminger, I would like to thank you for the opportunity to address the committee tonight to provide testimony on this important matter.

In addition to my post as Director, I also oversee the County's Farmland Preservation Program, and in cooperation with Vicki Snyder, who serves as Open Space Coordinator, and the rest of our staff our, office has compiled an impressive record of accomplishments in the preservation of Gloucester County's rapidly diminishing agricultural areas and open space. Since the inception of Gloucester County's Land Preservation Program, we have been successful in the preservation of more than 14,000 acres, with approximately 11,700 acres preserved as farmland and 2,400 preserved as open space. These numbers encompass properties in 19 of Gloucester County's 24 municipalities. In fact, since 2003 alone Gloucester County has preserved more than 4,330 acres of farmland and open space on 80 different properties. We believe that this amount is the largest number in the State of New Jersey over this time period.

Through this program we have been able to acquire eleven new dedicated municipal parks and expand other existing municipal parks and greenways. We have also been able to enlarge four of the County's own five parks and also to help move the County bike path forward with a key acquisition. In just the area surrounding the County Golf Course we have added four additional properties and are currently in negotiations on two others. Our office is also working on five new municipal parks and presently has more than 20 applications pending for the farmland preservation program.

It goes without saying that a large portion of these accomplishments would not have been possible without the funding that the County has received from the Garden State Preservation Trust over the years. Since 2003, Gloucester County has received almost \$15 million in funding from the GSPT. Gloucester County also relies on a 4-cent Farmland and Open Space Tax to help supplement our efforts. In addition, our Freeholders have taken the proactive step of issuing a series bond measures over the years to provide additional funds. However, even with these measures our efforts to preserve farmland and open space in Gloucester County would have been significantly impacted without the funds received from the GSPT.

Gloucester County is not alone in this position, and I am sure that over the course of your hearings you will hear testimony from a plethora of State, County and municipal representatives echoing these sentiments. You know better than most the constant struggles that New Jersey faces as the nation's most densely populated state. To this end, since its inception the GSPT has been one of the most successful tools that New Jersey has utilized to help alleviate sprawl and help reduce the costs associated with unabated residential growth that all levels of government experience.

Based on these examples, the Gloucester County Office of Land Preservation, in cooperation with our Board of Freeholders, fully endorses the renewal of the GSPT. We believe that the residents of New Jersey will also support this stance, and we request that the State ensure that they have the opportunity to do so by placing the renewal of the GSPT on the ballot in November. We would also request that the current disbursement allocations remain the same. Finally, we feel that Assembly Bill ACR-10, which concerns the Constitutional dedication of portions of the State Sales and Use Tax for open space, farmland, and historic preservation, would be an effective tool to ensure the continued success of Gloucester

County's and New Jersey's Farmland and Open Space Preservation efforts.

Gloucester County has long been labeled as one of the fastest growing counties in New Jersey, and some of our individual municipalities have even been identified as some of the fastest growing in the nation. Even with these obstacles, Gloucester County's Farmland and Open Space Preservation Program has been a resounding success. Tracts of pristine County farmland that stretch as far as the eye can see are now permanently preserved and acres of open space have been secured for residents to enjoy as County and municipal parks. However, we cannot continue our aggressive efforts without the State's assistance. To this end, we believe that it is essential that the GSPT be renewed. With your help, the Office of Land Preservation, in cooperation with the Board of Chosen Freeholders can endeavor to ensure that Gloucester County safeguards its pastoral legacy and provides ample parcels of land for our citizen's recreational needs, both now and in the years to come.



NEW JERSEY
AUDUBON
SOCIETY

Department of Conservation

142 West State Street, Trenton, New Jersey 08608 Tel: (609) 392-1181 Fax: (609) 392-1182
E-mail: joanna.wolaver@njudubon.org Web site: <http://www.njudubon.org/conservation>

February 27, 2007

Re: Testimony in support of ACR10

Dear Chairman and Members of the Agriculture and Natural Resources Committee:

I am submitting this testimony on behalf of New Jersey Audubon Society and the New Jersey – Keep It Green Campaign in support of ACR10. NJAS is a non-profit corporation with over 23,000 members statewide, whose mission includes the protection of New Jersey's plants and wildlife and our land and water resources. The Keep It Green Campaign is a coalition of over 90 organizations working to renew and strengthen the Garden State Preservation Trust this year. (Please refer to the attached list of coalition members.)

We appreciate your leadership in taking on this issue of such great importance to our citizens and the future of our state. Since its creation in 1998, the Trust has enabled the State of New Jersey, its local governments, and non-profits to acquire over 432,000 acres of parks, open space and farmland. **However, as you know, the Trust will run out of money this year and funds for grants to local governments have already been exhausted.** At the same time, our state continues to face intense development pressure and is expected to reach full built out in less than 25 years. And even the parks, natural areas and historic sites that are protected have suffered due to chronic under funding, particularly in urban areas.

For this reason, NJAS and the coalition strongly supports this legislation. In particular, we are encouraged by the increase in total funding for GSPT and the inclusion of funds for operations and maintenance as well as acquisition and capital projects.

Unfortunately, the need across our state is so great that in order to adequately meet acquisition, capital and operation needs in our communities, the total dedicated amount must be increased from \$175 million to \$206 million a year. (Please refer to attached document, which includes our funding request and information about this need.) Funding in addition to this amount would be necessary to adequately meet the needs of important programs beyond acquisition, capital and operations, such as Blue Acres.

While the GSPT has been a tremendous success, the need still vastly outstrips the available dollars, even if the GSPT is renewed at higher levels. For example, well over \$450 million in municipal and non-profit Green Acres applications have gone unfunded; and only one-third of the farmland identified by the State Department of Agriculture as critical to the retention of farming as a viable industry in New Jersey has been preserved.

We urge you to support this legislation and the recommended increase in funding as a critical investment in the quality of life in our communities and our economy. Protecting open spaces stabilizes local property taxes. The acquisition of open space, unlike new developments, does not burden the municipal tax role. These areas quickly pay for themselves, and then provide long-term savings and substantial economic and environmental benefits to communities.

2/27

These areas also support the growth of our state and local economies by increasing retail and tourism activity and attracting new industries and skilled workers to communities across New Jersey. In addition, they create a high quality of life that attracts taxpaying businesses and residents and redirects growth back into urban areas.

Funding for continued protection of open space also safeguards air and drinking water quality and provides important habitat for wildlife in all communities. These areas reduce air and water pollution impacts on public health and associated costs for health care and drinking water treatment. Open spaces also provide opportunities for hiking, jogging and other physical activity, which increases fitness and reduces obesity.

In addition, the Trust provides a vital match for the dedicated local open space taxes collected annually by all 21 counties and more than 225 municipalities. In order for local governments to continue receiving Green Acres and State Agriculture Development Committee (or SADC) grants, the GSPT must be replenished this year.

For these reasons, we encourage the Committee to support this legislation and to increase the total dedicated amount as a critical investment in the well-being of our economy and the quality of life in communities across the state.

Thank you for your consideration. If New Jersey Audubon Society or the Keep It Green Campaign can be of any further assistance, please feel free to contact me at (609) 392-1181.

Sincerely,



Joanna L. Wolaver
Conservation Project Coordinator

New Jersey – Keep It Green Campaign Partners

Access New Jersey
American Littoral Society
Association of NJ Environmental Commissions
Assoc. of NJ Rifle & Pistol Clubs, Inc.
Audubon Wildlife Society
Bayshore Discovery Project
Bayshore Saltwater Flyrodders
Camden Greenways
Cape May County Zoological Society
Capital to the Coast Bike Trail
Citizens United to Protect the Maurice River and its Tributaries, Inc.
Clean Ocean Action
Coalition for Affordable Housing and the Environment
Coalition for Conservation
Cohansey Area River Preservation
Conservation Resources, Inc.
Conserve Wildlife Foundation of NJ
D&R Canal Watch
Delaware River Greenway Partnership
Delaware Riverkeeper Network
Elizabeth River/Arthur Kill Watershed Assoc
Environment New Jersey
Friends of Hopewell Valley
Friends of Island Beach State Park
Friends of Liberty State Park
Friends of Wallkill River National Wildlife Refuge
Future City, Inc.
Great Egg Harbor Watershed Association
Great Swamp Watershed Association
Greater Newark Conservancy
GreenFaith
Hackensack Riverkeeper, Inc.
Hunterdon Coalition
Hunterdon Land Trust Alliance
Ironbound Community Corporation
Isles, Inc.
Jersey Coast Anglers Association
Lucky 13 Hunt Club
Monmouth Conservation Foundation
Monmouth County Audubon Society
Morris Land Conservancy
NABA - North Jersey Butterfly Club
New Jersey Audubon Society
New Jersey Audubon Society's Nature Center of Cape May
New Jersey Beach Buggy Association
New Jersey Chapter of the National Wild Turkey Federation
New Jersey Conservation Foundation
New Jersey Conservation Officers' Association
New Jersey Division Society of American Foresters
New Jersey Environmental Federation

New Jersey Environmental Justice Alliance
New Jersey Environmental Lobby
New Jersey Forestry Association
New Jersey Highlands Coalition
New Jersey Public Interest Research Group (NJPIRG)
New Jersey Recreation and Park Association
New Jersey State Federation of Sportsmen's Clubs
New Jersey Trout Unlimited
New Jersey Work Environment Council
New York/New Jersey Baykeeper
New York/New Jersey Trail Conference
North Byram Concerned Citizens
Partnership for the Delaware Estuary, Inc.
Parvin State Park Appreciation Committee
Passaic River Coalition
Pinelands Preservation Alliance
Preservation New Jersey
Rahway River Association
Regional Plan Association
Sierra Club, New Jersey Chapter
Skylands CLEAN, Inc.
Somerset Horse & Pony Association
South Branch Watershed Association
South Jersey Land & Water Trust
Stony Brook Watershed Association
Surfrider Foundation – Jersey Shore Chapter
The Nature Conservancy in New Jersey
The Wildlife Society - New Jersey Chapter
Trust for Public Land
United Bowhunters of NJ
Upper Raritan Watershed Association
Washington Crossing Audubon Society
Weequahic Park Association

Supporters

Bowers Wildlife Art
Canal Tours & More
Ironwood Outdoor Center
Mindy Lighthipe – Studio 16
Ramsey Outdoor Stores
South Jersey Tourism Corporation

Necessary Funding Levels for the Renewal of GSPT *New Jersey – Keep It Green Campaign*

New Jersey has been a national leader in preserving open space, historic sites and farmland over the past decade. However, the fund that makes New Jersey that leader – the Garden State Preservation Trust – is running out of money. Already the most densely populated state, New Jersey continues to face intense development pressure, and even the parks, natural areas and historic sites that are protected have suffered due to chronic under funding, especially in urban areas.

Therefore, we call on the State Legislature and the Governor to ensure passage of legislation by the end of March 2007 to result in a November 2007 ballot referendum to renew and strengthen the Garden State Preservation Trust (GSPT).

We must make this wise and necessary investment in order to ensure a high quality of life in New Jersey and our children's futures! More specifically, the renewal and strengthening of GSPT must:

- Create a stable source of constitutionally-dedicated funds for the preservation of open space, farmland and historic sites, as well as for operations and capital projects on these lands;
- Provide funding for the State as well as matching grants for local governments and nonprofits;
- Ensure parity for urban, suburban and rural communities across the state; and
- Provide funding at the following levels:

Category	Necessary Funding Level
<i>Acquisition</i>	\$225 million a year
<i>Capital Projects</i>	\$100 million a year <i>(This amount is in addition to the \$35 million a year provided by passage of Ballot Question #2 and should include matching grants for local governments.)</i>
<i>Operations</i>	\$56 million a year <i>(This amount is in addition to the \$48 million in the FY07 budget and includes \$36 million a year for the State and \$20 million a year in matching grants for local governments.)</i>
<i>Total</i>	\$381 million a year <i>(The acquisition and capital funds could be provided by bonding an annual dedicated stream of approximately \$150 million.)</i>

The renewal and strengthening of GSPT must be guided by the following financial principles:

- 1) GSPT should be renewed and strengthened to provide sufficient funding for acquisition and capital projects for at least ten years.
- 2) The funding source used must be socially just and result in no adverse environmental impacts.
- 3) Any park, natural area and historic site fees, related licenses, farmland assessment rollbacks and other similar funding sources should be used to directly benefit open spaces, farmlands and historic sites.
- 4) Matching grants should be provided and partnerships should be encouraged to maximize the leveraging ability of State funds.
- 5) Funding for operations should not be bonded and should be ongoing.
- 6) In addition to the stable source of funding, diverse strategies should be used to meet additional acquisition, capital and stewardship needs, including Transfer of Development Rights, non-contiguous clustering, regulatory protections, and corporate and individual donations.

For more information, please contact Joanna Wolaver, New Jersey Audubon Society at joanna.wolaver@njudubon.org or (609) 392-1181.

New Jersey – Keep It Green

Investment in Our Communities: Renew and Strengthen GSPT Today

The Garden State Preservation Trust (GSPT), New Jersey's funding mechanism for open space, farmland and historic preservation, will run out of money in early 2007. At the same time, our state continues to face intense development pressure, and even the parks, natural areas and historic sites that are protected have suffered due to chronic under funding, particularly in urban areas.

The Garden State Preservation Trust: A Vital Program

- Already the most densely populated state, New Jersey will reach full build out in less than 25 years. We must protect our valuable open spaces, farmland and historic sites before it is too late.
- Protecting these areas is vital to the long-term health of our state's economy.
- Our cities rely on well-maintained green areas for livable neighborhoods and a high quality of life.
- Preserving open space safeguards our public water supply and water quality in our rivers and streams.
- Every New Jersey resident deserves high-quality, accessible neighborhood parks, natural areas and historic sites to enjoy with their families.

Running Out of Funds for Land Acquisition and Capital Projects

Since its creation in 1998, the GSPT has enabled the State of New Jersey, its local governments, and non-profits to acquire over 432,000 acres of parks, open space and farmland. While the GSPT has been a tremendous success, the need still vastly outstrips the available dollars, even if the GSPT is renewed at higher levels.

- Well over \$450 million in municipal and non-profit Green Acres applications have gone unfunded.
- Acquisition costs in the Highlands alone could run to more than \$1 billion.
- The New Jersey Historic Trust has received capital and planning grant requests totaling more than 3 times the \$6 million in grant funds available each year.
- There is an estimated \$250 million backlog in capital repairs and improvements at State parks alone. Many millions more are needed for improvements at county and local parks.
- Only one-third of the farmland identified by the State Department of Agriculture as critical to the retention of farming as a viable industry in New Jersey has been preserved.

Steady Decline in Services and Maintenance

- Additional funding for operations, maintenance and stewardship within the Trust is critical to ensuring safe, accessible and well-maintained beaches, parks, natural areas and historic sites in communities across the state.
- The inability to maintain our parks has led to the closure of portions of these areas for long periods of time. For example, Bulls Island State Park campgrounds are closed indefinitely due to Delaware River flooding.
- The continuation of current funding trends could lead to the closure of various park facilities and the loss of urban fishing and derby programs that serve thousands of children throughout the state.
- Ensuring well-maintained and staffed natural areas is critical to our state and local economies.
 - Each year, wildlife-related recreation, including fishing, hunting and wildlife watching, generates approximately \$3.9 billion, creates over 37,000 jobs and brings in nearly \$150 million in sales tax revenue to New Jersey.

Steady Decline in Services and Maintenance, Cont.

- **Lack of funding has resulted in severe staffing shortages.**
 - Despite increasing the State's open space acquisitions by 350,000 acres, or 1/3 of the total amount in the last decade, the Division of Parks and Forestry staffing fell by 1/3 from 550 to 418 over the same period with more retirements expected.
 - More specifically, due to insufficient funding, the State Park Service has been unable to fill approximately 130 vacant superintendent, State park police officer, maintenance staff, interpretive specialist and others positions.
 - This lack of funding has also resulted in the inability of the State Forestry Service to fill approximately 13 vacant forest fire warden, forest fire equipment maintenance staff, foresters and others positions.
 - The staff employed by the Division of Fish and Wildlife under the Hunter and Anglers account is significantly less than any other time in the history of the agency. In the 1980's, there were approximately 225 staff members; now there are only approximately 190.

Urban Areas Shortchanged

Numerous studies have determined that urban green areas increase property values, support neighborhood revitalization, and promote healthy lifestyles, particularly for children, who are especially susceptible to childhood asthma and obesity. However, New Jersey's cities lag woefully behind their counterparts elsewhere in the country in terms of available open space.

- Newark has the lowest ratio of open space to population of any major American city.
- Hudson County has identified hundreds of millions of dollars of acquisition needs.

For more information, please contact Joanna Wolaver, New Jersey Audubon Society at joanna.wolaver@njudubon.org or (609) 392-1181.

Cumberland Development Corporation

PO Box 1021, Bridgeton, New Jersey 08302

*Promoting Economic and Community Development
Through Intermunicipal and Public-Private Cooperation*



Phone:

856-451-4200

Fax:

856-453-9795

Email:

cdc@cdcnj.com

Web Site:

www.cdcnj.com

Executive Director:

Anthony Stanzone

Serving:

Commercial

Deerfield

Downe

Fairfield

Greenwich

Hopewell

Lawrence

Shiloh

Stow Creek

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Stow Creek

November 3, 2006

Governor Jon Corzine

PO Box 001

Trenton, NJ 08625

RE: Fair and Dedicated Funding for Municipalities and Counties Where a Significant Amount of Land Has Been Removed from the Tax Rolls for Open Space Preservation

Dear Governor Corzine:

After reading about the approval of legislation appropriating \$80 million from the Garden State Green Acres Preservation Trust Fund to the Department of Environmental Protection (DEP) for the acquisition or development of lands for recreation and conservation, Deputy Mayor Chester Riland of Downe Township and Committeeman George Garrison of Commercial Township asked that the Cumberland Development Corporation (CDC) Board discuss this matter at its September meeting.

Mayor Harry Wilson of Downe Township and Mayor Ronald Sutton of Commercial Township joined them in expressing concern because some of the targeted areas included many Cumberland County communities who already have a large amount of permanently preserved and non-taxable land but there is still no fair and permanent payment in lieu of taxes (PILOT) system for these communities. As an example, Downe Township has a current tax rate of \$3.81 per hundred. If an acre of open space was assessed at a low figure of \$1,000, the taxes collected would equal \$38. Under the current PILOT formula they currently receive \$20 per acre, which is nearly a 50% loss of revenue. Additionally, nearly 70% of the land in Downe Township is currently tax exempt.

According to the State's news release, the funding would include \$9 million for the Delaware Bay Watershed Greenway, \$9 million for a Delaware River Watershed Greenway and \$4 million for Pinelands areas, all of which could further impact area municipalities and the County.

The Board of Directors of CDC, which includes the Mayor or Deputy Mayor, representing all of the Township Committee and Borough Council members from ten of Cumberland County's fourteen municipalities, unanimously approved a motion by Mayor Wilson, seconded by Mayor Sutton, asking CDC to seek your support for the efforts of several of our Townships, the County of Cumberland and other counties and municipalities to develop and implement a fair system of PILOT to municipalities and

We want to make it clear that we value our unique quality of life, in part provided by our vast amounts of open space and preserved lands. We also believe that these resources are of value to the State of New Jersey and all of its municipalities, counties and people.

What we seek is a permanent, adjustable funding source for PILOT for the affected municipalities and counties and one that fairly compensates them for the loss of tax base and for hosting and providing services for the open space that benefits the entire State.

We also believe that every new bill or bond issue that funds the purchase of land for open space preservation, recreation and other preservation purposes or provides funds for development, access or maintenance of those lands, should dedicate a percentage of the funding to compensation of towns and counties who have lost tax revenue and must still provide services.

We are willing to work with our legislators from Districts One and Three as well as others from other affected regions, pertinent state departments and agencies and your office to find a fair solution to this growing problem of significant loss of tax base in many municipalities in our region and elsewhere.

To this end, we suggest and would be willing to arrange a meeting of all parties concerned with this matter to begin to find a viable solution and to draft legislation and/or regulations that will help us reach a solution to this problem as quickly as possible.

Sincerely,



Anthony Stanzione
Executive Director

Cc: CDC Board of Directors
Governing Bodies of Downe, Commercial, Deerfield, Fairfield, Greenwich, Hopewell,
Lawrence, Maurice River, Shiloh, Stow Creek and Upper Deerfield.
NJ Legislators from Districts One and Three
Cumberland County Board of Freeholders
Salem County Board of Freeholders
Cape May County Board of Freeholders
Atlantic County Board of Freeholders
New Jersey State League of Municipalities
New Jersey Conference of Mayors
Southern NJ Freeholders Association





CAHE

Coalition for Affordable Housing & the Environment

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Testimony of Paul Chrystie, Executive Director
On ACR-10
February 27, 2007

The Coalition for Affordable Housing and the Environment is comprised of nearly forty organizations who share the goals of revitalized cities, a clean environment, and adequate affordable housing for New Jersey residents. I am pleased to be here today to support ACR-10.

The Garden State Preservation Trust has been a tremendous success, but it must be replenished because we still have critical needs to address. Open space, farmland and historic preservation in New Jersey requires an annual investment of at least \$206 million. That amount would provide \$150 million a year for acquisition and capital projects -- which bonding could increase to \$325 million a year -- and \$56 million a year to fund operations and maintenance needs that have been overlooked for far too long.

We must also ensure that urban areas participate equitably in the program this time. Numerous studies have shown that green spaces in urban communities not only provide critically-needed habitat resources, but also increase property values, support neighborhood revitalization, and promote healthy lifestyles, especially for children.

The Coalition applauds the sponsors for raising the issue of "Blue Acres" needs. However, we believe that these needs should be met in addition to, and not in competition with, the other important components of ACR-10, and we look forward to discussing this issue with you as the bill moves forward.

Renewing and strengthening the Garden State Preservation Trust will protect our environment and, if done equitably, promote urban revitalization. We support ACR-10 and we look forward to working with the sponsors to improve it and put this important question before the voters this year.

LEAGUE of Municipalities - Submitted to Gov's CORRENE
FROM GEORGE GARRISON
COMMERCIAL TWP.

APPROVED BY THE RESOLUTIONS COMMITTEE, November 14, 2006
Conference Resolution No. 2006 - 03

Resolution to Establish a Permanent PILOT Program and Establish a Formula to Increase PILOT Payments as Property Values Increase

WHEREAS, in order to further broad State policy goals, the Legislature has granted property tax exemptions, based on the use to which the property is put; and

WHEREAS, such exemptions, absent other funding, shift the burden of supporting local government services and programs from the owners of such properties and to all other property owners in a municipality; and

WHEREAS, in recognition of this, and based on the principle of State Pay for State Mandate, the Legislature has enacted programs that provide some relief to those who must bear the burden shifted from tax exempt properties, in the form of Payments In Lieu Of Taxes, or PILOT, funding; and

WHEREAS, many municipalities rely on PILOT funding to offset the loss of tax ratables that results from such State mandated tax exemptions; and

WHEREAS, in regards to the PILOT funding for preserved lands, the Commissioner of DEP determines PILOT levels for each affected municipality; and

WHEREAS, there has been no adjustment in PILOT funding levels since the program began, despite the increased costs associated with municipal programs and services and despite increasing property values;

NOW, THEREFORE, BE IT RESOLVED that a permanent PILOT program be established with additional percentage increments of compensation and that a formula be created to keep PILOT payments on par with increasing property values;

BE IT FURTHER RESOLVED, that properties that are granted tax exempt status will remain preserved in perpetuity and any property currently in conservation/preservation status and granted tax exemption, if sold to any non tax exempt entity, will pay back to the municipality the actual taxes lost from the time the exemption was granted for a period of 20 years;

BE IT FURTHER RESOLVED, that a committee be appointed to hear appeals if a municipality opposes the granting of tax exemption and the Commissioner of DEP overrides that opposition.

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded the Commissioner of the Department of Environmental Protection and the Governor of the State of New Jersey.