

STATE AGRICULTURE DEVELOPMENT COMMITTEE**RESOLUTION FY09R01(17)****FINAL APPROVAL****Of****BURLINGTON COUNTY'S PLANNING INCENTIVE GRANT
APPLICATION
INCLUDING COMPREHENSIVE FARMLAND PRESERVATION PLAN AND PROJECT
AREA SUMMARIES****2009A FUNDING ROUND****January 22, 2009**

WHEREAS, the State Agriculture Development Committee ("SADC") is authorized under the Farmland Preservation Planning Incentive Grant Act, P.L. 1999, c.180 (N.J.S.A. 4:1C-43.1), to provide a grant to eligible counties and municipalities for farmland preservation purposes based on whether the identified project area provides an opportunity to preserve a significant area of reasonably contiguous farmland that will promote the long term viability of agriculture as an industry in the municipality or county; and

WHEREAS, to be eligible for a grant, a county shall:

1. Identify project areas of multiple farms that are reasonably contiguous and located in an agricultural development area authorized pursuant to the "Agriculture Retention and Development Act," P.L. 1983, c.32 (C.4:1C-11 et seq.);
2. Establish a county agriculture development board (CADB), pursuant to N.J.S.A. 4:1C-14, to serve as the agricultural advisory committee;
3. Prepare a comprehensive farmland preservation plan; and
4. Establish and maintain a dedicated source of funding for farmland preservation pursuant to P.L. 1997, c.24 (C.40:12-15.1 et seq.), or an alternative means of funding for farmland preservation, including, but not limited to, a dedicated tax, repeated annual appropriations or repeated issuance of bonded indebtedness; and

WHEREAS, a county, in submitting an application to the SADC shall outline a multi-year plan for the purchase of multiple targeted farms in a project area and indicate its annual share of the estimated purchase price; and

WHEREAS, the application shall include a copy of the comprehensive farmland preservation plan element; an estimate of the cost of purchasing development easements on all the farms in a designated project area, to be determined in consultation with the CADB or through an appraisal for the entire project area; and an inventory showing the characteristics of each farm in the project area which may included, but not be limited to, size, soils and agricultural use; and

WHEREAS, the SADC adopted amended rules, effective July 2, 2007, under Subchapter 17 (N.J.A.C. 2:76-17) to implement the Farmland Preservation Planning Incentive Grant Act, P.L. 1999, c.180 (N.J.S.A. 4:1C-43.1) by establishing a county farmland preservation planning incentive grant program; and

WHEREAS, a county, applying for a grant to the SADC shall submit a copy of the county comprehensive farmland preservation plan and a project area summary for each project area designated within the plan, pursuant to N.J.A.C. 2:76-17.6; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.4, the SADC specified that a county comprehensive farmland preservation plan shall, at a minimum, include the following components:

1. A complete description of the county's agricultural resource base and industry trends;
2. A complete description of the county's past and future farmland preservation program activities, including program goals and objectives, and any proposed farmland preservation program project areas;
3. A description of the land use planning context for farmland preservation initiatives including identification of the county's adopted Agricultural Development Area (ADA) and consistency of the county's farmland preservation program with local, county, regional, and State planning and conservation efforts;
4. A complete discussion of the actions the county has taken, or plans to take, to promote agricultural economic development in order to sustain the agricultural industry;
5. A detailed map of, and county resolution approving, the adopted ADA of the county;
6. A summary identifying county funding dedicated to or available for, preservation of farmland through the State Farmland Preservation Program;
7. A funding plan for the preservation of land consistent with the county's one-, five-, and 10-year preservation projections;
8. The minimum eligibility criteria or standards as adopted by the county for solicitation and approval of farmland preservation program applications;
9. The adopted ranking criteria that the county will use to prioritize farms for county farmland preservation funding; and

10. Any other policies, guidelines or standards used by the county that affect farmland preservation application evaluation or selection; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.5, the SADC required the county to prepare a project area summary containing the following information for each project area designated within the county comprehensive farmland preservation plan:

1. An inventory of the number of farms or properties, and their individual and aggregate acreage, for targeted farms, farmland preservation applications with final approvals, preserved farms, lands enrolled in an eight-year farmland preservation program and preserved open space compatible with agriculture;
2. Aggregate size of the entire project area;
3. Density of the project area;
4. Soil productivity of the targeted farms;
5. An estimate of the cost of purchasing development easements on the targeted farms in the designated project area;
6. A multi-year plan for the purchase of development easements on the targeted farms in the project area, indicating the county's and, if appropriate, any other funding partner's share of the estimated purchase price, including an account of the estimated percentage of leveraged State funds and the time period of installment purchase agreements, where appropriate; and

WHEREAS, on December 14, 2006, the SADC adopted *Guidelines for Developing County Comprehensive Farmland Preservation Plans* to supplement the new rules at N.J.A.C. 2:76-17 and provide uniform, detailed plan standards, update previous planning standards, and incorporate recommendations from the 2006 edition of the Agricultural Smart Growth Plan for New Jersey, the Planning Incentive Grant Statute (N.J.S.A. 4:1C-43.1) and the New Jersey Department of Agriculture Guidelines for Plan Endorsement under the State Development and Redevelopment Plan; and

WHEREAS, the *Guidelines* emphasize that these County Comprehensive Farmland Preservation Plans should be developed in consultation with the agricultural community including the CADB, county Planning Board, the county Board of Agriculture, and municipal Agricultural Advisory Committees with at least two public meetings including a required public hearing prior to CADB adoption; and

WHEREAS, SADC staff have worked in partnership with county representatives to provide and identify sources for the latest data with respect to agricultural statistics, water resources, agricultural economic development, land use and resource conservation; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.6(a), the SADC received 15 county planning incentive grant applications by the December 17, 2007 deadline (since December 15, 2007 fell on a Saturday),

consisting of a copy of the county's draft comprehensive farmland preservation plan and all applicable project area summaries, as summarized in the attached Schedule A; and

WHEREAS, the 15 applications identified 88 project areas targeted 2,311 farms and 152,286 acres at an estimated total cost of \$2,159,000,000, with a ten-year preservation goal of 140,246 acres; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.6(b)1 and N.J.A.C. 2:76-17.6(b)2, in order to improve county and municipal farmland preservation coordination, the counties notified all municipalities in which targeted farms are located within a project area and provided evidence of municipal review and comment and, if appropriate, level of funding the municipality is willing to provide to assist in the purchase of development easements on targeted farms; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.7, SADC staff reviewed and evaluated the counties' applications to determine whether all the components of the comprehensive farmland - preservation plans are fully addressed and complete and whether the project area summaries are complete and technically accurate, and that the application is designed to preserve a significant area of reasonably contiguous farmland that will promote the long-term economic viability of agriculture as an industry.

WHEREAS, on May 22, 2008, the SADC granted conditional preliminary approval to all 15 county planning incentive grant applications received for the 2009A County Planning Incentive Grant funding round; and

WHEREAS, the conditions of preliminary approval for Burlington County were as follows:

1. SADC determination that each designated project area is complete and technically accurate.
2. SADC receipt of evidence of the adoption of the Comprehensive Farmland Preservation Plan by the CADB after a properly noticed public meeting.
3. SADC receipt of an electronic and paper copy of the approved Comprehensive Farmland Preservation Plan.

WHEREAS, SADC staff have since determined that Burlington County has satisfied all requirements of the conditional preliminary approval;

NOW THEREFORE BE IT RESOLVED, that the SADC grants final approval of the Burlington County Planning Incentive Grant application,

BE IT FURTHER RESOLVED, that funding eligibility shall be established pursuant to N.J.A.C. 2:76-17.8(a), and SADC Resolution #FY08R5(41), and that the SADC's approval of State funding is subject to the Garden State Preservation Trust approval, the Legislative appropriation of funds and the Governor signing the respective appropriation bills; and

BE IT FURTHER RESOLVED, that the SADC will monitor the county's funding plan pursuant to N.J.A.C. 2:76-17.17 and adjust the eligibility of funds based on the county's progress in implementing the proposed funding plan. Each Planning Incentive Grant county should expend

its grant funds within two years of the date the funds are appropriated. To be considered expended a closing must have been completed with the SADC. Any funds that are not expended within two years are subject to reappropriation and may no longer be available to the county; and

BE IT FURTHER RESOLVED, that the SADC's approval is conditioned upon the Governor's review period pursuant to N.J.S.A 4:1C-4f.

1/22/09

Date



Susan E. Craft, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

- | | |
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| Monique Purcell, Acting Chairperson | YES |
| Cecile Murphy (rep. DEP Acting Commissioner Mauriello) | YES |
| Ben Spinelli (rep. DCA Commissioner Doria) | YES |
| Ralph Siegel (rep. State Treasurer Rousseau) | YES |
| Brian Schilling (rep. Executive Director Dean Goodman) | YES |
| Jane R. Brodhecker | YES |
| Alan A. Danser | YES |
| James Waltman | YES |
| Denis C. Germano | YES |
| Torrey Reade | YES |
| Stephen P. Dey | YES |