
Public Hearing

before

ASSEMBLY AGRICULTURE AND NATURAL RESOURCES COMMITTEE

Assembly Concurrent Resolution No. 10

*(Testimony from invited guests and the public
concerning the future of the Garden State Preservation Trust)*

LOCATION: Cultural Center
300 Mendham Road
Morristown, New Jersey

DATE: March 20, 2007
6:30 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
Assemblywoman Marcia A. Karrow



ALSO PRESENT:

Lucinda Tiajolloff
*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. My name is Doug Fisher, and I'm the Chairman of the Assembly Agriculture Committee. With us today are members -- the full members: Nelson Albano, who is Vice Chairman, to my left; Dr. Herb Conaway, also to my far left; and to my right is Marcia Karrow and Assemblyman Ron Dancer.

So we're here today to discuss ACR-10, which proposes an amendment to the New Jersey Constitution for farmland preservation. Excuse me, not for farmland, but for farmland and many other dedications for preservations, including Blue Acres, Historic Trust, and open space. This would be a constitutional amendment allowing dedicated moneys to be used to pay for the sale of bonds and administrative costs of various preservation efforts; allows dedication for maintenance and operational costs for parks and other preserves, open space, and historic sites; also for Blue Acres program.

And we are here today for ACR-10, to hear from -- public comment and support, or nonsupport, of these programs. We have a very large crowd tonight, and we are going to ask you to limit your remarks as best you can, so that we can give everyone an opportunity to speak so we can gauge that support or nonsupport. We also ask that, if you have something that you were going to read, rather than read, if you would distribute it to the members of the Committee and, frankly, just speak it extemporaneously, so that we can have everyone -- give, as I said, an opportunity to speak.

ACR-10 is sponsored by myself, Assemblyman McKeon, Assemblyman Albano, Assemblywoman Quigley, Assemblywoman Bonnie

Watson Coleman, Assemblyman Rooney, and Assemblywoman Karrow; as well as several other sponsors.

So with that, we're going to first call on Susan Craft to give a new review of the Garden State Preservation Trust.

I'm sorry, Ralph Siegel first.

And before that, we're going to call the roll please.

MS. TIAJOLOFF: Assemblywoman Karrow.

ASSEMBLYWOMAN KARROW: Here.

MS. TIAJOLOFF: Assemblyman Dancer.

ASSEMBLYMAN DANCER: Here.

MS. TIAJOLOFF: Assemblyman Conaway.

ASSEMBLYMAN CONAWAY: Here.

MS. TIAJOLOFF: Assemblyman Albano.

ASSEMBLYMAN ALBANO: Here.

MS. TIAJOLOFF: Assemblyman Fisher.

ASSEMBLYMAN FISHER: Here.

MS. TIAJOLOFF: The Committee is all present.

ASSEMBLYMAN FISHER: Before Ralph starts, I just want to mention we'll have three meetings. One we've already had in Clayton; the one here today; and we have one more that will be in Princeton -- so that we will have covered all regions of the state, so that we can adequately gauge public support.

RALPH SIEGEL: All set?

ASSEMBLYMAN FISHER: Yes, sir.

MR. SIEGEL: Good evening everybody. I'm Ralph Siegel from the Garden State Preservation Trust. The Committee members have heard

this presentation, so they indulged me that I could face you for the purpose of this hearing. But I can't move away from the microphone, so those of you who can't see the screen -- you just can't see the screen. (laughter) That's what there is. You can see this over here, but you might want to move or something, because we're being recorded and I can't move away from the microphone.

(starts PowerPoint)

This is just basically an overview of the figures of where we're at. Folks hopefully will remember voters in 1998 approved the constitutional dedication. They went to the ballot and approved the dedication of \$98 million a year for conservation purposes. That \$98 million a year -- a 30-year dedication -- goes on through 2029, but it was intended to fund the 10-year program. So that's what the voters voted on at this point and almost nine years ago.

And they didn't get me a remote control with batteries.
(indicating)

The referendum replaced what had been a series of bond issues that the voters had approved since 1961, starting with Green Acres and then, in 1983, Farmland Preservation. And while, of course, everyone always appreciates the bond approvals from the voters, one of the problems that that created -- problem? One of the side effects of the bond issues is that the funding levels were kind of inconsistent, as you can see in this graph here. There would be a spike, the funds would be drawn down, we'd have another referendum. And so the idea was to look at a new program that would be more consistent, would be more ambitious, and the funds

would flow on a multiyear basis with a stable source of funding. And that's where the Garden State Preservation Trust comes from.

A 10-year program -- the \$98 million a year -- that is leveraged to produce \$1.22 billion in bond funds, bond revenue; the two combined produce a total of \$2 billion over the 10-year program for preservation purposes. The way it works: the 10-year dedication for the first 10 years, through Fiscal Year 2009, \$98 million a year; a total of \$980 million that can be used to pay for projects and can be used to pay debt service on the bonds that we issue.

And then from 2010 through the end, 2029, the entire \$98 million is restricted to be used only for debt service. So the idea is to issue the bonds in the first 10 years to fund the program, and then the final 20 and 30 years of the dedicated fund pay off those bonds that you have issued, including money for new batteries. (laughter)

So the 98 in cash comes in, the bond funds come in, and this chart will show the allocations of this money between the three component programs: the Green Acres Program -- Parks and Open Space Preservation; Farmland Preservation; and Historic Preservation. As you can see here, the bulk of these funds available to be appropriated have already been appropriated -- 93 percent on the Green Acres side; 89 percent in Farmland Preservation has already been appropriated. The remaining balances are there; those are funds remaining to be appropriated this year, or next year, but in likelihood it will go out in appropriation this year.

So again, starting in 2002 through 2029: \$98 million a year, across 30 years, gives you a total of \$2.9 billion that will be collected from this referendum. This is our chance to brag a little. So this is what was

originally intended when the Legislature adopted the Garden State Preservation Trust Act in 1999. Their plan had been that there would be \$1 billion in bonds and \$500 million in cash. We'd have a billion dollars from debt and 500 million available in cash in the first 10 years, and the balance of the 98 million would be going to pay off the bonds. And so the total was \$1.5 billion for preservation -- 500 in cash, \$1 billion bonds. This is how we've ended up doing.

Okay, it had its chance. (referring to remote) (laughter)

That's how we ended up doing.

Okay, any questions?

Well, this is unexpected. (machine malfunction) It always happens? It never happened to me.

ASSEMBLYMAN FISHER: Well, now you know how Trenton works.

MR. SIEGEL: Yes. (laughter) Wow, we have good stuff.

There we go. Okay. Here's how it came out; hopefully a little more speedy than this was. All right.

Compared with the billion dollars, we've been able to do \$1.2 billion in financing. You may remember that in 2003 we were able to go back out to the voters with the second referendum to increase our debt ceiling by \$150 million. More importantly, however, is the amount of cash we've been able to use. Against \$500 million, we've actually been able to use more than \$850 million in cash, mainly because we've been able to issue bonds at very low rates. And so the interest payments that we have are far lower than the Legislature had first expected. It's because we used ingenious strategies, great financing, and because we happened to go into

the market at the point where municipal interest rates hit the lowest level since the Second World War. (laughter) But we were lucky and smart. We went out within 14 months and issued all of our bonds within a 14-month time frame to seize on the market before it moved out from underneath us. So it did pretty well, and the total -- we've increased the proceeds for preservation by about \$600 million over what the Legislature had anticipated. So I think it's been a success in that way.

The original 1999 plan, the 1.5 billion would have been about 1.4 billion for land preservation. When you remove the Historic Trust and the cost of administrating the programs, you probably would have averaged out about \$140 million a year on appropriations. And this chart shows you what we actually were able to do in appropriations each year. And at present, we have a balance of \$171 million left.

Now, folks might say, might notice -- "Well, wait, if it's 1.98 billion for land preservation expenses over those years, the average is 198 million, how come there's only 171 left for the last two years?" And the answer to that question is, why we don't have that in the final two years is because of this: In starting in 2004, we dramatically increased our appropriations above the average. We had a lot of projects sitting on the shelf that were getting pushed off till the next fiscal year. And folks stopped and said, "What kind of sense does this make? We're taking a perfectly good project and putting it on the shelf to wait for the next fiscal year, and all it's going to do is get more expensive right in front of us." And so the decision was made to basically blow the cap and appropriate those funds ahead of time. And so that's the reason why, for 2008 and 2009, there's

171 remaining for the final two years, because of those other years of excess appropriation.

An important point with the Garden State Preservation Trust Act -- a typical piece of land here -- is the Act permitted two types of appraisals to be used in determining a fair price for the property. In 1998 -- let's take this piece of land -- could be subdivided into 10 parcels, let's say, and that's the development value on the land. And by 2004 things have changed. There's been downzoning, environmental regulation, stream corridor established, and all of a sudden this piece of property really has a much-reduced development potential.

The Garden State Preservation Trust Act, in '99, permitted us -- both Green Acres and Farmland Preservation -- to do two appraisals: to look at the appraised value of the condition that the land was in, in 1998, and to look at the appraised value in 2004; and to offer the better price to the landowner. And the effect of this is that any legal changes that occurred after 1998, the landowner who went into preservation was, basically, held harmless from those changes.

One of the fears -- not to speak for the Legislature -- but one of the fears at the time was that towns would start downzoning in order to cheapen the price of preservation. Now, downzoning did occur, but that's not why they did it. So this provision expired in 2004, but was renewed with the Highlands Act, which statewide renewed this dual provision, dual appraisal provision for the Garden State Preservation Trust. So now the clock was reset to 2004, prior to enactment of the Highlands Act, and we have the same dual appraisal mechanism where we look at property as it

was regulated and zoned in 2004, and then its current appraisal; and the landowner can gain the benefit of the best appraisal.

And down to the statistics -- if the batteries will hold out -- these are the acreages preserved, by calendar year, since the GSPT began. And we put Farmland Preservation on top of that.

Thing just magically works by itself (referring to remote).

And this gives us the total acreage of the Garden State Preservation Trust through last December. This will add up. At the moment, this is acres that have been preserved. This is land on which closings have been executed. We have that total for the Garden State Preservation Trust, presently, of about 292,000 acres. But we also have money in the pipeline that's been appropriated to projects that are not yet closed, as well as the appropriations we have yet to make. And we forecast and estimate that those will bring us another 120,000 acres. So when all is said and done, the Garden State Preservation Trust -- by 2010, 2011, when the program runs out of its closings -- should have preserved more than 400,000 acres of land.

And one of the stats I always throw around, but I didn't get it -- how big is Morris County, anybody know? Frank Pinto didn't come. But this is where I have the punch line, where it's three times the land mass of Morris County, or whatever -- but I don't know what it is.

UNIDENTIFIED SPEAKER FROM AUDIENCE: Four hundred and seventy square miles.

MR. SIEGEL: How many?

UNIDENTIFIED SPEAKER FROM AUDIENCE: Four hundred and seventy square miles.

MR. SIEGEL: Square miles? And I'm supposed to calculate that into acres? (laughter) Hold on a second.

UNIDENTIFIED SPEAKER FROM AUDIENCE: Don't expect me to do it. (laughter)

MR. SIEGEL: Fiscal Year 2006, the program hit an all-time peak of \$264 million in closings. This is not appropriations; this is expenditures -- these are closed deals. These are lands that are permanently preserved -- \$264 million, which is something to think about for a moment, to get your arms around. Five million dollars a week; it's averaging a million-dollar land deal every day. And in most cases, these deals are leveraged at a two-to-one level from the State to the local. Which means about two-thirds of the money on a land deal is coming from the State level; about a third of that money is coming from municipalities, county trust funds, nonprofit fund-raising, and other sources. So it's a two-to-one leverage match. Over the course of 10 years, our \$2 billion should produce \$3 billion in land acquisitions, because of the leveraging we've been able to do.

And so here's our final PR thing: Who would you expect would lead the nation in land preservation? It would be the big states or the famously Green states; and the fact is it's us. We have the largest land preservation program, point blank, next to Florida and California. And in terms of publicly financed preservation programs, we're second only to California as the largest publicly financed land preservation program in the United States. And in terms of preservation activity for a geographic area of this size, it isn't even close. California's program would have to be 10

times its size to start closing in on the level that we have per capita, per acre in the preservation that we are doing.

And I always say, any questions? But that's actually up to you, isn't it? (laughter)

ASSEMBLYMAN FISHER: Well, we're going to hold the questions.

Any members of the Committee?

MR. SIEGEL: And I should point out, many of these statistics -- the appropriations tables and the financing charts, the one we pat ourselves on the back on how well we did -- these are all available as handouts on our Web site. If you go to the State Web site for Garden State Preservation Trust, these are there. And if you don't like the numbers you get, give it a week; we change them around and make them better. (laughter)

Thank you.

ASSEMBLYMAN FISHER: Thank you, Mr. Siegel.

MR. SIEGEL: Should I just close it or let it sit there? (referring to PowerPoint equipment)

ASSEMBLYMAN FISHER: Just leave it on.

Susan Craft of SADC.

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

Can you hear me in the back?

Okay, thank you.

I appreciate the opportunity to come before you again. As the Chairman requested, I won't read my testimony. Lucinda has a copy. But for the benefit of the folks in the audience, and our funding partners and

program partners all over the state, I really do appreciate the opportunity to comment at each one of these public hearings.

My name is Susan Craft. I'm the Executive Director of the New Jersey State Farmland Preservation Program. And obviously, the Garden State Preservation Trust renewal will have a profound impact on the future of farmland preservation, and a very profound impact, really, on the future of the ag industry. And that is something that we do not and cannot forget. The SADC, the Committee I administer, our job is twofold: One is to protect a permanent land base for agriculture, and the second is to promote and be an advocate for sustaining the ag industry. And we find the two to be very closely linked, and you really can't divorce one from the other.

I think you all -- many of the folks, hopefully, in this room -- can appreciate the many benefits of the Farmland Preservation Program. First of all, being the support and the link to the ag industry, our perspective really is that if this Garden State is going to have a garden, and if the ag industry is going to persist, it's going to be completely reliant on the land base we preserve through Farmland Preservation and other tools. We cannot expect, a hundred years from now, that there will be lots of land that's undeveloped that still is open for development. I mean, I really believe in my lifetime, the land is going to get locked up one way or the other. It will either get developed or it will get preserved. And so we really go after this with that perspective -- that we are responsible for securing that land base for the industry of agriculture.

The second sort of category benefit that we appreciate, and we think the public does, is really the contribution of farmland preservation

and the agricultural landscape to New Jersey's quality of life, generally. Many people don't come from a farming background. Some people have never even been on a farm. But when we talked to the public, I really do appreciate the public's love for the agricultural landscape and the benefits that farming really brings to their lives. That includes this rural and open landscape. They appreciate access to fresh fruits and vegetables, and locally grown products, and pick-your-own operations; the ability to ride a horse, to go to a farm market to buy organic products. Our quality of life would not be the same without agriculture.

The environmental benefits that farmland brings with it -- and I think oftentimes it's unfortunate that agriculture can seem to lock horns with the environmental community. I think we have a lot more in common than we don't, with the respect to the stewardship of the land. But clearly, preservation of wildlife habitat, aquifer recharge areas, and clean air and water are definitely benefits -- environmental benefits -- of farmland preservation.

The third really is -- and I think this speaks to municipalities in particular, and county leaders -- avoiding unwanted impacts of development. I'm not naïve enough to think that everyone supports farmland preservation only for its agricultural benefits; but I know local governments are struggling with traffic, with school size, with classroom size, with loss of their community character. And we know and believe that many communities preserve farmland in order to retain the communities that they love so much, and they don't want to see development from wall to wall.

And then finally, I think, is fiscal. And I think it's a fiscal issue. Many municipalities want to pursue preservation of farmland and open space because of the fiscal impacts of development. And I think the State has finally realized that, particularly, low-density residential sprawl, if you will, does not lower your taxes. It raises your taxes. And municipalities understand that well, and they understand that agriculture, while farmers pay reduced taxes, they pay more taxes than they require in services. And so it's a good fiscal deal for local government.

Overall, just to give the public, I guess, a snapshot, there's about 800,000 acres of active agricultural land in New Jersey. We believe that we need to preserve somewhere in the neighborhood of 600,000 acres of farmland to have a permanent ag industry in this state. And of that 600,000, we will have preserved 200,000 acres by the time we are done spending the Garden State Preservation Trust I funds. So the appropriations Ralph was just referring to, we will hit just about a 200,000-acre mark.

So we want 600,000, and we'll have preserved 200,000 -- that means there's a 400,000-acre job to do out there, and that's a very large order. The SADC realizes the fiscal magnitude of that. And our goal really is to go after half of it. Our goal is to preserve an additional 200,000 acres of farmland through the Farmland Preservation Program, and to go after that final 200,000 acres through good conservation planning techniques, such as transfer development rights, such as cluster zoning. And really, we spend a lot of time assisting municipalities in accomplishing that.

I can't overstate the impact Garden State Preservation Trust Funds have had on the state. We used to preserve about 40 farms a year on

average. We've done about 160 farms a year, so a quadrupling of volume. That has had immense impacts on what has happened locally. When GSPT really hit, municipalities -- they started getting rolling. They established their local taxes. Counties upgraded, staffed up. So you have this entire mechanism and kind of machine that's been built locally to interface with the State. And one of our great concerns is a loss of that momentum. Municipalities have funding in place, counties have funding in place. They've got staffs, programs, boards, advisory committees -- all of this has been established to get this job done. And what we cannot afford, really, is a loss of momentum.

And really, I think it is important for us to keep in mind that when you add up all the local county and municipal open space, and farmland and historic preservation tax funds, they're actually the big kid on the block. When we add up all the local governments -- what they're raising, what they've chosen to tax themselves -- they raise more money each year -- I think it's in excess of \$230 million -- than even the GSPT was putting out on the street in a year. And so the leadership at the State level, to have that much money available, caused an enormous leveraging impact, and we can't lose sight of that as well.

I guess I'll cut my comments there. I've taken plenty of your time, I'm sure. I just want to say we look forward to working with the Committee. Anything we can do to assist your analysis and move this issue forward we'd be glad to help you with. And thank you for your support.

ASSEMBLYMAN FISHER: Thank you, Susan.

Any questions? (no response)

Thank you very much.

All right. It looks like we've got, from the public, approximately 28 to 30 people who would like to speak. So I know -- just kind of gauge yourself accordingly, so that, as I said before, everyone can have an opportunity. If you could limit yourself to two-to-three minutes, three-to-four minutes, then we'll all be able to hear each other, and at the same time we'll get out of here at a reasonable time.

Dave Pringle is here from New Jersey Environmental Federation.

DAVID PRINGLE: Thank you, Mr. Chairman.

Again, my name is David Pringle. I'm the Campaign Director for the New Jersey Environmental Federation. We have 100,000 members across the state, and an additional 100 member groups.

Thank you for having--

UNIDENTIFIED SPEAKER FROM AUDIENCE: Use the mike, please.

ASSEMBLYMAN CONAWAY: Well, that's not the mike. That's for recording. That one you pushed back -- there you go.

MR. PRINGLE: There. I'll hold it, how about that?

We're here to testify in strong support for ACR-10 and 229. The \$175 million in ACR-10; and Question 2, which is related, that was passed, are critical components in moving this state forward. And I'd like to thank the Committee -- it's really an impressive turnout here tonight. Even when the -- in the Highlands hearings, of which there were about 20 in the legislative process, many of which were in the Highlands -- and we're in the Highlands today -- I don't think there was one time when even close

to a full Committee was present at a Committee hearing on an evening up here.

UNIDENTIFIED SPEAKER FROM AUDIENCE: I applaud that.

MR. PRINGLE: Eighty percent of you live south of 195. And here we're in the Highlands and folks are-- Assemblyman Albano is coming from Cumberland County. You know me, I'm not one to BS, but it is a tribute to all of you, and how important this issue is for all of you, to be here. So thank you.

ASSEMBLYMAN ALBANO: Thank you.

ASSEMBLYMAN FISHER: Thank you.

MR. PRINGLE: New Jersey has been a national leader in preserving open spaces, Mr. Siegel testified. But that leadership is at risk now. Because as you can also see, we are also bankrupt. We might have a few million dollars left, and there's still money in the pipeline, but these projects take years to unfold. So if we do not renew the Garden State Trust this year, there will be a gap of major significance. And at a time when New Jersey continues to face incredible development pressure -- losing 50 football fields a day in New Jersey to development; and our existing parks and grounds are incredibly underfunded.

The need is so great that our coalition of environmental groups -- New Jersey Keep It Green -- estimates that to do a very reasonable job of addressing this problem, it would require an additional \$381 million a year. That doesn't even include Blue Acres. That doesn't even include a lot of pent-up other demands. That said, we're very reasonable. And through bonding and other means -- and you can't get everything you want -- this

legislation is excellent. And through the bonding and all, this legislation can meet the needs, far and wide, that New Jersey needs across the board. It is very critical, and very critical--

And I'm just going to highlight a couple anecdotes that show how badly this need for this legislation is. And we have, through Joanna Walover of the New Jersey Audubon Society, Keep It Green, I believe -- submitted some additional documentation earlier today that gives some more background for some of the things I'm just going to very briefly highlight.

There's over \$450 million in municipal and nonprofit Green Acres applications that have gone unfunded under the existing program, because there isn't enough funds available. Acquisition costs in the Highlands alone could approach a billion dollars. There's an estimated \$250 million backlog in State Park capital improvements and repairs. Question 2 will take a good crack at that, but it still isn't enough. Only a third of the farmland, identified by the Department of Agriculture as critical to retention of farming as a viable industry in New Jersey, has, in fact, been preserved. In New Jersey, wildlife-related recreation is a \$3.9 billion industry. It creates over 37,000 jobs in New Jersey and brings in nearly \$150 million in sales tax revenue.

The Division of Parks and Forestry, in the last 10 years -- their staffing has dropped by one-third, even though the total amount of acreage they're responsible for -- because we have this great program -- has increased one-third. So we have 350,000 additional acres under State tutelage, yet staffing has been cut by a third. So these are just some of the anecdotes of how great this need is.

One for our more urban areas: Newark has the lowest ratio of open space to population of any comparable city in the country. Hudson County has identified hundreds of millions of dollars in additional acquisitional needs. So whether we're talking Hudson and Bergen County, and Newark, and the consumers of Highlands' drinking water, or the residents of the Highlands, or folks down in Cumberland -- as the Chair and Mr. Albano certainly know -- this need is great.

And I really applaud you for making this such a priority, and working with Assemblyman McKeon and the Environment Committee. And we look forward to working with you to get this legislation on the ballot this year. It is absolutely critical.

Thank you.

ASSEMBLYMAN FISHER: Okay, thank you, Dave.

ASSEMBLYMAN ALBANO: Thank you.

ASSEMBLYWOMAN KARROW: I have a question.

ASSEMBLYMAN FISHER: Assemblywoman.

ASSEMBLYWOMAN KARROW: How do we work this?
(referring to PA microphone)

ASSEMBLYMAN FISHER: Just talk.

ASSEMBLYWOMAN KARROW: Just talk.

Can everybody hear me?

I just have a couple of questions for you, Mr. Pringle.

When you said 381 million per year, you guys estimate--

MR. PRINGLE: Yes.

ASSEMBLYWOMAN KARROW: Is that for all open space or -- all farmland, open space -- or is it just for open space conservation kinds of--

MR. PRINGLE: No, that would include the farmland. But what we think would be reasonable to expect from what the Garden State Trust has been doing; and renewing it and shrinking it in a couple -- given the real estate costs, given some additional funding needs like the Highlands.

ASSEMBLYWOMAN KARROW: And my second question--

MR. PRINGLE: And with the information -- we submitted that in detail earlier today to the Committee.

ASSEMBLYWOMAN KARROW: Okay, thank you.

And my second question regarding that \$381 million: Would that include stewardship money, or is that just for acquisition?

MR. PRINGLE: It would, yes.

ASSEMBLYWOMAN KARROW: It would include -- 381 million includes acquisition and stewardship?

MR. PRINGLE: Yes. But again, the need is so great that 381 won't do it justice. But that said, the 175 million in this legislation is wonderful, especially-- I mean, that 381 million would be in expenditures. With 150 million, you leverage that. You can bring in -- or excuse me, with 175 million, things that are either acquisition or capital in nature, you can leverage your 30-year bonds and you can expend well over \$300 million a year, if you have a dedicated source like 150, 175.

ASSEMBLYWOMAN KARROW: I just wanted to clarify what you were including. You're including in that farmland, stewardship, plus open space. Is that including historical preservation?

MR. PRINGLE: Yes.

ASSEMBLYWOMAN KARROW: Okay.

Thank you.

MR. PRINGLE: And again, none of those would be perfectly funded.

ASSEMBLYWOMAN KARROW: No, I understand.

MR. PRINGLE: You could spend 200 million a year on history alone.

ASSEMBLYWOMAN KARROW: Yes, you could.

MR. PRINGLE: But you can't do everything, especially in this fiscal climate. And getting this legislation through will be difficult. And notwithstanding the reputation of the environmental community, we are reasonable, and this is a great legislation.

ASSEMBLYMAN FISHER: Thank you.

ASSEMBLYMAN ALBANO: Thank you.

ASSEMBLYMAN CONAWAY: Mr. Chairman?

ASSEMBLYMAN FISHER: Yes.

ASSEMBLYMAN CONAWAY: You said even with that -- I thought you said it wasn't going to be enough. And the one question I had, listening to Ms. Craft -- and the concern that we do have about the football fields of land that are being lost to development -- when we think about questions of maintaining land that's already in the pot, if you will, versus going out and acquiring land that needs to be preserved, do you feel that

perhaps we should put almost all of our eggs in the acquisition basket and delay some of the maintenance, so that-- Because once this land is gone, it's gone. And if-- We can always catch up, or at least come back to -- I mean, the land is sitting there, okay? It's overgrown, the paths aren't cut through yet, there's not benches and others things, other development in the parks as one would like; but at least the land is there for a future use. So should we, therefore, in thinking about the way this money is going to be allocated across the various functions, really focus and really drive toward getting the land preserved so that we don't lose it forever?

MR. PRINGLE: For the purposes of the constitutional amendment, I think it leaves that question to the enabling legislation, as the original, in terms of how much would be acquisition, how much would be capital, how much would be operations -- as the original 1998 legislation did. And we strongly support keeping that flexibility now. And we're talking about the Constitution -- I don't think you'd want that level of detail in the Constitution.

It's also going to be, as I mentioned, enormously difficult to even get this legislation through. And if you look at our coalition, that's part of the testimony we are submitting tonight, there's over 80 groups, and they're very diverse. We're all for -- let's get the biggest pie possible now, and we can all work together on how to divvy up that pie in the enabling legislation.

But in a very short answer, expanding on that, I think we do need to do a little bit of everything. Obviously, some things we're going to do more and better. If it's an issue of "Do we replace that park bench?" -- yes, that can wait. But some of the maintenance and operations are things

like dealing with invasive species. And if you don't deal with that now, it's going to be that much more expensive later.

ASSEMBLYMAN CONAWAY: I'm sorry. I tried to interrupt, because I do that, unfortunately, because my mind doesn't stay in one place. I'm sorry. I'll get it later. Somebody will say something that will remind me what I wanted to ask.

ASSEMBLYMAN FISHER: We'll come back.

MR. PRINGLE: Thank you very much.

ASSEMBLYMAN FISHER: Thank you, Dave.

Richard Conley, from the New Jersey Forestry Association.

R I C H A R D M. C O N L E Y: Thank you, Mr. Chairman. Thank you, Assembly people. I'm a resident of Assemblywoman Karrow's district, so I speak close at hand to her.

The New Jersey Forestry Association has approximately 1,000 members. We are people who own woodland farmland. We have a lot of State foresters, State-approved foresters, in our group. We had our annual meeting just two weeks ago, and we had it at the Rutgers EcoComplex, down in Bordentown. And if you haven't been there, it's a beautiful facility. It's an environmental facility. They get their heat from the methane gas that's produced right on site. They turn it into oil to run the garbage trucks that bring the waste to the facility. And that's the kind of thing New Jersey needs to do. And we were very impressed to have been there.

And I think New Jersey needs to do a lot now to preserve land. And the Forestry Association is in favor of this particular resolution. We support farmland assessment. We support the wise use of money.

Obviously, the forests are a different kind of land. And you may think, oftentimes, it's not considered to be forest, but the Legislature has included it in the Farmland Assessment Act. And we tend to think of forests as water farms, because forests hold the water in the ground better than anything else. So if you're protecting the forests of New Jersey, you're protecting the water sources for 8 billion people. And we're going to have, I guess, 10 million people in this state. So we've got to protect that portion of our natural facilities.

We think New Jersey needs this funding. At our annual meeting, we had Dr. Roger Locandro speak to us. He was the Dean of Cook College for many years. And he told us about how he had taken kids from New Jersey around the world, and taught them about forestry and natural ecological issues, and how he made them more attuned to the natural processes that we all depend on. And one of the books that he recommended -- you might want to read if you have time. I know you're all out on these things at night; it's hard to read books. But the book he recommended was a book called *Collapse*. It's written by a professor at one of the California universities. And it talks about how various societies don't take care of themselves. They don't protect their woodlands; they don't protect their agriculture. Like Easter Island -- somebody cut down the last tree, and look what happened to Easter Island. It's just good for tourists now. And we don't want that to happen in New Jersey.

We think this is legislation that needs to be pushed. We will support it. And we will also watch how it is implemented. Because obviously, there are various ways of spending it, and we will work with the Legislature to see how the Legislature handles that issue as well.

Thank you very much.

ASSEMBLYMAN FISHER: Thank you.

Mr. Conley, how many acres-- What percentage of the state is forests?

MR. CONLEY: Dr. Locandro said 46 percent, and that's the most densely populated state in the country. And as you fly over it, you can see that. Certain parts of the state have more than others.

ASSEMBLYMAN FISHER: Forty-six percent?

MR. CONLEY: I think that's what he told us, yes.

ASSEMBLYMAN FISHER: Okay.

ASSEMBLYWOMAN KARROW: Yes, the Pinelands, right.

ASSEMBLYMAN FISHER: Right, the Pinelands.

MR. CONLEY: And our position is, we need to protect that, and this legislation will hopefully allow that.

Thank you.

ASSEMBLYMAN FISHER: Excuse me for butchering this name: Is it Chiusano? Gary Chiusano from the Sussex County Board of Chosen Freeholders. How close am I?

FREEHOLDER GARY CHIUSANO: Very good.

ASSEMBLYMAN FISHER: Oh, okay.

FREEHOLDER CHIUSANO: I'm going to put these two handouts up here for Lucinda to hand out, but you don't have to take them now, because I don't want you to read them while I'm speaking.

And I'm going to break one of my cardinal rules, of reading as opposed to speaking. But in an effort to give everyone an opportunity to be

concise, I'll just read my comments, if I could, and that way I won't be rambling.

Thank you, Chairman Fisher and members of the Committee, for being here tonight in beautiful Morris County, and for giving me the opportunity to speak. Residents of northwest New Jersey are appreciative for you taking the time to hold a hearing here.

As mentioned, my name is Gary Chiusano. I am in my fifth year of service as Sussex County Freeholder; last year serving as Freeholder/Director.

On February 28, 2007, I moved the resolution, seconded by my fellow Freeholder Steve Oroho, supporting the renewal of the Garden State Preservation Trust Fund. A copy of this resolution has been provided to you and your staff. I'm very proud of the efforts and successes made by Sussex County during the past 17 years to preserve farmland. Including land that is waiting final approval, we have been able to save over 12,000 acres. This is attributed to the farmers who decided to preserve the beauty of their open spaces for generations to come; and to local, county, and State officials who helped make this happen. I look forward to the Legislature passing the necessary constitutional amendment this Spring and Summer, and I personally can't wait to cast my "Yes" vote for it in November.

However, a serious issue still remains, one which we brought up in our resolution: A dedicated source of funding to implement the Highlands Act. The only way to insure that landowners in the Highlands, who have had their land preserved through the Highlands Act and the pending Highlands Master Plan -- is to amend the State Constitution.

Senator Robert Littell and Assemblywoman Alison McHose agreed. They recently sent a letter to the prime sponsors of the constitutional amendments to renew the Trust Fund, asking the legislation be amended to provide for a dedicated funding source. You'll all receive a copy of the letter. Neither legislator could join us here tonight, but I would like to take the opportunity to read portions of it into the record. And following Chairman Fisher's recommendation, I will just hit some of the highlights.

But this is a letter dated March 7, 2007, addressed to the Honorable Leonard Lance, Honorable Robert Smith, Honorable Steve Sweeney, Honorable Douglas Fisher, and the Honorable John McKeon.

"Dear Colleagues: We are writing to you today because you are the prime sponsors of two pieces of legislation to renew the Garden State Preservation Trust Fund.

"We applaud you on your efforts to preserve New Jersey's open space and farmland from threats of development. In the past, New Jersey residents have voted time and time again to support these programs at the local, county, and State levels. Leaders on all levels in Legislative District 24 have been aggressively trying to preserve the land in the past using these funds.

"Now, however, we have a new challenge due to the enactment of the Highlands Act. Many changes were made to the Act, but the main change that is still needed is funding equity. We have a golden opportunity in front of us to do the right thing. Since the State has decided to preserve the Highlands through law and regulation, they should treat property owners fairly and give them their just compensation.

“Since we need to amend the State Constitution to dedicate a revenue source of funding throughout the state to preserve land, we should be fair, and constitutionally dedicate a portion of this money to compensate landowners in the Highlands.

“The Office of Legislative Services has drafted the following language that can be included in each of the constitutional amendments in Section I, at the end of subparagraph (a):

“Of all funding dedicated and appropriated pursuant to the subparagraph for the acquisition and development of lands for recreation and conservation purposes, and for the preservation of farmland for agricultural and horticultural use and production, a minimum of 25 percent shall be allocated for these purposes within the Highlands Region.’

“This is a starting point. We appreciate your consideration of this proposal. We look forward to working with you to achieve a constitutionally dedicated funding source for landowners in the Highlands.”

Again, thank you for listening to me and listening to our concerns. The entire Sussex County Board of Chosen Freeholders looks forward to working with you in the future on this and many other matters.

Thank you.

ASSEMBLYMAN FISHER: Yes. I just want to make a comment, Freeholder. Thank you. And we do have copies of the letter that was sent to us from Senator Littell and Assemblywoman McHose. And we’re certainly understanding that there are many issues that have to be addressed in terms of the Highlands. There are also a number of other issues about pilot funding and a whole host of decisions that have to be made in terms of allocation moneys, as to whether it’s open space

preservation, or whether farmland preservation. But what we are here tonight specifically to do is to talk about -- to gauge the public support for ACR-10, and the pot of money that has to first become allocated through the Sales Tax moneys of \$175 million. All those issues will eventually be on the table. But if we don't find enough broad-base support -- if there is not enough broad-base support, all that will become moot.

So we are staying very narrowly focused. We understand, and we're glad that you, as the Freeholder, and those other members of the Senate and the Assembly have brought it to our attention. But as I said, we need to know whether there's going to be a public question and whether or not we can get that question on the ballot. So that's kind of where we're at tonight. Okay?

FREEHOLDER CHIUSANO: Agreed.

Thank you.

ASSEMBLYMAN ALBANO: Chairman, I have a quick question.

ASSEMBLYMAN FISHER: Sure.

ASSEMBLYMAN ALBANO: In the language that you would like to see added, you have "a minimum of 25 percent shall be allocated for these purposes within the Highlands Region."

FREEHOLDER CHIUSANO: Yes.

ASSEMBLYMAN ALBANO: Do you know what percentage, right now, if any, is allocated for the Highlands?

FREEHOLDER CHIUSANO: I don't have an exact figure. We're looking for a 25 percent minimum, however, for all future funds that are available.

ASSEMBLYMAN ALBANO: Okay. But you don't know what percentage actually, right now, is going towards--

FREEHOLDER CHIUSANO: No, I don't.

ASSEMBLYMAN ALBANO: Okay. By the way, I have to say that the residents of Morris County -- I think you guys are spoiled. You don't know how lucky you are to look out your window or drive down the road and see the beauty that you see every day.

FREEHOLDER CHIUSANO: We pay for it. (laughter)

ASSEMBLYMAN ALBANO: It's worth the price. It's worth the price.

FREEHOLDER CHIUSANO: We pay for it in commuting time, too.

ASSEMBLYMAN ALBANO: Yes.

FREEHOLDER CHIUSANO: Thank you, ladies and gentlemen.

ASSEMBLYMAN FISHER: Thank you. We appreciate it.

ASSEMBLYMAN ALBANO: Thank you.

ASSEMBLYMAN FISHER: Ella Filippone, Passaic River Coalition. How is your name pronounced?

E L L A F. F I L I P P O N E: Filippone. (indicating pronunciation)

ASSEMBLYMAN FISHER: Filippone, yes.

MS. FILIPPONE: That's close; it's good.

Good evening. I'm Ella Filippone. I'm the Executive Director of the Passaic River Coalition, an Urban Watershed Association. The area that we deal with is here, from Mendham Township down to Newark Bay. (indicating on map)

The Highlands are a critical part of our watershed; they are the water production lands that provide the drinking water supplies for cities like Newark, Paterson, Passaic, Union City, Jersey City, the urban areas. So we see the preservation of the Highlands as a health- and safety-element responsibility of government. I think you're going to hear a great deal of support about the acquisition of open space in New Jersey. I have been working on this open space program since the early 1970s, when we used to have not 28, but something like 128 at a hearing, when I was down in Trenton one time. It was a two-day hearing.

But I came here tonight to present my testimony in support of all of the elements that are in ACR-10. But the one that I wanted to speak to, which I think is going to be important and is kind of new, is the Blue Acres program. We are seeing more and more flooding in the floodways of our river systems in New Jersey. It used to be that it was the Passaic that had the great flooding problems, but now we see it in Bound Brook also, and in other areas of the coast along the coastal area of New Jersey. These are buildings, homes that were built in the wrong place many years ago and converted to permanent homes. We have an area in the Passaic Basin known as Hoffman Grove -- 125 old summer houses that have been converted into permanent homes. Every time it rains, these people get flooded out; they must be evacuated. Their lives are in jeopardy; they lose much of what they own because of the flood waters. This is an area where only an acquisition program, a Blue Acres program, can be successful.

In the last bond act that we had, which established the Garden State Trust, there was also an element for Blue Acres. The Legislature provided \$15 million for the Passaic and \$15 million for the coastal area.

The Legislature promised us 35 million if it was successful in a year or two. I'm still waiting.

But I would like to point out to you that this was such a successful program. First of all, the Green Acres people put together a program -- a process whereby appraisals were quickly done. They changed hands very quickly. People got fair market value for their homes. The Governor had signed the bill in August; and by February of the following year, the money had been used up. It was that successful, and the need is great.

One of the main questions then came -- is what happened? How do we restore this land? What do we do with it? Well, the land goes to either the municipality or the county. And what was kind of funny was that we all went back to look at some of these properties, where the houses were removed, expecting that there would have to be all these voluntary tree plantings. But mother nature got there before us, and before you knew it, there was no restoration of these properties necessary. The natural system took over, the trees and the shrubs came back, and now you can't tell where these houses were just a few years ago.

When we were working on this program, we always said that we should get people out of harm's way first. And it seems that the trend nowadays is to try to help eliminate the more frequent floods, the one-year flood, the two-year flood. When we get to the 100-year flood, we're all going to be in it, and you can't do much about it. We're just going to have to wait it out. But we can help people; and we can then restore a component of the environment that is very important to our river systems, and that is the intertidal zones or the wetlands. We have lost wetlands in

the state at tremendous degrees. And so by buying out these properties and allowing the properties to go back to their natural state, which is a wetland state, we are getting an added benefit. We are getting open space. We are getting habitat for, in many cases, endangered species, especially in our central Passaic River Basin. And we are, most important of all, not having to worry when the next flood comes that all these people are going to be in harm's way. Throughout the country, there are programs where people are being moved. In some places, whole towns are being moved.

And so I really would like to thank you so very much for including the Blue Acres in this resolution. We are supportive of it. We have a flood control committee that is chaired by the Mayor of Wayne, and we will be meeting on Thursday night. I am sure that you will be hearing from the municipalities that are very much involved with flooding. It's a big problem.

Finally, I think we're all so proud of New Jersey and its historic element. And it is important to protect the historic nature of the communities that we live in. We are privileged to work in Passaic County and in Essex County, and I would like to point out to you that -- don't forget our urban neighbors.

We had a situation where we spent only \$25,000 to fix a little urban park, but that was worth more than a million dollars when you see the looks on the kids that are now going to be able to play basketball and use the swings. The only glitch was somebody had to go talk to the guy who owned the pit bulls. (laughter) And guess who that was? And it was one of the scariest moments in my life, in order to preserve a little park -- a

very little park. But I'm proud to say that the pit bulls have not destroyed the park since that day.

Finally, it is important to remember the urban communities. There's no room for soccer fields; we have to redevelop them. And I would hope that as you look at the redevelopment of parkland and the maintenance of parkland, you expand your programs so that most of your urban communities, if not all of them, are eligible for funding. Some of our communities are not, and the need is great.

Thank you very much.

ASSEMBLYMAN FISHER: Thank you. And thank you for your dedication.

Assemblyman Conaway.

ASSEMBLYMAN CONAWAY: I presume -- and you're closer to it, obviously, than I am. I'm just a simple country doctor. But I suppose it's going to be cheaper to purchase these homes than to do something infrastructure-wise which will protect the homes in the first place and preserve people in place. I mean, is it clear that buying the land in this way is going to be, I guess, the cheapest option? I don't know, without putting a value judgment on it, whether it's better or not. But is it cheaper than going ahead and making infrastructure changes which might protect the lands from flooding?

MS. FILIPPONE: Yes. The Corps of Engineers has studied the Passaic Basin since 1935. And they even, in the last study which was completed in the 1980s, admitted that removing people out of the first- to the 15-year flood zone was cost-effective. A lot of these houses have been put up on columns or on cinder blocks. But the flood waters continue to

increase, and so it's much better to buy them and let the land revert back to its natural state. And it continues to accelerate.

ASSEMBLYMAN FISHER: Is it-- I'm sorry.

MS. FILIPPONE: Yes. Go ahead.

ASSEMBLYMAN FISHER: Is it voluntary?

MS. FILIPPONE: So far it has been voluntary. And in the Hoffman Grove area, we did a survey where we have 125 houses -- 75 people indicated they would sell voluntarily, over 25 said they wanted to wait and see, and we only had three that said no.

ASSEMBLYMAN FISHER: So as a result, at this juncture, it's been voluntary.

MS. FILIPPONE: It's been voluntary. And some of the municipalities, like the Township of Wayne, just got \$5 million from FEMA to begin the acquisition of houses, and it's moving quickly. There is a long list of voluntary people who would like to sell.

ASSEMBLYMAN FISHER: Okay. Thank you.

We have to move on now.

MS. FILIPPONE: Yes.

ASSEMBLYMAN FISHER: Joan Fischer, from the Great Swamp Watershed Association. Is she here?

J O A N G. F I S C H E R: Yes.

ASSEMBLYMAN FISHER: Hi, Joan.

MS. FISCHER: Good evening.

I am the Executive Director of the Great Swamp Watershed Association, whose mission it is to protect the land and water in the Great Swamp Watershed region, which includes 55 square miles in 10 towns--

UNIDENTIFIED SPEAKER FROM AUDIENCE: Please use the mike.

MS. FISCHER: --in Morris and Somerset counties.

I'd like to thank Chairman Fisher tonight for inviting me to speak and to voice my strong support for the continued and future funding of the Garden State Preservation Trust; and in support of the constitutional amendment contained in ACR-10, which would provide a source of dedicated revenue for that funding.

Although I'm here today as the Executive Director of the Watershed Association, I also serve as a third-term councilwoman in Chester County, in Morris County; and I'm in my second year on the Morris County Open Space Trust Fund Committee; and have served on the Chester Township Planning Board for more years than I care to remember. Many years of effort and experience in trying to protect and preserve open space and agricultural lands have led me to state with firm conviction that the Garden State Preservation Trust must continue as a viable source of funds for land preservation purposes. Farmland, open space, and historic preservation programs have moved to the forefront of important issues in our state. Regional land-use planning for wiser treatment of water and other resources has finally come into vogue. We who advocate for these issues at local, State, and regional, and county levels need to know that the State is truly a partner in our efforts. We need to see that our legislators are serious about the important policy and regulatory efforts they enact. We need to be able to say honestly that these rules and policies will be implemented with fairness to landowners and municipalities. And we need

to know that our State government is willing to put its money where its mouth is.

The constitutional amendment contained in ACR-10 is an important step in satisfying these needs. It does not raise any existing tax and it does not create any new tax. It does, however, show a true, long-term commitment to land and resource preservation policies which are crucial to maintaining a sound State economy, stable real estate values, and acceptable quality of life.

Thank you so much for the opportunity to comment upon these issues, and to give mine and the Great Swamp Watershed Association's strong support for these matters that are so important to the environmental health, not just of the Great Swamp Watershed region, but to all the residents of our state.

ASSEMBLYMAN FISHER: Thank you.

ASSEMBLYMAN ALBANO: Thank you.

ASSEMBLYMAN FISHER: Wilma Frey. Wilma Frey, from the New Jersey Conservation Foundation.

WILMA FREY: Which is the mike that's working? (referring to PA microphone)

ASSEMBLYMAN FISHER: You got it.

MS. FREY: Okay. Thank you.

Thank you very much, Mr. Chairman and Committee members, for this opportunity to speak. My name is Wilma Frey, and I'm the Highlands Project Manager for the New Jersey Conservation Foundation, and I also serve as Project Director for the New Jersey Highlands Coalition.

NJCF is a statewide, member-supported, nonprofit environmental policy organization and land trust, whose mission is to preserve land and natural resources in the State of New Jersey for the benefit of everyone. NJCF strongly supports the renewal and strengthening of the Garden State Preservation Trust this year with funding from sales and use revenue, as proposed in ACR-10. We appreciate your leadership in taking on this issue, which is of enormous importance to the citizens of our state. Renewal of GSPT funding is critical to the future of the New Jersey Highlands and its water supply, which provides 65 percent of the state's drinking water to 5.4 million New Jerseyans in 16 counties.

Unfortunately, the Trust is, as we've seen, running out of money. At the same time, the New Jersey Highlands continue to face intense development pressure, losing approximately 3,000 acres of forest and farmland per year to development. Even though we now have the Highlands Water Protection and Planning Act -- and we are extremely glad that we do -- land preservation through acquisition is still essential. Strict DEP regulations limit development in the region, but only in half the region -- the preservation area. And even there, inappropriate, grandfathered developments and exemptions that can destroy critical forests, water, and wildlife resources can be remedied only by a buyout. Regulation is often not adequate to protect critical resources such as water supply or threatened and endangered species habitat. And regulation cannot provide public access for recreation; and the recreational resources and opportunities in the Highlands are substantial.

In the Highlands Planning Area -- the other half of the area -- which is not subject to the DEP regulations, there is a race going on

between development and preservation. For example, in the farmland in the Highlands, three-quarters of that farmland, over 80,000 acres, is not preserved at this time.

NJCF and the New Jersey Highlands Coalition have identified 17 “Highlands Critical Treasures,” which I brought this map along (indicating). The list of the treasures is here. These are areas whose resources need protection from unmanaged growth and sprawl. Most of these treasures have a core of public land, and many extend across municipal or county boundaries. Examples of these resources include the Wyanokie Highlands in Passaic County, which is the watershed of the Wanaque-Monksville Reservoir system. In that area, we are seeking Federal funding through the Highlands Conservation Act for several important parcels, and this requires State matching funds.

In Sparta Mountain South -- this is the Wyanokie Highlands up here in Passaic County (indicating). In the Sparta Mountain Greenway and Sparta Mountain South, that area is the State’s priority Federal Forest Legacy project area. Over a thousand acres of outstanding forest land are on the target list for -- where we’re trying to get Forest Legacy funding; and there has been Forest Legacy funding in the past for part of this area. These Legacy funds also require a match by the State.

The Rockaway River Watershed provides the water for the Jersey City Reservoir system, the Boonton Reservoir. This is located in Morris and Sussex County, and there are many places there that -- where it remains seriously threatened by development. The headwaters of the North and South Branches of the Raritan River -- which are in Hunterdon and Morris counties -- that’s the source of supply -- those headwaters are the

source of supply for the State's Spruce Run/Round Valley Reservoirs System; and the Elizabethtown Water Company's service area for over one million people. Though those headwaters need to be protected -- very important parcels in there need to be protected.

In Warren County, the Musconetcong River, Pohatcong Creek, and the Pequest, which has its headwaters in Sussex County, provide-- They have the aquifers which provide the well water for those county residents, and there are important places that need to be protected there. So there's an awful lot that needs to still be protected in the Highlands, and we need acquisition as a very important tool to do the job that needs to be done.

We support the inclusion of funds, as well, for operations and maintenance. State Parks and Forests, Wildlife Management Areas, and historic sites -- as well as local parks -- certainly require maintenance, upkeep, and management to preserve the features and the resources that the public intended for protection.

While GSPT has been a tremendous success, the need has vastly outstripped the available dollars. In order to adequately meet acquisition capital and operation needs, we need to dedicate at least \$206 million annually. And this would provide 150 million a year for acquisition and 56 for operations and maintenance. And we certainly could use more. That is absolutely true.

To conclude, we thank you very much for your consideration of our comments, and hope very much that the Committee will report this out favorably and that it will go on the ballot in November.

Thank you very much.

ASSEMBLYMAN FISHER: Thank you.

ASSEMBLYWOMAN KARROW: I have a question.

ASSEMBLYMAN FISHER: Assemblywoman.

ASSEMBLYWOMAN KARROW: Wilma--

MS. FREY: Yes.

ASSEMBLYWOMAN KARROW: --just one quick question.

Would NJCF and the Highlands Coalition support Senator Littell and Assemblywoman McHose's request to dedicate 25 percent of acquisition money to the Highlands?

MS. FREY: Well, we certainly would like to see as much as possible go to the Highlands. I guess the question was asked before, how much is already being -- what's the proportion that's already being spent?

ASSEMBLYWOMAN KARROW: Yes. It's only a couple of million.

MS. FREY: We certainly wouldn't want it to be less, the proportion. We would hope that -- it's obviously our top priority area at the moment. So I can't really say specifically whether we would support that specific number and so forth.

ASSEMBLYWOMAN KARROW: Okay. Thank you.

ASSEMBLYMAN FISHER: Thank you.

I'm going to call on Eric Stiles next, from the New Jersey Audubon Society.

MS. FREY: I'd like to leave this map with you, if you'd like?

ASSEMBLYMAN FISHER: Certainly. Thank you. We'd like to see it.

Eric.

Once again, please try to limit yourself to two to three minutes so that we can have more speak tonight.

ERIC STILES: Thank you, Mr. Chairman--

ASSEMBLYMAN FISHER: Thank you.

MR. STILES: --and Assemblymen and women. I've lived at both poles of the state. I grew up in Atlantic County; I went to college at Stockton down in Atlantic County; worked on the Delaware Bayshore and the Pinelands; now I live up at the north poles. So I don't know if that makes me bipolar (laughter), but I like both poles, and have learned a lot about the state. I've lived here my entire life, and I hope to be the Stiles that stays in this state instead of fleeing from development.

I'm with New Jersey Audubon Society. My name is Eric Stiles. I'm Vice President of Conservation and Stewardship. We were founded in 1897 and have 23,000 members. I'm here tonight in two capacities. And also part of my background -- from 1993 to 2001, I worked at the State Department of Environmental Protection with the Division of Fish and Wildlife, so I can speak very closely about the need for stewardship funds. I think there's been some great questions that have been raised tonight about why we need to fund that.

First of all, just for points of clarification, Mr. Pringle referred to a letter that was provided by myself, just to the staff for this evening, on behalf of over 90 groups. These are organizations from urban environmental justice organizations, statewide land trusts, statewide advocacy groups that are strongly supportive of ACR-10. We represent hundreds of thousands of members. So I want to stress that we hope that some of the packet of information, that you'll see, that accompanies that

cover letter will provide some of the background information as a portal, if you will, to why we need the funds for the acquisition capital and funds.

Just to read some relevant excerpts from the cover letter: “On behalf of the New Jersey – Keep It Green Campaign and our individual organizations, we are submitting this letter in strong support of ACR-10, which amends the Constitution to dedicate up to 175 million annually from Fiscal Year 2009 to Fiscal Year 2038 for the preservation of open space, farmland, and historic sites” -- I think there’s good questions from this Committee in regards to the extent of that coverage -- and for “the operation, maintenance, and stewardship of these sites.”

I want to stress that, from a business-model perspective, if we only invest in one or two, it’s like buying a one- or two-legged tripod -- the system falls down. We have a business paradigm in New Jersey -- it’s open space, closed for business. I can take you to site after site throughout the state, whether it’s a new South Branch Wildlife Management Area out in Hunterdon County; lands that are being purchased in -- I’m sorry, in Hunterdon County; lands purchased by the State recently in Cumberland County, where we have the lands purchased, but it is not available for the business sector to capitalize on, it is not available for the residents to use. There is no parking lots, they’re not safe and accessible, there is no infrastructure.

Again, I want to get at the private side here of the outdoor tourism in New Jersey. When you look at wildlife watching in New Jersey, 1.9 million residents -- this is from the U.S. Fish and Wildlife Service, 2001; they update this information every five years. One-point-nine million people watch wildlife. It’s a \$2.25 billion industry.

Now, I just met with Trump Plaza yesterday, with their vice president for operations. When I throw these numbers at the casino industry, they're blown away. We rival-- The outdoor tourism industry is larger than the casino industry, as far as the amount of money it brings into the State coffers.

When you look at saltwater fishing -- again, very large in the Delaware Bay and South Jersey -- you're looking at 1.1 million users; \$851 million is the total economic output. Again, the money coming in through taxes from saltwater fishing -- 68.4 million; the money coming in from wildlife watching, again, is 47 million. If you include freshwater fishing and hunting, you're looking at \$150 million. This is a huge industry in this state. We need the investment in this as part of our economic portfolio.

My family fled Long Island for a reason. It's no longer a livable community. There is no neighborhood open space. This is an environmental justice issue; this is an economic sustainability issue. Not only should it be a right for every resident to enjoy this in their community, but it's part of your economic portfolio for sustainability and growth.

Now, I want to stress that, as everyone has identified, that the Trust is running out of money. We need to invest now. They stopped making land in New Jersey a long time ago. We're going to be the first state to run into build-out in the country. We need to make these investments now. If we put off and delay both acquisition and operations, there is a scale-of-order magnitude. It costs huge amounts of money if we let these farm fields that we purchase go fallow, like the South Branch Wildlife Management Area in Hunterdon County. The cost per acre to remove invasive species from that site in Hunterdon County is

astronomical. Because we did invest in the stewardship up front, there are huge downsides to not making that investment. Again, I liken it to this: You buy the land, you have your park. You gather the capital money, you put in your nature center. You have a staff now that makes that safe and accessible for families, for urban school kids, Delaware Bayshore school kids, Cape May County kids, kids in Sussex County; to come to make this a place that is really part of the fabric of the community, but that the private sector can really capitalize on. The private sector is there in support.

We also have over 60 municipalities that are in support of ACR-10. We've submitted that information. We had a local mayor's press event last week in Trenton to indicate the broad support for this resolution. So I want to stress that there is very strong support for this.

I think there is a number of very fundamental, seminal questions that the Committee members are asking themselves about. Should we dedicate 25 percent right now to Highlands? New Jersey Audubon would say no. That's part of the discussion in the enabling legislation. What we want to do is put this big pool of money on the table right now for all of those purposes, and the time to have these discussions-- And I think that this Committee is right to collect the information now, but I don't think we want to bind ourselves in the constitutional process, to earmark or portion at this point in time. I think it makes sense to -- I'm just going to offer my opinion -- but it really makes sense for us to create this large pool of money, to lay out the variety of reasons that we'd use that, and let the enabling legislation and appropriators make those decisions at that time.

New Jersey Audubon is in very strong support of the Highlands. We think that a lot of money needs to go here, but I don't think the Constitution is a place that we engage in appropriation decisions.

So maybe I'll just wrap it up, and just say that we have provided information to the Committee which represents a summary of information. The Governor's Task Force, if you will, the working group on this issue -- this is a summary about documentation. I know Assemblyman Fisher received that -- that's about four inches in length -- that provides a lot of information in regards to the justification for the previous spending levels, the anticipated need of spending levels, the reasons for doing all the right things which you are doing.

And we really applaud this Committee for the leadership on this very important, both, business issue, quality-of-life issue, water protection issue facing our state. We recognize this difficult fiscal climate, but if we don't make these investments now, we won't have the infrastructure for tomorrow.

ASSEMBLYMAN FISHER: Thank you.

I just have one question about the observation of birding and habitat observation. In terms of the birding population, is it mostly due to migratory birds -- that we have these spots within the state that must be preserved or we lose that opportunity for them to continue their migration?

MR. STILES: That's a good question. And what's interesting to me, as an ecologist, is the same areas that you'd purchase for -- whether it's an urban migration stopover, that becomes your community park, that also protects the water. So the reasons that we may select that site,

different groups, are going to be myriad, but we are all selecting the same spots.

But as far as migration, it's a sole-source vendor. We have this incredible location on the Atlantic flyaway. Tens of millions of birds are flying through. And as they're descending about 4:00 in the morning, they're hitting the only patches that are available. So if you're in the Highlands, you're going to have a lot to pick from. If you're in a place like Weequahic Park in Jersey City, if you're on the Camden Waterfront, you have more limited options. But it really creates an incredible opportunity to view the variety of avian species during migration, from inner cities to our most rural areas.

ASSEMBLYMAN CONAWAY: I've heard it, twice now, about the need to deal with invasive species in order to protect the financial outlay, the cost outlay in the future, for not dealing with them in advance. Are there other pressing maintenance needs which you would argue need priority in terms of operations and maintenance? Because I do think that there is an important tension that needs to be considered, between trying to get the land in preservation as quickly as possible -- which means we need to get as much money in that arm of the program, as much as you can get there early. Are there other very pressing things that need to be put aside for operations and maintenance?

MR. STILES: Yes. I think that's a great question.

The needs for operations are myriad. One could be for water quality. You purchase a farm where someone had been grazing in that stream, which feeds into a drinking water which provides 900,000 people

with their drinking water supply, you want to engage in revegetation to really decrease the runoff, whether it's saltation contaminants--

I think other places where you really need to take a look at investing and operations are places like urban nature centers. Weequahic Park -- you have these opportunities for really reinvesting in our communities. If we, as the Legislature and this Governor, signify the intent that we want to redirect development to these urban areas, we need to make them livable communities. That means these parks need to be saved, they need to be accessible as part of your -- whether you're working -- Gary Rose, working the Economic Growth office; the legislators that are providing all sorts of incentives for this to occur. If we're going to protect places like the Highlands, we need to create places that people want to live.

ASSEMBLYMAN FISHER: Thank you, Eric.

MR. STILES: Thank you for your time.

ASSEMBLYMAN FISHER: Tom Wells, from the Nature Conservancy.

Good evening.

T O M W E L L S: Good evening, Chairman Fisher and members of the Committee. Thank you very much for coming all the way up to North Jersey. I'd like to echo the sentiments that Dave Pringle had stated before. I think it's really a testament to your concern about this whole issue that you're willing to travel so far and on these numbers of nights. I know you're going to be in Princeton next week, as well.

I'm going to try to bypass some of my introductory comments in the interest of time, but I will state that the Nature Conservancy is a member of the Keep It Green Campaign, and we fully support the

comments that were made in the package of comments delivered to the Committee earlier this evening.

I think what I'd like to focus on is some of the experience of the Nature Conservancy, in particular using GSPT funds -- how we've been able to use them and what we see in terms of the future need there -- just to sort of bring it down to a case example.

But our mission at the Nature Conservancy is to preserve the plants, and animals, and natural communities that represent the diversity of life on Earth by protecting the land and waters they need to survive. And we have chapters in all 50 states, 28 foreign countries. We've done a lot of preservation around the country and also the world. But right here in New Jersey, we own and manage 36 preserves, many of them in your district; totally, over 21,000 acres that are available to the public for activities such as hiking, photography, and nature study.

The area of our preserves is roughly equivalent to the size of one of our larger county park systems in the state. And in one of our preserves, we are a Cape May migratory bird refuge. We have over 350,000 visits a year where nature lovers come by the busload to witness the miracle of shore-bird migration for which the Delaware Bay shore is so famous. So I think that gets to Eric's point of linking eco-tourism with the economy. It really -- clearly, these people come to see, to witness the wildlife in some of the areas -- more -- or less developed areas of the state are really part of the engine that drives our recreational economy in the state.

And in addition to preserving or managing the 21,000 acres that we have, we've also worked with other groups, including the State, to preserve an additional 21,000 acres. Many times we partner with the

Department of Environmental Protection on projects where it makes more sense for us to do the acquisition for one reason or another -- maybe the landowner doesn't like the State, or whatever it might be. But much of our preservation work would not have been possible without the financial assistance of the Green Acres Nonprofit Matching Grants Program, which, since 1999, has received its funding from the GSPT. We've received over 6 million in Green Acres matching grants to acquire nearly 90 separate parcels, with a total area of over 6,000 acres, to create and add to 18 different preserves that we manage around the state.

In 90 separate parcels -- that speaks to a lot of work in terms of identifying the owners, working with the owners, bringing them to closing, those kinds of things.

We have some limited remaining funds that Green Acres approved, but they're already targeted to existing projects that we're working on. And as we've spoken about earlier tonight, we've been informed by Green Acres that there will be no more nonprofit grant round, absent a new source of funding.

So this is of great concern to us, because we've recently completed a one-year conservation planning process that indicates that we need to preserve an average of -- about 750 acres per year, in the coming years, to complete acquisition of preserves we own, and possibly create several additional preserves. And at an estimated \$2,500 per acre -- which is laughable in this part of the state, but I know down in Cape May and Cumberland we are able to obtain land at fairly reasonable amounts. But even at that conservative figure, land costs alone would be \$18 million over the next 10 years, which we can't afford to take on ourselves, because we

have operating issues and stewardship issues that have been talked about earlier.

And so -- and we feel that if we don't have that additional funding, the integrity of the preserves that we've begun to create and that we're in the process of creating will be damaged by development, or simply by the fact that we can't manage certain areas within our preserves. We operate on a willing-seller basis, so we can only buy the land when it's available, when the seller wants to sell it to us. So if you look at a map of a lot of our preserves, you'll see a checkerboard. We buy it when it's available, when we can make the deal. But there's all sorts of areas within those preserves that need to be preserved to make a contiguous preserve in the long-term.

So we believe that the Green Acres Nonprofit Matching Grants Program is a true partnership between the nonprofit conservation community and the State, which has yielded many thousands of acres of protected open space lands, that are available to the public for public enjoyment, at half the cost that the State would have otherwise had to spend in public dollars. We've managed to match their Green Acres funds dollar for dollar, as the other nonprofits have as well in their acquisition and preservation programs. In addition, the preserves that we own, and other nonprofits own and manage, are managed at no cost to the public, which also results in a huge savings to the taxpayers.

So we would urge the members of the Committee to move forward with ACR-10, to provide the voters with the opportunity to approve it in the Fall. We're quite certain that there's tremendous support for this, and that if it goes onto the ballot it will be approved.

So thank you very much for coming up tonight.

ASSEMBLYMAN FISHER: Thank you, Tom.

All land that you provide the stewardship for, the management of, is it all open to the public at all times?

MR. WELLS: There are some areas where we have issues -- where we have globally endangered plants, where we don't want people going in and collecting those plants and taking off. Because once those locations of those plants are known, they're gone. But yes, all of our preserves have some level of availability to the public. Some, like the Cape May Migratory Bird Refuge, is completely open. We're doing a big renovation project there to preserve the wetlands and to provide better access. So we try to provide as much access as possible. There are some areas that we try to limit public access on a spontaneous basis because of the resources that are on the preserve.

ASSEMBLYMAN FISHER: Look, I mentioned that to you because I hope that you'll constantly keep that in your thoughts, in terms of that; because we hear that at times -- that people want more access and they're not able to get to it.

MR. WELLS: Right.

Well, I mean, some of that goes back to the issue that Eric talked about a little bit earlier -- in the stewardship. And we think that although-- We, actually, when we buy property-- Every piece of property we buy, we set aside 20 percent of the market value of that property for long-term stewardship. And we put a stewardship endowment away to try to create an opportunity for us to have an ongoing management presence on the land. But that only provides--

First of all, some of the preserves that we bought were bought before that, so we didn't have that set-aside. And secondly, the needs of management and stewardship are tremendous in this state. The invasives that were talked about before-- Deer herbivory up in this part of the state is rampant. And so for larger projects, or capital projects that we might do -- like a full-blown restoration of a farm site or whatever it might be -- we think perhaps the Trust could help in that regard too. At this point, we don't receive money for those kinds of things. But if we're given a little bit more money for stewardship, hopefully we could open our preserves up to a little more public access.

ASSEMBLYMAN FISHER: Thank you.

Dr. David Cowell, from Advocates for New Jersey History.

Good evening.

DAVID A. COWELL: Good evening.

Thank you, Chairman Fisher.

The Advocates for New Jersey History is eager to speak to the issues in the legislation, and pledge their support for the passage of this bill and the subsequent Constitutional Amendment. And we stand with all the rest of the environmental groups and the Keep It Green movement. And we will, in fact, get this thing through, once it's through the Legislature.

I have good news. This is the 40th anniversary of the founding of the New Jersey Historic Trust and the Historic Sites Council. So we're celebrating, this year, the beginning of this whole movement. It was a very progressive piece of legislation signed by Governor Richard J. Hughes. And this was very visionary legislation that has actually worked. The Historic Trust is the most successful bricks and mortar program in the United

States. And its laws, programs, and professional standards are reflected in preservation, zoning, and conservation laws across the nation.

Moreover, it opened up the minds of the people in New Jersey about what it might mean to preserve and to conserve. Nobody, today, denies the fact, or would even doubt the fact, that this was an environmentally enabling and, indeed, empowering idea. If you want to think of it just in terms of the historic development, think of it in terms of words that you did not hear 40 years ago, such as *housing rehabilitation* programs, *adaptive reuse* programs, *revitalization of downtown* programs; incorporation of, in fact, land-use planning into zoning laws, protection of properties laws, and now the newer concept that's sweeping us and also across the United States -- the notion that stewardship is an important component of preservation and conservation. All of this began with the Historic Trust and the Historic Sites Council.

I'm going to not read all of my notes, because I don't want to tax your time here. But I do want to point out what the economic impact is here. This year, we received 148 qualified and worthy applications that cost every one of these applicants several thousands of dollars to complete. They totaled, on their approved basis, \$34 million in funding. The Trust had only \$11 million available for the grant round, and therefore -- even though we stagger these things, we break them into annual grants, we go out and match them in every other possible way -- we could fund only about one-third of the entire funding need that is demonstrably there and qualified.

In the past, when this bonding issue was new, we were able to meet about 40 to 50 percent of that funding. We're not making a third

right now. With \$175 million in there, and presumably the same formulas at work -- which is what the Coalition is thinking of -- we will increase the amount for History to about \$26 million. We will meet, at that point then, about two-thirds of the demonstrable demand. This is a big step forward for us, because we have been losing ground steadily in our funding.

The increased interest in heritage tourism throughout the state means that more and more municipalities must look for sources of funds to restore and rehabilitate municipally owned or controlled historic structures that can be used to improve street scapes and provide venues for potential visitors, such as this building, which was saved as an old institution that has been turned into a community center. Without increased funding, New Jersey will lose its ability to compete in the booming heritage tourism market. And our citizens will take their money with them and spend it in other states.

I presently serve on the newly created Governor's Task Force on Heritage Tourism, which is just beginning its work now and is about to update the economic impact study of historic preservation in New Jersey. At present, we know so many jobs are tied directly to the preservation activity. And so great is the impact on surrounding community economic activity that the return on public investment was demonstrated to be, seven years ago, greater than three-to-one. Every visitor to heritage sites spends dollars in New Jersey to buy gas, shop, eat in restaurants, stay overnight, and take in a play, theater, music, or other cultural activities. We live within five hours drive of one-third of the entire United States population. And it's the most affluent population. If we want to maintain our position

and maintain our second largest industry -- which is tourism -- this is an essential element of investment.

We also live within blocks of our built environment, and define our communities by what they look like, and by their past and their present; by their possibilities for recreation, education, cultural and religious fulfillment, and physical enjoyment -- just as surely as by their environmental and employment opportunities, and economic structures. It is through conservation and preservation that we have made New Jersey green, culturally rich, and enjoyable -- our home, and our hometowns, and cities. No state faces, or has faced, the challenges brought about by such high population density, older economic infrastructure, and multiple layers of government as well as we. And we give thanks to the concerted efforts of the preservation and conservation committees of the Legislature, and to their dedication to conserve open spaces, historic sites, structures, and farmlands.

One issue that has been raised in this hearing here had to deal with the question of whether or not we should just purchase lands and then worry about stewardship later. This is not an option for historic preservation. The buildings we get, most often than not, are already in advanced deterioration. We restore them, and we've got to keep them there. You've got to keep the water out, or you will be restoring them again.

Let me give you just a painful little example. We have, in this state, preserved almost every one of our lighthouses -- the only state that's been able to do it. And this has greatly reinforced our tourism industry all over the coast. However, the one in Cape May cost \$12 million to restore

and paint. Eight years later, after the weather in Cape May, that building needs it again. The Cape May community raised that money after a considerable effort. And now, eight years later, is asked to come up with about the same amount of money again. They can't do it. They need stewardship funds. We can't build these things, and restore them, and open them up, and put in programming, and exhibits, and docents, and interpretation plans; and then have the buildings fall down around us.

If you can't see it in the private sector -- which this Historic Trust funds -- look in the public sector. Look what's happened to our State-owned historic sites without stewardship funds. Look at the condition of them. How many of them would you rank with Williamsburg, with Valley Forge? Because we never thought in terms of stewardship.

Now, if we want a heritage tourism industry, we need stewardship funds. It's that simple. We can't go forward, and we can't sustain our competitive position in the fight to get the tourage dollar. And that affects everyone.

I'll give you one final, small example. When we started with the Friends of the State House, we started working in the State House. There was no place for the tourists to go, neither chamber was restored, none of the building pieces were restored, and the dome was falling in. If you live in Mercer County, and you live in Trenton today, and you say to -- "How do I get to so-and-so," they will say to you, "Well, you see that dome? You go over to that direction, to this many blocks, and then you turn in this direction." We have identified Trenton in people's minds now by restoring a dome. We've given that community a sense of being there.

There was no stewardship of the State's own capitol building. That has all come from the private community.

But we have to face the fact that if we want to be in the business of heritage tourism, we want to be in the business of environmental tourism, we need stewardship, certainly in the historic area.

I thank you very much.

ASSEMBLYMAN FISHER: Thank you. And thank you for all your hard work.

Carolyn Kelly, Committeewoman from Bernards Township.

Hi.

CAROLYN KELLY: Thank you.

Good evening, Mr. Chairman, Assemblymen, and folks.

My name is Carolyn Kelly. I am a Committeewoman in Bernards Township, New Jersey, serving in my seventh year. In 2005, I served as their mayor.

This evening, I'm also here on behalf of one of the boards I serve on -- as liaison to the Friends of the Kennedy-Martin-Stelle Farmstead, a project that was -- that received a Historic Trust grant in 2005.

This evening, I'm here to speak in favor of A-10 and the importance of the renewal of the Garden State Trust Fund. Bernards Township is a town of roughly 24 square miles. We have approximately 28,000 residents. And the town, itself, and its residents value open space, farmland preservation, and historic preservation. We're also a town that is in the Highlands. Most of it is within Region II. So we are also facing tremendous pressures from the development community.

Twenty years ago, our town was a farmland community. Today, we are a-- We have often been called *rurban*. We're a suburban community that still has some rural tinges. But we are losing more and more farmland and open space.

ASSEMBLYMAN FISHER: What's that term?

MS. KELLY: *Rurban*.

ASSEMBLYMAN FISHER: *Rurban*.

MS. KELLY: Yes.

ASSEMBLYMAN FISHER: It's rural and suburban?

MS. KELLY: Rural, and suburban, and urban.

ASSEMBLYMAN FISHER: And urban.

MS. KELLY: A little bit of everything.

ASSEMBLYMAN FISHER: That's a new one for me.

MS. KELLY: Well, unfortunately--

ASSEMBLYMAN CONAWAY: You heard it here first.

ASSEMBLYMAN FISHER: That's right.

MS. KELLY: --that's an old term in our town.

Let's see.

We have a municipal open space trust fund that goes through 2017, and it was funded by a referendum in our town. We have citizen boards for the preservation of open space, parks and recreation, farmland preservation, and, finally, historic preservation.

In 2005, Bernards Township applied for and received a very generous, thank you, grant from the Garden State Historic Trust for the Kennedy-Martin-Stelle Farmstead. This was at the request of the Friends of the Kennedy-Martin-Stelle Farmstead group, which grew out of a task force

of residents. Through our trust fund, we purchased a 36-acre parcel of land, which is now known as Farmstead Park. The Farmstead buildings, which are being preserved by this group of Friends of the Farmstead rest within -- reside within this park.

I think the Garden State Trust is so important because, by issuing our town this grant, it offered a level of optimism, hope, and legitimacy to this project. And it is our goal to make sure that the park, and the buildings within the park, are open for an adaptive use of arts education and citizen assembly. The park is open now to the public. So anyone can access it if they care to walk the property.

So most of the folks here tonight are with associations that you probably are very familiar with dealing. I just wanted to come, as a citizen and a representative of my town, to encourage you that the Garden State Trust Fund should be refunded, and established, and extended through 2018.

I know you have a very difficult decision to make, and these are tough fiscal times in the State of New Jersey. But I do believe that the residents value parkland. Residents of New Jersey value parkland. And by funding these efforts, we will be giving our citizenry a tangible result to carry on through the end of the next century. So I encourage you to go forward with your project.

Thank you.

ASSEMBLYMAN FISHER: Thank you for coming out tonight.

MS. KELLY: You're welcome.

ASSEMBLYMAN FISHER: Dorothy Hartman, Save Ellis Island.

We have your testimony.

DOROTHY W. HARTMAN: Good evening, Assemblyman Fisher and members of the Committee.

My name is Dorothy Hartman, and I serve as Director of Education and Public Programs for Save Ellis Island. And I wanted to bring to you tonight a case study of how the New Jersey Historic Trust Fund has been used on New Jersey's portion of Ellis Island.

We are a not-for-profit, dedicated to rehabilitating and beneficially reusing the 29 remaining buildings on Ellis Island, located on the 22.5 acres that are now under the sovereignty of New Jersey, due to the Supreme Court decision in 1998. And I am here tonight to strongly urge the renewal of the Garden State Preservation Trust.

Save Ellis Island has received two grants from the New Jersey Historic Trust, one in the amount of a little more than \$700,000 towards the restoration of the first floor, of what's known as the Laundry/Hospital Outbuilding on Ellis Island; and another \$50,000 grant in historic site management to further the interpretation of some significant interior spaces in those hospitals, namely an operating room, a ward -- including an operating room, a ward -- measles ward, and a psychiatric ward, among others. These grants have been instrumental in helping us leverage additional funds, both public and private, necessary to complete the work towards significantly advancing Save Ellis Island's goal of opening Ellis Island's south side to the public for the first time in 50 years.

On April 2, we will celebrate the complete restoration of the Ferry Building, the first building on Ellis Island, which will house an exhibition called "Future in the Balance: Immigration, Public Health and

the Ellis Island Hospitals.” The Ferry Building and its exhibit are the gateway to the Ellis Island south side. With the support of the New Jersey Historic Trust, the first floor of the LHOB and the next building along the south side’s western spine, including the restored corridor, will be restored and opened with the exhibits. This building, along with the rehabilitated corridor, will allow the safe public access to the Great Lawn, around which the rest of these hospital buildings are located.

We will continue to work closely with the New Jersey Historic Trust as we rehabilitate and restore the additional buildings, to achieve our goal of returning all these buildings to the public and completing the Ellis Island story.

Renewal of the Garden State Preservation Trust is not just crucial to our very large historic preservation project. New Jersey is now the most populated state in the nation, with the associated issues of sprawl, decreasing amounts of green space, and threats to the historic-built environment. Combine these factors with the depth and range of history and historic sites in the state, the neighborhoods of historic housing in urban and suburban areas, and the importance of preserving New Jersey’s rural landscape and buildings; and it becomes evident that the Garden State Historic Preservation Trust is crucial to preserving the state’s heritage. And since the Trust program requires matching funds, the leverage provided by these grants also encourages additional support, and consequently raises awareness about investing in the physical manifestations of our state’s unique heritage.

On behalf of the Board, staff, and membership of Save Ellis Island, thank you for this opportunity to testify this evening. We strongly

support renewal of the Garden State Preservation Trust at the highest funding level.

Thank you.

ASSEMBLYMAN FISHER: Thank you.

And I had the opportunity to tour those 29 buildings with Speaker Sires. I guess that was a few years ago.

MS. HARTMAN: A few years ago.

ASSEMBLYMAN FISHER: And you have a big job ahead of you.

MS. HARTMAN: We do. And we invite you to come back. Come and see the newly restored building and the exhibit, and see what progress we've made in the last few years.

ASSEMBLYMAN FISHER: Great. I'd love to.

MS. HARTMAN: Great. Thank you very much.

ASSEMBLYMAN FISHER: We can arrange that for the members of the Committee.

MS. HARTMAN: Good, good, good.

Senator Kenny, I know, is working with the Assembly and Senate to do a tour.

ASSEMBLYMAN FISHER: Great, great.

MS. HARTMAN: So I'll be in touch with his office, and we'll get you that information.

ASSEMBLYMAN FISHER: I know my family came through there, but I don't know what year. I have no idea. (laughter)

I can't read this name.

David Einstein (*sic*), Morris Land Conservancy.

How do you pronounce your last name?

DAVID EPSTEIN: Epstein.

ASSEMBLYMAN FISHER: Oh, Epstein.

She made you Einstein. (laughter)

MR. EPSTEIN: That's my terrible writing. Sorry about that.

Well, thank you very much for having me here this evening. My organization, Morris Land Conservancy, is a member of the Keep it Green Coalition. We strongly support ACR-10. We're a non-profit land conservation organization. We've preserved over 10,000 acres in the last eight years. We also have helped towns and counties produce 48 open space and farmland preservation plans. And most of the success that we've had has really been due to the funding from the Garden State Preservation Trust. And that's why we support ACR-10 and renewing the GSPT.

If we don't renew the GSPT, we're going to lose the momentum, statewide, that we've had over the last eight years. And I wanted to give you a few examples of some of the projects, that we hope to be involved in, that are not going to go forward without the State funding.

We've helped form the Watershed Preservation Partnership around the Wanaque and Monksville reservoirs, which provide drinking water for two million people here in New Jersey. And last year, we preserved our first property there -- 51 acres. But our future preservation projects there are not going to be able to go forward without this funding.

We also are working on a project just a couple of miles from here -- in partnership with East Hanover, with Parsippany, with Morris County, the State of New Jersey, the U.S. Army Corps of Engineers -- at Troy Meadows. It's 2,000 acres of wetlands. It's an incredibly important

area to wildlife. It produces water for drinking here in Morris County. And it also helps stop flooding in a very, very flood-prone area here. But, again, this project is not going to be able to be completed without more State -- without additional State funding.

Finally, of course, with the Highlands Act, we've had numerous Highlands' landowners come to us wanting to preserve their property. In many of these projects, we are not able to help these landowners, because there is simply not enough State funding left at this point to move forward.

The GSPT is one of the State's most successful programs. And one of the reason is, it's provided remarkable leverage. Two hundred and twenty-five towns -- every one of our counties have developed their own funding sources to match the State funds, because they want to use the leverage of the GSPT. We've also attracted an enormous amount of Federal funding, corporate funding, foundation funding, and individual funding because of the GSPT. It's not just the State funding, but all of the other funding that it's attracted that has made this such a successful program.

For these reasons, we strongly support ACR-10 at the \$175 million level. We hope you will consider raising that to \$206 million. One of the earlier speakers, Mr. Pringle, mentioned the \$381 million that is needed that we have identified. The \$206 million level, if we bond it, will get us to the \$381 million that we need to do the acquisition, the stewardship, farmland preservation, each of the things that we've talked about here.

The renewal and strengthening of GSPT at this level provides an enormous amount of continued success here. With GSPT funds, we've had really tremendous diversity in what we've been able to preserve in our

natural cultural heritage, including farmland preservation that's preserved our food supply, wetlands that store our flood waters, wildlife habitat, recreation fields, historic buildings, and watershed lands that preserve our drinking water.

The GSPT has really helped make New Jersey a better place to live, work, and do business. But the job isn't done. And that's why we're so glad that you're here tonight. Due to our strong economy, we are now in a race for open space, where all the private lands that we have -- and don't preserve -- are in danger of being converted to development. And to win this race, and keep New Jersey as a great place to live in the future, we need to renew the GSPT.

For these reasons, the Morris Land Conservancy strongly supports ACR-10 to renew the Garden State Preservation Trust this year. Land preservation is too important to a state like New Jersey to wait.

Thank you very much for the opportunity to be here tonight.

ASSEMBLYMAN FISHER: Thank you.

ASSEMBLYMAN ALBANO: Thank you.

ASSEMBLYMAN FISHER: Susan Buck, from Oxford.

S U S A N B U C K: Correct.

My name is Susan Buck. I'm a landowner in Oxford, New Jersey, about 30 miles west of here.

I think the Garden State Preservation Trust has been a wildly successful program. I mean, it's one of the few things that, I think, has sliced across all parts of the population: urban, suburban, rural. I think we all are very, very pleased with the way it has gone. We've gotten parks in the urban areas; we've gotten people, out in my neck of the woods, who are

ready to retire and don't want to have their land developed, have a way to get enough money out of the property, and not have it developed, and still retire and live happily ever after.

I think there are a couple of elements within the program that we could take a look at and improve. Stewardship is one of them. I mean, I think we could get more creative with our stewardship programs across the country. I won't try and get into any of the details. And I apologize for not being able to have written comments. But I can do that one of these days.

But there are stewardship programs that exist that basically pay landowners a fee. You don't have to acquire it, you don't have to have an easement. It's temporary in nature, maybe 10 years, 20 years, or something like that. It gives the government and agencies a way of making sure the land doesn't get developed while they either raise more money; or maybe it can go on forever. But at a relatively low price, it gives the landowner a way to hold onto it without being bankrupted by taxes, and this and that. So it's an incentive to not sell out to developers.

I think stewardship belongs much more in the private sector than where it is right now. The State always has trouble with stewardship. I think if you have some vested interest with ownership, you're going to have better success at watching the land be taken care of more appropriately. The more that goes into public ownership, the more dangerous the stewardship issue is, because it's subject to the budget.

I have a little bit of concern over the way we do it with the development rights. I'm also an accountant, and it just bothers me that we take a huge -- billions of dollars worth of assets and retire them forever. It's like digging a hole in the sand, putting your 401(k) in there, and never

taking it back out. It goes out of circulation in the economy; it's not available within the economy to generate more wealth. And I think there are creative things that we can do in the financial marketplace to keep those development rights and conservation easements marketable, and keep them circulating a little bit better than we are right now.

ASSEMBLYMAN CONAWAY: I would expand on that point.

ASSEMBLYMAN FISHER: We don't quite understand.

MS. BUCK: Oh, you don't know what I'm talking about. It's going to go more than three minutes. (laughter)

ASSEMBLYMAN FISHER: I mean, I understand what you're saying, but just--

ASSEMBLYMAN CONAWAY: My appetite is wetted.

ASSEMBLYMAN FISHER: But I'm going to ask you to just do it in a-- We'll bring you at another time. We'll have you come up to Trenton, and you can come speak to the Committee again. But just in a very quick -- just thumbnail -- what are you saying?

MS. BUCK: Part of the assets in the State, and the bundle of rights of a property owner, is the development rights. These are what are most commonly being purchased. It could be conservation easements or whatever -- certain restrictions that are put on that land. The land then becomes devalued in the marketplace. The value of that easement is owned by the State of New Jersey, the Nature Conservancy, whoever, and it gets retired. It's not ever being sold again. It comes out of the net-worth base of the State of New Jersey. So our net worth in this state becomes reduced by the billions of dollars worth of development rights that are retired.

Maybe I can use the TDR program as an example. Those development rights are then sold. Money is made on those development rights. And you can structure deals for moving assets around, where you could turn a profit on it and refund more money back into the system. If the State could sell the development rights that they're sitting on right now, how many billions of dollars would that free up for further land acquisition?

ASSEMBLYMAN CONAWAY: Who is going to buy them? And they're going to sell it for what reason?

MS. BUCK: You have to sort of make it something that's desirable. And that's why I can go back to TDR as a-- I don't want to take up, like, five hours here. But builders will buy transfer -- will buy development rights if you give them the ability to do something that is going to make them money.

ASSEMBLYMAN FISHER: But you want them recycled.

MS. BUCK: They're recycled. And I think there's ways to create markets for them. It's something I think we can think about some day.

ASSEMBLYMAN FISHER: I think if you'd like to maybe submit something to us in written form--

MS. BUCK: I could do that.

ASSEMBLYMAN FISHER: --we'll kind of mull it around.

MS. BUCK: It's just something I think is worth looking into as we continue. If this gets renewed, and this-- It's been a successful program. I think it can be -- continue to be. And we could get more money out of it if we do certain things that way, instead of just paying fee simple.

What else?

ASSEMBLYMAN FISHER: Can't do that. (laughter)

MS. BUCK: Now for the bad news.

That all being said, the truth of the matter is that we don't need to do any of this. Because with one stroke of the pen, the Legislature of the State of New Jersey preserved 800,000 acres without paying a dime. Our only overhead expense there is the \$5 million to run the Highlands Council; another couple million at DEP to keep an eye on the landowners, and fly the planes overhead and make sure we're not messing around with our property.

It was free. We don't need to spend this money. This isn't going to be popular where I live. To tax us to buy our land back is very offensive. We are already seeing the local municipalities-- And this was-- Like I said, this was a great partnership. Local municipalities -- we passed open space taxes. Our counties have open space taxes. We jumped on this bandwagon with the opportunity to put all of our money together and do something.

What are we doing now? We're talking about getting rid of those open space taxes. Why do we need them? Nothing is going to happen to our 800,000 acres in the Highlands -- close to the 800,000 by the time all is said and done. We don't need this program in order to have our land preserved. It's done. It's a done deal.

So I'd like to see-- And there's nothing that this Committee or anybody else could probably do about this. I think the issue with the Highlands is difficult. I don't like to see this bill being used as a political pawn in the whole Preservation Trust. The Highlands should have nothing to do with what's going on here. The Highlands Act funding needs to be

addressed by the Legislature separately. It wasn't funded. It never was. This program doesn't work for the Highlands Act.

ASSEMBLYMAN FISHER: Right. But tonight we're here to discuss ACR-10.

MS. BUCK: Right, but--

ASSEMBLYMAN FISHER: And I-- So--

MS. BUCK: As long as-- That's why I'm opposed to anything in the Highlands being part of it.

Most people in the Highlands don't qualify for this funding. It's a wonderful program, but we don't qualify for it. Most of our property does not have the attributes that make us go anywhere near the top of the list. I have 23 acres. It doesn't qualify for this program, so I've lost everything I own. And that's common. But I just don't want to see it being a panacea, something that's going to take care of all the needs of--

ASSEMBLYMAN CONAWAY: Well, what have you lost? I'm sorry, what-- You still have your 23 acres. What did you lose? I'm trying to figure that out. What did you lose?

ASSEMBLYMAN FISHER: She lost the ability to sell it.

MS. BUCK: I can't sell it, I can't change it. I have 23 acres, and a farmhouse, and a swimming pool, and a barn, and all of that. Guess how much my appraisal is? Two hundred and seventy thousand dollars. The condominiums on the other side of town are selling for more than that. That's if I could get somebody to even buy it. Twenty-three-- It's worth less than it would be if it just had a house on it, because it's an albatross. I have two appraisals. They're both under \$300,000 for 23 acres, and a house, and a swimming pool, and a barn, and a fenced-in pasture. That's

what I've lost. I've lost everything I own. And I've lost 90 percent of my net worth. I've lost 100 percent of my financial freedom. I don't have the ability to get out from under.

So I just don't want this program -- which is a very good program -- to be thought of as an answer to the people out in the Highlands. It's not. It's not an answer to the people in the Pinelands, and it's not an answer to the people in the Highlands. We have issues that need to go in front of the Legislature for discussion. And this program isn't the answer to our dreams. This isn't what we're looking for.

ASSEMBLYMAN FISHER: Thank you.

MS. BUCK: Thank you very much.

ASSEMBLYMAN FISHER: Thank you.

Kurt Alstede and Tom Borden, from the Highlands Water Protection and Planning Council.

KURT ALSTEDE: Good evening, Chairman.

Good evening, everybody else.

My name is Kurt Alstede, and I'm here tonight as a member of the Highlands Council. I'm Chairman of the Agriculture Committee.

With me is Vice Chairman of the Council, Mr. Schrier, who is also a Freeholder in Morris County; and our Deputy Director, Tom Borden.

I appreciate the opportunity to come here before you tonight and speak. And moreover, I appreciate the fact that, as a private citizen, I'm a full-time farmer, and I've never had the opportunity, in 25 years, to address the Agriculture Committee. And so this is a pretty refreshing thing for me to do.

As a private citizen, it certainly would be easy for me to speak very highly in favor of ACR-10. We've personally preserved our farmland -- over 10 years ago, in 1996. And with over 500 acres of production here in Morris County and Chester, almost 90 percent of it now is either permanently preserved or in the pipeline to be preserved through the State's Farmland Preservation Program.

However, I'm here tonight not so much as a private citizen, but as a member of the Highlands Council. And I think it's unfortunate that the Council hasn't had the opportunity, as a part of the Executive Branch, to really interact with the Legislature, since our establishment almost now three -- well, since the Act was passed over three years ago now -- almost three years ago.

I can really appreciate the situation that you're in as legislators right now with the economic condition of the State. As a private citizen, my politics are -- make Guy Gregg look liberal. (laughter) And I can't imagine--

ASSEMBLYMAN ALBANO: Whoa.

ASSEMBLYMAN FISHER: Whoa.

Could you say that again? (laughter)

MR. ALSTED: So when it comes to appearing before you tonight to suggest spending State moneys, in times that are very difficult financially for the State, is very difficult. But as a member of the Council -- as the only member of the Council that actually resides in the preservation area of the Highlands, as the only member of the Council who is a farmer and a business owner in the preservation in the Highlands, and that owns

land in excess of just a home and a single lot, I can tell you that this piece of legislation has a -- is an important component of making people whole.

You've heard a lot of testimony tonight about the importance of the land preservation and historic preservation aspects of what these programs do. But I think something that I'd like to underscore this evening, personally, is the role that this proposed legislation plays in making people whole. The unfortunate reality of the Act -- the Highlands Act -- is that it has changed the way that life goes on in the Highlands preservation area. People who have owned land for generations--

And like you, Assemblyman Fisher, my family started through Ellis Island in '22.

What was once a voluntary means of preserving land has now become the only means of being made financially whole. The Farmland Preservation Program, Green Acres were voluntary programs. You could elect when to do it, when it fit your family planning, when it fit the financial dynamics of your individual situation. Put yourself in the place now, as a person in their mid-60s. Perhaps they've been farming all their lives. They don't have a next generation interested in pursuing the business. They always knew that they had that exit door to push that handle on to sell their land to make themselves whole for retirement. With the restriction that the Act has put in place -- and I'm not here to speak against the Act tonight -- the Highlands Act. But the reality is that the restrictions that are in place now has chained that exit door shut.

So what are the options? Well, the options are perhaps the Farmland Preservation Program, and then hopefully finding a buyer who will preserve -- who will purchase the preserved farmland to use for another

purpose; which goes to ag viability, which is whole other issue. But in order to first preserve it, and at least be made financially whole again, there needs to be funding. And the Garden State Preservation Trust is one component of the funding that we can offer.

And I feel like I've paid my penance tonight, sitting out here for two hours. Normally we're on the other side of the table and listening to testimony, and having people angry at us. And it was very humbling to sit here for two hours to wait our turn.

But we hear consistently from people, "Our hands are locked now. What do we do? What's the timetable? The regulations came immediately. Where's the funding? How are we going to be made whole? We don't mind waiting. A lot of the goals are laudable. But, gosh, we need to see some sort of light at the end of the tunnel."

So I come before you tonight representing the Council to say, very much so, we endorse this. We stated that in our resolution that we adopted to release the draft Master Plan, when we stated that we, "call upon the Executive and Legislative Branches to take the necessary steps to effectuate the fairness and just compensation provisions of the Highlands Act to provide a strong and significant commitment by the State to fund the acquisition of exceptional natural resources, and value lands consistent with the goals and provisions of the Regional Master Plan."

And I understand comments need to be directed specifically to this legislation tonight. But I do want to emphasize that it's just one piece. We've got to get a TDR Bank off the ground. That's going to take money. There are holes in what this Preservation Trust Fund can do in terms of the need to preserve different types of land. It doesn't address people who own

commercial properties, who are left without a way of being made whole, because it doesn't fit any of the dynamics of the programs that are out there now. And it all comes at a time when there are terrible financial dynamics in our State budget.

Again, I admire that you're tackling this. It's a difficult thing. And I hope you appreciate that we're tasked with an almost equally formidable job of enacting the legislation that you put in place and trying to keep these people whole.

ASSEMBLYMAN FISHER: Thank you.

And I would say to you that although this bill could not make everyone whole, it is obviously a piece where we can begin to look for a more fair and equitable treatment for those who have been affected by the Highlands Act. And we're looking to do that.

Assemblywoman.

ASSEMBLYWOMAN KARROW: I have a request. I don't expect an answer. But a request for you, and the other Council members, and your attorney is to put on your thinking caps and come up with a mechanism for the Mrs. Bucks in the Highlands, who have less than 40 acres, that can't get into Farmland Preservation -- is already a piece of land that's got a house on it, so it doesn't qualify for Green Acres, and yet she's lost all of her value if she tries to sell it.

So I request that you think of a way to get those people funded.

MR. ALSTEDE: We have the solution.

ASSEMBLYWOMAN KARROW: You do?

MR. ALSTEDE: We've, long-standing -- have recommended taxing water.

ASSEMBLYWOMAN KARROW: Oh.

MR. ALSTEDE: Again, this is another subject.

ASSEMBLYMAN FISHER: We can't do this tonight.

I mean, it was asked by the Assemblywoman. Send that information, and we'll-- It will be for another time.

MR. ALSTEDE: We'll continue-- We have dialogue with your office, certainly.

ASSEMBLYMAN FISHER: But we just can't do that tonight.

Okay?

MR. ALSTEDE: Much appreciated.

ASSEMBLYMAN FISHER: Thank you.

F R E E H O L D E R J A C K J . S C H R I E R: Thank you.

I'm a nonscheduled speaker on this list. I'm Jack Schrier. I'm a Morris County Freeholder, I'm a former mayor of a municipality right down the road, Mendham Township.

Morris County, as you know, enacted its open space trust fund in 1993. We began collecting money in 1993. We have so far preserved almost 20,000 acres of open space, over 7,000 acres of farmland through the county Ag Board and through the State Ag Development Board -- over 7,000 acres of farmland in Morris County. We're a leader in open space preservation. We are that way largely because of the State funding that helped to complement what the county and municipalities have done, in terms of their own open space preservation trust funds.

In fact, Morris County has been so successful that we've added to open space and farmland a preservation trust component without

increasing the tax. We've taken it from the 5 percent ancillary portion that we set aside. And as that pot has grown, that 5 percent has also grown.

ASSEMBLYMAN FISHER: Do you have a dedicated tax in Morris County?

FREEHOLDER SCHRIER: Yes.

ASSEMBLYMAN FISHER: What is that?

FREEHOLDER SCHRIER: It's 4.5 cents per \$100 of assessed property valuation. We have a referendum that allows us to go to 5 cents, but we're leaving that half-cent as head room. We haven't needed it. And this year, I proposed that we stay at 4.5 cents from last year. And that was approved by the Freeholder Board last week.

We also passed a resolution at the Freeholder level asking for the restoration of, and full implementation of, the Garden State Preservation Trust. So I'm speaking as a Freeholder, and at the same time speaking as Vice Chairman of the Council.

I sat in this very room three years and three months ago -- where you are sitting, Mr. Chairman -- right next to Commissioner Campbell. We conducted a public hearing -- our first public hearing -- on the Highlands Act. I was on the Highlands Task Force at that time. Over 300 people spilled out of this room into the halls, and into the driveway. It was a December night. We accommodated 200 speakers that night, and we did it by moving them along pretty quickly. (laughter)

ASSEMBLYMAN FISHER: Your time is up. (laughter)

FREEHOLDER SCHRIER: Finally--

ASSEMBLYMAN FISHER: Yes, conclude.

FREEHOLDER SCHRIER: One of my political mentors told me, "Never ask a politician to say a few words." (laughter)

I could go on, obviously, but I am strongly supportive of ACR-10 and hope that you will, in fact, promote it and get it onto the ballot in November.

Thank you very much.

ASSEMBLYMAN FISHER: Thank you, Freeholder.

And by the way, as we go up and down the state we hear different concerns about different things, obviously. And that's why-- That's the beauty of being able to hold these Committee hearings in three different spots -- in three different regions, frankly. Because what we're hearing about the Highlands -- we'll be hearing something else about parity funding down where I am, where we have places that are totally preserved, can't get any money for ratables, and a whole host of other issues.

So it's great to hear all of this. And, obviously, it's a lot for us to digest and filter, but that's the process.

FREEHOLDER SCHRIER: If you'll just allow me, when Assemblywoman Karrow asked us to do something -- and before my colleague spoke -- I wrote down water user fee. (laughter)

ASSEMBLYMAN FISHER: Right.

FREEHOLDER SCHRIER: We don't call it a tax in the Republican party, we call it a water user fee. (laughter)

ASSEMBLYMAN CONAWAY: Borrow, borrow, borrow.

ASSEMBLYMAN FISHER: That's Christie Whitman. She started that.

Thank you very much.

MR. ALSTEDDE: Thank you very much.

FREEHOLDER SCHRIER: Thank you.

MR. ALSTEDDE: We appreciate you traveling north.

ASSEMBLYMAN FISHER: Thank you.

ASSEMBLYMAN ALBANO: Thank you.

ASSEMBLYMAN FISHER: David Peifer, from the Association of Environmental Commissions; and Sandy Batty, from the same.

Thank you.

ASSEMBLYMAN CONAWAY: Leave that one where it is, and then use the other microphone. (referring to PA microphone)

ASSEMBLYMAN ALBANO: There you go.

ASSEMBLYMAN CONAWAY: Because one is for the tape, the other is for the public.

S A N D Y B A T T Y: Okay. I will be quick, and then turn it over to Dave.

I'm Sandy Batty. I'm the Executive Director of the Association of New Jersey Environmental Commissions. We have over-- Environmental commissions throughout New Jersey represent about 380 municipalities, from Plumsted, to Blairstown, to Cape May Point, to Vineland. We cover the state. And we also cover a variety of municipalities, from the very urban communities to the more rural ones, and from ones in the Highlands to the Pinelands, to the Delaware Bayshore. But they all are united in their concern for protecting open space. And I won't go over the reasons, because I think that we've heard them several times tonight: natural resource protection for public health and safety.

I think the one thing I wanted to share with you that probably hasn't been gone over -- and I will leave copies of this. This is our "Open Space is a Good Investment" paper. And it really makes the case for why open space pays, especially when you're trying to combat the rising property costs. Open space does not cost in services the way any other development does. And so, consequently, you may see a quick (indiscernible) up when you have a new ratable. But in the long-term, you're going to find out that the cost of servicing that new ratable far -- is in excess of the ratable tax revenue that it brings in. So this is our resource paper, which I brought enough copies for all of you.

Over 230 towns in New Jersey do have open space taxes. And as Ralph Siegel mentioned, the Garden State Preservation Trust money gets leveraged by these open space taxes. But conversely, the local taxes are dependent on the Garden State Preservation Trust to consummate the deals that they need to do.

ANJEC is a member of the Keep It Green Coalition. And so I would ask you to increase the amount of funding to what they had said, \$206 million, if possible.

Thank you.

ASSEMBLYMAN FISHER: Thank you.

DAVID PEIFER: Thank you, ladies and gentlemen.

My name is Dave Peifer. I work with Sandy at ANJEC. And I'm a Project Director for the Highlands at ANJEC.

I want to compliment you on your choice of venue tonight, because Sandy and I could commute by elevator, which was the best commute we've had. (laughter)

I want to encourage you to continue New Jersey's historic tradition of land preservation. As we saw earlier, in the presentation by Mr. Siegel, New Jersey has had a high profile leadership role in land preservation in the United States. And we expect that New Jersey's actual situation will keep us in that position. This most densely populated state gets to problems long before people in other states -- less developed states -- get to those problems. And we show the way for a lot of other states in the United States.

The Highlands Act really did change the playing field though, with regard to needs and urgency, with regard to preservation funding. In the draft Master Plan, there is some very particular language that authorizes or supports the reestablishment of the Garden State Preservation Trust. Unless the Trust was reestablished, the Plan states, this would significantly halt open space and farmland preservation activity in this state -- unless the State reauthorizes the Trust Fund, which is anticipated for public referendum in 2007. So as the plan was developed initially, this was anticipated and certainly encouraged as a keystone for land preservation efforts throughout the Highlands region.

Sixty of the 88 municipalities in the Highlands region have open space trust funds, today, generated from their own property tax. Remarkable history of property tax dedication in New Jersey -- this is not a shallow movement. This is a deep movement that's gone on for many years in the state. These open space funds at the local level generated \$19 million in 2005. In 2006, the county open space funds, which all the counties have in the Highlands, generated \$92 million. So the voters, the taxpayers, of that region have gone on record repeatedly, reauthorizing

these kinds of funds; and your funding -- the funding from the Garden State Preservation Trust is the keystone or headwater of all of that flow.

I would also encourage you to think about how you can further leverage these funds, going down the road, if we get into enabling legislation. I want to make you aware of the fact that, right now, we have the most favorable tax treatment at the Federal level for the donation of open space and conservation easements that we've ever had. There is legislation pending in the U.S. Senate, sponsored by Baucus and Grassley, to make these current provisions permanent. They're due to expire at the end of 2007.

Right now, a donor of land or a conservation easement can deduct up to 50 percent of his adjusted gross income in any one year. That's been raised from 30 percent. Qualified farmers can deduct up to 100 percent of their adjusted gross income. And a donor can now take his deductions or her deductions over a 16-year period, as opposed to the previous six-year period. So we have very favorable Federal tax treatment for the donation of land or conservation easements.

Bear in mind that many of the State Parks that we have in the State of New Jersey began as private donations. Hacklebarney State Park, for example, began with a donation from Adolphe Borie to the State of New Jersey. So these provisions that are out there are ways for you to extend the reach of funding.

Overall, ANJEC strongly supports the effort, and we urge you to move it on along as quickly as possible.

I would want to just address Mr. Conaway's concern about stewardship, with regard to the balance between stewardship and acquisition.

There will come a time in the acquisition phase of land preservation when stewardship becomes the dominant factor in cost. We project build out, we project locking up land as open space. At some point further down the road, we will be in a situation where the bulk of the funding will need to be expended for operation maintenance and stewardship of the public trust that we've accumulated. We're not quite there yet, but it's time to begin that effort in earnest. So we strongly support that provision of the resolutions.

Thank you.

ASSEMBLYMAN FISHER: Thank you.

Someone who has a blue Ford Taurus as their station wagon -- their lights are on.

Mary Prendergast, from the Glen Alpin Conservancy.

MARY A. PRENDERGAST: Good evening.

I am a trustee of a historic site, which has received one planning grant from the New Jersey Historic Trust, which is funded by this wonderful Garden State Preservation Trust. And we just received another.

I want to say that the preservation of open space and farmland is important to all of us in New Jersey. I have served on the Harding Township Committee for six years. I am now a former member. But it was certainly important to our township. But we would not have been able to preserve the historic house called Glen Alpin without these New Jersey Historic Trust grants.

The grants given by the Trust are critically important to preserve New Jersey's heritage. They provide expertise, affirmation, and encouragement to towns and volunteer groups who find fundraising for major historic sites very difficult, because these rehabilitations-- You know, the price of building materials has gone up so much since Hurricane Katrina and Rita that it's absolutely daunting for, particularly, groups of volunteers to take on these projects.

And yet every site funded by the New Jersey Historic Trust is nationally significant. We have the heritage of a nation in our hands. These rare sites, like for example the Dutch House, in Montville -- Dutch Stone House, owned by the township of Montville, that got New Jersey Historic Trust funds -- you can't find those in Kansas or California. It's New Jersey's and New Jersey's alone. They can be in cities and towns with very small budgets. The possibility of getting these funds is often the deciding factor in convincing towns and groups to go ahead with these projects.

Also, these rehabs give a boost to New Jersey's economy. The grant that our township received for Glen Alpin paid architects from Greenwich and Bridgeton, stained glass experts in Lebanon, archeologists from Trenton, and roofers and masons from Perth Amboy; and that's just a start. So the money is circulating within the state. It's a win-win situation.

These sites are our state's heritage, as one of the oldest states in the country and a gateway for the forebearers of most of the people to the west of us. We have a responsibility to help hardworking volunteers and local officials to preserve, one by one, the evidence of this country's history and an affirmation of our values.

So you can tell that we're strongly in favor.

ASSEMBLYMAN FISHER: Thank you.

Is Paul Schlimme--

P A U L B. S C H L I M M E: Schlimme. (indicating pronunciation)

ASSEMBLYMAN FISHER: Schlimme. (indicating pronunciation)

He's traveled quite a way. I didn't realize Paul was here from Salem County. He's from Penns Grove, and the Salem County--

MR. SCHLIMME: Hi, I'm Paul Schlimme. I did travel up from Carneys Point. I own over 200 acres in Carneys Point. In everything I've heard tonight, the ACR is very positive. I'm one of those crazy people who thinks New Jersey is a great place to live, work, play, farm, whatever. And I moved here from another state, so it's not as if I haven't left the state.

One question that came up was maintenance. I appreciate Mr. Conaway's efforts on trying to figure out how to maintain it. I am also a member of the New Jersey Forestry Association, National Woodlot Owners. And a lot of times I try to figure out how to best maintain my grounds. And with invasive species that were talked about -- I don't know if anyone mentioned anything specifically, but such as phragmites, etc. -- trees would be a good way to go.

A million trees -- it sounds like a lot -- they cost a nickel a piece. It would be \$50,000 to plant a million trees. You plant a million trees at 400 an acre, that would be 2,500 acres that could be planted in trees from your own seedling nursery, with Joe Beardsley (phonetic spelling) in Jackson. Once the trees get up, there's a lot less chemicals applied, it's a lot better for the water supply. Plus, interestingly, there's a pay day -- several

pay days actually. There could be thinnings that would produce wood. You could plant Northern Red Oaks, other trees that would have real value. And you'd actually have a revenue opportunity at some point. And I believe it would be better for the water supply. I just thought I would share that, since that issue had come up.

As many of you know, Carneys Point is at the foot of the Delaware Memorial Bridge. We have such -- industries such as DuPont. We have a large incinerator. It's where they wanted to take the VX nerve gas. Yet we still have a lot of farmland in Carneys Point, Pennsville, and Oldmans -- adjoining township. And, in fact, 89 percent of Salem County is really set aside for agriculture. So we appreciate everything the Committee has done so far, in terms of making Salem County actually have the largest amount of acres preserved.

But we wanted to throw out that we're concerned with how this might be grandfathered with the-- Similar to the Highlands, we're having a crisis right now, where over 11,000 acres in our Smart Growth corridor where we do have water and sewer -- in Carneys Point, Oldmans, and Pennsville -- DEP is suggesting the Smart Growth -- that perhaps that now be removed and made environmentally sensitive. So then the development would take place in our better-soiled grounds, which are in Woodstown, other school systems, where the ground costs more. And we could no longer have cluster-type developments, or development in that -- what was previously, by the State, the Smart Growth corridor there between 295 and the Turnpike.

So it's important to us that you look at doing something, again, that would protect it if there are changes on the State level -- where all of a

sudden an agency, such as DEP, says, "Now this is environmentally sensitive. We no longer want the houses between 295 and the Turnpike." What's done for those landowners?

Mr. Conaway mentioned to the person who was testifying, "Well, you still have the 23 acres. You could still use it." Well, what if you have a 401(k) statement. Let's say it has a hundred thousand dollars in it. I'll still give you a piece of paper that says you have a hundred thousand, but you can only take 10,000 of it off. Now, let's say it's a property -- let's say it's a property that you own, and you owe 60,000 or 70,000 against it, but you can only get 10,000 out. I think a lot of people will be upside-down.

So I appreciate what you're doing to try to make it right. But I don't think there should be any forms of eminent domain or changes on a statewide level where people aren't compensated. And I'd really appreciate it if you'd look in Salem County to continue to preserve what's in the western portion, and allow us to have the Smart Growth still in the -- rather, still have the Smart Growth in the western portion along 295 and the Turnpike, and preserve the eastern portion, such as Pilesgrove, etc.

We had a lot of farmers get together. There were over 70 of us this week. And we'd really appreciate it.

And I brought a letter.

Thanks.

ASSEMBLYMAN FISHER: Thank you.

And, actually, I know that the DEP is looking at that.

MR. SCHLIMME: Thanks.

ASSEMBLYMAN FISHER: Because that change was so drastic, so fast.

There's about 15 people left that want to speak. If you want to just speak in favor or not in favor, and you don't want to speak -- or you just want to make sure that you're on the record, that's fine. You can come up and just say that. If not, we'll just continue to call as long as you want.

Is there anyone here that--

Yes.

You are with who?

UNIDENTIFIED SPEAKER FROM AUDIENCE: May I speak out of turn?

ASSEMBLYMAN CONAWAY: If you want to say something on the record, do it--

CAROLANN CLYNES: Thank you very much for allowing me to speak this evening.

My name is Carolann Clynes, and I am Chair of the New Jersey Historic Trust.

The Historic Trust funds, every grant round, anywhere between \$6 million and \$18 million for bricks and mortar, to municipalities and to--
(laughter)

ASSEMBLYMAN FISHER: I think I upset things here. Wait a minute. Let me start this over again.

MS. CLYNES: Start again?

ASSEMBLYMAN FISHER: Carolann Clynes, Historic Trust.

Yes, Carolann.

MS. CLYNES: Yes, thank you.

The money that we fund, every grant round is anywhere between \$6 million and \$18 million. That's only for bricks and mortar, and some research projects, etc. But we give these grants to municipalities, county governments, and nonprofits. We provide low-interest revolving loans and interest-free emergency loans for the survival of historic properties.

As you've heard from Mr. Siegel, the Historic Trust gets all its money for funding from the Garden State Preservation Trust. Without reauthorization, we are out of business. If we are out of business, then we can no longer fund such projects as Mead Hall, Drew University; Craftsman Farms; Fosterfields Living Historical Farm; Paulsdale; the Laundry Building on the New Jersey side of Ellis Island; Carnegie Library, in Orange; South Orange Fire Department; William Brennan Courthouse, in Jersey City; and, Mr. Chairman, in your neck of the woods, Richardson Avenue School, in Swedesboro; Hollybush, at Rowan University; Woodbury Train Station.

The entire historic preservation community supports ACR-10. We thank you very much for working to achieve our common goals. We appreciate your leadership in this regard. And we ask that you do whatever else you can toward the reauthorization of GSPT.

Thank you.

ASSEMBLYMAN FISHER: Thank you, Carolann.

UNIDENTIFIED SPEAKER FROM AUDIENCE: May I--

ASSEMBLYMAN FISHER: Ken Johnson (*sic*), from the--

UNIDENTIFIED SPEAKER FROM AUDIENCE: Oh, I can't--

ASSEMBLYMAN FISHER: You're together, right?

MS. CLYNES: No, no, we're not together.

ASSEMBLYMAN FISHER: I'm sorry.

Ken Johnson, New Jersey Sierra Club.

K E N N E T H R. J O H A N S O N: Ken Johanson--

ASSEMBLYMAN FISHER: Johanson.

MR. JOHANSON: For the record.

ASSEMBLYMAN FISHER: Yes, sir.

MR. JOHANSON: I'm Chair of the New Jersey Chapter of the Sierra Club.

I'm going to keep my comments very brief, because most of what I could say has already been said. And I'm not going to repeat -- hopefully not repeat what already has been said.

I do want to make a personal note, though. Like Eric Stiles, I'm a lifelong resident of the State of New Jersey. I've seen a lot of changes occur over the years. And perhaps the most significant change has been the conversion of the woods, the open spaces, the farmlands that I remember as a child and remember playing in as a child, being converted to residential subdivisions, to strip malls, and similar type developments.

Well that's the down side. The good side is that there is a growing recognition on the part of the people of this state of the need to preserve farmland, to preserve open space, to preserve historic sites. So there is a great deal of support for the types of measures that have been in place over the last, I guess, close to 40 years now, but especially over the last seven or eight years.

As has been said before, we're pretty much out of money. What we're not out of, though, is worthy projects. So much more needs to be done -- the Highlands, large areas of the state; but also let's not forget

the urban areas that were mentioned, I think, by Ella Filippone earlier, and also the established suburbs. There are so many important sites in these areas that need to be preserved. They're not going to be preserved unless funding is found to do that. The people are behind this. They will support it.

It has been mentioned before that we have to keep the ball rolling. We're going to lose our momentum. Well, we're going to lose more than momentum if we don't take action this year to establish a stable source of funding for open space acquisition. We're going to lose valuable pieces of property that need to be preserved.

So the New Jersey Chapter of the Sierra Club strongly supports ACR-10 and strongly believes that action has to be taken this year. We can't wait until next year. It's going to be too late.

Thank you very much.

ASSEMBLYMAN FISHER: Thank you.

ASSEMBLYMAN ALBANO: Thank you.

ASSEMBLYMAN FISHER: Leslie Bensley, Morris County Visitor Center.

LESLIE BENSLEY: That's me.

Hi. (laughter)

ASSEMBLYMAN FISHER: Oh.

MS. BENSLEY: As the Director of Tourism for Morris County, I welcome you all and hope you'll come back.

I'm also, as you say, the Director of the Morris County Visitors Center. And we're home to four national historic landmarks. I am the Vice President of the Glen Alpin Conservancy. And you just heard from my

colleague Mary Prendergast. I am a Board Member of the Advocates of New Jersey History; and co-author of the "10 Most Threatened (*sic*) Historic Sites" list in Morris County; and, most recently -- and this is kind of exciting -- one of only four public members that has been appointed to the newly formed New Jersey Heritage Tourism Task Force that was just passed in October. And I'm very much looking forward to our job, which is to look at the potential that this state has.

And I'm here tonight to support ACR-10 and to say that I think it's probably one of the most exciting bits of legislation that this State has ever seen. And I would love to see it reauthorized.

And taking a very big bird's eye view of what's going on in the state, I just wanted to remind you that the Task Force for -- excuse me, the Crossroads of the American Revolution Heritage Area was just signed into law by President Bush. And that gives us a great opportunity to leverage the heritage tourism that we have pertaining to the American Revolution.

So there's a lot of synergies. Gary Rose, in the Governor's Economic Growth Strategy Plan, on Page 14, talks about leveraging heritage tourism. We have the Task Force and all of this marvelous opportunity. Eighty-one million Americans are heritage tourists. They come, they stay longer, they spend money. Here in New Jersey, our glass is empty. We don't tap into that. By preserving our historic buildings, we have an opportunity to be competitive with everyone around us.

I don't know if you know this, but Governor Spitzer has just increased his tourism funding. The Sands Casinos are going to Bethlehem, Pennsylvania, to the old steel works. New Jersey has to be competitive.

The only way we can be competitive is investing in our historic sites, so that when people come, they have an experiential trip here.

So thank you for your time, and thank you for letting me speak this evening.

ASSEMBLYMAN ALBANO: Thank you.

ASSEMBLYMAN FISHER: Thank you.

ASSEMBLYMAN CONAWAY: She's our late cup of coffee on this.

ASSEMBLYMAN FISHER: Joe Dunn, Morris County Soil Conservation.

J O S E P H P. D U N N: Thank you, members, for staying so late and hearing everybody out tonight.

I do appreciate it, Mr. Chairman.

Mr. Conaway, you had indicated earlier that you had concerns about whether stewardship should be part of this.

ASSEMBLYMAN CONAWAY: No, not part of it, whether it should take second place to getting the land locked up so that we have enough there to actually hold the stewardship down the road.

MR. DUNN: Thank you for that--

ASSEMBLYMAN CONAWAY: So that I'm clarified. Because everybody keeps coming up and mentioning this.

MR. DUNN: Thank you.

I come to you as someone who has been involved in conservation for over 20 years. I've been personally involved and directly active in regulating over 6,000 construction sites in the county of Morris alone, entailing tens of thousands of acres of land being disturbed. I am

also a field forester, and I have direct knowledge of some of the really detrimental effects of invasive plants on the county of Morris, be it the purple loosestrife in the Meyersville area of the Great Swamp, or the gypsy moth on the oak ridges of Jefferson Township. There is no corner of the county that is untouched by these detrimental effects.

The residents of Sparta would be particularly vocal, if they were here tonight, to talk about their hemlock glen that slid away after the trees were killed by hemlock wooly adelgid; and the stormwater that basically washed the hillside away, causing a significant public works improvement and loss of a beautiful recreational and environmental area.

It is important that conservation purposes be retained in this resolution, because a penny today is certainly going to be worth tens of dollars tomorrow.

Just from a water-quality point of view, the EPA, in 1993, indicated that for \$0.04, a pound of phosphorous could be controlled in a conservation project; where the same pound to be controlled in a sewer treatment plant, in say, the Lower Passaic, would run about \$0.70. Those are 1993 dollars. There's almost a five-fold difference in the ability of conserving the State's funds in maintaining property that you help acquire.

The residents of Morris County add an additional half-cent or quarter-cent -- I'm not quite sure -- on their open space tax just to deal with maintenance issues. And I would urge you all to retain the conservation purposes in the legislation -- or in the resolution.

And in addition, I would bring up the eight-year funding program for the Farmland Preservation. What happens there is that the sole benefit -- or the main benefit of that program is conservation. And if

you sign up for the eight-year program, restrict your property from development for eight years, the result will be that you get to acquire funds to do conservation on that very same land. Without that conservation purpose in this resolution, the result will be that that program -- that tool of preservation will be lost to the State.

And I will say, finally, as a resident boy who grew up in the shadows of Fresh Kills Landfill, I do have a great appreciation. And I understand the sacrifice I made to come out to such a beautiful area -- Assemblyman Albano, about that. And I could say that's true for most of the people out here. You'll find that most of them are transplants. There are very few native Morris Countians around nowadays. But they do greatly appreciate, as you'll see from their outturn and their late stay tonight -- also their eloquence.

ASSEMBLYMAN FISHER: Thank you.

Yes, Assemblyman.

Sir; Joe.

MR. DUNN: Oh, I'm sorry.

ASSEMBLYMAN DANCER: I just wanted to mention--

It's not really a question but a comment, Joe, that Sue Craft, at our last public hearing, did mention about the -- accentuated the importance and the value of the soil and water conservation district; and that you're correct. It is in the Question for conservation purposes.

And I believe, Mr. Chairman, I'll-- You can take it over, as far as what we did discuss about soil and water conservation. Would be -- what? -- in the enabling legislation?

ASSEMBLYMAN FISHER: Yes.

ASSEMBLYMAN DANCER: Okay.

ASSEMBLYMAN FISHER: It's still to be worked out.

ASSEMBLYMAN DANCER: Yes.

MR. DUNN: Thank you.

ASSEMBLYMAN FISHER: Thank you.

John Campbell, Friends of Kennedy-Martin-Stelle Farmstead.

J O H N C A M P B E L L: Thanks for the hearing late in the night.

My name is John Campbell. I'm President of the Friends of the Kennedy-Martin-Stelle Farmstead, a 501c3 organization in Bernards Township, in Somerset County.

I'm in favor of ACR-10. New Jersey Historic Trust funding for historic preservation has been vital to the Kennedy-Martin-Stelle Farmstead. This farmstead was established in 1740, when it was homesteaded. The first part of the farmhouse was built in 1750. There are three surviving barns built before 1800. It's been continuously farmed from 1740 through 1999. It's evocative of 18th and 19th century life, when farms like this formed the basis for the society of this area.

This four-acre tract is now listed on the New Jersey National Register of Historic Places. Colonel Ephraim Martin, a Revolutionary War patriot, served under General Lord Sterling, lived on the farmstead from 1778 to 1794, and he was in the Legislature and a founding father of the State of New Jersey. It's an important historic site.

This site was purchased by Bernards Township in 1999. And the plan was to demolish all the buildings. But the leadership in the town -- and you heard from Carolann Kelly earlier this evening. Carolann led the charge to get the township to appoint a task force of citizens, of which I was

a member, to see if we could come up with a way to save this property. And to make a long story short, we did. And a major factor in this was the potential for funding from the New Jersey Historic Trust.

Now, before we could get that funding, of course, we had to have matching funding already in place. We got that from Bernards Township and from Somerset County in the amount of \$440,000. We got a subsequent grant from the New Jersey Historic Trust, in 1995, for \$440,000, which has been used -- and is just being used now -- to restore the farmstead -- the farmhouse building itself.

We lease this property. This 501c3, of which I am the President, leases this property from the township for a dollar a year. We are charged by the township to go forward, on a self-supporting basis, and to create an arts center there for the use of the region. That's in progress now, and that's going to happen.

I just want to tell you that without the funding that you've provided, we just couldn't have done that. No way would this have happened. We're going to need more, and we very much hope that you will succeed in what you're trying to do in supporting ACR-10.

Thank you very much.

ASSEMBLYMAN ALBANO: Thank you.

ASSEMBLYMAN FISHER: Thank you.

John Melick, Hunterdon County Board of Ag.

Hi.

J O H N M E L I C K: Thank you, Mr. Chairman.

I'll be brief. I'd like to go home just as much as you'd like to.

And thank you, members of the Committee.

My name is John Melick. I'm President of the Hunterdon County Board of Agriculture. I'm a farmer and a landowner coming out of Tewksbury Township.

I'll be pretty specific. We support what this is all about. Certainly, there's been a lot of farmland preservation in Hunterdon County. We'd like to see that continue -- there's still a lot more to be preserved. And to keep that critical mass within the state, I think Hunterdon is definitely an important county. So we wholeheartedly support this.

As you've heard from other people, parts of Hunterdon County are in the Highlands. So certainly a lot of the farmers are upset over the impacts from this piece of legislation. So certainly this ACR-10 will-- It's a good start to provide some of the equity protection that was spelled out in the Highlands legislation. So for that reason, we also support it.

I don't want to get bogged down into discussion about how to allocate the funding. That will come at the appropriate time. But I just want to -- because nobody has said it tonight. One important aspect about preserving farmland -- you're only purchasing the deed restriction. The farmer stays on the land. So as far as stewardship goes, there is no cost because that farmer is going to be there forever, and future landowners will be there. So you're really going to get a good bang for your buck through farmland preservation.

Certainly, at some point in the future, land won't be as available, and stewardship will take a priority, and money will need to be allocated. But certainly keeping the funding up for agricultural land preservation, I think, would be very effective still at this point, because it will carry a long way.

And I'd just like to say, I'm a 10th generation farmer. I've got children. My brother and sister, who are active in our farm business -- they have children. And we're doing our part to keep New Jersey in agriculture. And I'd just like to thank you for your efforts. Hopefully, then we can preserve more land and keep possibly another 10 more generations like me farming in New Jersey.

Thank you.

ASSEMBLYMAN FISHER: Thank you, John.

ASSEMBLYMAN ALBANO: Thank you.

ASSEMBLYMAN FISHER: Stephen Gale, Bayshore Regional Watershed Council.

S T E P H E N G A L E: Which one, this one? (referring to PA microphone)

ASSEMBLYMAN FISHER: The one that's laying down.

MR. GALE: Oh, okay.

Thank you, Mr. Chairman, Committee members. Thank you for hearing me.

Let me give you a brief vignette from another part of this state. I'm with the Bayshore Regional Watershed Council. This is the Bayshore that exists from Sandy Hook almost over to the mouth of the Raritan Bay -- an old part of this state developed with very small towns, a populous that probably is below the mean gradient of income and not really able to fend for itself against large developers who are eating out big chunks of our land. Without this act, I think we're going to be much the lesser to take any kind of action.

We're organizing now in every town where a referendum was issued on the last election and passed. The township officials are ready. We are organizing. And if we could look to the State for a little bit of help, it would be tremendous. It will save us from looking at-- When we look out at the Bayshore, we can see the coastline of Brooklyn. And unless something is done, we will look very much like Brooklyn if some of this land is not preserved.

Thank you very much.

ASSEMBLYMAN FISHER: Thank you.

John Rogalo, New Jersey State Federation of Sportsmen's Club.

Hi, John.

JOHN R. ROGALO: I'm kind of new at this.

But on behalf of the Sportsmen of the State of New Jersey, we'd like to thank you for this chance to weigh in on ACR-10.

Preserving land is nothing new to the sportsmen and women of New Jersey. Prior to Green Acres funding, money from our license fees was used to acquire over a -- not quite, nearly a hundred thousand acres, which went into our Wildlife Management systems, which is open to the public for free. It came out of our license money. Once the Green Acres Program kicked in, that took over acquiring Wildlife Management Area land.

To date, our Wildlife Management Area system is nearly the same size as our parks and forestry system. It's over 300,000 acres. The staff at the Division of Fish and Wildlife is actually smaller now than it was 30 years ago.

On that note, I would just like to say that we are absolutely 100 percent behind ACR-10, we strongly support it. And we're talking a lot of

people. We represent-- As Eric Stiles alluded to earlier, we've got over 80,000 licensed hunters, 180,000 licensed fishermen, and a million saltwater anglers. It's a big chunk of your population. We strongly support ACR-10. We certainly want to see the capital projects, operation, maintenance, and stewardship stay in and play a major part.

I'll be real brief here. Just a couple of things up in my area. I'm from Stanhope, southern Sussex County. There's a Wildlife Management Area-- Camp Commedia (phonetic spelling) was acquired this past year. It's a beautiful place. It's an old camp that's literally falling apart. The buildings are hazardous, falling down. They need to be removed so the area can just revert to its natural condition. There is no boat ramp at the lake, so there is no public access. Part of the value of this land that we're preserving is the public use and recreation of this land. Eric alluded to that earlier -- that it's a tremendous asset to this state, economically. But we need access.

One other one, real quick, is at the landing on Hopatcong State Park. There was a seawall. And that was constructed before I was born. I went fishing there. It was a great family fishing spot. I went fishing with my father and my grandfather there. Families typically come, park, and fish there. The State stocks trout right there. That seawall is falling apart now. There's actually a big gated-off area. Nobody is allowed near it. It's no longer open to the public whatsoever. And tremendous opportunities are lost because of that.

Thank you for your time and consideration.

ASSEMBLYMAN ALBANO: Thank you.

ASSEMBLYMAN FISHER: Thank you.

Sherri Albrecht. (no response)

Is Sherri Albrecht here? (no response)

Michael Calafati.

Do I have that right?

M I C H A E L C A L A F A T I: Calafati. (indicating pronunciation)

ASSEMBLYMAN FISHER: Calafati. (indicating pronunciation)

MR. CALAFATI: Which mike?

ASSEMBLYMAN CONAWAY: Push that back, use the other one.

ASSEMBLYMAN ALBANO: There you go.

MR. CALAFATI: My name is Michael Calafati. I'm here representing both the American Institute of Architects, New Jersey Chapter -- I'm on the Board of Directors there -- and as well with Preservation New Jersey, New Jersey's statewide historic preservation organization.

Again, I'll try to be brief, but I traveled a bit here. I'm Assemblyman Albano's constituent, and I couldn't make the last hearing, and I can't make the next one. So I wanted to make sure that I showed up.

I'm speaking in favor of the resolution before you. Thank you for hearing my testimony.

For the last two decades, the New Jersey Historic Trust has funded literally hundreds of sites. Without the funding provided by the New Jersey Historic Trust, many of these sites would have been entirely lost. The New Jersey Historic Trust selection criteria is extraordinarily good, in the sense that they make sure that they represent both the great and the small, and a diverse representation of historic sites throughout the

state. For example, the Bridget Smith House, in Mine Hill Township, here in Morris County; the Newark Day Center, in Newark, New Jersey's oldest social institution; Camden Library; far-flung sites like each of the three 4th order lighthouses along the Jersey Coast; and the Franklin Street School, which is an African-American site in Cape May City.

I think you need to realize, and I'm sure you've heard already, the tie-ins between leveraging money -- both from the county and municipal side, also private investment -- into the construction costs for these projects, because it's leveraged. The fact that you've got professionals such as me, engineers, also contractors largely based in New Jersey who work on these sites-- And, also, I want you to think about the nature of preservation construction, in that it doesn't consume land, and it actually keeps traditional trades alive. We tend not to deal with polymers and steel. We tend to deal more with bricks, first-growth lumber, the sort of building materials that last generations. And I'm already thinking about the road ahead of me.

So those will be my comments.

ASSEMBLMAN ALBANO: You're not alone. (laughter)

ASSEMBLYMAN FISHER: Where is home?

MR. CALAFATI: Cape May.

ASSEMBLYMAN FISHER: Cape May. Oh, you really have a haul.

ASSEMBLYMAN ALBANO: Thanks for coming all the way up.

ASSEMBLYMAN FISHER: Thanks for coming.

Barbara Sachau.

BARB SACHAU: Hi.

I just wanted to come tonight to say that I think the spending in New Jersey is out of control. And I do think that maybe it's time to put a moratorium on this bill.

I'm a long-time environmentalist, and *tree-hugger*, and a wildlife protector. But I do think that, somehow, the tax dollars that are going into spending in New Jersey are not being spent well. We're not accomplishing what we should be accomplishing with those tax dollars.

As you can see by the plethora of people who came here tonight asking for money for their organizations, maybe we have too many nonprofits getting funding by this kind of legislation. I want New Jersey taxpayers also to get a break. There are-- There's a record number of foreclosures, due, in many cases, to people not being able to pay their taxes. We do have to worry about spending and costs in this state. People are having to move out of state because they cannot afford to live here anymore.

We've got to make every dollar count. And I'm not sure that with such endless pleas for more and more money that we're doing that. For example, in our town, we had a building funded under Historic Preservation. And the only thing that was done with it was that the Boy Scouts meet there a couple times a week. I mean, I don't think that that's getting full value for the dollars that we're spending. So I do think that's an important factor here.

I also don't believe that some of the land that's being -- that we're saving is being used wisely. Because I want to see wildlife protected. And in too many cases, this land is being turned over to the New Jersey

Division of Fish and game, which I think is composed-- The council that makes their recommendations is composed solely of hunters and farmers. And in a state of over eight million people, that means that 95 percent of the state can't be on that council. And that's absolutely wrong, because our tax dollars -- \$10 million has been taken, approximately, in the last two years to fund that agency.

And the people who don't hunt and don't farm get no say in what is happening to wildlife. And I think that the things that are coming out of that Division are not environmentally correct. They are growing deer, and then they say deer is a problem, and we have to kill them. Why grow them in the first place then? That doesn't make sense to me. So I don't want-- I personally, as a wildlife protector, do not want one more piece of land given to that Division to manage, because I don't think they do it environmentally correctly.

And I'd like to encourage peaceful wildlife watching. The majority of our state does do peaceful wildlife watching. And I don't see why we have to turn over management to hunters and that kind of environment.

So I want to be sure that our New Jersey government uses our tax dollars wisely and watches every dollar that they collect in taxes. Because when spending is out of control, and you don't get full value, that doesn't make any sense to me at all.

Thank you.

ASSEMBLYMAN FISHER: Thank you.

Julia Allen, from what township committee? I'm sorry.

JULIA C. ALLEN: Readington Township Committee.

ASSEMBLYMAN FISHER: Readington, I'm sorry.

MS. ALLEN: In Hunterdon County.

And I wanted to speak in favor of ACR-10.

Our township has benefited greatly from the first Garden State Preservation Trust, as has all of Hunterdon County. It's been extremely important to us and to our ability to plan for the future to protect what's wonderful and very special about Hunterdon County.

And we urge you very sincerely to support this effort, so that we can continue the fund and continue our very important work.

ASSEMBLYMAN FISHER: Thank you.

ASSEMBLYMAN CONAWAY: That's great testimony.

ASSEMBLYWOMAN KARROW: Doug.

ASSEMBLYMAN FISHER: Yes.

ASSEMBLYWOMAN KARROW: Can I just say that Julia Allen is the person who taught me everything I know about farmland preservation? She is the woman.

ASSEMBLYMAN FISHER: Gabi Grunstein, from New Jersey Farm Bureau, Highland Park Resident.

G A B O R G R U N S T E I N: Thank you.

Gabi Grunstein, New Jersey Farm Bureau.

I'm sure one of my colleagues will make some more -- give some more testimony at a further hearing. But I'd just like to give our support for ACR-10. You all know the importance of farmland preservation -- how preserved farms stay on the tax role and are managed well by farmers throughout the state.

I also put down, as a Highland Park resident, I'm also on the Highland Park Environmental Commission. And I'm not sure if I want to complain about some of the Green Acres funding into my town. I'd rather not see any Green Acres funding in my town. It's a small, completely urban town. We're blessed with two county parks. And to see Green Acres funding go to a postage-size piece of property that used to be a gas station, so people can sit at a corner, and the Mayor can have her name out on a plaque that says, "Your taxpayer dollars alone didn't go to create this park," I don't think that is in the benefit of the State of New Jersey. And I'd just like to see less projects like that go through, even though they may look nice.

Additionally, personally I don't think the dredging of the Raritan River, for I think it was \$7 million, was a good use of Green Acres funding; so that a very few number of residents could bring their larger motor boats up to New Brunswick for I don't know what.

But that's all I have.

But, again, farmland preservation, Green Acres, as a whole -- we support the preservation efforts.

Thank you.

ASSEMBLYMAN FISHER: Thank you, Gabi.

ASSEMBLYMAN ALBANO: Thank you.

ASSEMBLYMAN FISHER: Renee Resky, Township of Livingston.

R E N E E R E S K Y: Thank you for letting me speak tonight.

I'm a member of the Livingston Open Space Committee and the Environmental Commission. I'm the Chair of the Environmental

Commission. And I'm here to speak from the municipal perspective in favor of ACR-10.

Continued funding of the Garden State Preservation Trust is important to suburban communities like Livingston, in Essex County, for the fact that the funds raised in our local open -- by our local open space tax can be leveraged with county and State funding in the GSPT to preserve, and protect, and maintain open space in our community, and provide access to passive recreation areas within 10 minutes walking distance of each resident.

The Township Council, on February 26, passed a resolution in support of the renewal and strengthening of the Garden State Preservation Trust, to provide \$325 million annually for New Jersey to continue its program to acquire open space, farmland, and improve historic sites, and preserve lands. We hope you consider funding the higher amount. And the Township strongly supports ACR-10.

Thank you for allowing me to speak tonight.

ASSEMBLYMAN FISHER: Thank you.

ASSEMBLYMAN CONAWAY: Good testimony.

ASSEMBLYMAN FISHER: We have two folks from the same association: New Jersey Highlands Coalition. And these are the last two speakers we have for this evening, if I'm not mistaken.

Julia Somers.

UNIDENTIFIED SPEAKER FROM AUDIENCE: I'll speak for (indiscernible). (laughter)

ASSEMBLYMAN FISHER: Pardon me?

And Michael Henderson.

JULIA SOMERS: I'm Julia Somers. I'm the Executive Director of the New Jersey Highlands Coalition.

And Michael Henderson--

MICHAEL D. HENDERSON: Michael Henderson, a Trustee of the New Jersey Highlands Coalition.

MS. SOMERS: And maybe we got the short straw, but you got the shortest straw. So, really, I can't complain.

Thank you very much, indeed, for coming this evening, some of you from far away. We really appreciate your doing so. And we are here very much to support the passage of ACR-10 and to talk about its importance for the Highlands.

I'm delighted to be able to say that you've heard from quite a number of the Coalition's members this evening. And I'm very proud that they all turned up this evening. But I have to tell you, they're only a small portion of the number of-- We have well over 18 members, and those are member organizations, not individuals. We also have individual members. But they go from tiny organizations to huge organizations. And we all, together, support the renewal of ACR-10.

Renewal of the GSPT, the Garden State Preservation Trust, is absolutely critical for protection of the Highlands and the successful fulfillment of the goals of the New Jersey Highlands Water Protection and Planning Act. Highlands water drives New Jersey's economy. I mean, there just is no other way to look at it. It's industry. It provides water to 64 percent of the state's residents. That's 5.4 million people in 16 counties.

And anybody who thinks that the Highlands Act has protected the Highlands region is wrong. Every vacant parcel of property in the

Highlands, including the preservation area, can be developed, can have a home on it. And there are-- In the entirety of the Highlands, we believe there are close to 25,000 of those. So you're talking about a lot of development that is exempt from the Highlands Act.

So development continues, and it continues also throughout the planning area, which is nearly half of the region. All of this is critical to protecting the water resource of this area that is so essential for northern New Jersey. So protection of the Highlands isn't just important for the people who live there. Protection of the Highlands is important to the state.

One scary thing, that has been made very clear by the draft Regional Master Plan being put together by the Highlands Council, is that much of the Highlands is already in a water deficit. We're already looking at issues like conservation staring us in the face today. So we're not talking about protecting for 10 years from now. We're talking about protecting for tomorrow.

I've brought with me a map. Wilma Frey spoke very eloquently earlier about the importance of protecting water resources in the Highlands, and gave you that map that was put together a number of years ago by the New Jersey Conservation Foundation, on behalf of the New Jersey Highlands Coalition. But what I brought for you is something that is in draft; but it is from the draft Regional Master Plan, and I'll be happy to give it to you. It's called the *Conservation Priority Area*. You can see, even from afar, that much of the Highlands is colored in, in one way or another, and is a priority. All the dark is of the highest priority -- well, is of open space. But all the dark red and all the other colors are -- some of them very high

priority for acquisition. So if we are to protect the Highlands, and if we are to protect the economy of northern New Jersey, Highlands protection is really important to everybody.

I just wanted to say, finally, I've been here all evening. I've heard two people say that they don't support the act. Nearly everybody who came to talk to you represents an organization or an association. There's an army out there of people who want you to continue to lead the way, and make sure that this bill is passed, and that this is introduced to referendum. But we want you to work with us to help us get this referendum passed.

And we really thank you for your leadership on this.

MR. HENDERSON: Thank you.

I just want to add that the stewardship component of both the preserved lands and of the historic structures is really a critical element. And it may be difficult to do through bonding, but it is something that really needs to be looked at. It's the stewardship of just safety for people having access to the lands, as well as the ongoing maintenance of historic structures. It is really cost-effective to address it continually. And it really can't be put off forever.

So I just wanted to add that.

Thank you.

MS. SOMERS: Thank you very much.

ASSEMBLYMAN FISHER: Thank you.

ASSEMBLYMAN ALBANO: Thank you.

ASSEMBLYMAN FISHER: Apparently, there was one more person that-

Dorothea Stillinger.

D O R O T H E A S T I L L I N G E R: Stillinger. (indicating pronunciation)

MS. SOMERS: It doesn't say *draft* on it, but it is from the draft RMP.

ASSEMBLYMAN FISHER: Thank you. We'll distribute it to--

MS. STILLINGER: Thanks. I will just keep you for one more second.

Chatham Township did a reevaluation and changed the open space tax from \$0.02 to \$0.01, because they thought the people in the township would rather just keep paying the same amount of money. Otherwise, it would double. And the following Fall, a few months later, it went to a referendum during the General Election. And the people in the township raised it back up to \$0.02. So now they're paying twice what they were paying a year ago, and are enthusiastic about it.

The reason I'm commenting is that Chatham Township is adjacent to the National -- to the Great Swamp National Wildlife Refuge. And here's what development pressures have come to: There's a Superfund site in Chatham Township, and the developers are trying to take it over -- 180 acres. If we can get some Green Acres money, we may be able to form an organization that can buy the land and preserve it. But to have to try to preserve -- to protect a Superfund site, we're-- Hopefully we can do it. But without Green Acres, we never will.

I'm Chair of the Environmental Commission. The Environmental Commission is in favor of the Garden State Preservation Trust. And hopefully our town will soon send the Committee -- the

Township Committee will soon send a letter in support of the Garden State Preservation Trust to Trenton.

Thank you.

ASSEMBLYMAN FISHER: Thank you.

ASSEMBLYMAN ALBANO: Thank you.

ASSEMBLYMAN CONAWAY: Thank you, ma'am.

ASSEMBLYMAN FISHER: Assemblywoman Karrow has a closing remark.

ASSEMBLYWOMAN KARROW: I just wanted to say thank you to all of those people who came out, especially those who stayed out with us tonight. And drive safely, watch out for the deer. Because we're not knocking on doors to make sure that the bears are not being fed, but we have no money for deer carcass removal, so don't hit any on your way home.

ASSEMBLYMAN CONAWAY: You couldn't help yourself, could you? (laughter)

ASSEMBLYWOMAN KARROW: I couldn't help myself. I'm sorry, you're right.

ASSEMBLYMAN FISHER: I thought we were staying on the bill.

Thank you, Morris County.

Thank you, everyone, for coming out tonight. And we appreciate you staying so late.

Thank you.

(HEARING CONCLUDED)