

# SENATE ENVIRONMENT AND ENERGY COMMITTEE

## STATEMENT TO

### **SENATE, No. 4276**

with committee amendments

# STATE OF NEW JERSEY

DATED: DECEMBER 9, 2019

The Senate Environment and Energy Committee favorably reports Senate Bill No. 4276 with committee amendments.

This bill appropriates \$32,153,936 from various farmland preservation funds to the State Agriculture Development Committee (SADC) for certain farmland preservation purposes. In addition, this bill amends two prior appropriation acts that appropriated funds to the SADC for certain farmland preservation purposes.

Of the funding provided by the bill, \$25,756,936 is appropriated to the SADC to pay the cost of acquisition by the SADC of development easements on, or fee simple titles to, farmland, to provide grants to counties and municipalities for up to 80 percent of the cost of acquisition of fee simple titles to farmland, and to provide grants to qualifying tax exempt nonprofit organizations for up to 50 percent of the cost of acquisition of fee simple titles to farmland, for farmland preservation purposes for projects approved as eligible for such funding pursuant to: the “Agricultural Retention and Development Act”; the “Green Acres, Farmland and Historic Preservation, and Blue Acres Bond Act of 1995”; the “Garden State Preservation Trust Act”; the “Green Acres, Farmland, Blue Acres, and Historic Preservation Bond Act of 2007”; the “Green Acres, Water Supply and Floodplain Protection, and Farmland and Historic Preservation Bond Act of 2009”; and the “Preserve New Jersey Act.”

Of the \$25,756,936 provided in section 1 of the bill for the acquisition of fee simple titles and development easements to farmland: \$25,239,000 is from constitutionally dedicated corporation business tax (CBT) revenues in the “Preserve New Jersey Farmland Preservation Fund” established pursuant to the “Preserve New Jersey Act”; \$111,418 is from the “2009 Farmland Preservation Fund” established pursuant to the “Green Acres, Water Supply and Floodplain Protection, and Farmland and Historic Preservation Bond Act of 2009”; \$394,727 is from the “2007 Farmland Preservation Fund” established pursuant to the “Green Acres, Farmland, Blue Acres, and Historic Preservation Bond Act of 2007”; and \$11,791 is from the “Garden State Farmland Preservation Fund” established pursuant to the “Garden State Preservation Trust Act.”

In addition, this bill appropriates \$2,147,000 from the “Preserve New Jersey Farmland Preservation Fund” to the SADC for the purpose of providing stewardship grants for activities, beyond routine operation and maintenance, undertaken by landowners, or farm operators as agents for landowners, to repair, restore, or improve lands preserved for farmland preservation purposes, including soil and water conservation project activities and deer-fencing activities.

The appropriations in this bill for the acquisition of fee simple titles and development easements to farmland and for stewardship grants have been approved by the SADC and the Garden State Preservation Trust.

The bill also appropriates to the SADC such sums from any additional proceeds which may become available by the effective date of the bill due to the lease or conveyance of farmland previously acquired in fee simple by the SADC, for the purpose of providing for the cost of acquisition by the SADC of development easements and fee simple titles to farmland for farmland preservation purposes.

This bill also appropriates \$3,250,000 to the SADC from the “Preserve New Jersey Farmland Preservation Fund” for organizational, administrative, and other work and services, including salaries, equipment, materials, and services necessary to administer the applicable provisions of the “Preserve New Jersey Act.”

The bill also appropriates \$500,000 to the SADC from the “Preserve New Jersey Farmland Preservation Fund” for the purpose of providing grants to counties and municipalities for the development of farmland preservation plan elements as required by law for the farmland preservation planning incentive grant program.

The bill appropriates to the SADC \$500,000 from the “Garden State Farmland Preservation Fund,” established pursuant to the “Garden State Preservation Trust Act,” for the establishment of an “e-Farm” electronic database to replace the SADC’s existing, outdated database with a modern database and interface. Creation of a new database will include: allowing applicants to submit annual planning applications and individual farm applications electronically; connecting with Geographic Information Systems mapping and spatial information; enabling on-line database access for post-preservation monitoring and inspections; and assisting in application processing.

Lastly, the bill amends two prior appropriation acts that previously appropriated funds to the SADC for stewardship activities for farmland preservation purposes. P.L.2017, c.224 and P.L.2017, c.334 appropriated funds from the “Preserve New Jersey Farmland Preservation Fund” to the SADC for the purpose of providing stewardship grants for activities, beyond routine operation and maintenance, undertaken by landowners, or farm operators as agents for landowners, to repair, restore, or improve lands preserved for farmland preservation purposes, including soil and water conservation project activities and deer-fencing activities. This bill amends these

2017 acts to provide that the necessary funds for stewardship activities may also be appropriated from the unexpended balances in the Diesel Risk Mitigation Fund - Constitutional Dedication account made available for this purpose.

The “Preserve New Jersey Act,” P.L.2016, c.12 (C.13:8C-43 et seq.), implements the constitutional dedication of corporation business tax (CBT) revenues pursuant to Article VIII, Section II, paragraph 6 of the State Constitution, approved by the voters of the State in November 2014, for open space, farmland, and historic preservation. The “Preserve New Jersey Farmland Preservation Fund” was established pursuant to section 8 of the “Preserve New Jersey Act.”

The committee amendments to the bill amend P.L.2017, c.224 and P.L.2017, c.334 to revise the funding source of previously appropriated funds for stewardship activities for farmland preservation purposes and make a technical amendment to the bill.