Sponsored by:
Assemblywoman CONNIE MYERS
District 23 (Warren, Hunterdon and Mercer)

SYNOPSIS
Establishes farmland preservation planning incentive grant program.

CURRENT VERSION OF TEXT
As introduced.
AN ACT establishing a farmland preservation planning incentive grant program and supplementing Title 4 of the Revised Statutes.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

1. a. There is established in the State Agriculture Development Committee a farmland preservation planning incentive grant program, the purpose of which shall be to provide grants in eligible municipalities for farmland preservation purposes as authorized pursuant to this act.

b. To be eligible to apply for a grant, a municipality shall:

(1) Be located in a county that participates in a farmland preservation program authorized pursuant to the "Agriculture Retention and Development Act," P.L.1983, c.32 (C.4:1C-11 et seq.);

(2) Have a dedicated source of funding for farmland preservation; and

(3) Prepare a farmland preservation plan as described pursuant to subsection c. of this section, which shall have been approved by the county agriculture development board and the State Agriculture Development Committee.

c. A farmland preservation plan prepared pursuant to paragraph (3) of subsection b. of this section shall include:

(1) A delineation and inventory of farm properties and a map of significant areas of contiguous farmland within the municipality;

(2) An estimate of the cost to purchase development easements on the various parcels of farmland in each proposed project area calculated in cooperation with the county agriculture development board;

(3) A multi-year plan for the purchase of development easements on farmland through the farmland preservation planning incentive grant program established by this act, which shall be for no less than five nor more than 20 years. In developing the plan, the municipality shall consider:

(a) the willingness of the landowner to accept annual installment purchase payments for a period of years or an option to purchase instead of a lump sum payment; and

(b) the importance of a particular farm to the success of the farmland preservation plan of the municipality;

(4) A determination of each project area through a survey of landowners.

For the purposes of this act, a "project area" shall consist of multiple farms that are reasonably contiguous, the owners of which have indicated a desire to participate in the farmland preservation program and a willingness to negotiate terms for the purchase of development easements on their farms that will result in a proposal to
be submitted to the county agriculture development board for approval
as an applicant for a farmland preservation planning incentive grant
pursuant to this act.

d. A municipality, in submitting a proposal to the county
agriculture development board pursuant to this act, shall outline its
multi-year plan and indicate its annual share of the purchase price.
The municipality, in order to enhance its application, may submit its
proposal jointly with one or more contiguous municipalities if the
submission would result in the preservation of a significant area of
reasonably contiguous farmland.

e. Whenever decisions regarding suitability for funding of
development easement purchases are made using the formula set forth
in subsection b. of section 24 of P.L.1983, c.32 (C.4:1C-31), and the
formula is applied to a project area designated in accordance with this
act, the "nonagricultural development value" parameter shall be
calculated by totaling the nonagricultural development value for all of
the farms in the project area, the "agricultural value" shall be
calculated by totaling the agricultural value of all of the farms in the
project area, and the "landowner's asking price" shall be calculated by
totaling the landowner's asking price for all of the farms in the project
area.

f. Purchases of development easements on farmland pursuant to
this act shall be made through the county agriculture development
board.

g. The State Agriculture Development Committee shall adopt,
pursuant to the "Administrative Procedure Act," P.L.1968, c.410
(C.52:14B-1 et seq.), such rules and regulations as may be necessary
to implement this act, and shall establish ranking and funding criteria
separately from, but similar to, those used in the program established
pursuant to P.L.1983, c.32 (C.4:1C-11 et seq.).

2. This act shall take effect immediately.

STATEMENT

The major goal of the "Agriculture Retention and Development
Act," P.L.1983, c.32 (C.4:1C-11 et seq.), is to preserve large
contiguous tracts of farmland. The current law does not provide
enough incentives for meeting this goal, resulting instead in the
preservation of farms located in areas threatened by suburban
development. To help prevent suburban sprawl, a comprehensive plan
to preserve significant agricultural areas of the State is needed. This
bill would implement such an effort.

Specifically, the bill would establish a farmland preservation
planning incentive grant program, the purpose of which would be to
provide grants in eligible municipalities for farmland preservation purposes. This new program would be supplementary in effect to the current farmland preservation program.

To be eligible to apply for a grant under the bill, a municipality must:

1. Be located in a county that participates in a farmland preservation program authorized pursuant to the "Agriculture Retention and Development Act";
2. Have approved and implemented a dedicated source of funding for farmland preservation purposes; and
3. Prepare a farmland preservation plan as described in the bill, which would need to be approved by the county agriculture development board and the State Agriculture Development Committee.