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FARM VIABILITY

The economic pressures now on New Jersey farmers and indeed on farmers throughout the country are significant. Commodity-based industries like agriculture suffer from deflationary tendencies as new technology increases production efficiencies and shrinks shipping advantages. Conditions in marketing structures continue to squeeze the farm producer and regulatory intervention is a constant threat.

Farm Viability shall be the overall policy orientation for Farm Bureau as an organization. This should unify ongoing objectives toward a goal of seeking improvements in the profitability of farming operations. This theme also recognizes that there are massive changes underway throughout the industry, some of which may require some re-training and business plan evaluation by farmers. It may also mean a greater emphasis on coordinated action among farmers on economic and financial issues.

This is not a new area of concern for Farm Bureau, but one of heightened emphasis. Farm Bureau works to protect its membership from those things that can negatively impact farm viability, including: excessive government regulation, burdensome taxes, wildlife damage, and heavy-handed land use regulation.

New Jersey Farm Bureau shall take a leadership role in stressing the importance of farm viability. Building on current and updated policies, New Jersey Farm Bureau will:

- Expand plans for new farm business development plans like new use agriculture and renewable fuels;
- Continue its support of Cook College/NJAES; and
- Aggressively explore Internet and e-commerce opportunities.

NEW USE AGRICULTURE

New Jersey Farm Bureau should continue its leadership role in bringing about an increase in production opportunities in new use agriculture for farmers in this state.

A new movement in American agriculture is underway that seeks to use plant material raised on farms as a new, substitute source of material used in industrial and pharmaceutical products. There are many proven technologies available for the conversion of carbohydrate material into many products as an alternative to a near-exclusive reliance on petroleum products. Any shift in this direction within the American economy would benefit production agriculture, lessen the costs to society from the environmental impact of synthetic products and assist the national security through domestically produced renewable resources.

New Jersey agriculture is in a position to have this become an addition to its already diverse base of commodity production. The state has a well-developed industrial base with modern, high tech refineries and pharmaceutical plants. The research community, especially the New Jersey Agricultural Experiment Station, is poised to bring about these advances. The political mood favors job creation and economic development as a top priority. Public opinion in the state favors environmentally friendly projects because of the perception that the state is beset with environmental problems. Perhaps most significantly, the state's farming community is an extremely resourceful group of grower entrepreneurs who have been making adjustments through the years to changing conditions in business and technology.

By promoting this initiative, growers will put themselves in a position to capitalize on the emerging non-food, non-feed agricultural products market. This multi-disciplinary, multi-institutional initiative will draw upon the expertise of various sectors related to new use agriculture, with growers and producers involved at every step of the process thereby enhancing their profitability.

Some of the action steps from a coordinated grower-Experiment Station-industry-government Initiative in New Jersey would be:

- Conduct market research and provide market links for growers and grower groups
- Establish a venture fund to profit growers
- Evaluate proposals from entrepreneurs
- Encourage industry to use N.J.-produced material
- Identify training/research needs

Farm Bureau should seek a vertically integrated arrangement for new use products that includes research assistance and investment, production on the farm, commercial development and retail sale and supplemental income from the return on investment.

FARM MANAGEMENT/TRAINING MEETINGS

New Jersey farmers continue to face new and challenging circumstances. With this in the background, the factor of farm preservation is confronting many New Jersey farms from municipalities and the expanded opportunity to sell farmland easements.

These factors have created the need for a new phase of farm management training in the state. A promising start called the Garden State Re-Engineering Initiative is already underway. It evolved from a pilot project for dairy management improvement and is now structured to accept participation from all commodity group producers. It is a voluntary education program for financial and risk management education of agricultural producers and their families. Elements of it include: financial planning and analysis software, small group workshops and one-on-one consultations, evaluation of agronomic practices, review of enterprise and operational alternatives, as well as consideration of a varied set of implementation strategies. Farm Bureau encourages all producers to take advantage of this farm management training initiative.

COMMUNICATION WITH THE PUBLIC

The general public overwhelmingly supports and wants to preserve New Jersey agriculture. We must not allow untruthful or distorted perceptions to cloud or weaken that public support. Farm Bureau, county boards of agriculture, commodity organizations and allied entities like CADB's and units of local government should speak out in support of the adopted policies for the industry. Public relations on behalf of agriculture must be a main priority of New Jersey Farm Bureau.

Farm Bureau contracted with PublicMind of Farleigh Dickinson University to conduct a public opinion poll on various agricultural issues. Information learned from the results of this poll should be used as Farm Bureau develops and promotes its key messages. The NJFB Board of Directors should authorize additional polls if they deem it necessary throughout the year.

Farm Bureau shall continue to work with a media consultant to develop a planned approach to communicating agriculture's key messages. The media consultant is working to develop an

ongoing relationship with reporters in the print and broadcast media that serve New Jersey. The ultimate goal will be to develop a comfort level with the press to the extent that they will seek the media consultant's input when reporting on issues and stories that pertain to agriculture. In addition, Farm Bureau staff and members shall all take an active role in daily scanning newspapers for agriculturally-related items, and sharing those clips with the entire staff to ensure that current media coverage is being fully monitored and responded to in a timely manor when appropriate.

COMMUNICATION WITH THE AGRICULTURAL COMMUNITY

Farm Bureau should continue and expand its development of policy and issue backgrounders for its leadership and members. Expand the use of the New Jersey Farm Bureau web site as a communication tool within the organization is also recommended. Wherever possible Farm Bureau should encourage the adoption of Internet use and e-mail communication by its members. This can include workshops on this information technology if needed. Brochures and self-help advisory documents like New Jersey Farm Bureau's guide to motor vehicle regulations are helpful to farmer members and help them deal with the public and government agency representatives.

New Jersey Farm Bureau Homepage/Internet Use by Farmers

New Jersey Farm Bureau introduced its homepage on the World Wide Web in 1997. The purpose of this page is to disseminate information about Farm Bureau, its organization and its policies. It serves as a supplement to the weekly newsletter and other farm bureau communication tools.

The site includes:

- a one year compilation of the "This Week in Farm Bureau" newsletter.
- links to the websites of the NJDA, Cook College/NJAES, USDA, AFBF, and other sites of interest to farm bureau members
- links to farm bureau member websites (Any farm bureau member with a site may be added to the listing)
- a listing of meeting dates for county boards of agriculture and other organizations
- links to the state and federal legislature
- links to the latest Agricultural Census data

The site will be updated regularly with the latest news of interest to agriculture. Those members interested in learning more about the internet, or who have suggestions for the homepage, are urged to contact farm bureau with their questions or ideas.

Farmers Contact with Congress

To keep federal legislators aware of how policy decisions in Washington may effect farmers, producers must be active in communicating with their congressional representatives. New Jersey Farm Bureau shall:

- aid in this communication process by identifying key issues of importance to agriculture and relaying that information to farm bureau members;
- assist its members by providing additional information about who New Jersey's legislators are and how they can be reached most effectively; and

- continue to participate in Farm Bureau's Agricultural Contact Team (FB ACT), AFBF's grassroots legislative action network, to help achieve this increased communication with Congress.

AG RETENTION/FARMLAND PRESERVATION PROGRAM

The establishment of the Garden State Preservation Trust and local funding initiatives has created an impressive permanent funding source for land preservation in New Jersey. The Initial goal was to preserve 500,000 acres of farmland by the year 2010. Under the current administration that goal was changed to be 20,000 acres a year. In November of 2003 New Jersey voters approved a \$150 million increase in the bonding authorization for the Garden State Preservation Trust (GSPT). Farm Bureau was part of a broad-based coalition supporting this initiative. Roughly half of the new funds will be allocated for urban parks. Of the remainder, the farmland preservation program will receive the same share of these new funds as it has currently with the GSPT – 40%. Farm Bureau participated in the coalition to work toward the passage of this referendum with the belief that the addition of funds specifically for urban parks may alleviate some of the political pressure to shift funds from farmland to urban areas of the state.

The preservation of farmland is a benefit to all residents of the State. Once farmland is preserved, it not only remains actively used for production agriculture, it provides for scenic vistas, a local supply of fresh farm products, water recharge, and also remains on the local tax rolls with no taxpayer maintenance costs. Farm Bureau strongly supports the continuation of the funding allocation of 40% of the Garden State Preservation Trust to the farmland preservation program, and should work to educate the Legislature and the general public of the importance of preserving farmland. This level of funding is essential if New Jersey is to meet its preservation goals for farmland. NJFB shall encourage the legislature to expedite the release of preservation funds to the counties.

One of the tools for preservation that may help us reach the 20,000 acre a year goal is the Farmland Planning Incentive Grant (PIG) program. The PIG program encourages municipalities to identify large tracts of land with multiple owners, submitting them for funding as one package. These would compete for funding under a separate program and allow inclusion of all the parcels in a large tract, regardless of size and difference in rating by the usual SADC scale. The law's intent is to aid rural municipalities in preserving large tracts of farmland now before development breaks it up into less viable, noncontiguous pieces. Although this may be a valuable preservation tool, CADBs must remain vigilant in their reviews of these PIG applications.

Every county should have a complete open space/farmland preservation plan. New Jersey Farm Bureau calls upon each CADB to develop their plan and use it as a guideline when reviewing local PIG applications. The CADB should also make sure local agricultural advisory committees (a requirement for the PIG process) have the prescribed membership composite. NJFB shall develop and make available a set of guidelines for local agricultural advisory committees. At a minimum, the agricultural advisory committee should:

- develop an agricultural master plan that is incorporated into the municipal master plan;
- be consulted as to any changes in township zoning ordinances
- oversee all township-owned properties purchased as open space which are in agricultural production;
- have input on the township master plan;

- make recommendations for all open space/farmland preservation purchases; and
- participate in all leases of open space properties to which the township holds title.

The trust fund legislation also enables Pinelands farmland owners to recapture some of the land value lost through the greenlining that took place 25 years ago. Farm Bureau supports and encourages the Pinelands Commission in its efforts to make funds available for the purchase of farmland preservation easements through the farmland preservation program. Farm Bureau shall monitor the distribution of and insure the current allocation of the funds under the Garden State Preservation Trust Act to ensure that it reflects the geographic diversity of the state to the maximum extent practicable and feasible.

New Jersey Farm Bureau should maintain its resolve on the issue of fair compensation for preservation in the Pinelands. Farm Bureau should do this by providing legal advice and financial resources in order to maintain the adopted Pinelands valuation formula. Farm Bureau should also work to insure that preservation funding continues to be available to Pinelands farmers, so they may continue to participate in the farmland preservation program.

With the passage of the Highlands Water Protection and Planning Act, the SADC is directed to spend 30 million dollars in new GSPT funds for preservation of farmland in the Highlands region. The NJFB Highlands working group should look into the merits of creating a special funding round for the Highlands region. Farm Bureau supports putting an emphasis on funding farmland in the preservation area. Any new dollars from a dedicated funding source should be available for any farm seeking preservation in the entire Highlands region.

The trust fund legislation includes a requirement that two appraisals be conducted. One is based on both the zoning and DEP wastewater rules in existence on November 3, 1998, the date the referendum passed, and the other is based on the current zoning and wastewater rules at the time of the proposed acquisition. According to the statute, the higher of those two appraisals is to be used as the basis of negotiation with the landowner with respect to the final acquisition price. These provisions sunset on June 30, 2004

During negotiations on the Highlands Water Protection and Planning Act Farm Bureau tried to have the November '98 appraisal date extended through the life of the trust fund. Recognizing the impacts of the highlands legislation and the storm water rules that became effective in February 2004, the legislature supported using a new appraisal date of January 1, 2004 as the point in time to protect landowner equity in preservation efforts.

A proposal for "ethics guidelines" for CADB or SADC members was adopted in 2000 that requires any CADB member to resign from the board if he or anyone in his immediate family applies to the preservation program. Farm Bureau opposes any further amendment to the ethics guidelines for CADB members.

The farmland preservation program has always been a voluntary program. Several New Jersey municipalities have used the power of eminent domain for the purpose of land preservation. New Jersey Farm Bureau strongly opposes the use of eminent domain as a means of farmland preservation and urges the State Agriculture Development Committee not to reimburse counties or municipalities for their costs in taking lands in this manner.

There is a concern emerging that with this escalation in land preservation, viability issues for New Jersey farms still remain. Therefore, we call upon the SADC and the McGreevey Administration to consider viability-type incentives for all farm properties. New Jersey Farm Bureau also urges all municipalities and counties, when making land use decisions for the infrastructure on preserved farms (ie: bridge and road maintenance), to consider the impact of those decisions on the future viability of the farm.

Farm Bureau also supports the following in the upcoming year:

- development of stronger incentives and more funding for the eight-year program
- an amendment to IRS CODE 2032A, so that farmers who participate in both the federal farm estate tax program and a state or local farmland preservation program are not penalized financially
- keeping all farmland purchased through other programs (Green Acres, etc.) in farming
- an elimination on the capital gains taxes due on income from the permanent preservation of farmland

Impervious Cover on Preserved Farmland

Impervious cover is those materials that do not allow rain water to infiltrate the soil surface. NJFB recommends for farmland the use of the more narrow definition used by USDA-NRCS and not the broader one espoused by the DEP. The regulation of impervious cover on farmland, especially preserved farmland, continues to be an area of concern for New Jersey agriculture. The public wants these limits to protect the soil quality they believe they paid to preserve. The SADC has proposed a 10% impervious cover “trigger.” If a preserved farm exceeds the 10% threshold, the farm would be required to obtain a farm conservation plan. This would not set an actual limit on impervious cover, but allow for decisions to be made on a site-specific basis, instead of using a statewide set percentage.

The U.S. Department of Agriculture recently enacted a policy limiting the impervious cover on any farmland in the federal Farmland Protection Program to a 2% maximum. Even a penny of federal money going to purchase a farmland preservation easement puts this overly restrictive impervious cover limit on all owners of the farm in perpetuity. Under certain conditions an applicant may be able to reach a total of 6% impervious cover rather than just the 2%.

New Jersey Farm Bureau opposes this arbitrary and overly-strict limitation that does not take into account the needs of small and or specialty crop farm operations.

To further complicate the question of impervious cover limits on preserved farms, a formula was negotiated for farms within the designated Highlands different from those described above. Two triggers apply rather than a cap: 3% new impervious cover requires a conservation plan; 9% additional new impervious cover requires a farm conservation plan and review by DEP.

New Jersey Farm Bureau supports use of this formula for all preserved farmland rather than the federal limit or site-specific limits set by current landowners or municipalities. It urges the SADC to develop consistent standards that would protect the ability of future farmers to adapt and change their operations to remain viable. Furthermore NJFB urges the SADC to recognize that site specific conservation plans are to use science based “effective impervious coverage” as a measure in their calculations not “impervious cover”

Affordable Farmland - Changes Recommended by the SADC special Affordable Farmland Working Group.

Because of concerns that preserved farmland is still priced out of the range of most farmers, especially new and beginning farm operators, Secretary Charles Kuperus created a study group to develop potential solutions chaired by SADC member Gary Mount.. Recently the public has been critical of the program because they perceive many of the new owners of preserved ground are not “bona fide” farmers engaged in producing food and fiber. Furthermore, these nonfarm lifestyle land owners tend to build large and expensive homes, becoming private estates instead of contributing to the regional farm economy.

The group including Peter Furey and Helen Heinrich from NJ Farm Bureau considered but did not adopt solutions used in Massachusetts and Vermont where some landowners voluntarily agree to sell their farmland at a “farm value” determined at the time of sale. This might appeal to some NJ landowners because they would receive more money when the development easement was sold. But further restriction against development on more and more NJ land will only lead to rising land and home prices despite the SADC’s best efforts, the group believed.

The recommendations of the Working Group were then organized to achieve three goals:

1. Reduce the purchase and use of farmland by nonfarmers for nonfarm purposes. If wealthy nonfarmers buy preserved land but continue to farm actively and productively, they contribute to the regional farm economy instead of posing a threat to its viability. Changes proposed to SADC rules and practices:

The farm conservation plan now only required must be implemented and recommended practices maintained.

The land must be farmed either by the owner or leased to a party who would actively and productively farm it on at least a 3-year renewable lease. “Actively farmed” would meet the definition of a “commercial farm”, \$2500 worth of farm production annually, instead of the Farmland Assessment requirements.

The ability to carve off exceptions for future house lots would end. There would be no more severable or nonseverable exceptions for residential development. Farm-related housing and agricultural worker housing would continue to be permitted on a site-by-site basis as it is now, in accordance with the deed of easement. It seems to be these extra development opportunities that drive up the value of the preserved ground. Owners of land already preserved with residential exceptions would be able to sell these rights back to the SADC or CADB, a potential source of needed cash for some farm operators.

New housing or renovations of existing housing would be limited to 2500 square feet or in the case of rebuilding, 2500 square feet or the residential footprint whichever is larger. This number is said to be the median house size in NJ.

In instances where significant housing already exists, the landowner would have the option of subdividing off the existing house lots as the easements are sold, thus enabling their value to float with the market. The resulting farmland would

receive one farm housing opportunity. Or he/she could keep the residence attached to the farm and be subject to the above restrictions on size.

The SADC and CADBs should pre-qualify bidders for land owned by these agencies fee simple, giving first access to those who can show that they actively farm or have a farm business plan to do so.

2. There is a lack of land for lease and a demand not being met. Land is leased on very short insecure terms, preventing tenant investment in more profitable crops that take time to be harvestable and soil and water conservation investments. There is little land for young and new farmers to begin their operations as tenants, achieving the three-year experience needed for funds from federal programs, or starting innovative types of farming such as organic production.

The requirement on all farmland owners to farm or lease to active farmers would make more land available to existing, new or young farmers..

The SADC should use its current ability to hold farms bought fee simple for leasing purposes to pre-qualified farm operators.

The SADC should have the option to include leasing lands first to new, socially disadvantaged or other priority farmers.

3. There is lack of coordination between various programs to assist new and young farmers and resources to publicize them and make them more productive. There are new farmers being educated in colleges around NJ who should be encouraged to work the land in this state. What will happen when the ever-growing number of farm operators over 65 decides to cease farming and move off the land is a serious question threatening farm viability. Surveys show that a significant number of these landowners have no idea how the transition of their farm to family members or younger/new farmers will be made.

The Working Group recommended that a special effort be made to identify, coordinate, and publicize programs to bring in the next generation of NJ farm operators.

The NJ Farm Bureau should:

- Seek to hold the current recommendations of the SADC affordable farmland taskforce from being implemented and should convene a working group of county board presidents or representative to study the issues and recommendations in report and to submit those recommendations to the SADC.
- Assist in creating a farm transition study group that includes the NJDA, the SADC and CADBs, the Farm Bureau, Rutgers Cooperative Extension and Cook College, FFA, 4-H, USDA FSA and Rural Development and others to identify resources to provide access to land for new/young farmers, new sources of farm operators, to coordinate these efforts and to publicize their existence to all farmland owners in NJ.

AG ENTERPRISE DISTRICTS

The Agricultural Enterprise District is a tool for preservation of farmland and protection and enhancement of farm viability developed through a joint effort of the Cumberland County Board of Agriculture and Agricultural Development Board with wide application in other parts of the state. Modeled after the very productive Urban Enterprise Zones in Cumberland County, the program would be designed and managed at the county level to meet the needs of farmers in that county. Incentives would be jointly developed between farmer groups; county and municipalities would encourage farmers to restrict voluntarily their ability to develop their land for a period of 8 or 20 years.

The concept was endorsed by the State Board of Agriculture and most of the CADB's as an idea worthy of further investigation and consideration. No more work has been done up to now but the concept is discussed when towns and farmers wrestle with maintaining land values and rural character simultaneously.

New Jersey Farm Bureau should work toward enactment of an agricultural enterprise district concept as developed by Cumberland County. The benefits of agricultural enterprise districts can be one more set of tools to use in enhancing ag viability, strengthening right to farm, and offsetting losses which State Plan local implementation may bring to farm landowners.

NEW JERSEY FARM BUREAU FOUNDATION

Farm Bureau has taken the initial steps in reactivating a non-profit entity known as the New Jersey Farm Bureau Foundation. The foundation was reactivated in April 2000, and has an application for 501-c3 tax exempt status pending. This organization shall be self-supporting through administrative fees gained through the purchase and re-sale to the state of approved farmland easement projects. Currently, a new set of standards is being developed for land trusts. Once finalized, NJFB will hire a specialist with the needed expertise to complete the creation of this foundation.

These non-profits have some advantage over the SADC/CADB procedures in application turnaround time and terms of the sale. Furthermore, Farm Bureau's strong reputation with farmers in the state will provide an assurance of trust and confidence to interested landowners. Some farmland owners are now reluctant to consider easement sale or donation to some of the environmental conservancies because of unfamiliarity and/or objection to their political philosophy.

The Farm Bureau board of directors has future plans to adopt policies and procedures for the foundation. Once a plan is identified, the program should be started and New Jersey Farm Bureau funds provided as a loan to get things underway.

RIGHT TO FARM

The Right to Farm program continues to expand, and is being utilized more than ever. The amendments of 1998 strengthened the Act considerably, and subsequent legal judgments have upheld the power afforded to the County Agriculture Development Boards (CADBs) to adjudicate conflicts involving farm operations. A letter was sent from the Ocean County CADB to the prosecutors of each Ocean County municipality clearly explaining this legal decision and the CADBs role in the right to farm process. The SADC has made this letter available to all CADBs as a sample, and New Jersey Farm Bureau encourages each to write similar letters within their own counties.

This new-found authority for CADBs creates a great opportunity for the agricultural community, but also a great responsibility. More than ever, the CADBs need knowledgeable commercial farmers to lend their time and expertise. Volunteers could be drawn from a number of sources including former State Board of Agriculture members, New Jersey Agriculture Leadership Development Program alumni, county boards of agriculture members, etc. Farm Bureau must strongly encourage participation on these boards and give appropriate recognition to those who do choose to serve.

Insuring an ample supply of volunteers for the CADBs is a critical first step in making the right to farm program work effectively. Training those volunteers in conflict resolution, hearing procedures and other aspects of the process to make sure they are qualified to carry out their duties is the second step. New Jersey Farm Bureau calls upon the legislature to allocate funding to the SADC for continued and expanded CADB training and educational activities.

The right to farm does not presently protect some agricultural practices common to New Jersey. However, the statute allows the SADC to add to the list of protected practices through the adoption of regulations. The SADC is currently researching the need to add certain equine-related activities to this list as well as agricultural labor housing. New Jersey Farm Bureau strongly urges the SADC expand the definition of equine practices to make the definition of "training" more general, thereby affording protection to more of New Jersey's equine operations.

Right to Farm experience in other states shows that regular notice to all landowners that agriculture is a publicly endorsed land use helps a great deal in educating newcomers to the rights of farmers. They can also learn about the process through which they can information about the farming practices being used and their ability to change them to fit their needs. Some towns are providing such notice on deeds, sometimes only for a new development. Others are advised by their attorneys that such notice is not legal. A model ordinance about notice or a clause added to the local Right to Farm ordinance could encourage more towns to head off conflicts before they become so confrontational.

The SADC is currently working with Rutgers Cooperative Extension on the development of three new AMP's: greenhouses, agritourism and farm markets. In December the SADC is expected to adopt the equine AMP developed last year by Rutgers. As these four areas comprise the majority of right to farm conflicts, these AMP's will be a welcome addition to the right to farm program. Farm Bureau urges the SADC and Rutgers to complete these AMP's and propose them for adoption as quickly as is practical and feasible. Farm Bureau supports the continued development and adoption of AMP's, and encourages the SADC to research AMP's from other states or to use any other available resources to aid in their development. It is required that all county boards of agriculture and commodity groups monitor and participate wherever necessary when the SADC offers draft AMP's for review and comment.

Another common area of Right to Farm complaints is with municipal oversight of the construction of farm buildings. Recent court decisions have recognized that CADB's and the SADC have primary jurisdiction over Right to Farm matters. Farmers may apply to CADB's for approval to construct farm buildings (other than farm markets). Currently CADB's are handling these requests on a site-specific basis. Although the process will need to remain site-specific, NJFB calls upon the SADC to develop guidelines to assist CADB's in overseeing the

construction of farm buildings. NJFB also recommends that the NJ Department of Agriculture booklet “Fact Sheet for Commercial Farm Buildings” be updated to reflect the Right to Farm’s role in farm building construction.

Housing for agricultural labor is essential to many farming operations and the construction of labor facilities must be protected under the Right to Farm. NJFB urges the SADC to add, through regulation if needed, agricultural labor housing to its list of protected practices, and an accompanying AMP should also be developed.

As Right to Farm conflicts continue to arise there seems to be some inconsistency in how the conflict resolution process is used. Farm Bureau should seek to bring together the CADB’s and the SADC to review and surface any problems.

Farm Bureau shall be active in distributing information about the right to farm to individual farmers. Direct mail and fax broadcast to members listing this issue as a “topic of interest” on their membership application will help inform them and also generate their feedback. New Jersey Farm Bureau should publish regular updates on proposed AMP’s, prominent cases that are pending and new innovations in the scope of this program. The county board of agriculture should be updated on a regular basis.

Farm Bureau should also provide legal assistance to its members involved in Right to Farm conflicts, especially while local municipalities are still unfamiliar with the statute and its requirements.

PINELANDS

It is critical that New Jersey Farm Bureau continues an ongoing dialogue with the Pinelands Commission Chairman and the current commission members, stressing the need to treat farmland owners in the Pinelands in a way that protects their equity.

There have been four special rounds within the preservation program since the implementation of the Pinelands formula in an attempt to compensate landowners through these special rounds. It is important that Farm Bureau continues its support for funding of farms in the Pinelands. Farm Bureau should ensure that the SADC evaluates Pinelands appraisals in a manner that is similar to preservation applications outside the Pinelands region. With the increase in PDC values farmers will be appraised on the formula and the PDC value to determine the best value for the landowner. NJFB may need to evaluate the base price for the formula to reflect the rising values of PDC’s.

As PDC values increase, more farmers are electing to retire their credits. There are special cost share and other programs for farms that are enrolled in the preservation program and for farms that retire TDR credits. These benefits are currently not available for farms preserved through the retirement of PDC’s. Farm Bureau should seek to work with those program administrators to amend statutes or rules to include farms preserved through the PDC program.

Farm Bureau should also work with Pinelands Commission members when necessary to help stimulate private-sector interest in Pinelands Development Credits (PDC’s).

Funds allocated for Pinelands purchases shall only be used for farms within the Pinelands region, while there are active applications pending.

Farm Bureau continues its support for the work of the Pinelands Agricultural Advisory Committee to review all issues pertaining to agriculture and forestry in the region. With specific regard to the use of state open space trust funds to purchase the newly-valued PDC's. Farm Bureau shall monitor the distribution of funds under the Garden State Preservation Trust Act to insure that it reflects the geographic diversity of the state to the maximum extent practicable and feasible.

With the ever-changing dynamics of agriculture, it is important that the Pinelands Commission support Right to Farm within the Pinelands. Due to the diversity of crops and labor intensive crops grown in the Pinelands it is important that growers have the ability to expand all aspects of their business such as labor camps, packing facilities and supporting structures. It is important that the Pinelands Commission understands and supports the continuation and growth of agriculture within the Pinelands boundaries.

Farm Bureau will also encourage the inclusion of farmland within the Forest Area into the appropriate designation under the Pinelands Plan that will entitle them to the receipt of Pinelands Development Credits and the accompanying share of open space trust fund grants.

HIGHLANDS

With the passage and signing of the Highlands Water Protection and Planning Act 7 Northern New Jersey counties will deal with the process of regional planning. During the bills development New Jersey Farm Bureau focused its comments and worked to change the legislation based upon a few key issues; a separate track for regulating agriculture and agricultural practices using existing farm service agencies and programs including "Right to Farm", preserving and protecting landowner equity in the region through adequate funding for preservation initiatives that will come from the legislation, insuring agriculture representation on the council, and promoting land use policies that allow for growth while encouraging agriculture and land preservation.

Though some of our concerns and issues were addressed in the final bill, New Jersey Farm Bureau withheld support of the bill mainly because the legislation lacked an adequate funding source to pay for expected land acquisitions. To correct that missing but important piece, New Jersey Farm Bureau will continue to work with the legislature on establishing new legislation that would generate funds to pay for expected land purchases by the state in the Highlands region, and for compensating landowners for their loss of equity when they make a private sale of their property. As part of the process to determine the impact of the bill to landowners Farm Bureau should also track land sales in the region and farmland preservation appraisals. Farm Bureau should also track the trends of Highlands' reviews, approvals, waivers and denials to ensure they do not conflict with or erode existing right to farm protections.

President Nieuwenhuis has established a new Highlands work group to tract and comment on actions of the council. The work group will also support the agricultural representative on the council. The New Jersey Farm Bureau Highlands work group will play an active role in keeping up on what is going on in the region. It will focus on insuring that agriculture and landowner interests in the region will be heard on the council and it will relay actions of the council to the

agriculture community and interested Farm Bureau membership. The role of the Highlands Work Group will be critical as the council gets underway and starts the planning process.

PROPERTY RIGHTS

Farm Bureau shall seek the enactment of state legislation to protect all property owners from the adverse effects of excessive land use regulations. This legislation should resemble the property rights protection legislation in the state of Florida known as the Bert Harris Act. That legislation recognizes that while some laws, regulations and ordinances may not amount to a constitutional taking, they can still cause an inordinate burden on property owners, and such burden should be compensated for.

Farm Bureau should assist any evaluation of a "takings violation" by conducting research and gathering economic information pertaining to the "beneficial use" of farmland. Recent court decisions in New Jersey seem to imply that stripping property rights down to "beneficial uses" is permissible under the Constitution without understanding the economics and marginal profitability of many farming enterprises.

It is further resolved that the aforementioned state legislation include a provision that all affected landowners be notified regarding the imposition of any new or proposed state land use regulation. This is already done by municipal government for zoning changes. Farm Bureau shall seek the enforcement of this notification requirement and the removal of the exemption for master plan re-examinations. Notification should be made to individual landowners.

Farm Bureau should assemble legal documentation on the "potential takings" issue and solicit the support of disaffected non-farmers to the emerging property rights movement in New Jersey. The New Jersey Farm Bureau directors moved to continue the effort to combat the loss of property rights by appealing the August 5, 2002 Superior Court ruling in the East Amwell downzoning case. Farm Bureau alleges that aside from a loss of land value and a partial taking, the impact is unjustifiably exclusionary and discriminatory. The outcome of this appeal is critical in the battle halt the slow erosion of property rights in other parts of the state as well. While the township in this case is not faulted for seeking a goal of preservation, there is a dramatic need for precise standards of fair play for property owners. Farm Bureau will continue to play a pivotal role in this process.

PROPERTY VALUES STUDY

Farm Bureau commissioned a study to quantify the impacts of zoning changes on property values in New Jersey. The results of this study are now available to county boards of agriculture and other agricultural leaders to be used as one argument against municipal downzoning. Farm Bureau began disseminating this information by sending the report's executive summary to the mayors and business administrator of every New Jersey municipality with 100 or more farmland assessed acres. Copies will also be sent to County planning boards, and members of the state legislature. Farm Bureau shall continue to distribute and publicize the results of this study as widely as possible to the general public. This should be part of a complete message about the ineffectiveness of downzoning as a preservation tool.

LAND USE REGULATION

Agricultural and forested lands are the largest areas of remaining open space in the state, providing food and fiber products to New Jersey's economy. In order to insure landowners have the freedom and flexibility to use, acquire, and preserve the land, New Jersey Farm Bureau has been active in promoting the need for balanced land use regulation. This balance includes protecting farmland and open spaces, environmental integrity, agricultural economic viability, and landowner equity.

NJ municipalities have the power under the Municipal Land Use Law (MLUL) to plan and regulate the type and extent of land uses on private property in the name of public health, safety, and welfare. But many are using their zoning power for much more farmland and open space preservation, preservation of rural character, and water quality improvement as well as limiting population and growth. New Jersey Farm Bureau shall seek reasonable farm community representation, and encourages the farm community to seek positions on local land use boards, environmental commissions and other municipal and regional decision-making bodies.

Land use planning has become part of the mission of the NJDOT, DEP, COAH and environmental groups. In 2003 the DEP unveiled the BIG MAP, a compilation of all their regulatory programs mapped at the same scale for the first time. The intent seemed to be priority in the statewide designation of areas for growth and natural resource protection. This pre-emption of planning was challenged by the State Planning Commission that has produced the only officially adopted planning map for the state. But mapping of wetlands, steep slopes, floodplains, and especially threatened and endangered species (the Landscape Project) will continue to be the basis of regulatory decisions of the NJDEP.

Many municipalities are also amending their local zoning codes in ways that would severely restrict land uses in areas defined to be stream corridors and greenbelt corridors. This will be more prevalent as towns develop their required Stormwater Management Plans. In some cases these changes extend beyond currently regulated flood plain and wetlands area of freshwater streams into adjoining upland property. While the purpose of protecting water supply sources and environmental habitat is laudable, this concept is a dangerous infringement on property rights and should be seen as a potential regulatory taking.

Farm Bureau should oppose these proposals and encourage further scientific study and analysis of current regulations to see if additional controls are warranted. If necessary, alternate methods of achieving these objectives ought to be examined without seizing legitimate property interests of landowners.

In 2004 the Big Map, rejected as the main basis for statewide land use planning, was incorporated into mapping change discussions as part of the State Plan Cross Acceptance process. This means that mapping such factors as 300-foot buffers along C-1 waters and threatened and endangered species habitat and potential habitat is on the agenda in many counties and communities.

New research into municipal planning practices shows that, even in areas where farmland preservation has been strongly supported for decades, municipalities do not use their planning, zoning, and other regulatory powers to support a vision of strong, profitable agricultural

businesses. Municipal documents talk about supporting agriculture, preserving farmland, and fostering agricultural viability, but other sections of the master plan and township regulations often contradict these goals.

There continues to be a perception that farmland is a temporary land use, even when it is preserved for agriculture forever. This is pervasive among both professional and lay planners.

NJ Farm Bureau should:

- Encourage all members to be ready to investigate municipal planning and zoning actions that may impact land values or the ability to conduct farming practices. The key points are during the master plan re-examination, master plan amendments, and township committee passage of land use or police power ordinances.
- Encourage all members to monitor the actions of any municipal Agricultural Advisory Committee or to work to have the municipality create one to advise both the township committee and the planning board about land use planning and other regulation that effects agriculture.
- Reach out, with the NJDA, to professional planners, educating them about how they can improve farm viability and about the dynamic nature of NJ agriculture.
- Find funding for municipalities with ag advisory committees to review their master plans, land use and policy power ordinances to identify where this regulation works against farm viability and increased farm profitability.
- Encourage members to participate in the State Plan Cross Acceptance process so that the mapping land use planning recommended by the State reflects the concerns of the farm community.

SMART GROWTH AND AGRICULTURE

All state agencies have been required to develop their own Smart Growth plans so that the State Planning Commission can develop the next version of the State Plan and its map with all information available. In response, the NJDA drafted the Smart Growth Plan for Agriculture that includes five interrelated elements: farmland preservation, innovative conservation planning, economic development, natural resource conservation, and agricultural industry sustainability. With the support of the farm community and adoption by the State Board of Agriculture, the Plan can move to the next stage: detailed action to implement the goals of the five elements.

- In 2005 NJ Farm Bureau should help the farm community fully understand the aspects of this Plan that puts the broad spectrum of needs of the industry into land use planning terms. The NJDA and county boards of agriculture must continue an active dialogue about this issue, so that the whole farm community can stand behind this Smart Growth Plan as the NJDA negotiates with other agencies and with municipalities the details of the next State Plan and its map.
- NJ Farm Bureau will work with NJDA and the College to develop detailed goals with concrete action steps that will address the high priority issues in each of the five

elements. This may include the development of model ordinances; guidance to farmers' advisory committees; and the review of center and endorsed planning process from the beginning in rural areas. New Jersey Farm Bureau and its members will work with NJDA and others to develop and promote those ideas to municipalities.

- As the five elements of the plan are developed, landowner equity must become the cornerstone of the Agriculture Smart Growth Plan, and become either the sixth element or one of those five.

The Agricultural Smart Growth Plan underlies implementation of the State Plan. As rural communities come to the State Planning Commission with their master plans for endorsement in order to receive state financial and regulatory benefits, the NJDA will be at the table with a list of requirements designed to enhance agricultural viability as well as preservation of the farmland base.

MISUSES OF IMPERVIOUS COVER ORDINANCES

New Jersey municipalities are given the power to regulate the percentage of lot or development area that may be occupied by structures in their zoning actions by the municipal land use law (MLUL). Typically, they set limits on the percentage of lot coverage for buildings and for other impervious land covers such as paved roads, concrete pads, or other surfaces through which storm water cannot percolate into the ground water.

Increasingly, New Jersey agriculture seems to be the focus of changes in the zoning code to restrict land coverage on farms at restrictive levels far below that needed for the future viability of farming. Even on permanently preserved farmland, municipalities are acting to limit coverage because of the fears of residential neighbors about water quality and reduction of residential land values. This has led to accusations against greenhouse agriculture as being a form of industry undeserving of any consideration as agriculture.

New Jersey Farm Bureau should work on this issue to meet both the needs of New Jersey agriculture and the legitimate concerns of municipalities on the following:

Municipalities that consider lot coverage ordinances affecting farmland must:

- create trade-offs between site impervious cover and the many water recharge opportunities on farms.
- utilize a conservation plan and site planning assistance from the USDA-NRCS to deal with water quality and quantity, and not the municipality's zoning power.
- create ordinances that allow for the development of site-specific rules that take into account the needs of each unique location – not the imposition of an arbitrary percentage of allowable cover.
- mitigate any objectionable visual aspects of farm buildings or structures through careful sighting and landscape buffering.
- consider the Right to Farm and AMP process as they apply to the construction of agricultural structures.

Attention to the issue of impervious cover on farms intensified in 2004. The SADC is currently evaluating rules to impose impervious cover limits on preserved farms because of conditions

attached to federal farmland preservation monies and the passage of state legislation. The Highlands statute contains 2 triggers for increasing impervious cover on farms that sends landowners to the NRCS for conservation plans that will include stormwater management. As they develop their Stormwater Management Plans, municipalities may set strict limits on farms regardless of size that may limit the opportunity for profitable agriculture for both the current farmer and those in the future.

Municipalities must recognize that farms needing increased impervious cover to develop farm buildings such as greenhouses or indoor aquaculture facilities can also be a significant source of groundwater recharge. Stormwater management and recharge can both be achieved on farms through this process. As municipalities develop the mandated stormwater management plans, the question of how to deal with farms will be very prominent in rural communities, with the potential of increased misuse of impervious cover limitations.

In 2005 Farm Bureau should:

- Continue to review and comment on the SADC recommendations on how to deal with impervious cover limitations so that today's landowners do not tie the hands of future farmland owners.
- Ensure that the SADC uses the 2 Highlands triggers (3% and 9% additional impervious cover) for decisions about impervious cover on preserved farms instead of the NRCS 2% limit total for federal farmland preservation monies.
- Ensure that the SADC and municipalities use the Highlands definition of "agricultural impervious cover" that better accommodates real farm conditions. Farm Bureau should strongly oppose use of the DEP definition that considers even gravel an impermeable surface.
- Prevent imposition of any absolute cap, using instead trigger percentages that enable the farmer to engage in a site-specific method to set limits in conjunction with the appropriate conservation plan and management practices.

STATE DEVELOPMENT AND REDEVELOPMENT PLAN (SDRP)

The State Planning Commission (SPC) formally adopted the State Development and Redevelopment Plan (SDRP) in March 2001. Farm Bureau and the NJ Department of Agriculture were active participants in the amendment process. As a result, the Plan contains 23 policies to support agricultural viability statewide, the Equity Policy, and many references to planning and zoning tools that would retain value in the land, yet preserve rural character and 70% or more of the land for agriculture.

Gov. McGreevy has directed his Administration to make implementation of this Plan a top priority of each agency. To do so, each agency, including the NJDA has developed a Smart Growth Plan that they can bring to the table for discussions with counties and municipalities trying to win an endorsement of consistency with the State Plan and to gain the state assistance and benefits to follow.

In March, 2004, revision of the SDRP began again. State agency strategic smart growth plans and new, more accurate layers of environmental mapping are available as background for

state plan policies. The Cross Acceptance process got underway this summer on a much intensified fast track. County Cross Acceptance reports are to be filed with the Office of Smart Growth before the end of the year. The entire revision process is scheduled to be completed by late summer 2005.

The Agricultural Smart Growth Plan is one of the most detailed agency efforts to use the State Plan to support agriculture. The policies that support NJ agriculture remain intact in the proposed Plan: Policy #1, the Equity Policy and the 23 statewide policies for agriculture, now placed under the Economic Development state plan goal.

Research shows that professional and lay planners are not including the concepts of the Ag Smart Growth Plan and the 23 policies in planning to support agriculture in their communities.

The Cross Acceptance process provides an opportunity not to be missed to bring these recommended actions to the attention of municipal and county decision makers who want to preserve farmland, rural character, and support the agricultural industry.

Farmers must also participate in and watch carefully attempts to revise the State Plan map.

Farms in Planning Areas 4 and 4B receive top benefits from state agencies that support the agricultural economy. Farms in other planning areas can receive them only if their CADB has a plan that includes their land in the ADA. Many parties want to map stream corridor areas on farms as "Critical Environmental Sites" or the whole farm if it is potential habitat for threatened and endangered species such as grassland birds. It is unclear how this would affect farm operations and alternatives for the future.

A new definition has been added to the State Plan glossary: Areas for Agricultural Industry Growth. This means those areas designed to preserve agriculture or its support industries reflected in municipal and county farmland preservation plans.

While this may encourage streamlining of state agency and municipal permits for agricultural actions to increase viability, it could be used by municipalities to sharply restrict areas where activities other than "horses and hay" could take place. The farm community must reinforce the connection between agricultural viability and land preservation to have the flexibility needed to stay profitable and viable.

Finally, there will be discussion of adding targets and indicators to this version of the State Plan. The only one in the 2001 Plan for agriculture is: increasing acreage under farmland preservation. The farm community must develop other ways to gauge whether the State Plan is actually working to strengthen agricultural viability.

Farm Bureau should:

1. Support the NJDA Smart Growth Plan for Agriculture that provides tools and protection for farmers in land use issues and work to ensure that there are adequate staff and resources within NJDA, Rutgers Cooperative Extension, the New Jersey Agriculture Experiment Station and the SADC to achieve the Plan's goals.

2. ensure that Farm Bureau members use the Cross Acceptance opportunities to spotlight the policies in the State Plan that support ag viability; municipal and county public hearings, dissenting reports to the county or the State Planning Commission if necessary to give these policies the attention any rural community should give them.
3. support the NJDA in assembling the resources to implement the State Plan favorably for agriculture and to review all Plan Endorsement and center designations from the first stages of their development, and staff to act in such a way to ensure that the policies are implemented by state agencies and municipalities to support their positive efforts in
 - avoiding negative impacts from development on agriculture
 - making widespread the use of innovative planning techniques that preserve equity
 - ensuring adequate water supply for agricultural needs
 - developing supporting capital facilities
 - providing access to capital
 - promoting economic development to assist agriculture, tying the potential of agriculture into other state, county and local economic development programs
 - diversifying the farm economy
 - enhancing agricultural marketing
 - adapting the regulatory process to support agriculture
 - advising municipalities on how to support the agricultural industry and prevent Right to Farm conflicts
 - preserving agricultural land
 - promoting the development of aquaculture
 - developing Agricultural Management Practices
 - encouraging the use of organic materials as soil amendments
 - developing farm employee housing
 - supporting vocational and technical training to increase agricultural expertise
 - expanding agricultural education and Ag in the Classroom
 - developing a strong program to encourage first-time farmers
 - promoting the value of agriculture to the public
 - supporting agro-tourism as it benefits the agricultural economy.
4. educate its members about the benefits of agricultural development alternatives, like one developed by Jim Miller that includes innovative conservation planning and use of onsite wastewater treatment facilities and how this both accepts new development and also protects farm equity as no other form of development does.
5. ensure that all its members understand and use the Equity Policy of the Plan to forestall efforts by towns to downzone farmland.
6. with the help of members, monitor how municipalities use the “Areas for Ag Industry Growth” designation so that it increases opportunities rather than limit where they can take place in a community.

7. brainstorm with the land use committees of the State Board and Farm Bureau to develop other state plan targets and indicators by which to measure whether better and more inclusive planning for agriculture is increasing viability and profitability

RAILS TO TRAILS AND OTHER RIPARIAN BUFFER/GREENWAY INITIATIVES

Counties and municipalities have developed greenway plans that cover many hundreds of acres along streams or adjacent to other public open space. In some instances, the purchase of development easements on a farm is contingent upon the landowner granting a conservation easement along any stream that is part of the county or municipal greenway system. This can happen without the extra compensation such a taking should warrant. It can create problems for the farmer in maintenance of drainage system outlets, trespass and vandalism, increased liability, unauthorized motorized vehicle access, setbacks from pesticide spraying.

Open space and recreation enthusiasts are advocating the conversion of abandoned railroad lines to active recreation trails. They envision horseback riding, hiking, bicycling and nature walks as a new use. Unfortunately, these plans have not considered the potential interference with adjoining farm operations.

Farm Bureau shall work to ensure that sufficient safeguards for agricultural uses can be demonstrated to the New Jersey Farm Bureau directors on a case-by-case basis for any projects that are proposed.

HISTORIC PRESERVATION

The National Park Service, together with groups interested in Historic Preservation of buildings and landscapes, is intensifying its identification of these sites. In New Jersey regulation of buildings, structures, landscapes and scenic corridors can develop at the local level through the master plan and ordinance development process. Nomination and listing as “historic” can be at the national and county level. Anything over 50 years old can be deemed “historic.” Anyone can nominate a property without the participation of the owner.

The new focus on historic landscapes and scenic corridors is a concern for agriculture, not only because property values may be affected, but also because farm modernization or change to new crops or technology may be more difficult or impossible.

The latest plan for protecting historic landscapes is the Crossroads of the American Revolution project that could cover sites, and landscapes in 14 counties and 203 municipalities. The NPS along with a NJ steering committee have interested our Congressmen in supporting a bill to designate these areas as a National Heritage Site. This could bring in funds to help protect buildings and preserved landscapes such as roads between battlefield sites.

One of the major themes is the effect of the Revolution on ordinary people – i. e. farmers. Yet the steering committee was formed without any representatives from the farm community and no contact with the NJ Agricultural Society or the Agriculture Museum.

In the coming year, New Jersey Farm Bureau should:

- become familiar with New Jersey historic preservation interests and agencies and the goals of their programs, especially the Crossroads of the American Revolution Association, the steering committee for this project.
- Encourage the NJDA, the SADC, the NJ Agricultural Society and the Agriculture Museum among other farm groups to follow the progress of this program and actively participate in any designation actions.
- investigate the takings implications of designation of historic landscapes, “viewsheds,” and scenic corridors.
- be watchful for those actions on the local level and be prepared to educate town officials and the public about the potentially negative impact on agriculture.
- determine whether the Right to Farm Act requirement for an agricultural impact statement applies to these state-supported actions.

MUNICIPAL DOWNZONING AND OTHER LOCAL SMART GROWTH ACTIONS

The tool of choice to accomplish many land use goals has been downzoning to create very large lots – 7A, 10A, 12A. Farm landowners have been caught all over New Jersey in actions that are progressively more restrictive. Farm Bureau has a key role to play in the education of municipal officials, as well as regulators and the general public on the needs of agriculture and forest land owners when new land use and regulatory actions are proposed.

Many proponents of downzoning use the protection of water quality and quantity as rationale for their actions, although this is often not scientifically justified. Use of various models of ground water pollution can result in whatever lot size is desired, if different numbers are entered into the model equation. Farm Bureau must be a vocal advocate for the use of sound science in all land use planning decisions.

Farm Bureau opposition to the downzoning in East Amwell eventually led to New Jersey Farm Bureau and nine East Amwell landowners filing a lawsuit. The trial was decided in August 2002 with the Superior Court judge finding in favor of the Township. The New Jersey Farm Bureau Board of Directors authorized moving forward with an appeal, and that appeal filed in October 2002. The appellate court is expected to hear the case late fall early winter 2004

A solution that would have achieved the goals of each side was proposed in a report titled FARMLAND PRESERVATION ALTERNATIVES FOR EAST AMWELL, prepared by James Miller. This spelled out what the town could do if it truly wanted to encourage its farmers and enhance the future of the industry. The Smart Growth Plan for Agriculture includes these alternatives as a more equitable form of planning and zoning. The Department of Agriculture, and Farm Bureau can use Jim Miller’s report and the Ag Smart Growth Plan to dialogue with municipalities who want to redirect land development patterns to preserve agriculture, rural character, and forestlands.

More and more municipalities assume the East Amwell decision will stand, and are moving ahead with their own plans to downzone. Along with the appeal of that decision, Farm Bureau must continue to assist its members in opposing these actions. As part of this effort, Farm Bureau should undertake a public information campaign regarding the protection of land values, equity and property rights. Educating the public about land use issues must be a priority for the agricultural industry. The agricultural community must work to make the general

public understand the negative impacts downzoning have on both land values and the viability of the industry they seek to preserve.

New Jersey Farm Bureau staff has been active in assisting many members whose towns have taken up downzoning initiatives. When reached early enough in the process some members have been successful in preventing a downzoning from taking place. Slowly, more and more planners are starting to understand the basic fact that large lot zoning only facilitates sprawl and consumes land in a wasteful way.

To further encourage sound planning decisions, Farm Bureau calls upon all CADBs and the SADC to question severely or deny PIG (Planning Incentive Grant) applications that are submitted by municipalities that utilize downzoning, fail to support the Right to Farm Act, or retard agricultural viability in other ways. NJFB encourages the SADC to require an equity protection statement in the agricultural preservation master plan, as well as strong support for agriculture as a business.

TRANSFER OF DEVELOPMENT RIGHTS (TDR)

In March of this year the Governor signed the first state wide TDR legislation. New Jersey Farm Bureau worked extensively with the bill sponsors, administration staff, and other constituent groups to make sure that any TDR legislation would be built upon the successes learned in the Burlington County TDR programs. The final legislation has several safeguards built in to the legislation to protect landowner equity when establishing a TDR program on a municipal or regional level.

The Legislation largely reflects the needs and addresses the issues that New Jersey Farm Bureau raised during the drafting of the legislation. New Jersey Farm Bureau will continue to monitor the rule making process to ensure that TDR programs are following those goals.

- TDR must be a growth strategy as much as a preservation strategy. A municipality cannot use this tool primarily to limit growth but must commit to enough growth to balance the taking on the sending area side.
- Transfers need to be within a municipality, or between adjacent municipalities or counties, not anywhere around the state. There must be a concrete connection between the sending and receiving areas. Although New Jersey is a “home rule” state, control of these programs would better rest with the counties than with each individual municipality.
- The legislation needs to provide for both voluntary and mandatory programs, with greater landowner protections for mandatory programs. Whether mandatory or voluntary, a municipality must demonstrate its willingness to amend its water supply and wastewater plans to provide adequate infrastructure for the receiving areas if it is not already available.
- Municipalities that want to create a TDR program should receive priority attention from state agencies and the State Planning Commission and Smart Growth grants to do the planning. They should have priority, once the program is designed and approved, for infrastructure bond grants and other supportive programs.

- Farm Bureau should serve as a conduit for bringing landowners, municipal and government officials together to discuss the merits of TDR in a community and to be ready to assist the Office of Smart Growth in establishing demonstration TDR programs in the state.

THE LANDSCAPE PROJECT

The landscape project uses “Threatened and endangered species habitat” mapping which could be used to reduce development potential on farmlands. The DEP has computer-based maps of the state delineating the habitat and potential habitat of threatened and endangered plants and animals. These maps are available to anyone online at <http://www.state.nj.us/dep/fgw/ensp/landscape/index.htm>. On only some of the mapped habitat have the species actually been sighted. In other cases, there is the potential for an area to be habitat.

The DEP and environmental organizations are urging municipalities to incorporate them into their natural resource inventories and use their regulatory powers to protect this habitat and potential habitat. They are using the Cross Acceptance process and mapping changes to do this. Tools recommended are mapping an area as a “Critical Environmental Site” or a larger “Special Resource Area”.

The Landscape Project, the effort that created the maps, comes out of the NJ Fish and Wildlife Division, the Nongame and Endangered Species Branch. The head, Larry Niles, told Farm Bureau that the maps were only for informative purposes, “to help developers and landowners make better decisions about where to develop or undergo other land uses”. But they are one of the most powerful land use regulation tools available to the state and municipalities.

What is this “habitat”? Supposedly the plant or animal has been sighted on the areas mapped – but at what point in time, this year, or 25 years ago? It is not clear also whether the mapping includes all the land similar to areas where the species have been sighted, so-called potential habitat.

Grassland birds are one of the highest priority species for the Project. These include species that make their homes on hayfields, cropland, airport edges -anywhere there are large tracts of grass plants.

TOP PRIORITY:

Grasshopper Sparrow
Henslow’s Sparrow
Savannah Sparrow
Vesper Sparrow
Bobolink
Upland Sandpiper

SECOND PRIORITY:

Meadowlark

According to the increasing amount of research on these animals, each species has its own special requirements for nesting ground, breeding, and feeding. One species needs short

grass, another much taller. Yet even the FSA CRP requirements contain one set of restrictions that may favor only a few of those species, not all. One size may not fit all.

The mapping decisions were reviewed by an elite panel of scientific experts, but it included no landowners, no economists, and no purely public members. There has been no public review of the project and the mapping. DEP includes this factor in the site review under their new stormwater rules and recommends such mapping for the State Plan under Cross Acceptance even though there has been no opportunity for public review and comment.

Court decisions have forced the US Fish and Wildlife Service to perform an economic impact assessment before declaring an area as habitat. Shouldn't Fish and Wildlife have to do the same before greenlining thousands of undeveloped acres in NJ?

In 2004, the Landscape Project has risen to the top of the priority list of many environmental groups who favor basing the State Plan map on environmental mapping such as that for threatened and endangered species. It is being pushed to the forefront of State Plan mapping discussions in every county. Mapping for grassland bird habitat can become the basis for changing farms from Planning Area 4 to 4B or even 5 where farm practices have little protection. Or they can be mapped as "Critical Environmental sites" or as part of "Special Resource Areas" similar to the Highlands in the 2001 State Plan.

In 2005 NJ Farm Bureau should:

- Given the reasons listed above, expose the lack of scientific basis for the mapping, the lack of public review, and guard against further restrictions on the ability to farm profitably.
- Bring together wildlife specialists from the USDA and Cook College, the farmer representatives on the Fish and Game Council, the NJDA, the SADC, the USDA FSA and NRCS to review the maps, the criteria for the mapping, the requirements for each of the species of concern, and all state policy set so far to accommodate their needs. New policies that better protect the practice of agriculture and farmland equity should be developed and recommended to the Fish and Game Council.
- Find out whether the requirement of an economic impact assessment can also be required at the state level. This should be in addition to an agricultural impact statement requested by the SADC.
- Find out whether the Texas Farm Bureau has had success using the document "Endangered and Threatened Animals of Texas" developed several years ago in a cooperative effort between the Texas Department of Agriculture and its environmental protection agency. This book contains a detailed description of the animal, its life cycle, its habitat needs, and how farmers can help protect or create this habitat while continuing their farming operations.
- Encourage the NJ Department of Agriculture to participate fully with the DEP in the development and implementation of the landscape project regulations.

FOOD SAFETY

Food safety concerns remain an important issue to agricultural producers as more attention was given by the media to issues like salmonella poisoning and e coli bacteria. A Northeast state like New Jersey with a strong emphasis on fresh market produce and direct marketing to the general public of locally produced food cannot afford to be complacent on this issue.

For example, most farm leaders believe it is inappropriate to put warning labels on food. If a food item is considered to be unsafe, then controls ought to be mandatory negating the need for fear-prompting warning labels for consumers. Safety in food, however, can be debated and therefore ought to be a process for farmers to share their opinion when it affects their business. The process of developing these controls must be closely monitored by the agriculture community and must be based on sound science and the best data available, not on default assumptions.

A state agency task force on food safety led by the Department of Agriculture exists, and is activated when a food safety issue arises. Its purpose is to monitor current and upcoming food safety questions and prepare an informal response for public distribution. The State Board of Agriculture has its own advisory committee to that group which seeks out farmer opinion on these marketing-sensitive issues. Farm Bureau supports the work of this committee.

In the wake of the ALAR-apple food scare of 1989, many food processors have become capricious in the standards they use regarding pesticide residue. Scientific instruments are capable of detecting most chemical compounds in parts per trillion, far smaller quantities than any reasonable person would consider to constitute a health threat. Yet, food processors have imposed restrictions on the commodities they purchase from growers for marketing advantages with consumers at the expense of growers. New Jersey Farm Bureau shall work toward the establishment of scientifically based and uniform guidelines which reflect an understanding of what pesticides are needed to grow food crops at the quality level demanded by consumers.

Beyond the issue of pesticide residue in food there are other important food safety issues relating to the handling and processing of food, food distribution, and in a post 9/11 world concerns over the use of food in terrorist activity. In order to address those issues this past spring New Jersey Farm Bureau helped design and participated in a "Farm to Table" table top exercise designed to look at the New Jersey food chain and discover areas where food biosecurity measures can be improved.

The exercise sponsored by the New Jersey Food Council and the State Office of Counter Terrorism, served as a starting point for improved communication between the growers, retailers, and government agencies. The final report from the exercise outlines some next steps that need to be taken in order to prepare against a disruption in the food chain in New Jersey.

New Jersey Farm Bureau will continue to represent agriculture as an industry advisor to the Office of Counter Terrorism. Farm Bureau will also work with our partners at Cook College the New Jersey Agriculture Experiment Station, the Food Policy Institute, the New Jersey Food Council as well as lead staff at the new Jersey Department of Agriculture on issues related to food safety, biosecurity and general animal health. We will also work to keep our members informed of policy and practice changes as they relate to food and food security issues.

BIO-ENGINEERED FOODS

Although it is relatively new, food commodity production using bio-engineering is advancing rapidly throughout the United States. Between 1996 and 1998, transgenic crop cultivation expanded 15-fold to almost 28 million hectares (69 mil. acres). It is estimated that there are gene-altered ingredients found in almost 60 percent of domestic processed foods in things like candy bars, nacho chips and baby cereal. American agricultural technology has provided the leadership in the adoption of these processes into the food production system. Farmers are significant stakeholders in that system.

Bio-engineered foods are now under assault from criticism directed at the consumer health effects, environmental impacts and ethics of using this technology. Opposition is strongest in Europe and is now expanding to both developed and developing countries around the world. Critics have seized upon the public relations tool of stigmatizing the food supply among consumers through the news media, which in turn has caused some major food processors and food retailers to run scared. Commodity producers like farmers face the risk of market disruption and interruption of trade opportunities and those disruptions are increasing as countries try to use GMO bans as a trade barrier tool.

Farmers are vulnerable to economic harm if the debate over bio-engineered products is won by those who have hidden agendas. Europeans seeking advantage in blocking food imports and anti-technology alarmists will overwhelm the political, regulatory and consumer markets with scare tactics unless their commentaries are confronted. At the same time, farmer interests are better served if they remain distinct from corporate entities that own the technology. It is still unclear whether the benefits of bio-engineering in agriculture accrue to farmers if the fundamental relationship between the producer and the input companies results in more economic concentration. Not only might farmers lose freedom of choice among suppliers and buyers, but their role over time might evolve into being more of a manager and less as an independent business owner.

New Jersey Farm Bureau shall become proactive in the debate over bio-engineered foods. Grain producers for example are faced with a dramatic loss of market potentially without the intervention of credible voices in the debate. Emphasis needs to be placed on the safety of these modified foods and their importance in the worlds' economy and future food supply. Scientific research and findings supports the safety of these foods. Farmers need to ensure however, that they not relinquish their place in the food production system even as they assuage consumer apprehension over the commercial use of this technology.

New Jersey Farm Bureau shall also support a greater effort of educating the public regarding the sound science of bio-engineered foods. A coalition of 26 trade groups representing farmers and food processors called the Alliance for Better Foods has detailed information to share. This is the type of information that needs wider dissemination to counter the scare tactics and anti-technology activists that are clouding the issue.

New Jersey Farm Bureau opposes legislation mandating the labeling of foods made with bio-engineered products. The practice of labeling foods as "bio-engineered" or "made with bio-engineered products" will serve no public service, and without public education could potentially frighten consumers away from safe, high quality products.

WILDLIFE MANAGEMENT

Wildlife damage to agricultural crops remains a chronic concern for New Jersey farmers and a top priority for New Jersey Farm Bureau.

New Jersey Farm Bureau supports the following measures to help control wildlife damage:

- reinstatement and expansion of the deer fencing program. This important program must be fully funded. Special priority should be granted to those applicants with land adjacent to publicly-owned or other non-hunted land.
- research and funding for other types of fencing that may be less expensive or labor-intensive to install.
- while fencing is important, it is not always practical for producers of larger acreage crops. Farm Bureau must ardently support other forms of wildlife controls in addition to fencing.
- reducing the paperwork associated with renewing deer depredation permits, and depredation permits should be valid for an entire year.
- New Jersey Farm Bureau should continue its efforts in educating both the public and the legislature about the increasing problems that wildlife creates for agriculture. Farmers should be used, whenever possible, to present testimony before the legislature on wildlife issues as they relate to agriculture.
- there should be an increase in the number of available turkey permits.
- All open space land bought with public funds should be required to have and implement a wildlife management plan, or be fenced. Wildlife populations, if excessive should be reduced within a specified time period or effective hunting mandated.
- Any wildlife reintroduction proposal by Fish and Game should include an Agricultural Impact Statement as required by the Right to Farm Act.
- The marking of does at check stations for “doe first” seasons must be permanent to prevent does from being re-checked.
- The use of rifles should be permitted during daylight hours for site-specific cases where it is deemed appropriate.
- Site-specific depredation permits should be issued for any animals causing crop damage that are not specifically covered by other Fish and Game management programs.
- Farm Bureau should support full implementation of the Community-based Deer Management Program which is consistent with the science-based research and management options of NJAES, Cook College, Rutgers University.
- Sunday hunting should be supported.
- Bow hunting during the summer months should also be supported.
- There must be a bear hunting season. Farm Bureau should make this a high priority for 2005. 1) Bear damage is not discovered until harvest because the damage is done in the center of the field, instead of the outside like deer, and 2) History shows that bear will remain in one area year after year, and continue to damage crops. New Jersey Farm Bureau should help Fish & Wildlife develop a bear depredation permit for any farm that has shown a history of bear damage. The permit should allow for an unlimited timeframe and area as well as multiple hunters. It should also be good for the farm experiencing damages, and any adjacent areas. Fish & Wildlife must manage the bear population so as to limit them to nonfarm and nonresidential areas.
- New Jersey Farm Bureau opposes any plan that calls for the relocation of black bears. This wildlife resource must be managed, not simply moved to another location in the state.
- New Jersey Farm Bureau opposes any plan to shift the control of the Fish & Game Council to non-hunting or non-farming interests or to the DEP.

- New Jersey Farm Bureau supports the continued autonomy of the fish and game council.

New Jersey Farm Bureau sees a need to increase federal funding for the USDA APHIS Wildlife Services federal program and budget, and will oppose the annual attempts of environmental groups to cut and divert their funding. At least \$250,000 annually is needed to provide adequate Wildlife Services staffing for New Jersey.

In order to make the depredation permit program more effective, and to shift the burden of wildlife control off of the farmer/landowner, Farm Bureau supports the development of a new, state-funded program that allows for hunters on depredation permits to be compensated for their services, through the adoption of site specific wildlife management plans.

Farm Bureau also supports the relocation of the Division of Fish & Wildlife, and any associated funding, from the Department of Environmental Protection to the New Jersey Department of Agriculture.

WATER QUALITY REGULATION/WATERSHED PLANNING ISSUES

Although the Stormwater rules have been adopted, The full extent of the effects on agriculture are still to be determined, due to confusion at the Department of Environmental Protection. Currently decisions, especially those referring to mandatory buffer widths will be on a case by case basis. Whatever the new rules hold, Farm Bureau, individual farmers, county boards, commodity groups, and public agencies representing agriculture should:

- Encourage the New Jersey Department of Agriculture to add personnel who specialize in the agricultural water management on farms.
- Make sure accurate, scientifically based data is collected where necessary on farm non-point pollution management and reported in general terms to DEP and the watershed PAC's.
- Develop and distribute fact sheets for farmers and the public about what agriculture has done to reduce non-point source pollution and stormwater runoff reduction.
- Educate the public and government agencies on the recharge value of farmland.
- Encourage the SADC to adopt water quality and stormwater AMP's to protect farmers from ill-informed municipal or watershed group actions.
- Encourage the agriculture community to take advantage of cost-share funding to address stormwater and nonpoint source runoff from farms where needed. (Controlling soil erosion is paramount in controlling non-point source pollution as well as the negative effects of stormwater runoff.)

Nonpoint Source Pollution and Stormwater Runoff Controls

The NJ agricultural industry continues to be the focus of NJDEP, watershed groups, the Builders' Association, and the public in general, as a major land use responsible for the generation of non-point source pollution and stormwater runoff. The EPA is requiring all states to show progress in controlling pollution from agricultural operations. States are required to develop specific pollutant loading limits (TMDL's) on all stream segments or water bodies deemed "impaired" for nutrients such as nitrogen and phosphorus, or fecal coliform bacteria. In addition the new Phase II Stormwater Rules and Permits require that municipalities control their stormwater runoff and new agricultural development install BMPs.

In 2004, Farm Bureau along with members of the Water Quality Steering Committee set up by the State Board of Agriculture should:

- Work to coordinate all federal and state programs dealing with non-point source pollution and stormwater runoff.
- Assist the NJDA and Cook College in collecting all available data on agriculture and non-point source pollution and stormwater runoff including measures already in place. New Jersey Farm Bureau's web page can be used by all federal and state agencies, as well as farmers and watershed planning groups, to obtain consistent and current information about the agricultural community's non-point source activities and accomplishments.
- Develop a protocol for inspections mutually agreeable to both agriculture and DEP, protecting animal health, and giving farmers advance notice so they can be supported by their own technical experts such as Rutgers Cooperative Extension, the NRCS, and soil conservation district staff.
- Investigate how other states such as Delaware, Pennsylvania, Maryland, and New York, are managing to produce nutrient management and natural resource conservation plans rapidly with a high level of participation from the farm community. These programs should be used as models for a more timely and effective implementation of the MOA in NJ.
- Work to ensure prompt, adequate funding for the planning process so that NJ farmers that seek it can be protected from municipal, watershed group, or DEP actions. Staffing, information, and technical expertise must be supported financially.
- Work to ensure more funds for practice implementation and comprehensive viability programs such as the Agricultural Re-Engineering Program and the Rutgers Millennium Initiative that can show farm operators the financial rewards of each change made to reduce non-point source pollution and stormwater runoff.
- Seek partnerships for funding sources like 319 or other grant programs to help implement non-point pollution AMP's on farms.
- Develop a program for dealing with surplus manure in advance of widespread nutrient management planning.
- Assist in the development of AMP's to support these non-point source pollution and stormwater runoff management practices.
- Help farm operators monitor watershed group and municipalities carefully to see that they do not violate the RTF Act or the WQ MOA in their actions to clean up farms.
- Work to document the non-agricultural use of fertilizers, pesticides and herbicides in New Jersey so as to provide scientifically-based information as a point of comparison to agricultural use.
- Farm Bureau shall seek to educate the public that farmers in New Jersey are not major contributors to non-point source pollution and stormwater runoff
- New Jersey Farm Bureau should encourage the development of agricultural watershed working groups modeled after the agriculture working group in the Raritan Watershed.
- Work to develop appropriate loading rates for New Jersey agriculture to be used in calculating TMDLs.

Category One Waters (CW1)

The NJ DEP continues to reclassify bodies of water to CW1. This reclassification is said to give those bodies a higher protection against degradation. Such a classification carries with it greater restrictions to surrounding land owners. Although this classification is meant to protect drinking water quality, the actual criteria for CW1 classification are extremely vague and can incorporate almost any characteristic to justify the new ranking (including scenic view). In

addition NJDEP has made a call to the public to nominate water bodies in the State for CW1 classification. (It is important to note that a CW1 classification also applies to water bodies upstream of the CW1 segment.) Many of these nominations are not justified, and really constitute a “land grab” by environmentalists. Therefore the New Jersey Farm Bureau and our partners should:

- Work to ensure that any new classification is based on science.
- Organize local farm groups to combat unjustified nominations.
- Recommend appropriate criteria based on science and good data for such classification.

AFO/CAFO

The New Jersey Department of Environmental Protection (DEP) has been charged by the U.S. Environmental Protection Agency with identifying “all animal operations that discharge pollutants directly to streams through manmade devices (ditches and pipes), have animals with direct access to waterways or have manure storage areas in close proximity to waterways.” This went into effect March of 2003 and requires all operations meeting its definition to apply for the permit.

A Memorandum of Agreement (MOA) between New Jersey DEP and the NJDA agrees that the NJDA will develop a program to identify AFO's and reduce nonpoint source pollution through BMP's and farm conservation plans. The NJDA and the soil conservation districts are to enforce these requirements. The DEP will handle Confined Animal Feeding Operations, (CAFO'S), large-scale livestock production farms and others of any size that will not reduce their discharges through the AFO process.

As a first step, operators should request the free water quality manual, “On-Farm Strategies to Protect Water Quality,” with self-assessment planning tools to help you identify and address current and potential water quality concerns on your farm. It also has many suggestions for what farmers can do to correct this situation. The best defense, however, is the implementation of a farm conservation plan. If your assessment indicates that you have complex concerns or issues that cannot be readily corrected or are financially prohibitive, financial cost-sharing assistance may be available to you. Farm Bureau encourages its membership that is involved in animal agriculture to seek assistance in manure management and water quality controls in order to steer clear of potentially cumbersome and costly regulations.

Farm Bureau opposes the permitting of any facility that is in the process of compliance and will work with NJDA and NJDEP to see that this new permit is as unobtrusive as possible to New Jersey farmers.

NJDA is currently in the process of drafting an AFO rule. NJFB staff will continue to work with our membership and the NJDA to make sure that this new rule is acceptable to all parties involved, and insure that livestock operations are not regulated if they are not polluting.

TMDLs

In a Memorandum of Agreement signed by DEP Commissioner Bradley Campbell and EPA Region 2 Deputy Regional Administrator William Muszynski a process outlined an accelerated implementation of more than 100 TMDLs on lakes and streams throughout the state. Many of

these streams are listed as impaired by phosphorus and fecal coliforms. These impairments are often linked to agriculture.

Farm Bureau avidly opposes placing the blame for these impairments on farmers without proper scientific proof. Farm Bureau will continue to monitor this process so that agriculture does not bear an unfair burden in correcting impairments in state waters.

WATER SUPPLY

Farmers are again advised to be very careful in keeping up with their DEP water allocation certificate renewals. Growers allowing them to lapse could lose their user rights if and when conditions create serious competition for access to water supply. This is especially important as the newly proposed water quality rules contain a new initiative to carefully scrutinize any new water diversion exceeding 100,000 gallons per day. Farm Bureau strongly urges compliance with the current water allocation program.

The NJDEP Bureau of water allocation has designated additional support staff to process the backlogged paperwork but still concerns exist within the program. The lack of communication from DEP with the agents and farm community has negatively impacted the latest attempt to improve the system.

The permit process should be streamlined to make it as efficient as possible.

New Jersey Farm Bureau shall ensure that agricultural water supply needs are represented in the revision of the State Water Supply Plan. A water supply committee has been formed under direction of the NJDA to address the current issues and possible future regulations that may be proposed in review of the current water supply regulations. The current regulations were extended till the end of next year and it will be important for agriculture to request any necessary changes in the near future.

Competition for water in New Jersey is increasing each year. There are numerous studies underway in South Jersey evaluating the impact of additional water usage and how the quantity and quality of these water sources would be affected. These studies have been the basis for DEP to delay new or additional use request in these particular areas until these studies are complete. Continued development and a broadened industry base utilize a great deal of water from our current resources. Farmers in New Jersey cannot survive without an adequate water supply. Obtaining approval for water use on all farms is without doubt a major issue for the success of production and profitability. Farm Bureau should support the approval for agricultural water use by NJ DEP as the highest priority to ensure farm viability on preserved and non-preserved farmland.

Some progress has been made by Farm Bureau and others in having nursery water use during drought emergencies standardized with other agricultural exemptions in those circumstances. The State Assembly passed a resolution urging the Governor and DEP to treat nurseries and garden centers the same as agricultural food crops when imposing mandatory water use restrictions. New Jersey Farm Bureau also supplied a letter to the DEP water supply administrator encouraging a rule change to permanently fix this problem.

New Jersey Farm Bureau shall continue its work with the DEP on the permanent rules regarding emergency water use to ensure that these restrictions are not used in the event of

another drought. It is not appropriate that a single segment of industry in this state should be restricted in the use of water. The nursery industry deserves the same access to water resources as all the other industries in the state. The nursery-landscape-garden center industry is committed to implement voluntary water conservation measures during drought periods and comply with mandatory restrictions that are in effect for all branches of commerce. Once permanent drought rules are established, they should be widely publicized, so the general public, as well as the agricultural industry will know what water uses are and are not permitted.

USDA-FARM SERVICES AGENCY

Federal financial support for farming in New Jersey comes largely in the form of financial assistance for producers through the Farm Services Agency (FSA). Large amounts of money, in the form of federal disaster assistance, and other federal assistance programs, coming into New Jersey re-emphasize the need for additional staffing in the regional FSA offices. New Jersey Farm Bureau supports an increase in the USDA-FSA budget to accomplish this staff expansion.

To expand communication and coordination between New Jersey producers and the FSA state office, Farm Bureau will offer its assistance in organizing increased information about agency programs. This should include the involvement of county boards of agriculture and affected commodity groups.

Farm Bureau supports the continued operation of the State Board of Agriculture's ad hoc committee on the Farm Services Agency to pursue these objectives.

When any part of the state is declared a disaster area, farmers should be allowed to use the county-posted corn and soybean yield for their loan deficiency payments (LDP). For other crops more realistic yields also need to be used in the event of a disaster. The county average yield is the baseline used when there is no other production history. Because county Average Yield is based on National Agricultural Statistics Service it can produce yield figures that may not accurately reflect actual county averages. This could be an issue when there is not a past average production history that has been established by the grower. New Jersey Farm Bureau should work with the FSA advisory committee to ensure that yields for all crops more closely reflect actual New Jersey yields

Crop Insurance

In 2000 Congress enacted legislation to make crop insurance more affordable and useful for producers of all commodities. The Agricultural Risk Protection Act of 2000 made across-the-board cuts in farmer-paid premiums. It also provides producers struck with multiple years of natural disasters maximum flexibility in maintaining their insurable yields. The legislation also provides substantial funding for research into new insurance options.

New Jersey farmers want to see crop insurance sold on a yield basis as well as price per unit of production. Procedures for coverage, inspection and pay-out should vary by commodity. Growers should provide input during the development of these commodity-specific guidelines, especially since redemption terms are not uniform among commodities. State payments as a supplement to crop insurance premiums ought to be investigated.

Farm Bureau believes that there ought to be an option created for farmers to self-insure for disaster assistance. According to this concept, federal banking law should be amended to allow a farmer or pool of farmers to set aside their own money in a tax-exempt, liquid status for ready use in the event of an USDA declared natural disaster. These funds should be segregated into separate interest-bearing accounts that may also be put into other financial investments (mutual funds, etc.) but still instantly liquid. Taxes would be paid on the amount of the original deposit at the point of withdrawal. The assistance of AFBF with this proposal is also requested.

New Jersey Farm Bureau should play a facilitator's role in the examination and review of current FSA programs in New Jersey to ensure that local growers' interests are kept equal to those in other states. Immediate attention should be paid to the soybean differential issue. Support of the state's congressional delegation should be solicited if needed.

LABOR SUPPLY AND MANAGEMENT

Critical issues of economic viability of farms affect hired labor availability and affordability. It is a factor for farms in all commodity groups, not just those using large numbers of seasonal workers in the field and packinghouse.

Growers who employ workers on their farm are concerned about the availability of reliable workers who are accustomed to farm work. Shortages appear in some short-season commodities like blueberries and many farms report having an insufficient number of workers relative to the total number desired. Many believe that the strong overall economy has diverted workers to others areas of the country and other sectors of the economy.

In addition, this emerging shortage is aggravated by the uncertainties of the legal status of some of the workers. The appearance of valid-looking documents is sufficient to commence employment, but over the long term there is a concern for whether many of these workers will return due to the increase border security resulting from recent terrorist activities.

Farm Bureau will continue its efforts in assisting growers with accessing a reliable work force. Specifically, it should:

- seek coalitions with other state Farm Bureau interested organizations and labor-intensive businesses
- continue to work with local, state and federal officials
- assist the process of legalization wherever it is appropriate by pursuing work visas for Mexicans and making it easier to obtain alien registration cards
- vigorously explore the use of the H2A program, which is the only authorized means provided by the Department of Labor for the recruiting of foreign agricultural workers.
- work to promote a more efficient process for H2A workers
- the current H2A program has little participation from NJ growers. It is imperative that any new programs include some mechanism for adjustment of status for their workers in order to benefit New Jersey agriculture.

- encourage American Farm Bureau to work with the U.S. and Mexican governments to develop a more streamlined process for the work visa program.

The availability of a legal workforce remains a critical, unresolved issue. Two federal initiatives are needed: One addressing the H2A guest worker program, and another addressing a mechanism to legalize the existing seasonal workforce who have fraudulent documents. The Agriculture Coalition for Immigration Reform was formed to meet these two mandates. This group consists of about 120 different agriculture organizations that joined together in full support for an enactment of comprehensive labor reform legislation. Through many years of negotiations among farm employer representatives, worker advocates and members of Congress, a bill has been introduced and is supported by the coalition. Senators Larry Craig(R-ID) and Ted Kennedy (D-MA) have introduced S.1645 the Agricultural Jobs, Opportunity, Benefits and Security Act of 2003 (AGJOBS). And in the House Representatives Chris Cannon (R-UT) and Howard Berman (D-CA) have introduced an identical bill, H.R.3142. This bipartisan legislation would reform the H2A agriculture guest worker program and provide an opportunity for undocumented farm workers to earn adjustment of status if they continue working in agriculture.

If enacted AG JOBS would

- Freeze the H2A program's arbitrary and inflated "Adverse Effect Wage Rate"(AEWR) at the 2002 level for three years.
- Streamline the application process that has served as a barrier to the H2A program
- Provide a one-time opportunity for illegal farm workers to earn an adjustment of status if they keep working in agriculture for several years.

The AGJOBS legislation will provide New Jersey agriculture an adjustment of status for migrant farm workers already working in agriculture, but without legal authorization. To qualify, an incumbent worker must have worked in the United States in agriculture for at least 100 days in a 12-month period over the last 18 months prior to August 31, 2003. The adjusting worker would have non-immigrant, but legal status. Adjustment would not be complete until a worker completes a work requirement in agriculture. The requirement would consist of working 360 days within 3 to 6 years, including 240 days in the first 3 years following adjustment to temporary status.

New Jersey Farm Bureau should support the passage of AGJOBS legislation and encourage State Congressional representatives to support AGJOBS H.R. 3142 and S.1645 legislation.

American Farm Bureau is currently engaged in dialogue with the Bush Administration to provide recommendations for a possible alternative immigration reform policy. NJ Farm bureau should monitor and support these negotiations as a possible alternative or collaboration of the Ag Jobs bill to attain a workable immigration reform policy for NJ.

Reform of the Migrant and Seasonal Agricultural Worker Protection Act (MSPA) is needed for provisions related to housing, transportation, wages and benefits, and recruitment of migrant and seasonal farm workers. 1) The Joint Responsibility mandate must be clarified. The farmer should not be considered a joint employer unless he/she performs a certain number of employer-like functions, such as supervision of work, preparation of payroll, and payment of employment taxes. 2) A 10-day grace period should be given to farmers to correct MSPA-related paperwork errors before a fine is levied. 3) To avoid conflicts and duplicative

enforcement actions, federal housing standards should be applied only in the absence of applicable state or local standards. 4) Return the responsibility for regulation of farm worker transportation insurance to the states. 5) Impose a statute of limitation on MSPA enforcement actions and lawsuits brought under the MSPA private right of action. Farm Bureau supports.

Farm Bureau opposes an increase in the federal minimum wage unless there are off-setting employer benefits equal to the cost impacts of affected employers.

Possible ergonomics regulation remains a concern for agriculture. Regulation of work motions that are repetitive and sustained would be incredibly onerous for agriculture. Such a regulation was recently overturned. Any future ergonomic regulation should not be imposed without the results of a proposed study from the National Science Foundation. In any event, an exception for agriculture is needed. Farm Bureau supports a NSF study and an exception for agriculture.

Farm employers need to be aware of a current emphasis on rules pertaining to forklift training, child labor and mid-season migrant labor camp water testing. New Jersey Farm Bureau can assist with providing information in each of these areas.

In order to address the need for skilled “middle management” employees, New Jersey Farm Bureau should work with county colleges and Rutgers to develop 2-year degrees in targeted agricultural areas.

WORKERS COMPENSATION

Farm Bureau shall seek alternatives in ag-related workers compensation and report to the farm community in six months of this NJFB convention.

New Jersey Farm Bureau should continue to explore the feasibility of creating a self-insurance pool for all of New Jersey agriculture to set itself apart from the current system. This presently exists in New York State where farmers who joined such a pool received year-end dividends equaling 50 percent of premiums. If necessary, legislation should be sought to be able to purchase reinsurance and/or use the state worker compensation trust fund for such purposes. This research should be coordinated with the Farm Family Insurance Company and the New Jersey Department of Banking and Insurance. This issue should be reviewed by the NJFB Insurance Committee.

FARMLAND ASSESSMENT

Farmland Assessment taxation, passed in 1964, is probably the most important reason that the loss of farmland in NJ slowed dramatically from 1970 to date. 1.2 million acres receive that assessment now, more than 500,000 acres of it cropland.

Higher taxes and perceived tax abuses continue to be high priority issues with the public. The need to educate them about Farmland Assessment and its positive effects is greater than ever.

A Senate Resolution currently pending in the New Jersey State Legislature calls for the creation of a twelve-member “Farmland Tax Assessment Task Force.” The stated purpose of this task force is to “promote greater farm retention and capital investment in agriculture and to develop ways to deter abuse of farm tax policies.”

Of the twelve members, six would be Senators, one representative from the Department of Agriculture, one from the Department of Treasury, three public members from the agricultural or forestry community, and one from the Association of Municipal Assessors of New Jersey. The committee would be expected to report its findings within six months of their appointment.

If the resolution is passed, Farm Bureau should make recommendations as to the appointment of the farming representatives to the committee. The New Jersey Farm Bureau board of directors should also create an ad hoc committee in cooperation with the State Board of Agriculture to follow the actions of the task force.

New Jersey Farm Bureau was active through the year in meeting with municipal officials and legislators on Farmland Assessment issues. Information flyers and talking points were sent to each county board as well as having them distributed at public events that New Jersey Farm Bureau exhibited at.

Farm Bureau should continue to:

- develop a process whereby municipal assessors are educated about farmland assessment. Such training should be mandatory for all assessors working for a municipality that has land assessed as farmland.
- send out a periodic update to all members on the latest court decisions or other issues about Farmland Assessment. One such decision maintained that local tax assessors must use F.E.A.C. established values, as opposed to market value of the crop, or other personal methodology, when determining an assessment for a farm property. Tax bills will be delivered soon and farm operators must appeal by April 1 if they believe the assessment is incorrect.

With the creation of a Property Tax Convention Task Force, there is a potential for Farmland Assessment to become part of the property tax debate. New Jersey Farm Bureau will work to keep the Task Force informed of the role Farmland Assessment has in promoting agriculture and slowing the pace of conversion of land to other uses.

Farm Building Taxation

The Farm Building Appraisal Manual, a subset of the Real Property Appraisal Manual for New Jersey Assessors addresses economic obsolescence, functional obsolescence, and depreciation, the key concerns in farm building appraisal. Also, a section on permanent greenhouse structures, formerly found in the commercial building chapter of the appraisal manual, has been moved to the farm building section of the manual.

The use of this manual by assessors began in the 2000 tax year. Any farmer filing an appeal due to a farm building over-assessment should have a copy of the Real Property Appraisal Manual for use in the appeal. This is available for purchase from the Division of Taxation.

Even with the existence of the Farm Building Appraisal Manual, instances of over-taxation are still being reported. Although copies of the manual are available to the public, it is a complex document, designed to be used and interpreted by assessors, not necessarily the general public. New Jersey Farm Bureau should contract with a tax assessor or other knowledgeable professional to develop a "primer" to explain the rules of farm building taxation. This document should then be made available to all Farm Bureau members.

SALES TAX ENFORCEMENT

In its continuing work on the sales tax issue, Farm Bureau has come across a number of situations that required consultation with the Division of Taxation for clarification purposes. New Jersey Farm Bureau shall disseminate any information regarding the sales tax statute or regulations whenever needed.

Representatives from the New Jersey Nursery and Landscape Association, NJDA, and Farm Bureau have met with Treasury Department officials from the Division of Taxation to discuss the specific tax requirements for out-of-state companies doing business in New Jersey. Any entity doing business in New Jersey must be registered with the division of Taxation, and pay any sales and/or corporate business taxes due in New Jersey. New Jersey Farm Bureau will continue to work with NJDA and the Division of Taxation to ensure that farm bureau members are informed of this legal requirement.

The specifics of the recently expanded farmer sales tax exemption still remain unclear to many of those who qualify for the exemption. The provisions of the amended statute are explained in a brochure developed by the NJ Department of Agriculture entitled "New Jersey Sales Tax on Farmers' Purchases." Farm Bureau will continue to make this brochure available to its entire membership upon request.

Farm Bureau has experienced many recent requests from farmers with markets and roadside stands, asking what items they do and do not need to charge sale tax for. NJFB shall continue to make the regulations regarding sales taxes available to its members upon request.

HISTORIC PESTICIDES

The discovery of some chemicals (arsenic, lead, dieldrin, DDT) in soil, in excess of industrial clean-up standards, prompted the creation by the DEP Commissioner of the Historic Pesticide Task Force. The task force studied the issue and recommended that any farm or former farm suspected of using certain "pesticides of concern" have the soil tested prior to any residential development of the property. A protocol for how the sampling should be conducted was also included.

The task force recommended several remedial strategies for reducing human exposure to pesticide residues in soil. The most notable (and financially practical) of these options is the onsite blending of soil to bring down residues to acceptable levels. Most of the pesticides of concern are found in the upper 6 – 8 inches of soil, so blending this with the soil underneath can lower concentrations to levels below the State's residential cleanup standards. This remedial option, blending, is a departure from DEP's normal remediation procedures, and it is recommended only for historic pesticide cleanup.

Results of some blending experiments undertaken by Farm Bureau were inconclusive. However, New Jersey Farm Bureau continues to monitor this issue and the potential for new equipment that will allow for soil blending to the appropriate levels.

Lending institutions including the Farm Credit System are concerned about the current liability for clean-up of toxic contamination of property sites. Presently, any new owners of property could become liable for expensive clean-up costs if toxic contamination is discovered. The EPA may put a lien on the property for the cost of the clean-up in the event contamination is

found. It may also try to collect from anyone in the chain of title or ownership who took title after the contamination was discovered. While New Jersey farmers enjoy state level immunity on ISRA, they should be cognizant of the federal role and support restrictions on the assignment of these costs.

TRUCKING/MOTOR VEHICLE REGULATIONS

The motor vehicle laws and regulations affecting agricultural vehicles are numerous and complex. In an effort to keep the farm community up to date on these laws, New Jersey Farm Bureau continues to distribute its handbook on motor vehicle regulations for farmers. It was drafted primarily to answer questions about motor vehicle laws that affect vehicles with “farmer,” “farm use” or “tractor” license plates. This booklet will be updated again as necessary. New Jersey Farm Bureau currently provides copies of this booklet to any Farm Bureau member upon request, and also distributes them to the State Police. New Jersey Farm Bureau will also provide these books to farm bureau members or to county boards of agriculture that wish to distribute them to their own local police forces.

The implementation of a new, more stringent motor vehicle inspection system is of concern to farmers because many “farm use” and “farmer” licensed vehicles manufactured prior to 1989 will likely fail inspection. These older trucks and vans make up a large portion of farmers’ work vehicles. It will cost \$600 per vehicle to get these vehicles passed inspection temporarily. New Jersey Farm Bureau should pursue the possibility of having these farm use and farmer trucks exempt from this provision.

New Jersey Farm Bureau supports the creation of a new license plate classification – “farmer” (code 31), but at the commercial rate. This new classification would retain the advantage of the current farmer plate, allowing the towing of unregistered implements. But it would have all of the other advantages of a regular commercial plate, allowing the vehicles to be used for all business uses, not just the farm business. Legislation has been drafted to create this amended registration category. The legislation would also expand existing “farmer” plate to allow for the hauling of products other than the farmer’s. NJFB supports these changes to the motor vehicle laws.

In addition, regulatory changes are being proposed to expand the mileage limits for “farm use” vehicles.

New Jersey Farm Bureau also supports a regulatory change to allow the personalization of “farmer” plates.

The state legislature is currently looking to pass legislation that would update current diesel-emission standards. The assembly version (A-3182) of the bill where Farm Bureau was able to obtain an ag exemption from the new standards. Farm Bureau will work on having the exemption put into the senate version as well.

Federal Motor Carrier Safety Administration (FMCSA) rules grant states the discretionary authority to exempt individuals who operate a farm vehicle, as outlined in the rule, from CDL licensing. The FMCSA rule states that the waiver is limited to the driver’s home state unless there is a reciprocity agreement with adjoining states. New Jersey exempts farmers operating farm vehicles from the CDL. New York law also contains a similar exemption provision for

farmers. However, at this time New Jersey does not have reciprocity agreements with New York or any other surrounding states.

The NJ Department of Agriculture has asked New Jersey Motor Vehicle Services to request the necessary reciprocity agreements from states within 150 miles of our state's lines (CT, NY, PA, RI, VT, NH, DE, MD VA and WV). New Jersey Farm Bureau urges the NJDA to continue working with the Motor Vehicle Service to expedite the adoption of these reciprocity agreements.

BRIDGE CHANGES

Farmers in New Jersey typically farm many parcels of land, and need to move large pieces of farm equipment on public roadways to get from one field to another. When bridges are upgraded or re-designed they are often made impassable for some farm equipment. When this occurs, farmers have to re-route, often miles out of their way.

Farm Bureau encourages county and state entities, when contemplating a bridge re-design, to contact the farm community through the appropriate county board of agriculture. The agricultural community should be asked for their input on size, width and weight accommodations.

Current research into municipal ordinances shows that many communities have imposed weight limits on their roads in addition to the bridges. This is apparently done with the help of NJDOT and full agreement of residential landowners along those routes. Strict enforcement of these limits would severely hamper moving agricultural product to market, increasing the time and expense of farmer efforts to market their output.

The farm community must meet with the NJDOT to discuss this concern and initiate efforts to help communities become aware of this need and better plan agricultural routes. There is precedent for this in a recent Delaware Valley Regional Planning Commission DVRPC transportation study for the Burlington Route 206 Farm Belt where agricultural routes were mapped by the farm community itself

PESTICIDE REGULATIONS

In August 1996, the Federal Food Drug & Cosmetic Act (FFDCA) was amended by the FQPA. These amendments significantly modified the evaluation criteria and procedures, and increased the requirements for issuing pesticide food tolerances. New concepts, such as requiring assessment of cumulative exposure from pesticides sharing a common mechanism of toxicity, are highly technical and complex. Additionally, the new requirements in the FFDCA necessitate development and ongoing review of new data. This is done to determine whether products that were considered safe under the previous review criteria are also considered safe under the updated assessment criteria. FQPA requires that EPA establish a process to reassess the continued safety of all existing tolerances using revised criteria and procedures. Such reassessment is being completed in phases, with all existing food tolerance reviews to be completed by August 2006. EPA has met its first- and second-phase deadlines in August 1999 and 2002, and is on target to meet its 2006 goal.

The issue of re-registering "minor use" pesticides by EPA under the Food Quality Protection Act (FQPA) federal legislation may affect users of "minor use" products in a state like New

Jersey. The American Farm Bureau Federation has placed this issue at the top of its priority list.

Farm Bureau has adopted a five-prong strategy on FQPA: regulatory, economic assessment, public relations, litigation and legislation. All members are encouraged to communicate their concern about FQPA implementation with their respective member of Congress, EPA and the general public.

To ensure implementation is fair to all concerned, AFBF developed the FQPA task force to monitor implementation and make policy suggestions. NJ Farm Bureau supports legislation that would reinforce the call for the FQPA to be implemented on the basis of sound science, a transparent regulatory process, reasonable transition (in the event that some pesticides or pesticide uses be lost) and consultation with the public and federal government agencies.

NEW JERSEY AGRICULTURAL EXPERIMENT STATION - FISCAL YEAR 2005-06

The New Jersey agricultural community is faced with a multitude of challenges that threaten its viability and sustainability. These include increased land-use regulation, rising production costs, right-to-farm issues, water quality concerns, wildlife damage, and rising taxes. Unexploited market opportunities and limited access to innovations that would enhance prosperity, stewardship potential and compatibility with other land uses also severely impact sustainability and viability. Allied industries, such as food processing, also face major constraints including regulatory and permitting challenges, a poorly skilled workforce, limited access to technology and business/marketing expertise. Given the impacts and public benefits of the agricultural and food complex, not only in rural areas but also in the state's urban and suburban communities as well, these constraints impinge upon assuring food security, nutrition and health, water quality and supply, environmental sustainability, economic development and quality of life in the Garden State.

The New Jersey Agricultural Experiment Station (NJAES), Rutgers Cooperative Extension (RCE) and Cook College carry forward the land-grant mission of research, outreach and teaching at Rutgers, the State University of New Jersey. New Jersey's land grant system is active at every level of proposing, refining and implementing innovative solutions to issues facing agriculture, the food industry and the greater state-wide community. Research and extension faculty develop new technologies, services, and activities that contribute directly to quality of life in New Jersey by enhancing the long-term performance of agriculture and the food system, the viability of communities and the sustainability of the environment, while providing vital short-term assistance as well. A specific example is the Food Innovation Center which will yield valuable impacts such as identifying new markets for New Jersey agricultural products, assisting in the development of new businesses based on value-added agricultural products, enhancing the viability and profitability of existing food companies by improving their business and technical capabilities, creating more viable start-up food companies by providing needed business and technical expertise and creating a better trained workforce via training programs.

NJAES struggles annually to respond to increasing budgetary demands while at the same time experiencing budgetary shortfalls. The NJAES does not benefit from student tuition even though it is funded in the Higher Education budget, and, therefore, cannot offset the budget reductions with tuition increases.

The New Jersey Farm Bureau urges the State Legislature to provide in fiscal year 2005-2006 level funding to the NJAES base budget in support of its MISSION to address pressing agricultural needs in the State of New Jersey.

ECONOMIC AND COMMUNITY DEVELOPMENT PROGRAM

The Economic and Community Development Program (ECDP) will serve as a research and outreach entity for Rutgers University to the state's urban, suburban and rural communities and businesses. The New Jersey Agricultural Experiment Station (NJAES) is well-positioned to be the catalyst for the development of this national model for university-community-industry partnership. In collaboration with units throughout Rutgers, faculty will identify emerging issues, nurture solutions to these issues to the point of demonstration and build the community's capacity to transform demonstration into implementation. ECDP will work in true partnership with local communities, businesses, not-for-profit organizations, local, state and federal government, and other academic institutions. It will be based on four principals: empowerment, education, economic sustainability, and entrepreneurial job creation. It will have two broad objectives: (1) work with groups (i.e. municipalities, businesses, community groups) in urban, suburban and rural communities to solve the unique problems that each of these areas face and (2) advance towards a vision of the future with respect to agriculture and economic development as they relate to an ever increasing urban setting. In developing the ECDP, the NJAES is providing leadership among land-grant institutions in service to all constituencies. It fulfills the NJAES mission to serve all of NJ, including its large urban populations, enables Rutgers to serve the state more effectively, and sets standards for similar initiatives across the country.

The ECDP would be housed in South Jersey at the Food Innovation Center in Bridgeton. The NJAES is planning to construct a 25,000 square foot facility in Bridgeton to house the Food Innovation Center which will include a shared-use processing facility, training and education center, administrative areas, and marketing and technical support areas. The facility will have state of the art teleconferencing and distance learning capabilities linking the center to the main campus of Rutgers University, RCE offices in southern New Jersey, and other colleges throughout the New Jersey region and the country. It will provide an opportunity for communities in the region to have access to the resources at Rutgers University which are otherwise unavailable, serve as a focal point for community activities, and support a broad range of training and conference services.

If funding for the Economic and Community Development Program is approved, the NJAES will modify the original design for the Food Innovation Center facility to house the additional Rutgers University programs that will be a part of the ECDP, thus

enabling Rutgers to create a high profile presence and generate significant economic benefits, particularly in the southern part of the state. These programs potentially include: William Rohrer Center for Management and Entrepreneurship (Camden), Rutgers School of Business (Newark and Camden) Community Development Institute (Bloustein), National Center for Neighborhood and Brownfields Redevelopment (Bloustein), the Center for Urban Policy Research (Bloustein), Environmental and Occupational Health and Safety Institute (School of Public Health).

Proposed issues to be addressed in the first year of operation of ECDP include: empowering municipalities for agricultural retention; analyzing the impact of downzoning as an agricultural retention tool; planning for preservation and equitable compensation in the Highlands; determining the economic impact of New Jersey's equine industry: blueprint for its preservation and growth; workforce development and training; community nutrition; and value added agricultural product development.

The New Jersey Farm Bureau urges the State Legislature to provide \$1 million in additional operating funds to NJAES in fiscal year 2005-2006 for the establishment of the Economic and Community Development Program.

THE RUTGERS ECOCOMPLEX

As the most densely populated state in the nation, New Jersey faces environmental pressures that far exceed other states. Thus, the environment has become a key quality of life issue for New Jersey citizens. New Jersey has taken the lead in embracing innovative, pro-active and participatory approaches to environmental quality enhancement and problem-solving. For example, New Jersey leads the nation in agricultural preservation and in pursuing strategies to enhance the viability of farmers. This new approach requires new policies and technologies that are effective in maintaining the delicate balance between environmental quality and economic growth.

Environmental imperatives and sustainability have joined the ranks of quality, responsiveness and flexibility as the base upon which the competitive positions of businesses, states and regions are judged. The growing sophistication of production and stringency of environmental regulations have meant that businesses must increasingly adopt state-of-the-art environmental practices. Many industries are now looking to the advances made in the agricultural sector through programs such as Integrated Pest Management, and exploring how operating practices can be modified to enhance the quality of the environment. Competitive advantages now accrue to the firms and communities that take an aggressive, pro-active environmental stewardship position. The result is a significant new demand for environmental technologies that can be capitalized upon as part of an economic development strategy for the state of New Jersey.

The EcoComplex stands alone as the first and only Environmental Research and Extension Center in the United States. It seeks to promote New Jersey to the world as the "Environmental Solutions State" – an innovative and exciting place to do business in an environmentally sustainable manner that enhances the quality of life for all citizens.

The Rutgers EcoComplex has identified key research and outreach programs that are critical to meeting the environmental challenges facing New Jersey including: renewable energy and

biofuel development, landfill and solid waste management, watershed management, controlled environment agriculture and air quality enhancement and monitoring.

The State Legislature has provided funding in support of construction of an EcoComplex building and operational support on a year-by-year basis. In order for the Rutgers EcoComplex to achieve its full potential and ensure the enhancement and sustainability of New Jersey's environment, and recognizing the states current financial condition New Jersey Farm Bureau urges the State Legislature to support the EcoComplex in the amount of \$ 500,000 in permanent funding.

Executive Dean of Cook College/Executive Director of NJAES

Cook College and the NJAES have had significant change in leadership at the Executive Dean/Executive Director position over the past several years. During this period of time the "strategic plan" a thoroughly comprehensive plan crafted with community wide involvement was completed, implemented, and is currently in effect. For this reason New Jersey Farm Bureau supports the candidacy of Dr. Robert Goodman from the University of Wisconsin for the position of Cook College Executive Dean/Executive Director NJAES. Farm Bureau strongly urges Rutgers President Richard McCormick to select Dr. Robert Goodman as Dean of Cook College, Dean of the Agricultural Experiment Station and Executive Director of NJAES, based upon Dr. Goodman's clear support for the strategic plan of Cook/NJAES and his experience with the land grant mission.

FEDERAL ISSUES

New Jersey Farm Bureau reaffirms its role to monitor federal regulations and legislation on behalf of its members. The "Northeast Farm Alliance" continues to hold meetings between farm bureau leaders and congressional staff to discuss priority issues for Northeast agriculture.

One of the most notable changes in federal legislation came in 2000, when Congress passed a bill to gradually phase out the federal estate tax until it is completely eliminated. However, it should be noted that this legislation will "sunset" after 10 years. This means that while the tax will be completely eliminated in 2010, it would be reinstated in 2011 if Congress does not vote again to permanently repeal it. Farm Bureau supports the permanent repeal of the federal estate tax.

Farm Bureau does not support the policy of the USDA that imposes a 2% impervious cover limit on all properties receiving federal Farmland Protection Program funds

It is obvious that federal issues have a direct bearing on New Jersey farmers and the economic well-being. Individual farmers must stay informed on all the issues and help the county boards with coordinated outreach statements to their representatives when requested by American Farm Bureau and other farm-oriented action requests.

FARMING ON STATE LANDS

Progress continues in resolving the situation of leased farmland in Six Mile Run, Somerset County, including both a signed memorandum of understanding between the NJDEP and the NJDA, and the adoption of a new lease agreement for those parcels that were already leased by farmers. The SADC will be the administering agency for those parcels under the current memorandum of agreement.

The NJDA is currently working in conjunction with the DEP to develop a plan that could bring additional state-owned ground into farming. NJDA has proposed to use the Soil Conservation Districts to develop farm plans for these parcels, to insure that the land is being used in both an agronomic and environmentally sound way. New Jersey Farm Bureau commends the NJDA for its leadership role and hard work in this endeavor to help facilitate the farming of state-owned ground.

Experience gained from the situation at Six Mile Run indicates that Farm Bureau should seek state legislation to require all state-owned land that is farmed or can potentially be farmed be deed-restricted for agriculture until it is needed for the purpose for which it was acquired, and not allow any non-farming operation to take place on that state land. This legislation should seek the transfer of all state land being farmed to the management and/or supervision of the NJDA.

More recently, farmers have reported concerns about farming land purchased by the Green Acres Program. These originally productive farmlands, once purchased by Green Acres, are placed under increasingly heavy restrictions or gradually taken out of production entirely. Most of the land in question is managed by the DEP's Division of Fish and Wildlife. Division officials maintain that the restrictions are imposed to ensure that the land is being managed for its stated purpose, the development and maintenance of wildlife habitat. Farmers fear that more and more productive, fertile farmland will be lost if this practice continues.

At a meeting with the State Board, New Jersey Farm Bureau and DEP Commission Bradley Campbell in the fall of 2002, Commissioner Campbell stated that he was directing the Green Acres program to cooperate with the SADC regarding agricultural land and focus more on urban areas. New Jersey Farm Bureau is strongly encouraged by this statement, and supports the cooperative efforts of the SADC and Green Acres programs to insure that quality farmland stays in agricultural use.

For future purchases of active farmland, New Jersey Farm Bureau should seek to have the farmland preservation program be given the opportunity to purchase the land or easements first, before Green Acres, offers the land to management elsewhere.

Farm Bureau urges any government agency that receives any federal farm program funds to insure the maximum amount of funds available go to all qualifying New Jersey farmers.

Long term leases of farmland are critical for the future viability of NJ agriculture. Many farmers prefer to lease because the land is too costly. New and beginning farmers need land to work and a long enough lease to make investments in plant materials such as grapevines or methods such as organic or low-input farming cost effective. Farm Bureau should:

- Not only work to have more state government land farmed but include municipally owned farmland as well. All land set aside through TDR or cluster development should be farmed or leased long term to someone who will actively farm it.
- Insist on renewable leases to cover at least 3 years and longer when feasible. Very long term, inheritable or transferable leases should be used in NJ as they are in other states where appropriate.

ANIMAL CARE

The State Veterinarian, housed within the NJDA, has drafted minimum standards for the care of farm animals, as required by state law. These were developed with the input of veterinarians and other livestock experts. In addition to the required public comment period, a public hearing was also held.

In May the State Board of Agriculture adopted the humane standards for farm livestock. The standards became effective upon publication in the New Jersey Register on June 7, 2004. Based upon public comments the Department received from the initial publication of the rule, amendments to the rule were also proposed at that time. New Jersey Farm Bureau worked with our livestock members to make them aware of the proposed changes and to encourage comments on them.

The adopted rule is the first of its kind in the nation to comprehensively address standards for livestock care as it relates it to animal cruelty. Several animal rights organizations have sued the Department of Agriculture over the standards. As a supporter of the original legislation authorizing the Department of Agriculture to draft those standards New Jersey Farm Bureau has a vested interest in how the court challenge proceeds and should be prepared to enter the case as a friend of the court.

New Jersey Farm Bureau should also promote awareness of the standards and the built in biosecurity standards to our members and those authorities responsible for animal abuse investigations.

New Jersey Farm Bureau also supports a change in state legislation that would shift the enforcement authority for the care of domesticated livestock from the SPCA, to the State Veterinarian, using the minimum standards as a guideline.

New Jersey Farm Bureau continues to oppose any legislation seeking to regulate or ban the raising of livestock, including the "veal bill." Farm Bureau believes these farm activities should be regulated using the NJDA's proposed animal care standards.

Farm Bureau will seek protection from unauthorized entry of farms by persons seeking farm management practice documentation without first gaining permission from the farm operator. This recommendation should be forwarded to the NJDA-Division of Animal Health, which has responsibility for the regulations pertaining to the care/treatment of farm animals and the enforcement thereof.

COUNTY BOARDS OF AGRICULTURE

Farm Bureau will continue to promote farmer participation in the county boards of agriculture. There should be some recruitment of new people to add fresh input to the boards, especially where a few individuals have done most of the work for many years. This project should include the resumption of the successful county board executive committee training sessions conducted in past years by the Rutgers Cooperative Extension at the State Agriculture Convention. Farm Bureau will continue its project of increasing its farmer membership throughout the organization. This project of farmer member recruitment and retention will necessitate participation on the local level with members from each county board involved.

New Jersey Farm Bureau must continue its effort to provide each county board of agriculture with up-to-date information regarding their legal requirements for tax purposes.

FARM ADVISORY BOARDS – COMMODITY REPRESENTATION

For all advisory boards to federal and state agricultural agencies, New Jersey Farm Bureau supports having representatives from all commodity groups at least considered and represented on such boards as it would be appropriate to serve the interests of agriculture.

FUTURE SEED SUPPLY

Profit margins for farm businesses are minimal at best despite a high level of productivity. Prices for delivered commodities often suffer from chronic surplus and brokerage/distribution systems that keep a farmer's share of the consumer dollar at flat, static levels. Farmers are thus vulnerable to inflationary rises in costs of production and need to combat situations that might leverage them financially.

One possible example of this may come in the future with patented, bioengineered products that become exclusive to large corporations. The fear is that along with some exceptional gains in productivity may come virtual monopolies and control in the source of crop input items like seed, feed and fertilizer.

Farm Bureau fully supports research and development by agribusiness to reach higher achievements in a modern agriculture. The pricing of these input products to farmers, however, is also important and should not unfairly affect their business position.

ENERGY DE-REGULATION

Electricity and electric rates have been closely regulated over time, like other government permitted monopolies. But these industries are now subject to price de-regulation. This has already affected the airline industry, the sale of natural gas and the local telephone service. The \$200 billion electric utilities industry is now the next government-protected monopoly being opened to greater competition and consumer choice at both the federal and state level.

The deregulation process should be monitored closely by Farm Bureau, with informative updates to the membership as needed. Farm Bureau should also investigate potential ways for its members to lower their energy costs and benefit as much as possible from deregulation. Avenues New Jersey Farm Bureau should explore include price and consumer service advantages due to a competitive marketplace; the latest information regarding conservation practices; and the potential for group purchasing programs.

COUNTRY OF ORIGIN LABELLING

There is a growing movement in the U.S. produce industry in support of requiring labeling of fresh fruits and vegetables at the point of retail sale, so that customers would know the foreign country of origin. New Jersey Farm Bureau has similar concerns for all commodities.

Since 1930, practically everything from clothing to toys has had to be labeled as to its country of origin. Many of our trading partners require it now for American agricultural exports. Given the sharp increase in imported produce and the documented ineffectiveness of our own inspections at the borders, consumers and food safety monitors are suggesting that this requirement be adopted. Domestic growers, who compete directly with imports from less-

development countries that rarely enforce any regulatory oversight, bear higher costs of operations for rule compliance here. In addition, unlabelled produce items from other countries that are suspected of having food safety problems need to be distinguished from domestic produce. This is a simple and inexpensive response to the problem compared with the high cost of an effective program at each major port of entry.

The 2002 Farm Bill amended the Agriculture marketing Act to require USDA to issue guidelines for voluntary country origin labeling (COOL) of covered commodities by retailers for two years and to issue regulations for mandatory COOL labeling following the interim voluntary period. Support for COOL labeling is based on domestic product promotion, food safety concerns and consumer right to know. The voluntary guidelines were effective on October 11, 2002 and USDA regulations to implement the program were recently issued.

In September of 2004 the COOL regulations for farm raised and fresh ocean catch seafood went into effect. The other commodities fruits and vegetables as well as meat products are on a two year delay. The delay was implemented by congress after complaints from producers and retailers on the cumbersome rules proposed by USDA.

In addition to the COOL regulations USDA is also preparing rules for animal identification program to better track the movement of livestock for food safety reasons. Adding the additional layer of food safety and trying to address trace back concerns has complicated the COOL regulation implementation.

The original intent of a COOL program was to bring a marketing advantage to US growers and to aid in consumer awareness of where product is grown or raised. New Jersey Farm Bureau will continue to work with state and federal partners on establishing a sound COOL program that will benefit producers as well as consumers with minimal impacts to either.

STATE PURCHASE OF NEW JERSEY-GROWN PRODUCTS

State government institutions purchase millions of dollars worth of fresh produce each year for prison inmates, school children and the residents of special needs facilities. Despite the ready availability of high quality farm commodities from New Jersey farms at competitive prices, there is presently no state policy or mandate for these institutions to purchase in state product.

Farm Bureau applauds the new initiative announced by the NJDA and the NJ Department of Corrections in 2002 that allows for the Corrections Department to buy New Jersey produce directly from local growers. Some purchases of locally grown fruits and vegetables were made immediately following the agreement, with even more sales expected in the future.

To further increase the purchase of New Jersey grown products, New Jersey Farm Bureau recognizes the passage of S.594/A1596 as a benefit to producers and consumers of NJ grown produce. This legislation reduces purchasing barriers and enables the sale of Jersey product to state institutions during times of excessive supply. The New Jersey Farm Bureau should inform NJ growers of this available option and continue to support state institutional use of Jersey produce.

LEMON LAW FOR FARM EQUIPMENT

Commercial farming is a competitive business that requires large investments for land, buildings and equipment. The purchase of new equipment in some instances for farmers represents a significant outlay of money and becomes a critical element in the production operations. It is important that the farmer's interests' during this type of major transaction is protected from careless or indifferent attitudes by farm equipment manufacturers in the event that a newly-purchased item proves defective.

Farm Bureau shall seek state legislation to give the same protection to purchasers of farm equipment as is given to those who buy automobiles. Farm equipment manufacturers and their dealers should ensure that their equipment operates according to advertised standards and be prepared to immediately repair or replace any defective unit at no unreasonable cost or delay to the farmer. Farm Bureau is concerned that the reduction of farm equipment dealers in the state also reduces the options available to farmers in selecting equipment, thus making them vulnerable to unilateral decisions by the manufacturers and dealers in these instances. This proposed legislation ought to be reasonable for both buyers and sellers and seek a clearly established understanding for everyone involved in these expensive transactions.

UTILITY LINE MAINTENANCE

Utility lines located on farmland can create a serious nuisance for farmer options if they are not properly maintained. Large stanchions supporting overhead wires, if left unattended, can become a breeding area for noxious weeds, insects and diseases to the plant material on the surrounding farm acreage. Some utility companies have been reluctant to routinely clean these areas and in effect leave that work to local farmers at their expense. New Jersey Farm Bureau should monitor this situation and advocate proper maintenance wherever it is appropriate.

AUTO INSURANCE

Automobile insurance remains a high cost item for farmers and non-farmers alike in New Jersey. The present system cannot ever be expected to cause a decrease in premiums for a variety of reasons, one of which is the large amount of claims borne by all the insured for the uninsured. Those costs are passed along to the balance of the driving public without any attempt to reduce the number of uninsured drivers.

We believe that driving privileges ought to require proof of insurance as a condition of obtaining a drivers license in the state. Liability insurance should be purchased prior to state issued operator's licenses. Drivers should be insured - not cars - except for collision insurance which should remain on the vehicle.

PENALTY ACTION NOTICES

Farm input suppliers like seed, feed and fertilizer manufacturers and dealers who market products in New Jersey are regulated by the state Department of Agriculture. This regulation has been in place for many years and is responsible to monitor the efficacy of those bulk products sold to farmers. It ensures that the products are true to labeled specifications on the label so that farmers are protected from defects and sloppy quality.

Penalty action notices are released by the NJDA to the State Board of Agriculture. Any firm found in violation is included on these monthly notices. Farm Bureau shall call for and assist

the wider dissemination of this information to farmers throughout the state. Since current penalties are weak and ineffective, it is thought that this type of publicity may caution and perhaps deter these suppliers from marketing any off-grade materials in the state.

NEW JERSEY MUSEUM OF AGRICULTURE

The New Jersey Museum of Agriculture is New Jersey's only organization showcasing and communicating the unique role of the Garden State in the growth and development of agriculture and the impact of its contribution over time. The New Jersey Museum of Agriculture accomplishes this through research, preservation and development of its collections, and their interpretation through exhibits and other educational programs of the evolution of agriculture and its relationship to food and fiber, science and technology, the environment and everyday life.

New Jersey Farm Bureau continues to believe that education of students in the relationship of agriculture to food, fiber, science, technology and the environment is very beneficial to the long-term goals of New Jersey farmers. Therefore, New Jersey Farm Bureau strongly supports the museum's movement toward shifting its focus, to include both the "food" and "agriculture" industries together.

New Jersey Farm Bureau urges all segments of New Jersey agriculture county boards, commodity groups, Granges, the farm supply industry, the milk industry, the New Jersey Legislature and all individuals - to support the New Jersey Museum of Agriculture with membership and financial contributions.

BIOSOLIDS

For some farmers the land application of biosolid products has proven to be beneficial, at least in the short term, because they are less expensive than other commercial fertilizer products. However, serious concerns about the quality of these products, and the potential liability associated with their use still remain. Farmers and other landowners should also note that the land application of these products is currently not permitted on land in the farmland preservation or Green Acres program.

Rutgers has developed guidelines for the application of sewage sludge and sewage sludge-derived products on agricultural lands. These guidelines are based on agronomic practices, and do not address the liability or public perception issues. Rutgers has also developed fact sheets with information for farmers who are considering using biosolid products. New Jersey Farm Bureau will provide these to any farm bureau members upon request.

Because the liability question remains unaddressed, New Jersey Farm Bureau strongly urges caution if sludge or sludge-derived products should be placed on agricultural land until 1) an AMP is developed and adopted and 2) the DEP and the sludge product producer provide ongoing liability protection through state law for the use of this material if applied according to the AMP. The SADC has proposed an AMP (based on the Rutgers guidelines) for the application of Exceptional Quality (EQ) biosolids on farmland. If adopted, those farmers who apply biosolids in conformance with the AMP will be eligible for right to farm protection. The new rule would also allow for the application of EQ biosolids on land enrolled in the farmland preservation program.

New Jersey Farm Bureau continues to urge caution in the usage of these materials, even with an adopted AMP, because their distributors do not guarantee the quality of the material, and the negative public perception sometimes associated with these products.

To further ensure the proper use of these products, research on sludge and other by-product soil amendments should be conducted at Rutgers for New Jersey-based conditions.

USE OF FOOD BY-PRODUCTS

Waste material recycling, if done properly, can be a significant way to conserve natural resources and energy. Composted material used as an input for soil nutrients and replenishment is also a potential way to merge waste disposal with farm production practices. Both recycling and the use of compost materials are generally seen as beneficial to society and usually having a positive environmental impact.

An agricultural management practice (AMP) for the land application of food processing by-products was adopted by the SADC in 1999. Farmers land applying these products should follow the guidelines provided in the AMP in order to receive full protection under the Right to Farm law. Farm Bureau should make farmers aware that this AMP is available for their use.

BEEF PROMOTION

In May 2004, the U.S. Supreme Court accepted review of an Eighth Circuit decision that struck down the beef checkoff program as unconstitutional. The Eighth Circuit held last year that mandatory assessments that fund generic advertising violate the First Amendment. In support of the beef checkoff, AFBF organized a friend-of-the-court brief that was filed August 20 arguing that the Eighth Circuit's decision should be overturned. AFBF was joined by 28 state Farm Bureaus as well as more than 80 other state and national commodity organizations on the brief in an attempt to demonstrate to the Supreme Court the importance of checkoff programs to all of agriculture. A final decision on the appeal is expected in early 2005.

New Jersey Farm Bureau continues to support the mandatory beef check-off program and other activities, like the marketing of branded beef products that promote the sale of beef products.

TAXATION

Because education in the State of New Jersey is funded mainly through the local the property tax, the financial burden of education is unfairly placed primarily on property owners. This has become a growing financial hardship for farmland owners.

This method of school funding has also created a social climate that is hostile toward any new growth or development. Many municipalities are making land use and planning decisions based not on what is best for the environment or the community as a whole, but rather, as a means to slow or even stop development, in an effort to hold down school taxes. Many of these land use decisions, like downzoning, drastically diminish a farmland owner's equity.

To help protect the property rights and financial well being of farmland owners, New Jersey Farm Bureau strongly supports a change in the method by which New Jersey schools are funded.

There is a need to enact legislation in the state to synchronize the deadline dates for the filing of state and federal tax returns by New Jersey farmers. This creates unnecessary complications and expense for those preparing those returns.

Farm Bureau should explore the impacts of rising property taxes on farms and seek recommendations to lessen the tax burden on farmers.

OTHER TAX ISSUES

The New Jersey estate tax imposes taxation on estates valued over \$675,000.00. With high land values most all farms with land would be subject to this tax, therefore New Jersey Farm Bureau should seek the abolition of the New Jersey estate tax and the New Jersey inheritance tax.

New Jersey Farm Bureau should also:

- support a one time exemption from capital gains to the New Jersey gross income tax for the sale or condemnation of a farm;
- support the permanent elimination of the federal estate tax;
- support the elimination of the federal capital gains tax;
- support enactment of Farm and Ranch Risk Management Accounts (FARRM Accounts) to allow producers to contribute up to 20% of their income into a five-year tax-deferred account

New Jersey Farm Bureau should also create a fact sheet for its members regarding capital gains/inheritance tax rules affecting New Jersey farmland assets.

PRODUCT DISPARAGEMENT

Growers of fruits and vegetables in recent years have suffered a loss of sales in the marketplace from unsubstantiated attacks challenging the safety of these food products. The issue of residues from agricultural chemicals in particular, like the ALAR scare on apples, is frequently a target of these misguided campaigns. The absence of scientific fact and the deliberate appeal to fear in an unsuspecting consuming public are used to disparage the safety and quality of fresh farm products. The fact that these products are marketed on a generic basis rather than through a brand name contributes to the problem.

Producers of generic products have no specific protection against libel and cannot recover damages from those who engage in produce disparagement.

Several states have adopted legislation to give growers some legal protection from this problem. The NJ Farm Bureau directors should evaluate this situation and seek appropriate remedial action to protect its produce industry and any commodity group having the same problem.

FARM CREDIT

Agriculture in New Jersey like elsewhere in the nation needs a reliable source of operating credit and long term financing to support itself. New Jersey Farm Bureau recognizes the importance of maintaining a strong Farm Credit System to help meet the credit needs of farmers, agricultural cooperatives and rural communities. The System should be modernized by removing unnecessary statutory constraints that interfere with Farm Credit's ability to effectively serve agriculture and rural communities. Current law should be modified to allow Farm Credit institutions to finance farm-related businesses and businesses that add value to farming operations.

COMMERCIAL FISHING

Farm Bureau shall strongly oppose and work strenuously to oppose any legislation that attempts to ban legitimate, historical fisheries in state waters. It shall be an active player in any coalition formed of recognized commercial fishing groups formed to oppose such a ban. We will seek and support legislation creating a Right to Fish bill. Such legislation will guarantee equal access to our marine fishery resources for all user groups (commercial, recreational, and charter)

Farm Bureau shall seek aquaculture funding that reflects the realities of aquaculture in commercial fisheries, and serves as a bridge between the state's agricultural, scientific and commercial fishing communities. The common ground between commercial and aquaculture industries should be identified and strengthened to create a strong union to promote seafood through the Jersey Fresh program.

Farm Bureau shall seek an expanded Jersey Fresh program concerning the seafood industry (aquaculture and commercial) that would not only promote the positive health values of seafood but also educate the public to its safety and the fact that it is a renewable resource that is harvested on a sustainable level since seafood is one of the three largest food commodities produced in this state, Farm Bureau will discuss with NJDA the possibility of the seafood industry being granted a seat on the State Board of Agriculture and/or State Agriculture Convention.

In 2002, the NJ DEP released an advisory regarding PCB levels in fish that included a more stringent risk factor than that currently used by the Food and Drug Administration (FDA). Use of the most stringent factor of 10^{-5} , as proposed, would advise consumers that certain fish (striped bass and bluefish) should not be consumed. This would have a devastating affect on New Jersey's party and charter fishing business, and would also have a severe negative impact on the sale of commercially caught bluefish.

The federal EPA has adopted a less stringent standard of 10^{-4} , which advises that the consumption of these fish on a limited basis is acceptable. New Jersey Farm Bureau strongly urges the DEP to use the PCB standard that is being utilized by the EPA.

Government Aid to Commercial Fishing Industry

New Jersey Farm Bureau shall seek legislation ensuring that government money (i.e., subsidies, low-interest loans, guarantees, etc.) given to aid the commercial fishing industry shall be used for that purpose only. In the event said loans, etc., are not used for that purpose, said money must be repaid immediately. This should be patterned after the existing county-level Ocean County revolving loan fund; and should not in any way be available for fishing enterprise owned and operated by large, conglomerate corporations.

The New Jersey Farm Bureau strongly supports the phase-out of all ocean dumping of wastes. Commercial fishermen have long suffered from current dumping practices.

Commercial Fishermen Classification

New Jersey Farm Bureau shall actively seek and support the following: person or persons and corporations shall be for legal purposes, considered in the same category as a farmer

throughout the state of New Jersey if he is engaged in (definition of a fisherman) "the act of gathering or processing of marine or aquatic organisms for the use of food or industrial purposes, the sale of which is his/its source of income."

Support of Commercial Fisheries

Farm Bureau shall move as vigorously and as quickly as possible to support the shellfish and commercial fishing industry in every way within their means recognizing this industry is a vital segment of New Jersey's agriculture. Farm Bureau shall seek and actively support the following:

- both deputation and relay of all shellfisheries (hard clams, soft clams, oysters and mussels) from all condemned and special restricted waters in the state of New Jersey.
- rehabilitation of failing oyster industry on Delaware Bay and Atlantic Coast section, only insofar as it does not affect New Jersey Farm Bureau policy on the Tocks Island Dam.
- a special prosecutor from the New Jersey Attorney General's office to assist commercial fishermen in prosecution of cases concerning theft of gear and shellfish from leased ground, and farmers for cases of theft of crops and damage to farms. This special prosecutor should be a deputy attorney general assigned to commercial fishing matters, who should be directed to meet with commercial fishermen on occasion during the year.
- the proposed Coastal Commission, provided commercial fishing interests are represented by at least one seat on the commission. Property tax abatement on dock space at the waterfront should be one priority for the commission.

Waterfront Preservation

Due to the high and ever increasing tax rates of commercial waterfront property commercial docks, landings, and fish processing facilities are being forced to sell to other commercial interests thereby creating an economic hardship on New Jersey's commercial fishermen in that there are fewer facilities to unload, sell, and process their catch.

New Jersey Farm Bureau should develop appropriate measures to enhance commercial fishing dock space, with sufficient capital funding in a manner that reflects each port's needs. New Jersey Farm Bureau shall work with shore area legislators to accomplish this.

New Jersey Farm Bureau shall encourage all marine extension research to be directly related to the needs of the industry. It shall also formally review the various advisory councils affecting commercial fishing for relevancy to the needs of the industry.

The commercial fishing interests have long felt that their industry needs to be part of the state Department of Agriculture. Commercial fishing is a harvesting of sea resources and a form of food production like agriculture. It needs to be promoted and protected in the same way as traditional farm commodities. Therefore, New Jersey Farm Bureau will initiate and support an effort to transfer the shellfish and marine finfish offices of DEP into the Department of Agriculture.

This need for advocacy of commercial fishing also exists at the national level. The American Farm Bureau is respectfully requested to change the name of the aquaculture committee to include Commercial Fisheries. Although New Jersey Farm Bureau has had commercial

fisherman members serve on this committee in the past, the emphasis has been on controlled-environment fishing and not commercial fishing of the seas and bayshore waters. The name change should also be accompanied by the establishment of separate functions throughout the United States should be recruited for membership in Farm Bureau, using among other things media devices like the National Fisherman Magazine and Commercial Fishing News.

The striped bass is a migratory fish that provides a source of income to the fishing communities of the East Coast and delicious table fare to millions. The Atlantic State Marine Fisheries Council is declaring the striped bass a recovered fishery as of 1995, after years of restrictive conservation measures. New Jersey currently has a commercial allocation of 63,000 lbs. of striped bass that is projected to increase to 230,000 lbs. by 1997. Unfortunately, New Jersey's commercial allocation of striped bass has given to the recreational industry by way of the trophy bass program. The historic commercial fishery for striped bass was legislated out of existence a few years ago with passage of a bill that gave bass "game fish only" status and banned the sale of this fish in New Jersey, thus removing it from restaurant menus. With striped bass stocks now fully recovered, we will seek and support legislation that will repeal the ban on the sale of striped bass and move its "game fish only" status.

We will oppose any effort that would attempt to classify any commercially caught fish as "gamefish only."

Farm Bureau will vigorously support the use of aquaculture as a means of replenishing the depleted fish stocks of the oceans.

Recent legislation has increased the power and importance of the Atlantic States Marine Fisheries Council. As presently constituted, members of the council consist of three members from each state. Two are state officials and one is "at large." The present set-up allows one industry to be dominated by another, commercial or recreational depending on a member's (commissioner) philosophy. The public should be presented by the two separate commissioners (one commercial and one recreational) so both interests are represented fairly. Public hearings should also be held on any proposed regulations by A.S.M.F.C. We shall seek and support congressional legislation to achieve these changes.

AQUACULTURE DEVELOPMENT

Aquaculture offers the opportunity for a new farm crop and expanded marketing in New Jersey agriculture. It offers New Jersey farmers the chance to diversify into a potentially profitable on-farm enterprise as a supplement to their current farming operations. Rutgers University has a significant research program underway and has plans to assist commercial development as well, building on the existing experience of East Coast farmers with this new crop. Those promoting aquaculture envision farmers using ponds or tanks in greenhouse structures growing out fish species that are highly marketable to local consumers and the export market.

The Aquaculture Development Act was passed to help facilitate investment and start-up enterprises in aquaculture. This is critically important for small business operations that lack the capital, expertise and time to deal with an onerous regulatory structure. This responsibility is assigned to the Department of Agriculture and specifically to the Department's Fish and Seafood Development Program (FSDP). The FSDP currently provides support to the

aquaculture industry through technology transfer projects, marketing assistance and technical assistance with required state permit processes. In June the department published final rules for aquatic license and the permit applications are available from the department.

Farm Bureau supports the development of the aquaculture industry in New Jersey and endorses the central role of the NJDA in bringing about a streamlined protocol for the establishment of these production practices and businesses. Farm Bureau also supports the development of an aquaculture AMP by the SADC in consultation with Rutgers Cooperative Extension, so that these operations can have right to farm protection. Draft rules were published earlier this year with the public comment period closed. Farm Bureau encourages the SADC to adopt the AMP as soon as possible.

EDUCATION POLICIES

All farmers and landowners in the state should be concerned with the enormous investment of public tax dollars invested by the state in its educational system. The financing of elementary and high school education is largely based on the property tax, which now costs approximately \$9,000 per student. This places constant upward pressure on property taxes.

The Legislature and Governor enacted a law in 1991, which removed tenure from public School superintendents. Farm Bureau believes that the original purpose of providing tenure to teachers has long since passed, yet the system remains to the detriment of cost-effective, high quality education. New Jersey Farm Bureau supports the elimination of tenure privileges to faculty members in all educational institutions in the state.

New Jersey Farm Bureau shall seek legislation and the support of the state Department of education for a proposal making "Ag in the Classroom" a required part of the curriculum in the first through sixth grades.

FFA/Agricultural Education

Agricultural education prepares people for careers and professional leadership in production, processing, marketing, and distribution of agricultural products, and for related careers in plant and animal technology (including aquatic life) economics, education, mechanics and engineering, natural resources and environmental technology, politics, sociology, and international relations and trade.

Agricultural Education's components are: classroom and laboratory instruction by a certified teacher of agriculture; work-based learning through supervised agricultural experience programs; and personal and professional career development activities of the FFA.

New Jersey's agricultural education instructional programs include, but are not limited to, agricultural science, greenhouse management and landscaping (including computer design, or CADD, instruction), aquaculture, environmental sciences, pre-veterinary science, agricultural business and management, agricultural mechanics, and the more traditional agriculture programs of plant science, animal science, and agricultural production.

Since its inception more than seven decades ago, FFA has been integral to Agricultural Education, along with Supervised Agricultural Experiences and the classroom/laboratory instructional program. The position of State FFA Advisor was moved to the New Jersey

Department of Agriculture in 1995, and the Office of Agricultural Education was established. New Jersey Farm Bureau supports the continued growth of this important program.

Farm Bureau should encourage the NJDA and the farm education programs statewide to investigate the "Choice School" program. This provides free tuition for students to attend special programs in schools outside their own school district. Concentrated production agricultural curricula could be provided. Such an Agricultural Choice School has been developed in Cumberland County.

FARM BUREAU POLITICAL POSITION

Farm Bureau represents all the farmers and rural interests in New Jersey and represents their public policy interests. Farm Bureau should encourage individual farmers or groups of farmers to evaluate positions of candidates for elective office that affect their interests and to publicly express their endorsements therefore.

COOPERATIVE ACTION AMONG FARM GROUPS

Agriculture in the Northeast and especially New Jersey in recent years has been marked by increased competition, intrusion by government regulations and declining profitability for many operators. In these times of increased economic competition, farmers should look to innovate with cooperation more than ever before. New Jersey Farm Bureau should be active in developing and/or facilitating collective action among its members where it proves to be feasible.

ENGLISH - OFFICIAL LANGUAGE

State legislation is pending that would designate English as the official language of the state. We also support the same for adoption by the Congress of the United States. While we appreciate the ethnic diversity that makes this country great, our government has limited resources and must not be forced to make unnecessary expenditures for the printing of various documents in multiple languages. We should provide public education and training to help those in need to learn English, but at the same time establish the language as the official basis for governmental and business transactions. An important aspect of English as the official language of the United States is that it establishes a common, unifying theme in the world's most widely diverse and constantly changing culture.

LITIGATION POOL

New Jersey farmers are sometimes the recipients of unfair and arbitrary enforcement actions arising from either government enforcement agencies or litigation. These normally occur in instances of labor management, environmental issues, land use or farm management practices. Agriculture is a profession dependent on the use of natural resources and a substantial amount of labor, and is therefore, vulnerable to such legal action on many fronts. An individual farmer is in an unfair position to defend him or herself from "test cases" brought by advocacy groups or government agencies.

Settling these cases because of financial limitations despite one's feelings of guilt or innocence is undesirable both to the individual farmer and the farm community as a whole. There may be other farmers in the state who have encountered similar problems and should have their information pooled with other farmers' experiences. The Farm Bureau directors will develop a working policy and protocol to educate and assist farmers on legal problems arising from environmental, labor and right to farm disputes.

ETHANOL RENEWABLE FUELS

New Jersey Farm Bureau in consultation with the NJ Grain and Forage Producers Association should continue to promote the use of ethanol in motor fuel. It should also continue to seek ways to create marketing opportunities for New Jersey grain growers in the development of these oxygenated fuels.

Recent events have made the development of an ethanol plant in New Jersey a much stronger possibility. The creation of Garden State Ethanol (GSE) in 2001 was an initial step in the process.

A site for the plant has been selected – the former Huntsman Chemical site in West Deptford, New Jersey.

In 2002, at the direction of the New Jersey Farm Bureau Board of Directors, the New Jersey Farm Bureau Service Company, LLC voted to invest in Garden State Ethanol. New Jersey Farm Bureau remains strongly in support of this project as Garden State Ethanol seeks permanent funding sources.

Federal legislation approved in October, 2004 and the significant increase in petroleum prices worldwide all but ensures that ethanol production will soon get underway on the East Coast. The New Jersey project has completed the due diligence regarding siting, permitting, local corn supply, markets and so forth to make itself an attractive partner for a larger, experienced ethanol production company. Garden State Ethanol reports that it is in serious discussions with such a potential partner, which may well lead to an announcement regarding the future course of the ethanol project in New Jersey.

New Jersey Farm Bureau will continue its support and facilitation of the ethanol project in 2005. There may be an opportunity for individual farmer investment into this enterprise, which should be advertised to all NJFB members at the appropriate time. Should the project come to fruition, it will provide a highly-desired new corn market for farmers in the region. This would be a first step toward the implementation of an even larger biofuels policy for the state that could help stabilize the economics of field crop agriculture in the future.

AMERICAN FARM BUREAU

New Jersey Farm Bureau applauds American Farm Bureau's action to increase its dues. However, Our 5 million-member organization needs more financial resources to carry our message. Therefore, NJFB encourages American Farm Bureau to again increase its dues to maintain a budget that will meet the needs of this national organization.

The American Farm Bureau Federation should consider publishing a national publication. Currently, only a small fraction of the membership receives the AFBF news. We recommend that the publication be an extension of our agricultural and free enterprise philosophies.

BOTTLE BILL

Farm Bureau supports the concept of mandatory beverage container deposit legislation. Bottles and cans discarded along the roadside of farms is a costly nuisance to farmers. While the litter tax and clean-up program are in place, it is at best a partial remedy. Farm Bureau shall support the renewed efforts of conservationists to have this legislation passed.

TRESPASS/VANDALISM

Farming in the suburban/rural fringe areas of New Jersey continues to experience regular nuisance events from trespassing and vandalism. This pressure on agricultural operations is a needless source of increased costs of production and is an unnecessary hassle for those farmers. These problems otherwise negate some of the advantage for being in direct proximity to large retail market opportunities.

Because those who recklessly drive onto farm fields are not aware of on-site conditions, they sometimes get stuck in wet soil or simply abandon the vehicle on the farmland property. In such an event, the vehicle ought to be kept on the premises by the local police until the landowner has been notified, has the opportunity to assess any damage to the property and also has determined who is responsible for reimbursement of the damage. New Jersey Farm Bureau shall seek whatever rule change is appropriate to have this procedure adopted throughout the state. We urge that balloonists be included in the same laws as motor vehicles concerning trespass.

New Jersey Farm Bureau shall continue to support legislation to strengthen the trespass law in New Jersey and provide for increased penalties in instances of farm vandalism. Farm Bureau shall seek stringent enforcement of these laws.

New Jersey Farm Bureau supports more public education, and education of police and public officials in the form of brochures, billboard campaigns and/or booklets, regarding the consequences of trespassing and the theft and/or damage to crops. This would help promote a greater awareness in the public about the value of these crops to farmers and hence their importance in preserving a local source of food and scenic beauty.

AG IN THE LUNCH ROOM

School children in New Jersey and throughout the country are the recipients of much information about nutrition and the food supply. Some of this information contains a bias toward a variety of alternative perspectives that vary with traditional practices of food production and agriculture. Without being closed to new innovations, farmers should be careful not to allow their interests to be set aside by aggressive campaigning of competing advocacy groups.

Farm Bureau should work with the NJDA, Ag Society, soil conservation districts and Rutgers Cooperative Extension to survey what is being taught about the food supply to elementary school children. It should serve as a facilitator in distributing videos to help make these students more aware of the realities of food production. This should include illustrations of how food consumed in the lunchroom connects with the food production process. Also, an "Ag in the Lunchroom" promotional program should be developed to offset any anti-agriculture message being spread by animal rights advocates or others who want a return to a subsistence-oriented agriculture.

COMMERCIAL BEE INDUSTRY

The commercial production of bees and their use in the pollination of crops is a vital component of New Jersey agriculture. This aspect of farming is not well known to non-farmers. Beekeeping needs to be supported and maintained in New Jersey. Some New Jersey municipalities, mistaking honeybees for yellow jackets, have passed local ordinances

banning the keeping of bees. These municipal officials need to be educated about honeybees and their importance to the agriculture industry. NJFB applauds the New Jersey Department of Agriculture's outreach and education efforts toward local officials on this important topic.

Farm Bureau should oppose legislation that unnecessarily restricts the movement of commercial beehives into and around the state. This recommendation does not affect any of the existing powers in the NJDA Division of Plant Industry, which are sometimes used to stop the movement of bees in response to disease and insect problems.

To ensure the health of the bee population in New Jersey, funding for the Bee Inspection Program within the NJDA Division of Plant Industry should be increased to allow for the hiring of more full-time inspectors.

YOUNG FARMERS - LOANS ON DEED-RESTRICTED LAND

Since the inception of the Agriculture Retention program and the bond issues for easement purchase grants, more than 80,000 acres of New Jersey farmland has been permanently deed-restricted to agriculture. Added to that figure are thousands of acres that are temporarily restricted in eight-year programs and voluntarily deed-restricted by landowners for conservation purposes.

One of the goals of the farmland preservation program was to create a permanent land base surrounded by other farmland for the pursuit of farming. Implied with the acquisition of the development rights on that privately-held farmland was the need for some sale and transfer among people interested in farming in the future.

Those starting out in agriculture are an ideal group to encourage the purchase of this land. Even with the development value removed, the residual value of such property can still be substantial on an amount of acreage needed to start a farm business. Farm Bureau, therefore, shall coordinate an inter-agriculture task force whose goal will be to facilitate a low-interest loan for farmers on deed-restricted farmland. Any person receiving such a loan should be required to actively farm the ground themselves.

PROBLEM SOLVING SERVICES

One of the core services provided by Farm Bureau for its members is informal constituent assistance when help is needed. Many farmers call or write letters to the Farmhouse with questions, requests for information or ideas about how to handle problem situations. Some of these questions involve compliance status with government regulations, others are in regard to miscellaneous aspects of farm operations and management. Farm Bureau shall respond to these farmer calls within 24 hours. This interaction is an excellent way to surface information about the need to create, modify or eliminate current regulations through formal contact with government agencies or the legislature.

There is a benefit to coordinating this effort with similar work being done by the Department of Agriculture and Rutgers Cooperative Extension. Information fact sheets and other "how to" and "do's and don'ts" guidelines can be stored and retrieved on the Farm Bureau communication tools. Farm Bureau shall during the upcoming year attempt to strengthen these services through such coordination and documentation of this base of knowledge and experience for the membership.

Members are cautioned that the key to gaining flexibility in the interpretation of rule compliance judgment calls is good faith efforts at using recommended management practices. Farm organization influence is diminished by the few who skirt recommended practices and create undesirable impressions with the public about agriculture.

NEGLECTED/ABANDONED ORCHARDS AND OTHER OPEN SPACES

Weather problems, depressed market conditions and/or other problems have caused the termination of some fruit farm operations in recent years. Fruit orchards, and other open spaces, when neglected or abandoned, can become a significant problem as a source of disease and pests to neighboring farms. In South Carolina where similar fruit farming exists, legislation was enacted to combat this problem. This involves an inspection, citation and enforcement provision at the expense of the landowners to eliminate the condition.

New Jersey Farm Bureau will call upon all public open space program administrators to take account of neglected/abandoned orchards in the review and consideration of land acquisition projects. Care should be taken to avoid having these sites become breeding grounds that harbor pests and diseases.

Additionally, all publicly-owned open space should be required to be maintained in such a way as to prevent it from harboring insects, noxious weeds and wildlife species that could become a nuisance to neighboring properties.

LICENSING AND BONDING OF BUYERS

Prompt and full payment to the grower of perishable agricultural commodities after their sale to buyers is a vital component to the financial well-being of New Jersey agriculture. Regulations governing this situation were authorized in 1930 pursuant to the Commission Merchants, Dealers and Brokers and their Agents law. Credit buyers of fruits, vegetables, poultry products, hay, grain and straw must be licensed and bonded under these regulations, as well as make payment within a prescribed period of time.

The bonding law was updated with the passage of bills A.2055/S.1038 in the spring, providing additional protection to New Jersey growers. Under the bill, (1) the \$100,000 cap on the amount of the bond required of milk dealers is eliminated, and (2) the bond requirement for purchasers of other agricultural commodities is set to be at least equal to the estimated maximum monthly value of such commodities to be purchased or received by the dealer from New Jersey producers during the preceding 12 months. With the recent update to the licensing and bonding laws Farm Bureau should continue to monitor the changes and make sure agriculture commodity producers are protected.

DAIRY

Emphasis should be placed on improved management skills, better understanding of the business and more efficiency in herd management.

Farm Bureau, through its Dairy Committee, shall:

- encourage dairy operators to take advantage of programs available to them for testing herds for Johne's. There are programs available through the Division of Animal Health and Extension to help diagnose and control this disease.

- continue its involvement with the implementation of the Garden State Re-engineering Initiative, which for dairy farms involves a milk quality initiative; a nutrient management program; and a financial review and analysis and problem solving team coordination. New Jersey Farm Bureau supports the continued funding of this program and encourages dairy farmers to participate in each of these programs.
- should work with NRCS and the new State Conservationist to insure that all dairy producers are aware of the conservation programs and assistance available to them.
- should recommend that AFBF have a knowledgeable dairy specialist on staff.

The organizations involved with the Ag Water Quality Steering Committee must work together to find affordable systems for livestock farms to prevent and/or correct non-point source pollution problems. Farm Bureau should continue to support dairy farms by ensuring that adequate financial and technical assistance is available for farm improvements.

A program called the “Garden State Family Farms” is open to all dairy operators in the state. This project is designed to market local farmer’s milk using the Jersey Fresh logo as a marketing tool to local retail outlets for a premium price. New Jersey Farm Bureau should monitor this project to insure that profits are returned to the producer farmers involved in this project.

New Jersey Farm Bureau supports federal legislation to raise tariffs on milk protein concentrate (MPC) to levels high enough that imported protein will not displace domestic use of non fat dry milk in U.S. food manufacturing.

NJFB should continue to support the work of the States Ratification Committee.

NJFB should support the proposed legislation, the “National Dairy Equity Act” to insure a safety net for dairy producers. This would replace the present MILC program that will sunset in 2005.

INVASIVE SPECIES

The NJDA has organized a New Jersey response to a growing national movement to protect agricultural producers from the biological harm of invasive pests. These are insects, diseases and weeds that have found new pathways into agricultural and horticultural crops. The increase in global trade is a major contributor to the problem as non-native species are transported by ship or airplane into American market. The nursery industry is particularly at risk from invasive species.

New Jersey Farm Bureau supports the new Agricultural Invasive Species Council and the development of a management plan to curtail this problem. This process will identify species of concerns and methods for control using current and potentially new legislative authority. Farmers are encouraged to monitor and participate in this issue and cooperate with its findings and recommendations.

BIOSECURITY

New Jersey Farm Bureau shall request the USDA to increase biosecurity measures at all points of entry into the United States as well as the State of New Jersey, to guard against outbreaks of diseases such as foot and mouth, as well as possible threats of bio-terrorism.

New Jersey Farm Bureau should work with the NJ Department of Agriculture to develop a biosecurity plan for New Jersey Agriculture. Farm Bureau's position on the new Domestic Security Preparedness Taskforce – Infrastructure Advisory Committee will require a thorough farm industry response to assess and guard against the threat of terrorist activities.

Under the leadership of the New Jersey Department of Agriculture in consultation with leaders in the different sectors of New Jersey agriculture developed industry guidelines and procedures outlining the response and action taken by the agricultural industry when a change in alert code or an event happens. The sectors that fall under the leadership of the Department of Agriculture include; livestock industries, livestock auctions and slaughterhouses, pet stores and shelters, zoo and animal exhibitions, veterinarian hospitals, plant industries, crops including the wholesaling of fruits and vegetables, and feed and fertilizer. Individual operations should use their sector related plan as a guide for developing their own action plan in the event of an emergency.

MARKETING - JERSEY FRESH

Marketing is consistently listed as a major concern of New Jersey farmers. The New Jersey Department of Agriculture's Jersey Fresh promotion program has been a uniquely successful and nationally recognized effort to maintain the public's awareness of the quality of New Jersey's agricultural products. As the program is expanded with other branding names such as the new, Jersey Grown program and the expected Jersey Organic, and Jersey Bred, programs it is important that proper funding be in place to further the state's marketing support.

NJFB urges the Governor and State Legislature to restore not less than \$1.5 million to the Jersey Fresh promotion program so it can maintain and increase the successful promotion of the Garden State's agricultural and horticultural products.

HORSE RACING INDUSTRY

Equine owners and operators annually contribute more than \$600 million to the state's economy. Also, the New Jersey equine industry provides recreational, environmental and ecological benefits to all of the state's citizens from the preservation of taxpaying open space.

The state's standardbred and thoroughbred breeding industry maintains approximately 125 farms covering in excess of 27,000 acres. They provide domicile to the state's racing animals, which have an overall value of \$365 million. Equine related assets, which include feed, bedding, fencing, equipment, transportation, insurance, blacksmith and veterinary services, contribute \$698 million to the state economy on a yearly basis.

The New Jersey horse racing industry must be kept strong with competitive purses at the state's race tracks. The industry is changing and New Jersey's horsemen are facing a crisis. Without adequate income from purses, breeders cannot continue to breed and train their horses in New Jersey.

Recognizing the usefulness of the industry in their preservation of open space as well as the recreational aspect with racing at both Monmouth Park and the Meadowlands, the continued support of the breeding industry in the Garden State is crucial for its success.

Continued development of ancillary programs would also enhance the already considerable public interest in the industry. This would also boost the industry's efforts to compete nationally with other states' programs.

In recent years, horse breeding and racing has been hurt by strong competition in the entertainment/wagering marketplace. This also affects New Jersey's neighboring racing states that have instituted aggressive new programs to attract the live racetrack audience. Without changes and a boost from agricultural interests at large, the horse breeding sector is threatened with a further diminution in its overall operations.

Legislation has been approved and signed by the governor's approval that will enhance breeder programs and enable horsemen for the first time to have a say in State Racing Commission decision-making. New Jersey Farm Bureau supports these bills. Expanding racing days for New Jersey-bred horses and increasing purses to be competitive with other states is a must. Farm Bureau also supports the implementation of mechanisms approved but not yet established like OTB and phone betting that also will improve the market incentives for the thoroughbred industry.

Therefore, New Jersey Farm Bureau will support the continued development of the horse breeding industry in the Garden State.

WIC AND SFMN PROGRAMS

Since 1994, The Women, Infant and Children (WIC) Farmers Market Program, has provided Jersey Fresh fruits and vegetables to a segment of New Jersey's nutritionally at risk population who wouldn't normally purchase farm fresh produce.

Making elderly citizens eligible for the Senior Farmers Market Program during the 2002 growing season further expanded the nutritional benefits of farm fresh produce to over 33,000 economically disadvantaged senior citizens who participated in the pilot program.

Besides providing fresh and nutritious fruits and vegetables to New Jersey Citizens the program also puts federal dollars directly into the hand of the farmers who accept the vouchers.

Though the SFMNP has had a high return rate for vouchers issued the WIC FMNP has not had as successful a rate of return. In 2003 over 1.5 million dollars were allocated to the program but only 700 thousand dollars were redeemed. To improve consumption of fresh fruits and vegetables the federal government is looking into permitting the vouchers to be redeemed at supermarkets as well as farm markets and farm stands.

New Jersey Farm Bureau does not agree with and strongly opposes the expanded use of the coupons to supermarkets as the benefit of putting federal dollars into the hands of local farmers would be lost.