

Hunterdon County Agriculture Development Board Meeting

Thursday, April 8, 2021 @ 8:00 pm

AGENDA

This meeting will be held via Zoom. Information for joining the meeting via phone or computer is below. Out of consideration for others, please mute unless you are speaking.

Meeting graphics are available at <http://www.co.hunterdon.nj.us/cadb.htm>.

Public comments may be submitted to CADB Administrator Bob Hornby at CADB@co.hunterdon.nj.us prior to the meeting. This email will not be monitored after 7:30 pm or during the meeting.

Join Zoom Meeting on a computer

<https://us02web.zoom.us/j/85403494017?pwd=WU14ckM3anlXSktZnb3V3aVVWbFdVdz09>

Meeting ID: 854 0349 4017

Passcode: 663143

Join Zoom Meeting by phone

1 (646) 558 8656

Meeting ID: 854 0349 4017

Open Public Meeting Act:

"This meeting is being held in accordance with the provisions of the Open Public Meeting Act. Adequate notice has been provided by prominently posting and maintaining so posted throughout the year on the first floor of the County Administration Building, Main St., Flemington, and by mailing on or before January 15, 2021, to The Hunterdon Democrat, The Star Ledger, The Trenton Times, The Courier News, The Express Times, and TAPinto newspapers designated by the Hunterdon County Agriculture Development Board to receive such notices, and by filing with the Hunterdon County Clerk a schedule of the times and dates of such meetings."

Pledge of Allegiance:

Roll Call:

Approval of Minutes:

- Minutes of the March 11, 2021 Meeting

Communications and Administrative Business:

- CADB Staff update
- SADC Letter RE: Soil Standards
- SADC Letter RE: DuBrow
- FY 2020 SADC Monitoring Report
- Monitoring Update

SADC Updates:

- Soil Disturbance Standards Presentation; Jeff Everett, SADC Deputy Executive Director

Chair Comments:

Old Business:

New Business:

Right To Farm Matters:

- SSAMP Hearing: Beneduce Vineyards, Alexandria Township Block 21 Lot 41.31
 - *No testimony will be heard, a Special Meeting will be held on a date to be announced.*
- SSAMP Hearing: Hoffman Farm, Tewksbury Block 5 Lots 12.01 and 12.02
 - Resolution 2021-03: Memorialization

Public Comment:

Adjournment:

Hunterdon County Agriculture Development Board

Hunterdon County Administration Building #1
Route 12 County Complex
PO Box 2900
Flemington, New Jersey 08822-2900

March 15, 2021

RE: Soil Protection Standards

Members of the Committee:

The Hunterdon County Agriculture Development Board (CADB) has a long history of farmland preservation and great interest in the continuation of agriculture as a viable industry in Hunterdon County. There are 453 easements in Hunterdon covering over 34,500 acres and an additional 2,000 acres in the process of preservation. 28% of the Farm Assessed acreage in Hunterdon County is protected by permanent easements, some dating back as far as 1985.

The CADB believes that the Soil Protection Standards currently under development by the State Agriculture Development Committee (SADC) serve to change the terms of the Easements that have been previously agreed to and abided by for decades. Once a landowner has signed an easement the SADC should not further restrict farm uses. Confidence in the Preservation Program relies on landowners understanding what they are agreeing to and those terms not changing over time.

The CADB appreciates the generous offer by Deputy Executive Director Jeff Everett to attend an upcoming CADB meeting to explain the SADC position. The CADB looks forward to reviewing the draft Standards upon release and providing further comment.

Thank you for your time and attention,



Bob Hornby
CADB Administrator



Telephone: (908) 788-1490
CADB@co.hunterdon.nj.us
<http://www.co.hunterdon.nj.us/cadb.html>

Hunterdon County Agriculture Development Board

Hunterdon County Administration Building #1
Route 12 County Complex
PO Box 2900
Flemington, New Jersey 08822-2900

March 15, 2021

RE: DuBrow Farm
567 Pittstown Rd.
Franklin Township Block 42 Lot 1.01
SADC #10-0428-PG

Members of the Committee:

The Hunterdon County Agriculture Development Board (CADB) has diligently followed the development of the Soil Protection Standards. This process has not yet resulted in a draft version being released for public comment. Considering this, the CADB requests that the letter from the State Agriculture Development Committee (SADC) dated September 10, 2020 regarding the DuBrow Farm in Franklin Township, SADC #10-0428-PG, be withdrawn.

A brief history of the application, it was filed with the CADB on October 30, 2018 and received Green Light approval on January 23, 2019. The Certified Market Value (CMV) was accepted by the Landowner on July 12, 2019. From September to December 2019 the Final Approvals were reviewed and granted by the CADB, Franklin Township, Hunterdon County Board of County Commissioners, and the SADC. The DuBrow family requested and was granted an amendment to the exception area, this request initiated a site visit on June 11, 2020 by SADC and CADB Staff. This visit included a soils investigation and review of historical aerial photography. The DuBrows signed a contract for purchase of Development Rights with Hunterdon County on August 18, 2020.

On September 10, 2020 above referenced letter regarding the proposed Soil Protection Standards was received by the CADB. The CADB feels the DuBrow family should not be required to sign the Agreement referring to standards that have yet to be adopted or released for public comment. The DuBrow family, by accepting the CMV and signing a contract for sale with the County, has already agreed to abide by the easement. The Agreement is creating an unnecessary delay in closing on prime farmland in Hunterdon County. The CADB feels further delay could result in the loss of the project.

On behalf on the Hunterdon CADB, thank you for your time and attention,



Bob Hornby
CADB Administrator



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State of New Jersey

STATE AGRICULTURE DEVELOPMENT COMMITTEE

PHILIP D. MURPHY
Governor

PO Box 330
TRENTON NJ 08625-0330

DOUGLAS H. FISHER
Chairman

SHEILA Y. OLIVER
Lt. Governor

SUSAN E. PAYNE
Executive Director

March 26, 2021

Robert Hornby, Administrator
Hunterdon County Agriculture Development Board
Route 12 County Complex, Building #1
PO Box 2900
Flemington, New Jersey 08822

**Re: Soil Protection Standards Agreement
Dubrow, Paula
SADC ID#10-0428-PG
Block 42, Lot 1.01 - Franklin Township, Hunterdon County**

Dear Mr. Hornby:

Thank you for your letter of March 15, 2021, on behalf of the Hunterdon County Agriculture Development Board (HCADB), requesting that the State Agriculture Development Committee (SADC) withdraw its September 10, 2020, letter requesting the landowner to execute a Soil Protection Standards Agreement (SPSA) in connection with the preservation of the above farm property.

We stated in the September 10 correspondence that, as a result of an inspection of the farm by the county and SADC staff in June 2020, the landowner would have only about 0.5 acres of additional permanent disturbance remaining on the preserved acreage if the proposed soil disturbance limits were adopted by regulation. The SPSA was authorized by the SADC in order to provide full disclosure to, and an acknowledgment by, the landowner of the potential impact the proposed regulations could have on agricultural activities on the property once the farm is preserved.

We understand that the request for an SPSA was received by the HCADB and landowner after the farm received final approval from the SADC; however, the SADC believes that the ability of a landowner to make the voluntary decision to preserve farm property with as much advanced knowledge as possible is critically important during the application process. Accordingly, the SADC will not withdraw its September 10, 2020, letter requesting the landowner to sign the SPSA; however, the SADC will be in a position to entertain reconsideration of the request for rescission of the SPSA after the soil protection regulations are adopted.

If you have any questions please contact me or Jeffrey Everett, Deputy Director and Chief of Acquisition at jeffrey.everett@ag.nj.gov or (609) 984-2504.

Sincerely,

A handwritten signature in blue ink, appearing to read "Susan E. Payne".

Susan E. Payne
Executive Director

c: Ms. Paula Dubrow
Thomas F. DiBianca, Esq.
CADB Members

[https://sonj.sharepoint.com/sites/AG-SADC-PROD/Farm
Paula_Response to Hunterdon Cty 03.2021.docx](https://sonj.sharepoint.com/sites/AG-SADC-PROD/Farm%20Documents/10-0428-PG/Acquisition/Internal%20Closing%20Documents/DuBrow,%20Paula_Response%20to%20Hunterdon%20Cty%2003.2021.docx)

Documents/10-0428-PG/Acquisition/Internal

Closing

Documents/DuBrow,

Hunterdon County Agriculture Development Board

Hunterdon County Administration Building #1
Route 12 County Complex
PO Box 2900
Flemington, New Jersey 08822-2900

March 17, 2021

RE: FY2020 Hunterdon Monitoring

Members of the Board:

On February 25, 2021, the State Agriculture Development Committee (SADC) presented the FY2020 Annual Monitoring Report covering the period from July 1, 2019 through June 30, 2020. A copy is attached for reference. Hunterdon was able to continue inspections as usual during that period; many counties, non-profits, and the SADC were unable to monitor due to health concerns and restrictions.

Hunterdon County contracts with the Hunterdon County Soil Conservation District (SCD) for required annual easement compliance monitoring. 285 of the 316 County-held easements (90%) were reported to the SADC, this is an improvement on the FY2019 Report of 247 out of 309 (80%) and the highest percentage in the last 5 years. SCD submitted monitoring reports to CADB Staff for all except one easement. The disparity between SADC and CADB numbers has been identified primarily as reporting errors in the data provided to the SADC automated system. CADB Staff worked with SADC Staff during the writing of the Report to correct certain data entry issues in the SADC database. The remaining issues were identified and could not be corrected in the reported totals:

- 7 easements closed during the period and were not yet due for the annual inspection
- 7 easements had the incorrect year on the signed inspection form
- 6 easements were submitted without an inspection date
- 5 easements were the result of divisions where separate reports were not submitted for each resulting easement
- 5 easements were reported to CADB Staff and not submitted to the SADC database
- 1 easement was not inspected
- 3 SADC-held Easements were incorrectly monitored by SCD Staff (Not reflected in the total)

CADB Staff congratulates SCD Staff for raising the rate of inspection completion and will continue to work closely with SCD Staff on improving monitoring and reporting accuracy. Hunterdon County is exploring options with the SCD to clearly define process and expectations in a digital world. In FY2020 SCD Staff began to make use of a Tablet provided by Hunterdon County for documenting monitoring visits photographically, making use of digitized surveys and deeds, and accessing previous reports.

Bob Hornby
CADB Administrator



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FY 2020 Annual Monitoring Report
State Agriculture Development Committee
February 25, 2021

Contents:

- Monitoring Requirements
- Review of Monitoring in FY 2020
- SADC Monitoring in FY 2020, and 2021 Workplan
- Tax Compliance
- Monitoring and Enforcement Methodology

Monitoring Requirements

Pursuant to N.J.A.C. 2:76-6.13, 2:76-6.18A, 2:76:16.5, and 2:76-17.16, the SADC, and the County Agriculture Development Boards (CADBs) and non-profits that receive SADC cost share grant funds for the acquisition of development easements, are required to monitor all lands to ensure compliance with the provisions of the Deed of Easement. Monitoring activities shall consist of the following:

1. An onsite inspection shall be performed at least once a year.
2. All inspections and monitoring shall be completed within the period commencing July 1 and ending June 30.
3. A written summary shall be provided to the Committee by July 15, verifying that the inspections were conducted during the scheduled period with a certification concerning whether the farm was in compliance with the provisions of the Deed of Easement.
4. The Board shall inform the SADC if any of the terms and conditions of the Deed of Easement were violated within 30 days of identifying such violation.
5. Appropriate action shall be taken within the Board's and/or County's authority to ensure that the terms and conditions of the Deed of Easement are enforced.
6. A database shall be maintained of all lands from which a development easement was acquired.
7. The SADC shall be annually informed of any record ownership changes which occur on lands from which development easements have been acquired.
8. The SADC shall be informed of any actions which require the SADC's review and/or approval.

Monitoring Completion Rates in FY 2020

The SADC has compiled easement monitoring statistics for the last ten years to gauge the performance of holders of the farmland preservation deeds of easement, i.e., counties, non-profits, and the SADC. The monitoring completion rates are detailed on the attached spreadsheet, **Attachment 1**, and summarized below.

County-Held Easements – The vast majority (about 79%) of easements are held by counties. The regulatory requirement for monitoring completion is 100%, and in FY 2020, this mark was met or exceeded by one county: Warren. Four additional counties, Cumberland (99%), Sussex (93%), Hunterdon (90%), and Morris (86%), were the next highest-completing counties. Gloucester (79%) and Monmouth (78%) were next in the 70-79% completion rate range, followed by Burlington (63%). Rounding out the county list, on the low end, were Somerset (4%), Middlesex (4%), and Ocean (2%), followed by Atlantic, Bergen, Camden,

Cape May, Mercer, Passaic, and Salem (all 0%). As a whole, counties had a monitoring completion rate of 64% in FY 2020, as compared to past rates ranging from 83% to 91% during the three prior years. **Attachment 2** shows the geography of monitoring completion rates for CADBs.

Non-Profit-Held Easements – Easements held by non-profits account for about 2% of the total number of easements. In FY 2020, the overall monitoring completion rate for non-profits was 50%, as compared to past rates ranging from 81% to 93% during the three prior years. As noted in past reports, this figure does not include farms that were preserved through the non-profit program and then whose easements were assigned by the non-profits to the counties after preservation. When the easement is assigned to another holder, something done officially through a recorded assignment document, the subsequent holder becomes responsible for the monitoring.

SADC-Held Easements – The SADC holds the second-highest total number of easements (about 19%) and had a 60% monitoring completion rate in FY 2020. By comparison, the SADC monitoring rate ranged between 82% and 99% during the three prior years.

Cumulative Completion Rates – Overall, the monitoring completion rate in FY 2020 was 63%. Cumulatively over the last ten fiscal years (2011-2020), the completion rate has been 84%.

Review of Monitoring in FY 2020

It is not typical to see many low monitoring completion rates, including many rates near or at 0%, but 2020 was not a typical year. As the COVID-19 pandemic took hold in March 2020, state and local governments, and non-profits and many businesses, pivoted to working remotely and postponed most of their in-person meetings and field work. Site visits, such as the annual inspections of preserved farms, were put on hold, with the result being the lower-than-usual monitoring completion rates seen in this report.

The SADC confirmed the cause-and-effect relationship of the pandemic and lower monitoring rates through recent outreach with partners. More than half of the CADBs cited the pandemic as the primary reason for doing little or no monitoring in FY 2020 and, if they were able to do monitoring, for not being able to get to all farms. COVID-19 similarly kept some non-profits from completing all their monitoring in FY 2020. The same was also true for the SADC. On the bright side, several CADBs and non-profits eventually got out and were able to monitor their farms later in 2020, albeit after FY 2020 had ended, i.e., after June 30, 2020. For instance, the Bergen CADB monitored all its farms in late July 2020; Mercer monitored most of its farms between August and October 2020; and Ocean monitored its farms between October and December 2020. The New Jersey Conservation Foundation and Monmouth Conservation Foundation had similar experiences. In this way, they got a head start on their monitoring for FY 2021, and in some cases, may have even already completed their monitoring for FY 2021.

Five CADBs cited staff-related issues as another reason, in combination with the pandemic, for not being able to complete all their monitoring. Cape May stated that a staff person who did monitoring was not replaced; Gloucester had a staff person (now retired) who monitored its farms by the calendar year instead of fiscal year; Somerset explained it completed its monitoring but that due to COVID-19, staff could not access the office and the files needed to submit the reports through the SADC monitoring e-Form; and Camden advised that other projects were a higher priority during the pandemic.

Some additional notes from the recent conversations with partners included the following:

- Somerset does its monitoring in two phases, first visiting all its farms in the fall. In the spring, it makes follow-up visits to any farms that had concerns. In most cases, the issues have been resolved by the spring visit.
- Cumberland did 75% of its monitoring with drones in FY 2020. It has been doing drone monitoring for 3-4 years. If the CADB finds any issues, it follows up with an onsite visit.
- The New Jersey Conservation Foundation does in-person monitoring but also uses an aerial mapping program called Lens from Upstream Tech.
- Montgomery Friends of Open Space started using the monitoring e-Form in FY 2020, which means that 8/8 non-profits and 15/18 CADBs now use the e-Form.
- Of the three CADBs (Cumberland, Morris, and Camden) not yet using the e-Form, Cumberland has a goal of transitioning to at least 50% e-Form usage in FY 2021, and Morris hopes to incorporate usage of the e-Form when it transitions to a new database in the future.
- The most common issues seen during monitoring visits are conservation-related (erosion and drainage). Also noted was the fact that while many preserved farms need farm conservation plans, the waiting list for having plans developed by the USDA Natural Resources Conservation Service (NRCS) is very long.
- Several CADBs made suggestions for making the e-Form easier to use.
- Some CADBs said monitoring-related training or education would be helpful.

SADC Monitoring in FY 2020, and 2021-2022 Workplan

In FY 2020, the SADC contracted with three soil conservation districts (SCDs) to assist with the monitoring of SADC-held easements. The Upper Delaware Conservation District (formed through the merging of the Warren SCD and Sussex SCD about a year ago) assisted with the monitoring in Warren, Sussex, and Morris Counties and the northern portion of Hunterdon County; the Freehold SCD assisted with the monitoring in Mercer, Middlesex, Monmouth, and Ocean Counties; and the Cape-Atlantic SCD did the monitoring in Atlantic, Cape May, and Cumberland Counties. SADC Stewardship and Agricultural Development staff were responsible for monitoring the SADC-held easements in the remaining counties.

The SADC renewed its contracts with the three districts to have them cover the same monitoring areas in FY 2021. SADC staff, meanwhile, will continue to monitor the balance of

SADC-held easements, i.e., those in Salem, Gloucester, Camden, Burlington, southern Hunterdon, and Somerset Counties. See **Attachment 6** for a geographical breakdown of SADC monitoring assignments for FY 2021.

In FY 2021, the SADC will continue to work with its County and non-profit partners to help their monitoring rates return to, if not also surpass, their pre-pandemic levels. The SADC also will conduct additional outreach in FY 2021 and 2022, e.g., develop a monitoring handbook and conduct monitoring-related training; check in with partners more regularly to discuss monitoring-related concerns or issues; and make refresher training available regarding the use of the e-Form monitoring system. The SADC also will provide each partner with an updated list of the preserved farms on which they hold an easement and the farms' e-Form PIN numbers. Altogether, this work and these efforts should help improve the system of farmland preservation monitoring in New Jersey.

Tax Compliance

Pursuant to a directive by the New Jersey Department of the Treasury relative to post-issuance compliance with tax-exempt bond issuances pursuant to Section 141 of the Internal Revenue Code, this FY 2020 Annual Monitoring Report details the number and nature of routine requests that come before the Committee versus Committee 'Reviews of Activities' that might involve a change in use, i.e., easement violations. See the following attachments for this FY 2020 information:

Attachment 3 - Reported Issues From Monitoring (Potential Concerns and Violations Observed)

Attachment 4 - Routine Stewardship Matters and Concerns Acted Upon by the SADC

Attachment 5 - Stewardship Concerns Pending

Monitoring and Enforcement Methodology

Some of the concerns tallied in FY 2020 were discovered in previous years. Since 2011, a total of 19,226 monitoring inspections have been conducted, with only 14 properties resulting in Committee findings of violation. This outcome reflects not only sound stewardship by New Jersey's farmers, but also the dedication of the SADC, CADBs, and non-profits to resolving issues and concerns amicably. Generally, the SADC stewardship process includes the following steps:

- Conduct annual monitoring visit with the landowner present (if landowner desires to be present);
- Follow-up with the landowner if concerns are noted;
- Coordinate with the grantee if concerns are noted (if CADB or non-profit partner holds the easement);
- Provide ample time for the landowner and/or grantee to address concerns;

- Provide technical assistance to assist the landowner and grantee in achieving compliance; and
- Take action if necessary (with the grantee taking lead if they hold the easement).

In most cases, any concerns noted during routine monitoring visits are resolved relatively easily. Sometimes the landowner or farmer will address the issues, and sometimes a concern ceases to be an issue once the easement holder performs additional research, e.g., locating past approvals from CADBs and/or the SADC for a use, structure, or something else. Only a handful of concerns ever evolve into a violation, a result that often requires legal remedies.

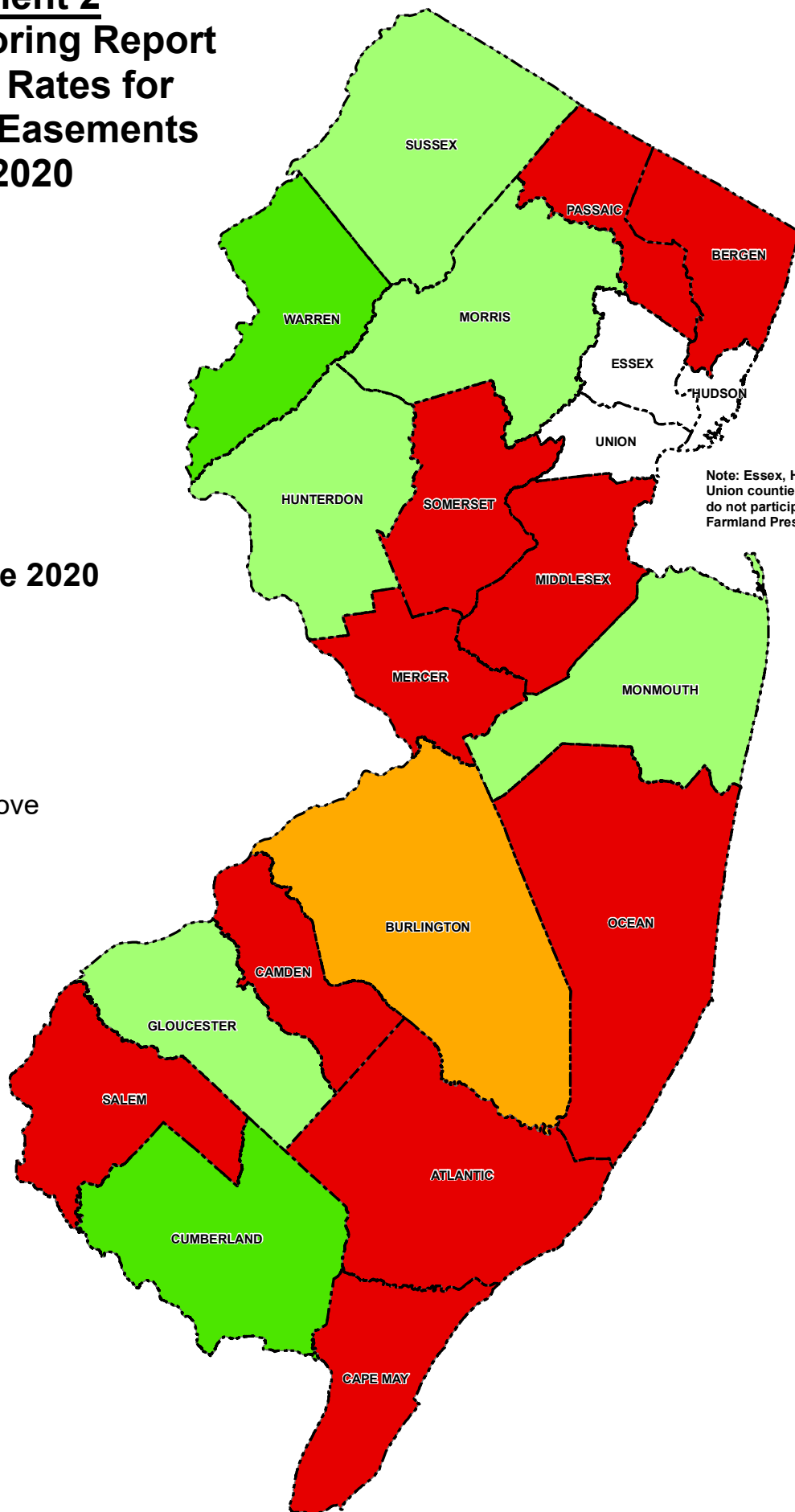
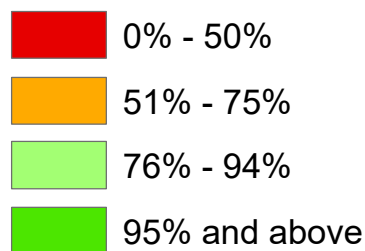
<https://sonj.sharepoint.com/sites/AG/SADC/Monitor/Reports/FY2020/SADCAnnualMonitoringReport/MemoToSADC.docx>

		2011			2012			2013			2014			2015			2016			2017			2018			2019			2020				2011-2020				
Easement Holder	Farms to Monitor	Farms Completed	Comp. Rate ¹	Farms to Monitor	Farms Completed	Comp. Rate ³	Farms to Monitor	Farms Completed	Comp. Rate ³	Farms to Monitor	Farms Completed	Compl. Rate ³	Farms to Monitor	Farms Completed	Comp. Rate ³	Farms to Monitor	Farms Completed	Comp. Rate ³	Farms to Monitor	Farms Completed	Comp. Rate ³	Farms to Monitor	Farms Completed	Comp. Rate ³	Farms to Monitor	Farms Completed	Comp. Rate ³	Farms to Monitor	Farms Completed	Comp. Rate ³		Farms to Monitor	Farms Completed	Comp. Rate ³	e-Forms Usage		
County Agriculture Development Board																																					
Atlantic	11	12	109%	12	0	0	12	8	67%	12	8	67%	11	9	82%	11	7	64%	11	11	100%	11	11	100%	11	11	100%	11	0	0%		113	77	68%	Yes		
Bergen	7	7	100%	7	6	86%	7	7	100%	7	7	100%	8	8	100%	8	8	100%	8	8	100%	8	7	88%	8	8	100%	8	0	0%		76	66	87%	Yes		
Burlington	156	169	108%	171	179	105%	173	164	95%	178	182	102%	198	191	96%	210	207	99%	214	201	94%	214	231	108%	230	218	95%	231	146	63%		1975	1888	96%	Yes		
Camden	1	0	0%	4	0	0%	5	0	0%	6	0	0%	6	0	0%	6	0	0%	6	6	100%	6	0	0%	6	0	0%	6	0	0%		52	6	12%	No		
Cape May	42	43	102%	43	41	95%	44	18	41%	44	45	102%	45	45	100%	48	44	92%	48	42	88%	48	44	92%	49	49	100%	50	0	0%		461	371	80%	Yes		
Cumberland ⁵	97	53	55%	114	13	11%	123	56	46%	134	126	94%	141	0	0%	152	143	94%	166	149	90%	172	170	99%	180	180	100%	190	188	99%		1469	1078	73%	No		
Gloucester	113	20	18%	125	47	38%	131	22	17%	135	62	46%	135	51	38%	162	99	61%	159	126	79%	172	180	105%	192	125	65%	196	155	79%		1520	887	58%	Yes		
Hunterdon	230	0	0%	246	0	0%	252	274	109%	255	270	106%	255	220	86%	289	215	74%	296	141	48%	301	243	81%	309	247	80%	316	285	90%		2749	1895	69%	Yes		
Mercer	72	77	107%	74	77	104%	75	74	99%	77	81	105%	82	81	99%	86	80	93%	90	84	93%	90	83	92%	92	82	89%	92	0	0%		830	719	87%	Yes		
Middlesex	37	41	111%	40	39	98%	41	38	93%	46	39	85%	48	48	100%	51	52	102%	52	48	92%	52	48	92%	54	50	93%	54	2	4%		475	405	85%	Yes		
Monmouth	149	160	107%	155	116	75%	158	134	85%	161	156	97%	161	177	110%	173	162	94%	179	139	78%	179	166	93%	180	173	96%	182	142	78%		1677	1525	91%	Yes		
Morris ¹	94	113	120%	100	93	93%	100	27	27%	103	102	99%	106	106	100%	106	106	100%	108	108	100%	110	110	100%	113	108	96%	113	97	86%		1053	970	92%	No		
Ocean	39	36	92%	42	36	86%	42	45	107%	42	45	107%	42	43	102%	46	42	91%	46	45	98%	46	45	98%	46	40	87%	47	1	2%		438	378	86%	Yes		
Passaic	1	0	0%	1	1	100%	1	0	0																												

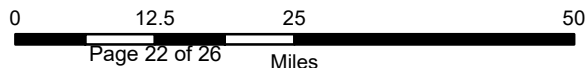
Attachment 2 **Annual Monitoring Report** **Completion Rates for** **County Held Easements** **In FY 2020**

Legend

Completion Rate 2020



Note: Essex, Hudson and Union counties do not participate in the Farmland Preservation Program



Attachment 3 - Issues Reported From Monitoring in FY 2020

Issues Reported from Monitoring in FY 2020	Concerns	As % of Total Concerns	County and Non-Profit Held Easement Concerns	SADC Held Easement Concerns	CADB, Non-Profit & SADC Suspected Violations	As % of Total Suspected Violations
Conservation (Erosion, Water Management/Drainage, Loss of Tillable Acreage)*	73	39.7%	45	28	3	15.79%
Dumping/Trash	32	17.4%	29	3	5	26.32%
Overgrown Fields	26	14.1%	14	12	1	5.26%
Encroachment	17	9.2%	16	1	0	0.00%
Fallow Fields	10	5.4%	8	2	0	0.00%
Non-Agricultural Use	6	3.3%	6	0	2	10.53%
Unapproved Solar	6	3.3%	5	1	0	0.00%
Soil Disturbance	5	2.7%	5	0	2	10.53%
Invasive Species	3	1.6%	3	0	0	0.00%
Neighbor Issues	3	1.6%	3	0	0	0.00%
Ag Labor Housing	2	1.1%	2	0	2	10.53%
Manure Management	1	0.5%	0	1	1	5.26%
Unapproved Residence	0	0.0%	0	0	3	15.79%
Total Number of Concerns	184	100%	136	48	19	100.00%
Total Monitoring Visits with a Potential Concern or Violation Observed (as reported through e-Forms, and by Morris and Cumberland reports)	161					
Total Monitoring Visits (e-Forms and other reports - includes Morris and Cumberland, which didn't use the e-Form)	1,729					
Percent of Monitoring Visits with a Potential Concern or Violation Observed	9.31%					
*All issues (concerns and violations) are as reported in the e-Form by inspection staff of CADBs, Non-Profits, and SADC. Cumberland and Morris County numbers, as reported in paper forms by inspection staff of the Cumberland and Morris CADBs, also are included.						
Further review and actual determinations are pending regarding certain SADC-held easement farms with concerns. Most County and non-profit-held easement concerns/violations are handled at the local level.						
Sub-Chart for: Conservation (Erosion, Loss of Tillable Acreage, Water Management/Drainage)*						
*Breakdown of the "Conservation" category in the chart above	Concerns	As % of Total Concerns	County and Non-Profit Held Easement Concerns	SADC Held Easement Concerns	CADB, Non-Profit & SADC Suspected Violations	As % of Total Suspected Violations
Conservation - Erosion	55	29.9%	31	24	2	10.53%
Conservation - General	2	1.1%	1	1	0	0.00%
Conservation - Loss of Tillable Acreage	1	0.5%	0	1	0	0.00%
Conservation - Water Management/Flooding/Drainage	15	8.2%	13	2	1	5.26%
Conservation Issues - Subtotal	73	39.7%	45	28	3	15.79%

Attachment 4 - Routine Stewardship Matters, and Concerns, Acted Upon by the SADC in FY 2020

Routine Stewardship Matters Acted Upon by the SADC in FY 2020	Number	Approved/Denied	Notes
Division of Premises	3	3/0	
New House Construction	4	3/0*	
Ag Labor Housing	1	1/0	
Solar	1	1/0	
Rural Microenterprise	2	2/0	
Cell Tower	0	0/0	
RDSO (Residual Dwelling Site Opportunity)	0	0/0	
Septic Replacement Outside Exception Area	1	1/0	
Total	12	11/0*	
Stewardship Concerns Brought to the SADC in FY 2020	Number	Approved / Denied / Declared Violation / Discussion Only	Properties/Issue
Review of Activities	1	Discussion Only	Hugelculture & Biochar - Naturally Nurturing Farm
Deed of Easement Concerns	0		
Total Monitoring Inspections this FY	1,729		
Percent Monitoring Inspections Resulting in Review of Activities this FY	0.06%		
*No action was taken on the house replacement request from one farm, 11-0032-EP, JMJ Farm Holdings, LLC.			

Attachment 5 - Stewardship Concerns Pending

Stewardship Concerns Pending													
SADC ID#	Easement Holder	County	Municipality	Property	Block	Lot	Closing Date	State Funding	Source of State Funding	Issue	Paragraph(s) of DOE Out of Compliance	FY Issue Identified	Status
06-0094-EP	County	Cumberland	Lawrence	Riggins	3	10	8/27/2003	\$39,872.64	2003 Garden State Fund	Fallow fields	2	2020	CADB working with landowner to remediate.
14-0121-EP	County	Morris	Chester	Alstede (Hideaway Farm LLC #1)	15	28.01, 28.02	12/28/2006	\$1,562,850.60	FY2007 GSPT	Non-ag use/Barn events	1, 2, 3, 4	2019	Under CADB and SADC Review Landowner filed suit to reform Schedule B.
18-0020-EP	County	Somerset	Hillsborough	Osterman/Mueller	173	9.07	10/6/1999	\$277,531.80	1995 Bond Fund	Importation of Fill/ Non-Ag Use/ Unapproved Residence/ Dumping	1, 2, 3, 4, 5, 6, 7	2019	CADB working with owner to resolve. Consent order signed.
08-0010-EP	County	Gloucester	South Harrison	Sorbello	6	8	12/29/1997	\$111,120.90	1989 Bond Fund	House not completely on exception area		2018	Under CADB and SADC Review
08-0010-EP	County	Gloucester	South Harrison	Sorbello	6	8	12/29/1997	\$111,120.90	1989 Bond Fund	Non-Ag Use/ Farm Market and Barn	1,2, 3, 4	2018	Under CADB and SADC Review
13-0159-EP	County	Monmouth	Manalapan	Casola	4.01;12	11.01;12.03	2/7/2002	\$3,504,508.82	FY2000 GSPT	Non- Ag use/Store	1, 2, 3, 4	2018	Under CADB and SADC Review
10-0244-DE	SADC	Hunterdon	East Amwell	Van Doren	20	11;16;16.01;30	4/27/2018	\$1,378,683.60	2015 Garden State Fund	Erosion	7	2018	SADC working with landowner to remediate.
14-0131-EP	County	Morris	Harding	Picozzi	8	2; 2.01; 2.02	5/15/2009	\$732,975.00	FY2006 GSPT	Non-ag use/Hockey rink in barn	Non-ag use/Hockey rink in barn	2017	Landowner appealed SADC decision to Appellate Division. Appellate court finds in favor of SADC.
05-0049-EP	County	Cape May	West Cape May	Willow Creek/Wilde	73;74	9;2	6/11/2007	\$533,999.92	FY2005 GSPT	Unapproved Ag Labor Unit	1, 3, 12	2016	Landowner refuses to respond to requests to make application for ag labor unit.
18-0029-EP	County	Somerset	Branchburg	Taverner	77	36.03	3/31/1992	\$1,780,363.50	1989 Bond Fund	Owner living in Ag labor unit/ Non-Ag uses	1, 2, 3, 4, 14	2016	CADB working with owner to resolve. Consent order signed.
18-0010-DN	SADC	Somerset	Montgomery	Hunter Farms	26001	1.02	12/2/2003	\$0.00	Donation-state	Non-ag use/Horse shows	1, 2, 3, 4	2016	Under SADC review. SADC established requirements for stormwater compliance, impervious cover compliance and soil remediation. Owner working toward compliance.
18-0002-NP	Township	Somerset	Montgomery	Raymond/Greenburg/MFOS	31001	20 & 20.01	2/27/2007	\$429,960.00	FY2000 GSPT	Importation of Fill	1, 2, 5, 6, 7	2015	SADC Staff working with Township to bring property back into compliance.
19-0038-EP	County	Sussex	Hampton	Kolich/Neppl	3105	1.01	1/15/2002	\$141,912.81	FY2000 GSPT	Unapproved Residence (apartment rental)	1, 3, 12	2015	Pending review with County.
21-0477-PG	County	Warren	Greenwich	Riewerts-Tribble/Schuster	44	5; 24	6/30/2010	\$213,234.10	FY2007 GSPT	Relocation of Driveway	1, 2, 9, 13, 15c	2012	SADC denial contested by landowner. Matter remanded to OAL.
03-0029-FS	County	Burlington	Pemberton	Dragon Land/Sybron	780	1, 2, 3 & 5	6/29/2005	\$393,504.57	FY2003 GSPT	Erosion	1, 2, 3, 4, 5, 6	2011	County taking legal action against landowner.
10-0020-EP	County	Gloucester	Franklin	Quaker Valley Farms/Mathews	37	42	9/22/1993	\$241,608.04	1989 Bond Fund	Soil Disturbance	1, 2, 3, 4, 5, 6	2008	Supreme Court decision in favor of SADC 8/14/18. SADC working with landowner on remediation or donation of easement in lieu of remediation.

Attachment 6

SADC Easement Monitoring Assignments FY 2021

