

June 27, 2007

Mr. Mark M. Murphy  
Executive Director  
The Fund for New Jersey  
94 Church Street, Suite 303  
New Brunswick, New Jersey 08901

Dear Mr. Murphy:

On behalf of the Board of Trustees and staff of New Jersey Conservation Foundation, please accept our sincere thanks for the long-standing support of The Fund for New Jersey. Your generosity over the years has helped NJCF protect New Jersey's farmlands, forests, parks, rivers and streams – ultimately improving the quality of life for residents and visitors.

New Jersey Conservation Foundation respectfully requests the continued support of The Fund for New Jersey with a grant of \$75,000 towards our Public Policy Program. Funding will again underwrite core programmatic costs associated with promoting and defending policies that further natural resource conservation and combat sprawl on the state and local levels.

NJCF's current public policy priorities include: a) Renewal of the Garden State Preservation Trust funding; b) Highlands Protection; c) Farmland Preservation; and d) Improving Stewardship on Public and Private Lands.

Also enclosed is a report on the Fund for New Jersey's \$50,000 grant to NJCF in 2006. Please do not hesitate to contact me directly for any additional information or clarification. Thank you in advance for your thoughtful consideration of this request.

Sincerely,

Michele S. Byers  
Executive Director



**The Fund for New Jersey**

**2007 Narrative Proposal**

**Cover Sheet**

**New Jersey Conservation Foundation**

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(908) 234-1225

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**Summary of Request**

New Jersey Conservation Foundation respectfully requests the continued support of The Fund for New Jersey with a grant of \$75,000 towards its statewide Public Policy program. NJCF's Public Policy program promotes and defends land use, water and natural resource policies that conserve important resources, preserve natural areas and farmland, and combat statewide and local sprawl. We also work to develop cutting edge policies and tools that improve New Jersey's land use system and that support and complement land preservation initiatives across the state and at the local level.

**Amount Requested**                      **\$75,000**

**Need**

New Jersey's need for natural resource, land and water protection accelerates as its population expands and development fragments the State's remaining forests, natural areas and farmlands. The most densely populated state in the nation, New Jersey is experiencing intense development pressure. As the State moves inexorably closer to full build-out, every parcel will eventually be developed unless it has been consciously and pro-actively protected, through planning, laws, policies, regulations, ordinances, easements or acquisition. Time is not on our side. NJCF is working to ensure a continued high quality of life in this State, one that provides all residents with access to parks, trails and natural areas, that permanently preserves the State's water resources and its critical wildlife habitats, that safeguards the public's investment in farm landscapes and its increasing interest in locally grown food, and that protects the State's outstanding scenic beauty. To ensure this heritage for future generations, we must preserve critical undeveloped lands **today**.



## The Fund for New Jersey

### Narrative Proposal

#### Public Policy Objectives and Goals

NJCF's Public Policy program promotes and defends land use, water and natural resource policies that conserve important resources, preserve natural areas and farmland, and combat statewide and local sprawl. We also work to develop cutting edge policies and tools that improve New Jersey's land use system and support and complement land preservation initiatives across the state and at the local level. NJCF's core Public Policy, Land Acquisition and Stewardship programs are guided by our Garden State Greenways initiative, an active vision for a statewide system of interconnected and protected forests, wetlands, grasslands and farmland, linked by greenways and trails.

#### 1. Renewal of Garden State Preservation Trust Funding

This is NJCF's top policy priority. We are investing substantial time and money as part of the "Keep It Green" campaign to achieve renewal of the Garden State Preservation Trust (GSPT) funding. The primary goal is to secure a stable source for the Trust that will result in \$325 million in acquisition funds, and another \$56 million in operating/stewardship funds each year. NJCF will continue to work closely with several other statewide organizations in leading this effort, which will involve both working for the long term stable source, and advocating for passage of the 2007 ballot question which provides \$200 million in stopgap funding for one year. We will continue to press the Governor and the Legislature to adopt a plan for the stable source in the lame duck session of the legislature this fall. NJCF brings a unique perspective to the Keep It Green Campaign leadership as a land trust and advocacy organization with extensive experience with how the preservation programs work on the ground, as well as longstanding relationships with Green Acres and the Farmland Preservation Program.

The majority of the legislature is supportive of a long term solution (legislation to dedicate a portion of the sales tax was introduced and made it through several committees before the summer recess), the Governor has made numerous statements about his commitment to renewing the GSPT, and referenda supporting open space acquisition typically pass by large margins in New Jersey. This initiative has, nonetheless, been very challenging. The State's difficult fiscal climate and the voters' focus on property tax reform have contributed to a protracted debate over long term funding sources for land preservation. It has also resulted in a delay in GSPT renewal that has necessitated a stopgap measure this year and leaves plans for the future funding of the program up in the air.

Goals for continuing this initiative include:

- Passage of the 2007 ballot question by a large margin.

- Either a 2008 ballot question establishing a long term stable source, or an alternative funding plan approved by the Legislature and the Governor.

## **2. Highlands Protection**

NJCF foresees a complex, multi-pronged role for itself in Highlands protection in the coming year. Our Highlands agenda includes:

- Monitor and influence the development and implementation of the Highlands Regional Master Plan;

- Help ensure compliance of Highlands Planning Area municipalities with the Regional Plan through not only the Highlands Council (“opt in”) but also the State Planning Commission (Plan Endorsement);

- Prior to cross-acceptance of the Highlands Regional Master Plan by the State Planning Commission, monitor, promote and improve State Plan Cross Acceptance and Plan Endorsement plans in the Highlands Planning Area and support reductions in Planning Area 2 (Suburban) in the environmentally sensitive Route 78 corridor;

- Advocate for protection of resources in Highlands municipalities not covered by the Highlands Act, i.e. Andover Borough, Andover and Lafayette Townships in Sussex County;

- Advocate for increased land preservation funding for the Highlands, at both the State level through reauthorization of the Garden State Preservation Trust and other means, and at the Federal level, through increased Federal appropriations from the Highlands Conservation Act, Forest Legacy Program, Land and Water Conservation Fund (LWCF) and federal Department of Agriculture programs;

- Monitor and influence proposed statewide Department of Environmental Protection rules that will apply in the Highlands Planning Area;

- Advocate for Highlands protection with other state agencies, such as the Department of Transportation and Department of Community Affairs/Council on Affordable Housing;

- Assist local conservation efforts in the Highlands, especially through advocacy with the Highlands Council and other state agencies; and

- Monitor and influence the development of the State’s Newark (Pequannock) Watershed Forest Stewardship Plan, to ensure that proposed activities will improve the integrity of contiguous forest habitat and function, and assist rare forest species, rather than establishing excessive acreages of successional habitat driven by timber extraction, the creation of game or disturbance-oriented species habitat. Since this will be the first comprehensive forest stewardship plan for any State holding, it will serve as an important model.

NJCF’s major task, in coordination with the New Jersey Highlands Coalition, is to ensure that the New Jersey Highlands Council develops, approves and implements a sound, scientifically-based, protective Final Highlands Regional Master Plan that adheres to the conservation goals of the 2004 Highlands Water Protection and Planning Act. The Final Regional Master Plan should include substantial resource protections, including recommendations for permanent preservation of critical areas in both the Preservation and Planning Areas. The draft Regional Master Plan (RMP) released in November 2006 overlaid the entire region, including both the Preservation and Planning Areas, with three Zones: the Protection Zone (65% of the region), the Conservation Zone (agriculture) - 18%, and the Planned Community Zone, 17%. The Draft Plan is strongest on protection of contiguous forests and threatened and endangered species habitat, and less so on protection of farmland and historic, cultural, and scenic resources. Specific standards to implement these zones remain to be developed, as well as specifics of the Transferable Development Rights Program. The Council recently hired a nationally respected regional planning firm headed by Charlie Siemons to assist with Final Plan. The Final Plan is expected this autumn, at the earliest.

Key to securing a strong and successful final RMP are:

Public support of the plan. It is expected that the Council will propose some major changes to the Draft Plan, with additional public comment solicited, including input on proposed standards and ordinances. NJCF has attended over 50 meetings of the Highlands Council and its committees, at which it has often provided comment. A vocal minority continues to oppose the Plan, and the Highlands Act.

Municipal conformance with the RMP, or “opt in” by municipalities in the Planning Area, which comprises over half of the Highlands region, as the RMP is mandatory only in the Preservation Area. Plan Conformance will continue through 2007 and 2008 and undoubtedly beyond, as we work to secure compliance with the RMP.

The Highlands Council response to specific issues, such as model ordinances and standards proposed for Plan Conformance, applications for wastewater management plan amendments, and development applications in the region.

NJCF will engage in Highlands protection at all levels – federal, state and local – participating on both the board of the independent New Jersey Highlands Coalition and continuing its participation on the board of the multi-state Highlands Coalition. We will play a leadership role in Highlands policy initiatives coordinated by the New Jersey Highlands Coalition and will ourselves lead and fill the role of coordinator in other issues.

### **3. Farmland Preservation**

Our Farmland policy work is focused in several strategic areas:

Strengthening the State Farmland Preservation Program to ensure that natural resources are protected, public access is encouraged and the integrity of permanent easements is upheld. Specifically, our goal is to change the deed of easement used by the State Farmland Preservation Program to include an impervious cover limit of 5% on all farms, to permit public access on a case-by-case basis, and to allow additional protections for other natural resources like forestland and wetlands. To achieve these goals, we will:

Work to change the membership of the State Agriculture Development Committee (SADC) to better reflect the public’s interest in the Program, with broader representation from the agricultural and conservation communities.

Advocate for natural resource protections when providing comments on SADC rule proposals and policies.

Lobby the Governor’s office, the NJ Department of Environmental Protection and the Department of Agriculture in partnership with the growing group of conservation-minded farmers we have been identifying, and with other environmental organizations, on key farmland policy issues.

Leading the effort to broaden support from the New Jersey Congressional delegation for increased conservation program funding in the federal 2007 Farm Bill, working in partnership with Environmental Defense and The Wilderness Society. We are advocating for a doubling of conservation program funding through the 2007 Farm Bill, with an emphasis on retaining natural resource protections in the Farm and Ranch Lands Protection Program.

Strengthening farmland preservation and agricultural viability in our Delaware Bay Watershed project area through the Tri-County Agriculture Retention Program (TARP). In January 2007, NJCF staff completed a final draft of the Pilot Agricultural Enterprise District (PAED)

proposal. The PAED proposal is a voluntary, incentive-based program designed to enhance agricultural viability in Cumberland, Salem and Gloucester Counties by offering farmers economic and regulatory benefits in exchange for long-term (15-year) preservation agreements. This will provide farm operators with opportunities to continue farming in the face of increasing development pressure, to increase efficiency and profitability and to implement stronger natural resource conservation practices on farmland. PAED services would help farmers to expand, enter new commodity markets or undertake new ventures such as agri-tourism. Beginning in April 2007, NJCF staff have been meeting with the County Boards of Agriculture and County Agricultural Development Boards in all three TARP counties to get their support for the PEAD proposal. If NJCF can receive the full support of the agricultural community before the end of 2007, the next step is to draft enabling legislation and build legislative sponsorship and support.

Although changing the Farmland Preservation Program is a huge challenge because of the influential role the agricultural community plays in state and national policy, we have a window of opportunity this year. There is a good likelihood of success in increasing the Farm Bill Conservation Program funds given the nation-wide effort and recent changes in Congress. Our work with the NJ Congressional delegation has placed us in a potentially influential position with respect to securing natural resource protections under the federal farmland program, but a lot of work will be required to retain and capitalize on that opportunity. At the state level, we have made progress in securing help from the Governor's office in urging the SADC to address our concerns with the State program. We expect to continue the progress we have been making with respect to SADC appointments, and with more conservation-minded SADC members, we are more likely to achieve our goals.

#### **4. Improve Stewardship of Public and Private Lands**

Influencing the State's land management policies on ecological protection and restoration, biodiversity enhancement, and upholding the public trust in preserved land are the main themes of our stewardship policy work. We are pursuing a multi-pronged, long-term approach through legislation, regulations, agency policy and model management projects.

Our primary focus for the near term is to secure passage of a Forest Stewardship Act that recognizes and rewards management of private forestlands for biodiversity goals under the Farmland Assessment Act. We worked with Senator Smith, who introduced very strong legislation this spring, which we expect will be heard in the Senate Environment Committee this November or December. This summer we will work to secure an Assembly version of the bill, with the hope that the legislation will pass both houses at the end of 2007 or the beginning of 2008.

Other initiatives will include:

- Implementing a pilot deer management project on our properties in the Pinelands starting this fall. The goal is to develop a model that will persuade the Division of Fish and Wildlife to employ alternative deer herd reduction methods statewide that will lessen the massive negative impact the deer herd is having on the biological diversity of New Jersey's natural landscape.
- Working for passage of legislation to curb illegal ORV activity. We have been working with Pinelands Preservation Alliance and several other organizations on drafting legislation that has

been recently introduced in the Assembly, and which we hope to advance this fall when the Legislature returns in November.

Ensuring adoption of strong habitat protection rules for threatened and endangered species under New Jersey's 34-year old Endangered Species Conservation Act, which are expected to be published by the DEP this summer. After a DEP briefing on the proposed rule, NJCF raised serious concern over the potential for mitigation on publicly owned, preserved land under the rule. As a result of our advocacy, the language of the rule has been changed to create a strong disincentive for this activity, but we will have to work hard this coming fall to defend that part of the proposal, and to ensure final passage of a strong overall rule.

Defending public land from diversions to other uses under the newly strengthened Green Acres rules – including opposing specific inappropriate diversion applications.



## II. Financial and Organizational Narrative

### 2007 NJCF Public Policy Budget

Staff Salary (+ benefits and overhead)		
Executive Director	15%	
Assistant Director	15%	
Director of Public Policy	100%	
Two Managers	100%	
Manager	75%	
Manager	70%	
		<u>\$337,745</u>
Other Expenses		
Professional Fees	\$6,000	
Travel	\$17,150	
Grants	\$12,000	
Telephone	\$ 1,700	
Postage/ Printing	\$ 700	
Other	\$ 6,350	
		<u>\$ 43,900</u>
<b>Total</b>		<b>\$381,645</b>