2026 New Jersey Farm Bureau Policy Resolutions

Adopted by the delegates to the New Jersey Farm Bureau 107th Annual Meeting

New Jersey Farm Bureau

…because agriculture matters!

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AGRICULTURE VIABILITY (2025)

Ag viability, the issue that summarizes the challenges of being profitable in the business of farming, has the most significant impact on all sectors of the farming industry.

The topic of agriculture viability has been an ongoing concern of New Jersey farm leaders, especially in the past few years. Pandemic-related cost increases for inputs, labor scarcity and higher labor bills as well as market uncertainties have affected every farm business in the state and nation. USDA reports and the 2022 Census of Ag document minuscule profit margins and flat returns, especially for agriculture operating near high cost metropolitan areas like New Jersey.

In response to these circumstances, Rutgers Cooperative Extension commendably organized a policy workgroup among the state's farm leadership organizations to look at current profitability issues and options for future financial sustainability. As part of the response to this issue, a new Rutgers Extension Specialist was hired in 2025 to focus specifically on ag viability. Some farmland preservation funds are being redirected to other forms of assistance to aid not just in the preservation of farmland, but the future viability of the farm businesses on that land.

Farm Bureau fully supports these constructive steps toward the betterment of the future of its production agriculture members.

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.

Farm Bureau works to protect its membership from those things that can negatively impact farm viability, including excessive government regulation, burdensome taxes, wildlife damage, heavy-handed land use regulation, and invasive pests such as the spotted lantern fly. Another major concern is the loss of active farmland to other forms of land conservation. Not only does this diminish the agricultural land base, but also often results in greater problems with invasive species.

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, value-added agricultural products and renewable fuels;
  Continue its support of Rutgers School of Environmental and Biological Sciences/NJAES and work toward their greater support for production agriculture;
- Aggressively pursue the Board of Public Utilities to include renewable energy under their grant program;
- Urge the development of factual and realistic economic and agricultural impact statements, as required by law, for all rule proposals by all New Jersey agencies.

Notwithstanding the jolts to farm economics that can arise, state government policy in New Jersey in the past has been supportive of taking actions that boost farm viability. The expression of that sentiment was embedded in the Right to Farm Act ("The Legislature finds and declares that: the retention of agricultural activities would serve the best interest of all citizens of this State by insuring the numerous social, economic and environmental benefits which accrue from one of the largest industries in the Garden State.") (see 4:1C-2a) in 1981. Farmland assessment, exemption from water use fees and priority use during drought situations, sales tax exemption for production-related equipment, financial support for the Agricultural Experiment Station, U-Pick limited liability are just a few examples of these policies that in most cases were advocated by New Jersey Farm Bureau.

RIGHT TO FARM (2025)
Next to the Farmland Assessment Act, the Right to Farm Act is the most important state policy to encourage and maintain agriculture in New Jersey. NJFB endorses the reaffirmation of the findings of the foundation principles of the Agricultural Retention Act and the Right to Farm Act.

Those principles are:

- The strengthening of the agricultural industry and the preservation of farmland are important to the present and future economy of the State and the welfare of the citizens of the State, and that the Legislature and the people have demonstrated recognition of this fact through their approval of the "Farmland Preservation Bond Act of 1981," P.L. 1981, c.276;
- All State departments and agencies thereof should encourage the maintenance of agricultural production and a positive agricultural business climate;
- It is necessary to authorize the establishment of State and County organizations to coordinate the development of farmland preservation programs within identified areas where agriculture will be presumed the first priority use of the land and where certain financial, administrative and regulatory benefits will be made available to those landowners who choose to participate, all as hereinafter provided.

The amendments of 1998 strengthened the Act considerably, and subsequent legal judgments have upheld the jurisdictional power afforded to the County Agriculture Development Boards (CADBs) to adjudicate conflicts involving farm operations. The SADC and New Jersey Farm Bureau continue to encourage each CADB to write letters to all municipal attorneys explaining the legal decisions supporting the CADB's role in Right to Farm conflict resolution. The New Jersey Farm Bureau should act to request a concrete determination from the Attorney General that could be sent to any local judge that ignores the statutory requirement that Right to Farm conflicts must be taken to the CADBs first.

The State Board of Agriculture convened a Right to Farm subcommittee to discuss ways in which the administration of the Right to Farm Law in New Jersey can be strengthened, streamlined, and modernized to deal with the evolving landscape Garden State farmers find themselves facing. The State Board is recommending support of alternate members at CADBs, RTF protection for ag labor housing, quick turnaround times in RTF cases and agritourism liability protection. NJFB supports the efforts of this committee.

Funding for CADB's
Even with the updates to the Right to Farm Act, many farmers are caught in the crosshairs of nuisance complaints. Those complaints cost the farmer and all municipal property taxpayers' time and money. New Jersey Farm Bureau shall seek amendments to the Right to Farm Act that would require a posting of a bond by those who file a complaint to cover all landowner and farmer's

defense costs if farming activities are found by the CADB to be protected under the Right to Farm Act. Such bonds should also cover all costs incurred by township and county professionals who might need more technical expertise to deal with such issues than what are available on the CADB's or county planning staff.

CADB Responsibilities
Farm Bureau encourages all CADBs to continue to carry out their responsibilities in the way the Right to Farm Act was intended, to relieve farmers from the increased hardships experienced from excessive fees, municipal regulations and nuisance complaints. The farmers should be allowed to go directly to their CADB (or SADC if their county has no CADB) for a hearing instead of a municipal land use process.

CADB Volunteers
The primary responsibility for support and implementation of the Right to Farm Act belongs with those who have knowledge of New Jersey agriculture, the CADBs and SADC. The authority held by 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. Ensuring an ample supply of volunteers for the CADBs is a critical first step in making the Right to Farm program work effectively. There is an increasing need for education and training of those CADB member volunteers and potential future farmer volunteers from the public 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.

Farm Bureau must strongly encourage participation on these boards and give the appropriate recognition to those who choose to serve.

New Jersey Farm Bureau will continue to push for alternate farmer members on the CADBs, to ensure the agricultural community still has a voice in the absence of its regular farmer members.

If CADB members are found to have a conflict of interest on an issue, NJFB supports allowing the board with consultation with the board attorney present to decide of the conflict and referring the case to a different CADB, so a timely hearing (within 90 days) and decision can be made on an application deemed complete.

Notice to Neighbors
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. 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 confrontational. The SADC has a model Right to Farm ordinance that municipalities may use. While the SADC cannot require that the model ordinance be used, NJFB urges the SADC to promote and strongly encourage its use by local municipalities to help create more uniform Right to Farm protection on the local level. Further, NJFB shall encourage the SADC to develop more educational materials to help municipalities gain a better understanding of the Right to Farm Act and the process through which complaints are handled. The SADC's informational booklets, "The Right to Farm Act in New Jersey" and "New Jersey Agricultural Mediation Program Handbook" both are valuable tools for farmers, their neighbors, and municipalities.

AMP’s

Farm Bureau shall actively seek to participate in any SADC working groups for future AMP development.

Farm Bureau encourages the SADC to put a high priority on adding, through regulation if needed, agricultural labor housing to its list of protected practices, and an accompanying AMP should be developed. Housing for agricultural labor is essential to many farming operations and the construction of labor facilities must be protected under the Right to Farm (for both seasonal and year-round workers).

The Right to Farm Act was amended in 2021 to extend RTF eligibility to year-round, full-time agricultural, equine laborers. The eligibility is for the housing of “full-time, year-round equine-related farm employees in the same building or facility as the horses.” The law explicitly excludes eligibility for the housing of migrant or seasonal employees/workers. The law directs the SADC to develop an AMP for equine laborer housing but does not set a deadline. NJFB supports the quick adoption of an AMP for equine labor housing by the SADC and also supports legislation allowing the same protections for other types of ag labor housing. Legislation passed in 2025 to grant RTF protection to ag labor housing and NJFB encourages the SADC to create an AMP for this in a timely fashion.

NJFB also supports the creation of a new AMP for alcohol-based agritourism. The production value for wineries/distilleries/breweries should be set at $50,000, as is the case with aquaculture RTF protection. An AMP for shellfish aquaculture still needs to be created and part of that should include the NJDEP guidance for shell recycling.

There have been cases at the SADC regarding Right to Farm protection for horse shows and rodeos. There are currently no metrics for equine production when it comes to showing and this needs to be addressed in order to adequately protect a reasonable number of events (marketing) tied to the output of the farm (trained horses) at equine operations.

Farm Bureau shall urge the SADC to use the AMP re-adoption process (every seven years) to re-examine the NJAES recommendation guides that are referenced in the fruit and vegetable AMP’s. In some cases, NJAES has published updated recommendation guides that should be given consideration by the SADC as replacements for what may be outdated reference documents within the AMP’s.

Farm Bureau urges the SADC to work as quickly as possible to adopt the remaining renewable energy AMP’s and guidelines for preserved farms. The SADC has made some progress by adopting the AMP for solar energy generation and the rule to allow for solar energy generation on preserved farms; however, farmers wishing to install wind generating facilities on any farm are still waiting for the ability to do so and are losing valuable tax incentive opportunities in the meantime.

Farm Bureau endorses an amendment to the RFT rules, including the AMP for On Farm Marketing Facilities, Activities and Events, to establish guidelines for the temporary use of off-site public road parking during the peak season and for specific events crucial to the continued operation and success of a farm, and to permit the CADB to approve the use of off-site public road parking as part of a SSAMP approval where a farm demonstrates the need for off-site public road parking, the dates and times when such parking is needed, and adequate protections are put in place such that the off-site parking does not pose a threat to the health and safety of the general public.

Activities not addressed by the On-Farm Direct Marketing AMP
Weddings and other life celebratory events may be an important tool in marketing the agricultural output of a farm and therefore, some level of them should be able to take place and be protected under the Right to Farm Act if they are being used to market the agricultural products of the farm. However, there is also the possibility that New Jersey farms, preserved and unpreserved, could be turned into wedding facilities where the main objective is not related to the agricultural output of the farm and the activities could reach a threshold where they should require municipal approval.

Through site-specific cases, the SADC has taken the position that weddings and other life celebratory events on farmland do not qualify for Right to Farm protection. Farm Bureau disagrees in some cases and believes that weddings and other life celebratory events may be considered protected under the Right to Farm Act if there is a relationship to marketing the agricultural output of the farm.

A law to allow a specific number of special occasion events (SOE) on preserved farms was enacted in the spring of 2023. A report detailing the first season of hosting events was published in July 2024. Five farms held SOEs in the first year of the program, with a total number of 32 events. Twenty of the events were weddings, and attendance at all SOE ranged from 50 to 1,100 people. In 2025, the number of farms applying for events and number of events held both doubled, showing growth in the program. The major barrier observed is that SOE law has been the subject of varied interpretations by municipalities as to the municipal role in the SOE approval process due to ambiguous statutory language regarding the extent to which municipalities can regulate SOEs. Some are requiring farms to obtain planning and/or zoning board approval on the grounds that the activities require submission of site plan and/or variance applications under local land use ordinances. Other municipalities allow SOEs without land use board approvals and have relatively basic review processes, simply requesting information to address public health and safety concerns that are typical of special events. This inconsistency must be addressed to allow all preserved farm owners the same opportunity. NJFB encourages the annual continuation of this evaluation to maximize SOE opportunities and ensure compliance with local towns and the DOE and will monitor the process.

Conflict Resolution
NJFB supports a consistent conflict resolution process across the state and encourages open communications between the SADC and CADB’s.

NJFB urges the SADC to respond quickly and strongly when conflicts arise as a result of a local municipality’s lack of understanding of the Right to Farm Act and process. This action and involvement is critical when a township is proposing an ordinance that is clearly in conflict with Right to Farm. When such proposals are brought to the attention of a CADB and the SADC the boards should take action to address the municipal action before it becomes adopted and conflicts with the act or adopted AMPs.

In recent years, some CADBs have passed policies (known as Policy 6 in Monmouth) which states that farmers must exhaust all resources at the municipal level and be denied before they can apply to their CADB for RTF protection through the SSAMP process. This has resulted in huge financial burdens on the farmers needing to hire lawyers, engineers and accountants and long periods of time in limbo while their cases remained open with municipalities who did not understand their agricultural businesses. The purpose of RTF is to create a direct pathway for the farmer to be protected without interference from the bureaucracies of towns. The SADC and Attorney General both confirmed that Policy 6 goes against the intention of RTF and should be rescinded in any towns or counties that it had been enacted in. Application forms and procedures need to be simple for farmers so that the process can be administered in a timely fashion. If CADBs do not have the staff resources to hear all the necessary cases, they should be supported by staff from the SADC.

NJFB believes that CADB decisions should stand without prejudice toward or action against the farm operator, while an appeal to the state level is pending as the conflict resolution process can take an extended period at great cost to the farmer.

NJFB recommends:

- NJDA appoint an ombudsman to assist farmers with agricultural concerns as needed.
- To investigate if RTF has the authority to override county policies when needed to support agriculture production and a positive agricultural business climate as long as there is no threat to public health and safety.

NJFB shall seek clarification from the SADC on whether the CADB's can question and re-examine the standards that are set forth within an SADC adopted AMP during a Right to Farm conflict resolution.

Agricultural Advisory Committees

The formation of municipal Agricultural Advisory Committees (AAC) is a requirement for any town that participated in and accepted monies through planning incentive grant (PIG). This requirement ensures that towns receiving state farmland preservation monies solicit and incorporate local farmer input on all agricultural issues. There are increasing instances of municipalities that received funds not utilizing the AACs as they promulgate new ordinances and policies that impact agriculture.

For this reason, the delegates of the NJFB call upon the SADC to promulgate guidance and rules to municipalities that received PIG monies which will require them to utilize and consult with AACs whenever any policies or ordinances are proposed that impact agriculture within the town.

Communication and Education

Farm Bureau shall actively distribute information about the Right to Farm to individual farmers via direct mail and fax broadcast to members listing this issue as a "topic of interest" on their membership application. 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 boards of agriculture should be updated on a regular basis.

NJFB should encourage the SADC to do more municipal outreach and education pertaining to the Right to Farm.

New Jersey Farm Bureau recommends that the New Jersey Department of Agriculture booklet "Fact Sheet for Commercial Farm Buildings" be updated to reflect the Act's role in farm building construction.

FARMLAND ASSESSMENT (2025)

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

Due to media attention regarding large estates qualifying for farmland assessment, there is a desire from the Governor's office to increase the gross income requirement to qualify for farmland assessment. The State Farmland Evaluation Committee (FEC) has the authority to review the gross income requirement to determine if there should be any changes in the threshold. In 2025, the FEC at their annual meeting voted to change the minimum threshold for agricultural land from $1000 to $1900 based on economic data from Rutgers University. There is no change for forested parcels at this time. Farm Bureau does not support an increase to the gross income level but believes increased oversight by assessors will better address the concerns of any abuse. However, if the minimum threshold is to be raised, NJFB supports doing so through the FEC with sound economic data.

The Division of Taxation has created a new, online portal for the annual filing of farmland assessment forms. NJFB supports the portal but opposes a fee associated with the annual filing of farmland assessment paperwork.

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. New Jersey Farm Bureau was active through the year in meeting with legislators on Farmland Assessment issues and must create a robust public campaign this year to combat the misinformation being spread about the farmland assessment program.

Farm Bureau should continue to:

- monitor the results of the new mandatory training program administered by the state Division of Taxation. This training program, a continuing education requirement for all assessors in a municipality or county with at least one parcel assessed as farmland, is intended to ensure that all such assessors are educated about the minimum qualification criteria for farmland assessment eligibility and the generally accepted farming practices outlined in the Department of Agriculture's advisory guidelines for farmland tax assessment.
- 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.C. established values, as opposed to the market value of the crop, or other personal methodology, when determining an assessment for a farm property. Farm operators must appeal by April 1 if they believe the assessment is incorrect.
- Farm Bureau should work with the legislature to prevent any changes to the program that would negatively impact the land dedicated to agriculture or increase taxes already paid by farmers. Any legislative proposals should be carefully reviewed by Farm Bureau staff and other members of the agricultural community.
- Oppose the misapplication of remote imaging technology for the purpose of punitive assessments.
- Oppose the creation of other tax abatement programs that compete with Farmland Assessment by encouraging large property owners to remove their land from agricultural production in favor of a conservation or set-aside program.

- Due to an issue in Warren County and Northwest New Jersey, urge the Division of Taxation to adopt soil classifications determined or to be determined by Soil Conservation Districts based upon updated soil maps. Educate tax assessors on the use of those classifications for valuation purposes.
- There is a new GIS mapping tool that is available to assist landowners in determining their soil types for farmland assessment. The web-based mapping system is available at njda.njmapper.com. This tool can assist farms to apply for reassessment upon request to their local assessors. NJFB should encourage the education of tax assessors on the use of this new mapping tool for valuation purposes.
- Oppose the use of municipal specific forms for farmland assessment. Every municipality should not be allowed to require additional forms with a requirement to use the state forms only. In addition, tax assessors should be required to notify landowners that have previously filed, of denial by December 31, to ensure time for an appeal.
- Conversely, there have been several situations where property owners have applied for, and received farmland assessment, when they, in fact, do not qualify for farmland assessment. This dilutes the farmland assessment program and creates adverse public perception of farmland assessment and a negative view of the farming community. New Jersey Farm Bureau encourages the New Jersey Department of Agriculture and the New Jersey Division of Taxation to emphasize that the minimum of five acres of active devotion to agriculture is the first step to qualifying for farmland assessment. Passive agricultural use does not.
- Urge the NJ Division of Taxation to clarify and communicate current policy to local assessors which states that the addition of subordinate appurtenant woodland properties are presumed to be immediately supportive of the larger qualifying tract to which it is adjoined; and that this appurtenant land should be immediately qualified for farmland assessment upon application submission.
- Urge the NJ Division of Taxation to create a dedicated agricultural ombudsman who will assist equally farmers and assessors in both understanding and navigating the farmland assessment program policies and legal decisions to help ensure that applications are property completed and approved as appropriate.

The Farmland Assessment Act was amended in 2009 to allow forest stewardship activities to fulfill the farmland assessment criteria, even without tree harvest. Farm Bureau opposed this legislation. The forest stewardship program was adopted in November 2017.

With the addition of the Forest Stewardship Program and the full implementation of the legislative changes made to the program in 2013 Farm Bureau recommends no further changes be legislated while we monitor the impacts of the implementation of the law and rules.

While New Jersey Farm Bureau supports the development and use of renewable energy, the organization does not support broadening of the definition of agricultural production to include the “harvesting of the sun or wind” for power generation.

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 public. New Jersey Farm Bureau contracted a consultant to develop a “primer” to explain the rules of farm building taxation. Farm Bureau should review and seek any necessary updates to the “primer” as building codes and tax policy has changed.

WILDLIFE MANAGEMENT (2025)

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

General Wildlife Issues

New Jersey Farm Bureau shall:

- work to educate municipal officials about wildlife-caused crop damage, and strongly encourage them to include agricultural exemptions in any “no discharge” or “no projectile” laws.
- Advocate for the adoption and implementation of wildlife management plans on all properties purchased with public funds.
- Strongly encourage private landowners, like corporate parks, golf courses, etc., that serve as deer refuges, to participate in wildlife management activities.
- Oppose any plan to shift the control of the Fish & Game Council to non-hunting or non-farming interests or to the DEP.
- Support 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.
- Support an amendment to the law that protects landowners from liability when allowing hunting on their land, even when the landowner charges a fee.
- Support the creation of a publicly funded indemnity program used to reimburse farmers suffering from damage caused by these public resources. NJFB shall research other state wildlife indemnity programs to help craft similar legislation in New Jersey.
- Oppose any measure banning the baiting of wildlife, or the sale of agricultural products for bait.
- Support the New Jersey Division of Fish and Wildlife having the authority to make all rules to facilitate and encourage baiting under and around tree stands, with guidance from the F&G Council.
- Advocate for a legislative change requiring the inclusion of wildlife food plots as part of all wildlife habitat projects.

Depredation Permits

Depredation permits are a very useful tool in combatting crop damage caused by wildlife. However, receiving these permits in a timely way is essential to their efficacy. New Jersey Farm Bureau supports the following modifications to the way permits are currently issued and enforced, to improve the effectiveness of this management tool.

- Streamline the application process for depredation permits. This includes making on-line applications available, and saving application information from previous years, so it does not need to be re-entered each year. All depredation permits should be valid and allow for control activities for one year on the entire farm, regardless of harvest season or area.

- Allow applications to be edited or updated as needed, instead requiring a new application each time a change is needed.
- Seek a regulatory change by the Division of Fish and Wildlife to allow farmers to use a shot gun and/or bow when utilizing a depredation permit, eliminating the need for two different permits.
- Update the automated check-in system currently used for the hunting season, to also allow farmers to check in deer taken on depredation permits.
- Clarify what qualifies as proper disposal of carcasses.
- Strengthen communication between the agricultural community and law enforcement to ensure all rules and regulations are clear and enforced uniformly.
- Issue black bear permits earlier where past damage is documented so bears can be taken before corn is too tall for safe and effective shooting. Bear depredation permits should be valid for 12 months.
- Support a legislative change to allow depredation permits to be issued for woodlots that qualify for farmland assessment.
- Seek the necessary legislative and regulatory changes to allow control year round with depredation permits regardless of if there are crops planted.

Fencing

Farm Bureau supports the following:

- The creation of a deer fencing cost-share grant program for lands preserved under Green Acres, similar to those of the SADC and NJDA.
- The adoption of USDA-NRCS practices to make deer fencing eligible for cost-share grants in EQIP.
- Research and funding for other types of fencing that may be less expensive or labor intensive to install.
- Enact changes to the program to allow for a higher cost-share percentage, to make fencing more affordable

Black Bears

NJFB supports:

- Continuation of an annual two-part bear hunt on both private and public land and extending the October hunt to two weeks.
- Removing the requirement that killed or injured livestock be "protected" by active electrified fence to be considered a Category I incident. Any attack or kill of livestock of any size, should never be downgraded lower than a category 1 bear incident. It is proven and recognized that this bear behavior will be repeated, and these bears pose a threat to life and property.
- The protection of baiting deer, when rules are considered for controlling the feeding of black bear.
- NJFB supports the expansion of bear surveys including documentation of financial damage by NJFW and Rutgers across the state to expand bear hunting areas in the state. Bears are now found throughout the state and there needs to be more research in preparation of the next bear management plan.
- NJFB encourages producers to document all bear damage.

Other Species

- There should be an increase in the number of available turkey permits.
- NJFB supports the continued legal use of propane cannons for bird control.
- NJFB shall oppose any legislation to prohibit or restrict the use of any tools for wildlife management including cable restraints.

Federal Wildlife Issues

- New Jersey Farm Bureau supports an increase in the 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.
- Specific attention needs to be given to expanded control of resident Canada goose and snow goose populations, including increasing the number of animals allowed to be taken on a depredation permit.
- New Jersey Farm Bureau should explore the possibility of becoming a statewide permit-holder for black vulture control.

WHITE-TAILED DEER (2025)
Crop damage caused by deer continues to be one of the most significant concerns for New Jersey farmers. In addition to the effects on agriculture, increased automobile collisions, damage to landscaping, depletion of the natural landscape and an increased risk of Lyme disease and other diseases are other major concerns with the current deer over-population.

New Jersey Farm Bureau believes there needs to be a fundamental shift in the current deer management approach by the Division of Fish & Wildlife. This shift should move away from current practices that aim to maintain a deer population to appease hunters and move toward lowering deer populations to benefit the non-hunting public negatively affected by deer.

In 2023, the Division of Fish & Wildlife presented a proposal for discussion to simplify the deer section of the state Game Code. The proposal contains three major concepts: 1. Eliminate Antler Point Restrictions regulations entirely; 2. Simplify the regulations by reducing the number of regulation sets to 3 and aligning season dates; and 3. Expand the Multi-zone permit option, to allow hunting in multiple zones, with a reduced permit price. New Jersey Farm Bureau supports these proposed changes and urges the Division of Fish & Wildlife and F&G Council to move forward with these changes.

To further help abate the impacts of deer over-population, New Jersey Farm Bureau supports the following:

- Enact changes to the wildlife fence cost share program to allow for a higher cost-share percentage, to make fencing more affordable
- Expanded use of Community Based Deer Management Plans, by more municipalities as well as County Boards of Agriculture.
- Increased collaboration between private farmland owners and deer hunters to create and implement deer management strategies working within the current game code.
- Reinstatement of Earn-a-Buck in problem areas and for every hunting season, not just archery season. Encourage the F&G Council to consider requiring the harvest of multiple antlerless deer in the areas suffering from the most damage.
- A legislative change to create a pilot project to allow for the commercial harvest of venison.

- Continued funding for venison donation programs, and support for the Hunters Helping the Hungry program that utilizes a refrigerated trailer to store deer harvested on depredation permits.
- Incentives for more butchers and meat processing facilities in New Jersey to handle the increase in venison donations.
- A legislative change to allow Sunday bow hunting on public lands, with public landowner permission.
- Expand weekend hunting days specifically to increase hunter participation including a legislative change to allow firearm hunting on Sundays.
- A legislative change to allow license fees to be set by the F&G Council instead of by the Legislature.
- A decreased license fee for senior citizens.
- The development of a state indemnification program for farmers suffering financial losses due to deer.

MINIMUM WAGE / LABOR SUPPLY AND MANAGEMENT (2025)
Labor continues to be the largest expense for many of our labor-intensive farms. The Secretary of Agriculture and Commissioner of Labor were required by June 2024 to review the farm economy and determine how the agricultural minimum wage would increase beyond 2024. Options included developing an alternative formula or using the formula in the 2019 legislation to determine wage rate beyond 2024. The decision was to use the existing formula in the legislation to increase the wage annually until it matches the regular wage rate in 2030.

As the minimum wage continues to increase, the New Jersey Farm Bureau supports the adoption of a lower "training" wage for new employees to not exceed the first 120 days of employment.

The increased payroll expenses and inability to set prices to offset revenue will cause a significant impact on the viability of labor-intensive agriculture. This will require a need to explore opportunities to offset farm employers' additional payroll cost.

1. Farmworker Job retention Grants - This would be an annual grant assistance to NJ farmers based on the difference between the constitutionally mandated minimum wage levels and the newly scheduled increases under the new law.
2. Definition of Agricultural Worker - Redefine the definition of Agricultural worker under the minimum wage law to include retail employment on farms.
3. Tax credits for Farmworker Housing and Transportation – Many growers are responsible for the housing and transportation cost for workers to travel to their farm for employment from another state or country. The cost of housing has also increased due to significant energy cost increases, adding to the cost of farm labor housing. The enactment of the tax credit would help offset some of these added expenses beyond the minimum wage increase.

NJFB must oppose any future agricultural employee wage or benefit increase if it does not include an exemption for agriculture or some form of offset for NJ farm employers. The offset justification is based on the additional cost for housing, utilities, transportation among other expenses that other industries do not provide.

Agricultural minimum wage/overtime lawsuit
The State law that created an alternative agricultural wage and exempts agriculture from paying time and a half for overtime is being challenged by CATA, a worker advocacy organization. The

complaint was filed in the New Jersey Superior Court, Chancery Division, Mercer County, and CATA is represented by the Center for Social Justice, Seton Hall Law School, and the ACLU. The defendants are the Attorney General, the Commissioner of Labor and Workforce Development, and the Secretary of Agriculture in their official capacities. The Claims for Relief consist of 4 Counts: I. Denial of Equal Protection; II. Violation of the Constitutional Right to Safety; III. Violation of the Prohibition Against Special Legislation; and IV. Violation of the NJ Civil Rights Act.

NJFB believes CATA's arguments are deficient as a matter of law, and the case should be dismissed. The NJ labor laws allow for other types of workers to have alternative minimum wages and exemptions to overtime, showing no bias toward farm workers. NJFB submitted an amicus brief to voice our support of the current law, and the courts should not overturn the intent of the legislature. NJFB strongly encourages the state agencies to “vigorously defend” the current laws.

Labor supply
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.

The availability of a legal workforce remains a critical, unresolved issue because there has been no movement of an immigration reform bill. There should be a new concentrated effort to resume the push for a congress to develop and pass an immigration reform bill.

Immigration reform
NJFB should advocate for immigration reform legislation that contains the following policies:

- Adjustment of status or workers ability to remain in the country on a guest worker program.
- H2A reform or by way of another new guest worker program that streamlines the process and uses only farm field workers wage to determine the adverse wage rate.
- A guest worker bill should not have a cap at all or have a cap that is sufficient to provide an adequate number of agricultural workers in the U.S.
- A work visa that provides a year-round labor force for agribusiness such as Dairy, equine and other livestock.
- NJFB opposes the requirement to use E-verify absent a revised agricultural industry supported guest worker program.

The NJFB opposes the misuse of the USDA Farm Labor Survey to determine the adverse effect wage rate for the H2A visa. The Trump administration suspended the Farm Labor Survey, which has forced USDOL to create a new methodology to create an adverse wage rate. The United States Department of Labor (USDOL) released an Interim Final Rule (IFR) providing clarity as to how H2A Adverse Effect Wage Rates (AEWR) will be set in the aftermath of the 2023 USDOL methodology being thrown out in court. The IFR took effect on October 2, 2025, and AEWRs will now be established by USDOL based on state-level wage data from the Bureau of Labor Statistics’ Occupational Employment and Wage Statistics instead of the Farm Labor Survey, which previously guided the setting of regional AEWRs. The NJFB supports the discontinuation of the

Farm USDA Labor Survey and the development of an alternative wage rate for the H2A program that more accurately reflects farm wages.

Further, NJFB will work aggressively to immediately communicate and work with NJDOL to reverse its November 13th determination that NJ farmers are unable to utilize the farm labor housing credit of $2.28 per hour for H2A labor which new USDOL regulations permit in every other state of the nation. Failure to correct this incorrect interpretation by NJDOL will result in the state's farmers being placed in an immediate disparate and competitive disadvantage compared to every other state in the nation.

Many New Jersey farms use the H2A agricultural worker visa program; however, many additional farms, forest product producers, dairy producers, equine and other livestock operations, commercial fishermen, and Landscape/Nursery businesses also use the H2B visa program to meet their seasonal labor needs, as the H2A program is unavailable to them for non-farm production job positions. This is especially true in a state like New Jersey where there are many farm businesses that need employees for their retail, value-added, and customer-facing operations. The H2B visa program is a critical source of reliable labor for jobs that are difficult, if not impossible, to fill with domestic workers. While these are good paying jobs, many domestic workers aren't interested in seasonal full-time employment that may only last for a period ranging from a few weeks to several months. Yet these workers are critical for farm, forest, dairy, fishing, and landscape businesses to serve their customers' needs during their peak seasons. These H2B workers are key to these farm businesses' success and which in turn make them a key part of the state's economy. Agriculture, in its broadest definition, is the Garden State's third largest industry and Farm Credit East, New Jersey's primary farm lender, recently estimated that agriculture and related activities contribute over $11 billion to the state's economy, which includes over 50,000 jobs.

Support an option to replace H2B workers that leave their job prior to contract ending. This is already an option for H2A workers that leave their job early. Many H2B employees float from extension to extension which leaves other H2B jobs vacant for a remainder of the contract. Employers spend much time and money to recruit, hire, transport and train workers and to have a worker loss during peak season is hurting the viability and bottom line of many farms.

The utilization of this legal source of temporary labor; however, is stymied by an annual cap on the total number of H-2B visas that can be issued per federal fiscal year. The cap, 66,000, is estimated to be less than half of what the current demand for these workers truly is. The consequence is that impacted businesses cannot source sufficient labor for their businesses, hurting them financially and impacting their ability to maintain the long-term viability of their businesses.

For these reasons, NJFB supports all legislative efforts to increase the annual H2B visa cap. NJFB also supports any means by which cap relief can be achieved on a temporary basis, including "returning worker exemptions," seasonal cap waivers, Executive Orders, actions by the Secretary of Homeland Security, and more. NJFB also supports recent USDOL proposals to amend recruitment advertising for H2A and H2B to be accomplished by online advertising as opposed to newsprint.

USDOL/MSPA

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.

Agricultural employers feel that the USDOL has changed their emphasis from education for compliance to monetary violations for compliance. The growers feel that they are experiencing increased scrutiny by USDOL inspectors than in the past. Growers also feel the federal USDOL purposely omitted information at county labor meetings regarding future policy enforcement on kitchen charges. The lack of specific guidance by USDOL on some regulations has left growers questioning meal charge allowance for workers. NJFB should require the USDOL to provide more clarity on the meal charges since many growers suffered violations under this regulation. NJFB should investigate if data is available quantifying that number of fines levied each year by the USDOL to verify if there is an increase in fines levied against agriculture under this administration.

NJFB should also advocate for a level of confidentiality regarding fines levied by DOL. Publication of fines by DOL only serves a political agenda and besmirches an entire industry that has an overall clean record.

Farm employers need to be aware of a current emphasis on rules pertaining to the Fair Labor Standards Act, Migrant Seasonal Worker Protection Act and Child Labor laws. New Jersey Farm Bureau can assist with providing information in each of these areas.

New Jersey Farm Bureau should oppose any legislation that would remove the overtime exemption for agricultural workers and support the overtime exemption currently in place.

The NJFB is also opposed to using a constitutional amendment as an avenue to amend the current minimum wage. NJFB should continue to oppose constitutional amendments as an avenue to change policy and law.

Possible ergonomics regulation remains a concern for agriculture. Regulation of work motions that are repetitive and sustained would be incredibly onerous for agriculture. Farm Bureau shall oppose a future ergonomic regulation without the results of a proposed study from the National Science Foundation (NSF). Even with those results, ergonomics regulations must contain an exception for agriculture. Farm Bureau supports an NSF study and an exception for agriculture.

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.

AG RETENTION/FARMLAND PRESERVATION PROGRAM (2025)
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 a local supply of fresh farm products, water recharge, scenic vistas and also remains on the local tax rolls with no taxpayer maintenance costs. To date, the State Agriculture Development Committee (SADC) has preserved over 2,890 farms totaling over 252,979 acres. The SADC celebrated the 40th anniversary of the farmland preservation program in 2023.

In general, Farm Bureau continues to support the following overarching precepts as they relate to the farmland preservation program:

- The Deed of Easement is a contract between the landowner and the SADC which severs specific rights from the land. The severance of rights is complete at the time of execution of the Deed of Easement. The SADC may not unilaterally change the nature of the rights severed after-the-fact, even if it could be seen as beneficial to the SADC's Farmland Preservation program to do so.
- The Deed of Easement is itself not a source for SADC authority to adopt regulations. Regulations can be developed only pursuant to specific authorizing statutes, in this case the Ag Retention and Development Act and the Right to Farm Act.

In the upcoming year Farm Bureau shall:
- Continue to support permanent funding allocations for constitutionally dedicated CBT revenue at 31%, offering consistent funding year to year in support of SADC acquisitions and stewardship (including projects that improve the resiliency of farmland soil) and also in the Highlands and Pinelands. NJFB supports the reauthorization of the dual appraisal provision for the Highlands which occurred in 2025.
- Expand stewardship activity funding to include equipment and services for climate-smart and precision agriculture as was done in 2025.
- Support the new program which will pay for private engineers to complete conservation plans.
- Support dedicating a specific percentage of the CBT as a permanent funding source for the purchase of Pinelands and Highlands development credits.
- Continue to monitor the SADC's interpretation of statutes and rules to ensure that flexibility is maintained to ensure future viability.
- Aggressively oppose the SADC when it attempts to over-regulate preserved farmland beyond the scope of the deed of easement and remind SADC that when farmland is acquired, only the development rights are severed, not the right to conduct commonly accepted farming practices including those that assist in marketing the output of the farm.
- Urge the SADC to scrutinize and discourage the practice of counties and townships transferring farmland preservation funds, historic preservation and open space preservation funds to discretionary accounts for the purposes of "other than" preservation and land acquisition applications, unless those funds are used for conservation practices consistent with the farmland preservation programs.
- Encourage the SADC to improve communication with the farm community.
- Urge the SADC to be more responsive to and better communicate with preserved farm landowners who are trying to navigate the increasingly complex policies impacting them.
- Urge the SADC to be more responsive to CADB administrators.

- Encourage every county and municipality with active agricultural land to participate in the SADC's Comprehensive Farmland Preservation Planning Process. This program allows counties and municipalities to focus preservation efforts on targeted farms and allows for more efficient processing and funding of approved projects.
- Urge the SADC to not fund Planning Incentive Grants (PIGs) for municipalities that persist in down-zoning farmland despite its negative effects on the viability of the very farm operations the town is showing their interest in protecting. In addition, municipalities enrolled in PIG programs that demonstrate a lack of support for the business of agriculture should lose their PIG funding.
- Ensure that the four farmer member positions and alternate farmer member positions on the SADC be promptly appointed (within 90 days) when there are vacancies. Farm Bureau shall work to ensure that the State Board of Agriculture selects all the nominees that are recommended to the Governor for positions on this board and that they meet the criteria set forth in the Right to Farm Act.
- Support the GSPT Chairman in filling the Treasury Seat on the SADC, as was the case for decades.
- Support the development of stronger incentives and more funding for the eight-year program.
- Support 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.
- Work to ensure that all farmland purchased through other programs (i.e. Green Acres, Highlands TDR program) is actively farmed.
- Urge the SADC to deny state preservation funding to municipalities that preserve farmland in partnership with conservation groups that place burdensome restrictions on the farmland.
- Support an elimination of the capital gains tax on income from the permanent preservation of farmland.
- Urge the denial of SADC funding to municipalities that refuse to allow an open bid process in auctions of preserved farmland whereby any farmer has an equal opportunity to bid on the farm.
- Support a legislative change to the Agriculture Development and Retention Act to require that preserved farms going forward be "actively devoted to a commercial agricultural or horticultural use, including activities related to marketing the output of the farm" not just "available for farming." While this change may not prevent non-farmers from purchasing preserved farmland, it will increase opportunities for New Jersey farmers to lease and farm the properties as part of their overall farm operations. This change will also help address the issue of preserved farmland laying fallow or growing up in invasive species. A legislative change of this language must include direction to the SADC that their interpretation must allow for flexibility so as not to impede the future viability of the farm or the personal enjoyment of the property by the owner of the preserved land.
- Urge the SADC to allocate and distribute farmland preservation funds more equitably to applications in all counties regardless of any economic, political or financial considerations or due to the statewide variation of costs for land acquisition. The timely preservation of open space and farmland is a critical concern in the urban and suburban areas of New Jersey. CADBs have determined their agriculture development areas, ranked their farm preservation applications, targeted the most productive farms for preservation in their respective counties, approved and steadfastly collected their local open space preservation

taxes, and planned for the long-term viability and profitability of current and new agribusinesses. Yet, to date there is an indication that many farm preservation applications in urban counties are neither being reviewed in a timely manner nor are they being ranked favorably by the SADC. Passaic County is currently unable to tap into SADC preservation funds because the state criteria are inept for urban farming counties. NJFB urges the SADC to look into this issue and modify its criteria for urban counties.

- Morris County (and others in the Highlands) have more forest than tillable acreage on their farms, which also causes them to lose out on SADC preservation funds because it does not meet the tillable acreage percentage criteria. NJFB urges the SADC to look into this issue and modify the farmland preservation program to include a forestry acquisition preservation program. Forestry activities including preparation and implementation of forest management plans should also be included as part of SADC's stewardship grants.
- Monitor the use of federal program dollars on preserved farmland where it may be taking large amounts of acreage out of agricultural production. Farm Bureau must work with organizations such as the NJ Audubon Society to encourage them to promote such set-aside federal programs only on marginal farmland.
- Work with the SADC to educate the non-profit organizations involved in preserving farmland about agriculture in New Jersey. Many of these non-profit organizations are taking preserved farmland out of production because of a misunderstanding of the agricultural practices being used.
- Work with SADC staff to ensure that counties and municipalities administer preserved farmland held by government entities or non-profit organizations in ways that are supportive of production agriculture, on the preserved farmland, and do not negatively impact adjacent farmland.
- Urge all municipalities and counties, when making land use decisions for infrastructure on preserved farms (ie: bridge and road maintenance), to consider the impact of those decisions on the future viability of the farms in their community.
- Investigate concerns raised by the equine industry about inadequate access to preservation funds for equine operations that include indoor/outdoor riding arenas, boarding facilities and other like structures. This should include a review of whether case-specific considerations of landowner requests for preservation funds to acquire not only pasturelands on such operations, but also land under any facilities or structures associated with the raising, breeding, care or training of equine animals should also be considered by SADC when making determinations about preservation applications.
- Encourage the SADC to continue to provide funds for deer fencing ~~with recent changes~~ allowing tenant farmers to apply, removing the per/acre cap and increasing the total allowance. NJFB seeks further changes to allow for a greater cost share percentage.
- Allow SADC to assist CADBs with their administrative responsibilities when they do not have adequate staffing.
- Support alternate members on CADBs and the ability for cases to be transferred to neighboring counties when there is a conflict.
- P.L 2023, c.245 became law on January 8, 2024, authorizing the SADC to adopt rules establishing a statewide farmland preservation formula as an alternative method for the valuation of farmland to be acquired for farmland preservation purposes. This new formula value has increased offers to farmers based on soils and size as well as new values for ecosystem services (stream corridors, forests), threat of conversion and contiguity. NJFB will continue to monitor its implementation to ensure that all farms are given a greater opportunity, not just those with the largest acreage and best soils. The program's final rules

will not be completed for three years, during which time NJFB will evaluate potential changes to make this program most effective for those seeking farmland preservation.

- Seek a way to preserve docks and aquaculture nursery/hatchery sites (ocean/bayfront property).

Farm Bureau believes farmland preservation deed restrictions should be limited to the restriction against development for which the property owner is being paid, where development is defined as the construction of a residential or other non-agricultural structure. (Existing deed restriction contracts are as they read.) All non-development economically beneficial land uses should be allowed, within reason, when such uses promote and enhance the overall agricultural profitability of the farm. The opportunities afforded by ancillary revenues on farmland are imperative for sustained agricultural viability.

Preservation in the Pinelands

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 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 ensure the current allocation of the funds under the Garden State Preservation Trust Act and any other future preservation program to ensure that it reflects the geographic diversity of the state to the maximum extent practicable and feasible.

Preservation in the Highlands

Farm Bureau shall work with the Legislature to enact a long term, stable source of funding to compensate Highlands landowners. This should include the option of imposing a water fee on the users of Highlands water. Farm Bureau supports putting an emphasis on funding farmland preservation in the Highlands Preservation Area. Any new dollars from a dedicated funding source should be available for any farm seeking preservation in the entire Highlands region.

The Highlands dual-appraisal provision expired in June of 2014 and was later extended through June of 2019. The "Preserve New Jersey Act" was amended in 2019, which supplemented the dual appraisal provision for qualifying landowners in the Highlands, extending an additional five years until June 30, 2024. The dual-appraisal provision for the Highlands was reauthorized in 2025 for an additional five years. Farm Bureau should ensure that, while the rules and zoning of January 1, 2004 are used to derive one appraisal, the landowner is not denied the benefit of any long-term appreciation of value that land with similar original zoning outside the Highlands would enjoy.

There is currently a rule in the Highlands regulations that stipulates that once a farm's ownership changes hands that it no longer qualifies for dual appraisal. This rule arbitrarily disqualifies farms from the program and is a deterrent to potential buyers who are interested in preservation, thereby having a negative impact on land values. The dual appraisal feature should remain with the land and not be lost with a change of ownership. Farm Bureau recommends this rule be eliminated.

Eminent Domain to Preserve Land

The farmland preservation program has always been a voluntary program. 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. The CADB should use its preservation funds to help protect landowners from eminent domain.

Viability of Preserved Farms

There is a concern emerging that with the increase in land preservation, viability issues for New Jersey farms still remain. Therefore, we call upon the SADC and the Administration to consider viability-type incentives for all farm properties.

Further, Farm Bureau urges the SADC to incorporate flexibility and site-specific considerations into any rules governing activities on preserved farmland so as not to be a hindrance to farm viability.

The earliest pioneers of the Farmland Preservation program are facing hurdles in maintaining viability because they often do not have any areas excepted out of the deed of easement. Exception areas allow a preserved farm owner to have flexibility in that area of the farm to do activities that may not be allowable on the portions of the farm that fall under the deed of easement. Farm Bureau shall work with the Legislature to enact legislation that would allow the owners of the earliest preserved farms that were not given the opportunity to take an exception area, the option to buy back a small area of the preserved farm as a non-severable exception area.

With the passage of the Rural Micro Enterprise Act, New Jersey Farm Bureau should make sure the SADC rules and regulations for the program encourage and are broadly applicable for the types of businesses and activities that are the intent of the legislation and that other preserved farms have easy access to those farm related activities.

One increasingly popular viability option for New Jersey farmers is to partake in on-farm events. Through site-specific cases, the SADC has taken the position that weddings and other life celebratory events on farmland do not qualify for Right to Farm protection and are not allowable under the deed of easement. Farm Bureau believes that weddings and other life celebratory events may be considered acceptable under the deed of easement on preserved farms if there is a relationship to marketing the agricultural output of the farm. This should also be the standard when looking at protecting these activities on non-preserved farms and farms other than wineries.

A law to allow a specific number of special occasion events (SOE) on preserved farms was enacted in the spring of 2023 and a report detailing the first season of hosting events was published in July 2024. Five farms held SOEs in the first year of the program, with a total number of 32 events. Twenty of the events were weddings, and attendance at all SOE ranged from 50 to 1,100 people. In 2025, the number of farms applying for events and number of events held both doubled, showing growth in the program. The major barrier observed is that SOE law has been the subject of varied interpretations by municipalities as to the municipal role in the SOE approval process due to ambiguous statutory language regarding the extent to which municipalities can regulate SOEs. Some are requiring farms to obtain planning and/or zoning board approval on the grounds that the activities require submission of site plan and/or variance applications under local land use ordinances. Other municipalities allow SOEs without land use board approvals and have relatively basic review processes, simply requesting information to address public health and safety concerns that are typical of special events. This inconsistency must be addressed to allow all preserved farm owners the same opportunity. NJFB encourages the annual continuation of this evaluation to maximize SOE opportunities and ensure compliance with local towns and the DOE and will monitor the process.

Additionally, NJFB encourages the SADC to adopt an AMP for alcohol-based agritourism to protect on-farm businesses such as wineries, breweries, distilleries, cideries and meaderies who are currently hosting events. The SADC should include agricultural stakeholders in the AMP-drafting process.

Renewable Energy on Preserved Farmland
It is now law that installations of solar, wind or biomass energy generation systems on preserved and non-preserved farms that meet certain criteria are eligible for Right to Farm Protection and Farmland Assessment. Many preserved farms have rock ledges, unused gravel pits, old barnyards and other areas that are not farmed. In some cases, these unused or underused areas would be more suitable for solar or wind energy installations than other actively farmed portions of the preserved farm. As such, NJFB shall encourage the SADC to streamline the approval process for installations sited in these non-farmable areas on preserved farmland. It has become extremely onerous for some preserved farm owners to get all the necessary approvals to erect allowable solar arrays on any portion of their farm. NJFB supports streamlining this process that creates undue burden on the preserved farm owner. NJFB also supports virtual net metering for multiple electrical services where there are solar installations on farms. NJFB also supports a change to the law that allows solar on preserved farms to exclude exception areas from the regulations. NJFB would like to remove the cap of 110% of the farm's electricity usage and encourages the NJBPU to allow preserved farms to participate in the agrivoltaics pilot program.

FARMING ON PUBLIC LANDS (2025)
State-Owned Land
The state of New Jersey has a long track record of adopting policies to support farmers and preserve farmland. If the state is genuine in its expressed goal to improve the farm economy and retain farmers, then leases of state-owned farmland should give farmers maximum flexibility.

This proposed flexibility includes the following:

- Introductory bids should start at $1 per-acre. This approach will allow the private marketplace to dictate at auction an appropriate per-acre value for these farmland parcels. We strongly oppose the use of USDA Farm Service Agency rental rates as minimum bid amounts for farm leases. These rates are intended to be incentive payment, and are not reflective of true rental values, leading to minimum bid levels being set artificially high. Letting the market dictate the rent also encourages farmers to bid on marginal land, because they can then use the savings to invest in improving the soil.
- Farm Bureau also supports the idea of replacing cash rent for these lands in certain circumstances, in exchange for the leasing farmer conducting designated stewardship activities on the property.
- Farmers need to be able to make their own decisions about farming methods, based on their experience, what will work best for their overall farming operation and what is best suited for the specific parcel. We oppose restrictions on farming practices, including crop selection and harvest timing.
- Farmers also must be able to manage the wildlife on the farms they lease. This includes the use of depredation permits, noise makers and other wildlife control measures.

- Drones can be very useful tools for farmers, allowing them to look for early signs of pest or wildlife damage, among other purposes. New Jersey Farm Bureau urges the DEP to amend their current ban on the use of drones on state-owned land, to allow lease-holding farmers to use them for research and production purposes.

We understand that tenant farmers are in some cases offered a rent discount in exchange for some restrictions on their lease. Unfortunately, this discount does not make up for the loss of income that farmers incur when they are unable to farm with best agronomic practices. If restrictions are necessary, then rental discounts should be equal to the loss in production value.

We believe that normal farming practices are an environmental asset, and that farmers are great stewards of the land they work. These practices enable groundwater to recharge, allow soil retention and sequester carbon. Active farming also means invasive plant species are kept under control. That the state is now the landlord should not enable regulations that are incompatible with sound farming. The goal of the leases should be a win-win for the state to have open space and enable farmers to add these lands to their farm business. Artificially high rental rates and burdensome restrictions greatly diminish the agricultural value to these lands.

NJFB urges the DEP to grant relief to the farmers currently leasing land from the State and discontinue imposing burdensome restrictions on new leases going forward. Those farmers can be guided by “best management practices” recommended by the State Agricultural Development Committee (SADC) to ensure both practicality and suitable safeguards for the state land.

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 ensure that 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 New Jersey agriculture. Many farmers prefer to lease because the land is too costly to buy. New and beginning farmers need land to work and a long enough lease to make investments in plant materials (such as grapevines) or certain farming methods (such as organic or low-input farming), cost effective. NJFB recommends the term for leases of currently fallow ground to be a 10-year duration, to give farmers sufficient time to invest in and prepare the land properly for agriculture.

Farm Bureau shall actively pursue a meeting with the DEP about the overall issue of farmland leases in partnership with the NJDA. These state assets can be a source of additional revenue to the state and financial viability for the farmers. An updated and efficient lease system is a goal to be shared with the farm community.

Farm Bureau shall:

- Not only work to have more state government land farmed, but also include any other public-owned lands.
- Insist that all land set aside through TDR or cluster development should be farmed or leased long term to someone who will actively farm it.
- Work with the appropriate State agencies to make them aware of the importance of agriculture and to urge them to make state-owned lands that are farmable available to local farmers without excessive regulation or interference with crop decisions.

- Insist on renewable leases to cover at least 5 years and longer when feasible. Very long term, inheritable or transferable leases should be used in New Jersey as they are in other states where appropriate.
- Gather stakeholder input about the issue of government leasing policies for publicly owned lands. New Jersey Farm Bureau supports the formation of a task force, comprised of both farm and public entity representatives, to work together to find solutions to farmers' concerns.

URBAN AGRICULTURE (2025)

Under the 2018 Farm Bill, the United States Department of Agriculture (USDA) established the Office of Urban Agriculture and Innovative Production and the Federal Advisory Committee for Urban Agriculture and Innovative Production. The USDA has defined Urban Agriculture as the cultivation, processing, and distribution of agricultural products in urban and suburban areas. Urban agriculture includes farms with less than 5 acres of land in urban and suburban areas, as well as community gardens, rooftop farms, hydroponic, aeroponic, and aquaponic facilities, and vertical production. According to the USDA Urban Agriculture Programs At a Glance Factsheet - March 2025, they have established or made regulation changes to allow Urban Agriculture operations to apply for thirty-four different grant and loan programs throughout its agencies including Natural Resources Conservation Service (NRCS) and Farm Service Agency (FSA). The USDA has established 17 Urban Service Centers including New York City, NY and Philadelphia, PA, and 10 FSA Urban County Committees.

Urban Agriculture has become a growing sector over the past 25 years in the state of New Jersey. In 2017 and 2019, the NJ Department of Environmental Protection's (NJDEP) Environmental Justice Advisory Council's Land Working Group hosted an Urban Agriculture Symposium and then published a white paper titled Urban Agriculture in the Garden State in 2019 which started initial conversations regarding the needs, wants, and successes of Urban Agriculture producers. In 2022, the Rutgers New Jersey Agricultural Experiment Station's (NJAES) Office of Urban Extension and Engagement hosted an Urban Agriculture Forum and published a report on Urban Agriculture titled Urban Agriculture Strategies for the State of New Jersey. The Rutgers NJAES project convened Urban Agriculture Producers from 8 Focus Cities / Counties including Atlantic City, Atlantic County; Bridgeton, Cumberland County; Camden, Camden County; Elizabeth, Union County; Jersey City, Hudson County; Newark, Essex County; Paterson, Passaic County; and Trenton, Mercer County. The Rutgers NJAES report focused on defining Urban Agriculture, to identify common resource needs of urban producers, map urban producers in the focus areas, and identify the needs that urban producers need from extension training and workshop programs. In 2025, NJAES hired an Extension Agent for Essex and Hudson counties with a specialty in Urban Agriculture. In February 2025, the delegates of the State Agriculture Convention approved a resolution concerning Urban Agriculture which has attracted policymakers attention and resulted in possible legislation.

The New Jersey Farm Bureau recognizes that many of our Urban Agriculture producers in New Jersey operate on properties that are less than 5 acres in urban areas. Some of these urban agriculture operations are owned by individual private producers, some are operated by producers on municipal owned lots through year to year lease agreements, and some are owned by non-profit entities on private or public lands. The land-base where urban farms, greenhouses and gardens operate are primarily leased, borrowed or temporarily donated, always with an uncertain future. Urban Agriculture operations have made a significant impact to provide fresh produce to food insecure areas of our state; beautify communities; educate local youth about agriculture;

engage and empower members of the community; and provide healthy and culturally responsive spaces. Urban Agriculture producers have also worked together in cooperatives and partnered with rural commercial producers to increase food access and their offerings to the community. Urban Agriculture has also impacted the urban environment by assisting in stormwater management, Climate resiliency, carbon sequestration, remediation of soils, increasing biodiversity and green space, and helping to reduce the heat island effect.

Therefore based on current data and research it is recommended in the upcoming year, New Jersey Farm Bureau shall:

- Support comprehensive legislation that provides the necessary funding needed to accomplish the listed policy actions.

- Organize a committee of Farm Bureau Members that represent the urban agriculture community to discuss issues of this sector of the agriculture industry, and compile testimonies from urban producers to support efforts.
- Discuss with the Membership Committee regarding membership options, benefits, and recruitment strategies to increase urban membership to Farm Bureau.
- Encourage the New Jersey Department of Agriculture (NJDA), New Jersey Department of Environmental Protection (DEP), New Jersey Economic Development Authority (NJEDA), Rutgers NJAES, and New Jersey Community Colleges to work collaboratively to establish working groups regarding urban agriculture to continue to identify and address the needs of this production sector especially for policy support, resources, technical assistance, and training/workshops.
- Encourage the NJDA, Rutgers NJAES, or USDA National Agriculture Statistics Service (NASS) to conduct a comprehensive census of the Urban Agriculture sector to better understand its size, demographics, and economic impact on our communities and state. This data is currently not available and will help to better advocate for the urban agriculture community.
- Advocate for legislation and/or regulation to incorporate a program similar to the Farmland Preservation program within the State Agriculture Development Committee (SADC) to support long term lease agreements on these lands. Also consider additional rule changes to legally acquire and/or preserve lands that are less than 5 acres for the purpose of urban agriculture.
- Explore creating a County Board of Agriculture in Hudson County.
- Support for legislation and/or regulation reform within the current state Right to Farm Act to support the SADC and Urban Agriculture producers to handle right to farm issues.
- Support for additional funding for the SADC to facilitate an Urban Agriculture Preservation program and handle Urban Right to Farm issues.
- Encourage the SADC to work with county governments in Essex, Hudson, and Union counties to establish County Agriculture Development Boards (CADB) so that they can support the SADC in possible future preservation of Urban Agriculture lands and Urban Right to Farm issues, since they currently do not have a CADB on record.
- Advocate for legislation and/or regulation with benefits similar to the Farmland Assessment Act to allow private Urban Agriculture producers with less than 5 acres in an urban area dedicated to agriculture/horticulture production to qualify for this new program as well as farm vehicle license plates.
- Advocate for legislation and/or regulation reform within the Supplemental Nutrition Assistance Program (SNAP) and Women, Infants, and Children (WIC) and Farmers Market

Nutrition Program (FMNP) to allow Urban Agriculture Producers to serve as providers, as many are located in areas with high SNAP and WIC participants.

- Encourage local municipalities that lease publicly controlled land for the purpose of urban agriculture to offer longer lease terms than year to year. If an Urban Agriculture Preservation Program is established within the SADC and begins to acquire these municipally owned lands for urban agriculture, they should have a procedure to lease these lands with different agreement options and prioritize individuals that have previously worked the land.
- Urge the NJDA to budget funding for grants or cost-share programs to support urban producers with technical assistance, utility connections, and other infrastructure or resource needs to improve their businesses and profitability.
- Encourage local municipalities that lease public-controlled land for the purpose of urban agriculture to permit producers to sell their produce that they produce on-farm, as some municipal lease agreements prohibit selling produce on-farm.
- NJFB commends and applauds Mercer County Community College for implementing its Urban Agriculture curriculum for the Fall 2025 semester.
- Encourage the NJDA Office of Farm to School, NJDA Office of Food, Agriculture, and Natural Resources, local school districts, and community colleges to develop programs that build resources for educators and build agricultural career pipelines.
- Support the continued development of local urban agricultural cooperatives as a method for urban producers to sell their produce and share in profits and resources.
- Promote continued and new partnerships with urban producers and rural producers to better increase food access in our food insecure communities.
- NJFB should educate the Urban farm community on the process for inclusion in the NJ Agricultural convention.
- Support the aggregation of New Jersey produce from outside of urban areas into the urban agricultural sites for sale and distribution throughout urban areas, helping to battle food insecurity and create an additional market for farmers to meet the demands in the cities as production will be limited on the small parcels.

RELIEF FROM EXCESSIVE ENVIRONMENTAL REGULATIONS (2025)

Ever since 1972 and the passage of the federal Clean Water Act the Legislature has repeatedly assigned to the New Jersey Department of Environmental Protection ever increasing power and authority to regulate a broad range of activities related to the use of our land, water, plant, animal, and other natural resources, often without precise detailed and quantifiable standards. This has resulted in the agency adopting regulations to not only implement the federal rules but adopting state regulations that in most cases exceed the federal standards, resulting in NJ being more restrictive(protective) than the federal government.

Through the Resilient Environment and Landscape (REAL) rules, the NJDEP is proposing amendments, repeals, and new rules to the Coastal Zone Management (CZM) rules, N.J.A.C. 7:7, Freshwater Wetlands Protection Act (FWPA) rules, N.J.A.C. 7:7A, Flood Hazard Area Control Act (FHACA) rules, N.J.A.C. 7:13, and Stormwater Management (SWM) rules, N.J.A.C. 7:8, as well as several additional rules that cross-reference these four chapters, as part of a comprehensive update of the State’s Land Resource Protection program to reflect the latest global, regional, and State-specific scientific information on climate change.

The draft of these rules was published in the NJ Register in August 2024 and revised in July 2025. NJFB has submitted comments and joined the New Jersey Business Coalition in opposition to these proposed changes due to the devastating effect it will have on the economy of NJ. Some of the concerns brought forth in the NJFB comments include replacing “Permit by Rule” to “Permit by Registration” which will require public notification and potentially the need to hire costly engineers and architects for agricultural projects. New language for “flood inundation zones” will need to be included in all deeds and this designation will prohibit areas to a 3% impervious coverage standard. There is now also a 4-foot elevation increase for all new and redeveloped structures in the climate-adjusted flood elevation. Not only is this requirement often unattainable for farm structures (ie: barns, stables, silos, farm markets), many would then be prohibited by municipal height ordinances. Additionally, ADA compliance would be jeopardized for many on-farm markets where a 4-foot rise in structural elevation is required. Any construction or reconstruction of docks, piers, wharfs and their associated processing buildings would be severely and negatively impacted as well. The approach is a new one for the agency by looking at predictive future rainfall modeling, using coastal inundation and Probable Maximum Precipitation (PMP) models, rather than relying on past rainfall data that has been collected and the models they have been using for these types of rules. These changes are based on projections of only a 17% chance of *a* 4-foot rise in sea level by 2100. The July 2025 revised proposal now also requires the DEP to revisit the measured sea-level rise and precipitation data incorporated into the rule every five years and amend the regulations if appropriate.

NJ Farm Bureau must:

- Strongly affirm its support for DEP efforts to make the regulatory burden more appropriate for agricultural operations by allowing simpler, less expensive ways to get approval. This is essential to enable NJ farmers to increase their implementation of BMPs and access to USDA Farm Bill environmental protection programs to the same extent as farmers in other states.
- Encourage DEP to address on-farm natural resource concerns through development and implementation of a farm conservation plan along with practices from the national USDA-NRCS Field Office Technical Guide (FOTG).
- Make clear the unique needs of agriculture and the impacts of new flood rules on agricultural operations and seek alternative methods and standards for reviewing agricultural development projects in order to support the state policy of a viable agriculture industry. Agribusiness must maintain the ability to shift production and innovative marketing without undue scrutiny and delays.
- Partner with like-minded organizations to support any movement by DEP to make necessary environmental regulation more practical and appropriate.
- NJFB through the NJ Business Coalition respectfully requests that REAL rules be withdrawn, the stakeholder process be restarted, and a new, workable regulation be proposed in its place. NJFB will continue to monitor the final publishing and implementation of these rules.
- Farm Bureau should encourage the DEP to develop protocols for cases of repetitive complaints about a farm from the public on the same issues. DEP should first investigate permits, licenses, or programs that are already in place on the farm, before going out to the farm property to investigate. Furthermore, when the complaint filer’s issue has been investigated and DEP finds that the farmer is in compliance with required rules, permits, licenses, etc. the DEP should testify to the complainer that the

issue has been investigated (date, time) and addressed and that the farmer/farm is in compliance. A DEP letter of "No Further Action" should then be available to the farmer.
- Communicate this directive to the Governor, the Commissioner of the DEP, the Legislature, and farm conservation agencies.

NJDEP RESILIENT ENVIRONMENTS AND LANDSCAPES (NJREAL) RULE PROPOSAL (2025)
The NJPACT/NJREAL rule proposal is the result of Governor Murphy's Executive Order 100 of January 2020 instructing the NJDEP to adopt climate-adjusted protections against coastal flood inundation and riparian flood damage. This 1044-page set of rules was made public in August 2024, and revised July 21, 2025, attempts to establish all new land use regulations regarding coastal zone management, stormwater management and freshwater wetland protections.

Executive Order vs. Legislation
NJFB is concerned that this voluminous set of rules stems from the Governor's executive order and not through the New Jersey legislative process. By circumventing the legislative process all citizens and businesses lose the ability to voice their concerns and disclose potential harmful unintended consequences. Moving this initiative through legislation would better allow for science and economic impact statements from the NJ Department of Agriculture, State Board of Agriculture, State Agricultural Development Committee (SADC) and other public farm policy entities. None have commented to date.

Certainly, this rule proposal, planning for 100 years into the future with climate change as the driving force, does not meet the definition of an urgent significant threat needing immediate Executive Order action without legislation. In fact, this 1044-page rule proposal uses very low probability extreme events to rewrite, without incremental retreat policies, the entire NJDEP coastal flood, flood hazard and freshwater wetland rules. In short, the mandated changes of this rule are far too aggressive for such a low probability of continued, exponential sea level rise. The July 2025 revised proposal now requires the DEP to revisit the measured sea-level rise and precipitation data incorporated into the rule every five years and amend the regulations if appropriate.

Most engineering, environmental and land use professionals agree that this comprehensive re-write of virtually all coastal and fluvial regulations rises to the level of necessitating a Full Environmental Impact Assessment by the USEPA.

Replacing Permit by Rule with "Registration" and "Certification"
NJFB sees that replacing the long-standing Permit by Rule with Permit by Registration and Permit by Certification is an extreme overreach and troublesome for the agricultural community. Farm Bureau sees this new rule as an impediment to farmers having the ability to act and react to the emergent issues on their land and to the changing needs of their customers. This new requirement would require public notifications be sent to all adjacent and nearby property owners which may be an extensive list for larger farms or those in suburban locations. Farm owners would then be required to hire costly engineers, architects, or environmental consultants to apply for these newly required permits. NJDEP does not possess the staff, as current evidence shows, to respond and approve these expected thousands of requests in a timely manner. There currently remains a severe backlog of permitting applications. Lastly, this rule makes no mention of the time at which the NJDEP shall respond with approvals and certifications which are required for farmers to plan for their seasonal farms and remain viable.

The updated definition of “regulated waterway” with the inclusion of “human-made channels” will include a significant increase of agricultural land within the regulated area. New activities that will require a General Permit include grassed waterway/drainage maintenance, removal of accumulated sediment and debris from water on land that is actively farmed (ditch cleaning). New activities that will require Individual Permits include the construction of an agricultural roadway crossing and bank stabilization.

There are many conflicts with the Soil Erosion and Sediment Control Program. Regulated Waters appear to be “all waters” and the language exempting drainage ditches less than 50 acres could be a problem if they have discernable channels (which most do).

New Deed Notice Requirement

This proposal would now require all property deeds to include a “flood inundation” statement for the potential flood inundation frequency and expected water depth for all drives, accesses, and parking areas. Not only is this requirement unattainable for farmland without a costly individual flood management plan being developed but it will lead to the reduced farmland values and dire economic hardship. The NJFB equates the new climate adjusted flood elevation designations and resulting restrictions as the “takings of land” and is counter to the $1.2 billion dollars spent on preserving over 250,000 acres of farmable New Jersey land, especially when these changes are based on projections of only a 17% chance of a 5.1 (now 4.0) foot rise in sea level by 2100.

NJPACT/NJREAL Rules vs. municipal ordinances

This rule proposal mandates a 4-foot elevation increase for all new and redeveloped structures in the climate-adjusted flood elevation. Not only is this requirement often unattainable for farm structures (i.e., barns, stables, silos, farm markets), many would then be prohibited or limited by municipal height ordinances. Additionally, restriction of construction of aboveground structures appears to conflict with the permissible agricultural development that is listed in the Freshwater Wetlands Protection Act (including the installation of temporary farm structures: hoop houses, polyhouses, run-in sheds, pole barns, etc. that have associated grading and land contouring). Furthermore, A.D.A compliance would be jeopardized for many on-farm markets where a 5-foot rise in structural elevation is required for habitable buildings.

Aquaculture and Fisheries Concerns

Any construction or reconstruction of docks, piers, wharfs and their associated processing buildings would be severely and negatively impacted by this rule as currently written. NJFB opposes the limitation on the placement of shellfish cages within a shellfish lease area as there is no evidence supporting the necessity to outlaw cages larger than what has been traditionally used. Dredging projects and the effect that they have on shellfish leases (sedimentation and tidal flow) must also be addressed. NJFB opposes the exclusion of nature-based solutions on shellfish lease areas.

“Actively Farmed” is not always observable

NJFB is concerned of the term “actively farmed” being listed as the qualifier for newly designated wetlands and climate adjusted coastal zones to remain as farmable. Farm practices aren’t always observable. Fields often lie fallow to improve productivity, and professionally managed forests may not be harvested for several years to maximize woodland profitability. The definition of “actively farmed” is vague and the permissible activities are extremely narrow (grazing, harvesting, horticulture, irrigation, planting, tilling, viticulture and watering). Forestry activities are missing entirely from the exemption, making it unclear if activities resulting in disturbance of forested riparian areas will now be prohibited, practices that are currently supported through woodland management and forest stewardship programs. The State Agriculture Development Committee (SADC) and the USDA-NRCS promote and cooperate with farmers for farmland preservation, wildlife habitat (WHIP) and environmental quality incentive programs (EQIP) and USDA FSA's CRP and CREP programs. These programs often do not show observable active farming but must be considered as active farmland. Moreover, these state and Federal programs are often designed and conducted at the edges of the farm property and appurtenant woodlands where wetlands and flood plains are most likely to be located.

It is recommended that the NJDEP incorporate preexisting regulatory language into the exemptions that those eligible under the New Jersey Farmland Assessment Act are exempt from the requirements of the freshwater wetlands or open water fill permit, or transition area waiver.

NJ Right to Farm Act vs. NJREAL

The New Jersey Right to Farm Act allows farmers to amend their soil to improve soil tilth and productivity. The direct land application of manure, compost, mulch, leaf mulch and agricultural waste is a common and preferable process in order to maintain and enhance farmland production while reducing water and fertilizer requirements. This rule proposal makes no mention of these beneficial applications to remain permissible in newly designated climate adjusted flood elevations. Restricting these practices could prohibit the implementation of production practices that would otherwise enhance on-farm conservation. Commonly accepted agricultural management practices (AMPs) as defined by the SADC's RTF program should be exempt.

Loss of land value and equity

By creating large new climate adjusted inundation risk zones and capping future impervious cover, this rule would create vast no build/no farm/no disturbance zones. In turn, much uncertainty will arise when seeking expansion of farmlands in production and incorporating new use agriculture. These threshold limitations only serve to devalue farmland and be causation to decreased land equity. The farmers' borrowing power and farmland preservation valuations would equally suffer, as would the New Jersey Farmland Preservation Program. Failure to do so would only imperil the future of New Jersey's agricultural viability.

It is recommended that the NJDEP perform an in-depth analysis, utilizing GIS mapping tools to determine the acreage of farmland that will be impacted by new regulatory floodways and flood elevations. Compliance with the proposed regulations is likely to significantly impact many agricultural operations and will trigger the need for technical and financial assistance for compliance. Additionally, the increased cost of compliance for procuring surveys, engineering and legal counsel for County Agricultural Development Boards (CADBs) need to be accounted for if variances are to be required.

Agricultural Economy – Regulatory Climate

Much of the economy of New Jersey, as with farming, is reliant on seasonal and semi-permanent businesses which, in order to prosper, must rely on a stable and predictable regulatory climate. The NJPACT/NJREAL rules lack any narrative of the economic potential peril of these new regulations or an assessment of costs to be borne by those who are being regulated and who must comply with new standards. By listing no fee for "permit by registration" and "permit by certification" it does not mean no added costs to farmers. Some agricultural projects could now require engineering certification, voluminous signed and sealed engineering plans and/or conditional sign off from FEMA, which will be extremely burdensome to the agricultural community.

In summary, the process of developing this rule was extremely flawed and frankly goes against many agricultural protections currently in place. The details in this proposal are too numerous and complicated to be merged into one regulatory framework (that at times are at odds with other rules and protections), and its provisions are extreme and unworkable for New Jersey's farms. While we plan for future environmental challenges, we must adequately protect local food security which is provided by the Garden State's agricultural industry. We respectfully request that this proposal be withdrawn, the stakeholder process be restarted and a new, workable regulation be proposed in its place. The July 2025 revised rule allows projects for which the applicant submits a complete application to the DEP within 180 days of REAL's effective date to be reviewed under the pre-REAL rules. Improvements to farm structures, drainage, thoroughfares and preservation applications must be included within this 180 day window.

NJFB will continue to oppose and monitor the process of rule adoption for NJREAL.

HEAT STRESS (2025)
The issue of heat stress is currently a state and national issue in terms of regulations impacting employers. New Jersey has legislation that would impact all NJ employers and OSHA has proposed regulations to regulate all employers nationally. NJFB opposes duplicative regulations and the state should forgo its heat stress legislation in anticipation of OSHA's pending rule proposal. The OSHA rule was not revoked but has proceeded with a hearing for public comment in July 2025. It has not been published in the federal registry.

The original NJ legislation on Heat Stress was amended at the request from the NJDA and NJFB in early 2025 to allow New Jersey Department of Agriculture in consultation with the Department of Labor and Workplace Development and the New Jersey Department of Health, with advice and input from the New Jersey Agricultural Experiment Station at Rutgers University, to create a heat-related illness and injury prevention plan for all commercial farm workers.

NJFB will continue to oppose any state regulations beyond the proposed federal OSHA regulations.

NJ agricultural labor users were asked to take the Agricultural Businesses Heat Stress Survey. This survey is conducted by the New Jersey Department of Agriculture in partnership with the New Jersey Department of Labor and Workforce Development and the New Jersey Department of Health. The purpose of this survey is to understand how agricultural businesses are responding to the reality of rising temperatures and the growing number of extreme heat events in New Jersey. The state agencies intend to use the information provided to identify ways the state of New Jersey can support agricultural businesses, which could include grant-funded opportunities to combat heat stress.

SOIL DISTURBANCE/PROTECTION (2025)
The original proposal from SADC staff to impose new restrictions on "soil disturbance" activities on preserved farmland, later re-named "soil protection standards," was tabled in favor of additional dialogue with agricultural stakeholders. A subcommittee of such stakeholders, commissioned by the State Board of Agriculture, convened to express its dissatisfaction with the original proposal and set forth its priorities for consideration if the topic of soil disturbance continues to be evaluated by SADC.

The subcommittee's report included the following principles, which NJFB continues to support:

1. The Deed of Easement (DOE) is a contract between the landowner and the SADC which severs specific rights from the land. The severance of rights is complete at the time of execution of the Deed of Easement. The SADC may not unilaterally change the nature of the rights severed after-the-fact, even if it could be seen as beneficial to the SADC's Farmland Preservation program to do so.

2. The Deed of Easement itself is not a source for SADC authority to adopt regulations. Regulations can be developed only pursuant to specific authorizing statutes, in this case the ARDA and the Right to Farm Act.

3. The Deed of Easement prohibits non-agricultural development of the Easement Premises but does not prohibit agricultural development. The DOE does not generally require prior approval of agricultural development by the SADC.

4. In addition to encouraging development of a vibrant agricultural industry, the ARDA also seeks to retain a land base for future agricultural use. The SADC should encourage practices to preserve precious soils and the capability of soils for future use in agricultural production. Due to the wide variety of soil types, structures and elevations in New Jersey, including muck, sand, clay, loam etc., the SADC must recognize that every farm is different, both in the nature of the land, and in its farming business, so no single standard or limit can work always on every farm throughout the State. Nevertheless, some guiding principles can be readily agreed:

    a. Soil, if not being used or being removed as a part of an agricultural purpose, shall be stored on farm for current or future use with proper management.
    b. When topsoil is moved, any mixing with rock and other such materials must be merely incidental to avoid causing significant harm or unreasonable damage to the land's capacity for growing agricultural crops.
    c. When soils are banked, detailed farm conservation plans such as those developed by NRCS and approved by Soil Conservation Districts must be in place for sediment control and prevention of soil erosion, and to assure soil retention on farm. Good practices will also afford consideration to and protect adjoining property owners from unwarranted runoff and silt deposition.
    d. Agricultural development permitted under the DOE may include practices of deep cut and fill when necessary for the agricultural purposes, with the approval of the NRCS and or Soil Conservation Service.
    e. It is important for landowners to determine how to continue their farming operations in a sustainable manner when agricultural development does take place on particular farms. Accordingly, while the SADC should offer guidance and encourage buildings and other significant soil disturbance to take place in already disturbed areas and areas of lesser agricultural soils, or where reclamation is likely to be less difficult, the conclusions will be reached by landowners after review of all of these circumstances.
    f. The SADC should encourage and help develop understanding of building methods that make restoration of soils to agricultural production most feasible (such as avoiding instrumental compaction and encouraging use of geotextiles under stone). Development of such responsible management practices can be a constructive

channel for the concerns about continuing availability for agricultural use of land generally and preserved land in particular.

5. Farming, like any business, seeks certainty and timeliness. Nonetheless, it is recognized that there are practices that could limit the future use of land and soils for agriculture and could be actionable for enforcement under the DOE. The SADC should seek input from all other agricultural interest groups such as the State Board, NRCS, Farm Bureau, academic experts and specific producer groups, as the SADC develops policy and regulatory initiatives. The SADC should timely address agricultural development matters brought forward by landowners, CADB's, or others. The State Board should also keep active a subcommittee to advise the Board on an ongoing basis about these issues arising at the SADC.

In October 2016, the Appellate Division of Superior Court issued a decision on the point of having standards governing the preservation program's deed of easement (DOE). The ruling in the Quaker Valley Greenhouse case also set aside previous court decisions in the case that endorsed SADC sanctions against the greenhouse operator. In doing so, the new court opinion noted the "tension" between the sometimes-competing objectives in the DOE of simple land conservation and seeking reasonable economic objectives of the farm. The court remanded the nine-year old case back to Superior Court for a new consideration of the facts of the case.

In November of 2016, the SADC filed an appeal of this decision despite Farm Bureau's urging that it seek mediation with the defendant. The Supreme Court granted certification on March 17, 2017. Farm Bureau filed a motion to file an amicus brief in May, contending that the SADC has no enforcement authority until it adopts guidelines/standards for soil disturbance on preserved farmland. That motion was granted.

The case was argued before the Supreme Court on January 2, 2018 and then decided in a 12-page decision on August 14, 2018. The court reversed the judgment of the Appellate Division and ruled in favor of the SADC's enforcement action against Quaker Valley Farms despite the absence of advisory standards for soil disturbance. The court noted that these standards have "a dual purpose: to strengthen the agricultural industry and to preserve farmland. Both are important goals; neither is subordinate to the other." It further stated farmers are entitled to sufficiently definite guidance by the SADC so that administrative decision-making is fair and predictable.

Farm Bureau joins the State Board of Agriculture in urging the SADC to adopt non-regulatory standards for soil protection in the deeds of easement that embraces the principles stated in the court decisions and original legislation.

During 2023 the SADC and State Board of Agriculture subcommittees met numerous times to try to come to a resolution for an adequate relief valve for preserved farms wanting to expand. The idea of a waiver process was floated. Unfortunately, no consensus was reached.

The proposed draft soil protection standards were published in the New Jersey Register in August of 2023, at which time preserved farm landowners were first notified of the proposed regulations through the mailing of a letter and maps from the SADC outlining the disturbance on every preserved farm. There were discrepancies found with many of the maps, and a large number of preserved farm owners did not receive them as expected. Farm Bureau agrees with the preserved farm criticisms that round hay-bales, run-in sheds and other farm feed/animal equipment that can be moved should not count as disturbance.

At request of the State Board of Agriculture, the comment period for SPS was extended twice until the end of February 2024. All of the County Boards of Agriculture and over a dozen CADBs submitted comments in opposition to the retroactivity feature of these rules. NJFB stood with its members who believed these proposed rules were unfair and that they will jeopardize the viability of their operations and the future of the Farmland Preservation Program (FPP).

The SADC published its notice of substantial change to the SPS rule proposal in July 2024. NJFB supports the substantial changes made to the proposed rules for soil disturbance. Placing all previously preserved farm owners at a zero level of prior disturbance when the SPS rule becomes effective is much fairer for the thousands of farmers who did not agree to these rules at the time of their preservation.

We also agree that future innovations should not require an onerous waiver process and support that change as well. Determining what those future waiver-free practices should be, ought to be determined by an ad hoc task force of farmers and ag industry leaders appointed by the SADC, as per the state recommendation of the agency's SPS sub-committee.

On January 16, 2025, the SADC authorized the final adoption of new rules establishing soil protection standards on preserved farmland. The adopted rules were published in the New Jersey Register on February 18, 2025 at 57 N.J.R. 345 (a).

However, the SADC has not addressed the economic impacts of their new guidelines including additional costs for engineering and implementation of the guidelines. These costs can have a negative impact on anyone looking to preserve their farm. NJFB should request that the SADC investigate these costs and look into compensation for preserved landowners who are confronting these costs.

NJFB remains opposed to the SADC adopting new regulations via the DOE rather than using a guidance approach to accomplish the Supreme Court mandate. It invites criticism as unilaterally changing the DOE. Our members remain unnerved that these agreements are being changed after the fact of their enrollment and we are wary of the effect it may have on landowners to not participate in farmland preservation.

NJFB is also opposed to any future SADC policy that discriminates against or lessens the importance of nursery and equine agriculture to farming in the state of New Jersey, as these two commodities are set to be affected most by these new regulations.

CONSERVATION DISTRICTS (2025)
NJFB supports Soil Conservation Districts and recognizes them as partners in the good stewardship of our lands. NJFB supports the pending legislation that authorizes soil conservation districts to have more than five supervisors.

Climate change as a policy issue for our state and federal governments continues to be discussed as a top priority for many elected leaders. Mitigation plans are actively being debated as science attempts to confirm and alter timely policy decisions. Agriculture and its large presence in the outdoor environment have been viewed as a potentially significant partner in off-setting greenhouse gas emissions, and to a lesser extent as a contributor to GHG.

A major strategy for climate mitigation is being developed by the USDA**.** It is called "climate smart farm practices" and is akin to the system of soil conservation practices and recommendations employed by the state soil conservation districts. This strategy has emerged and has become a new grants program for farmers as land managers. So far, it is envisioned to be a voluntary, incentive-based program for a wide application among farmers. NJFB recommends and calls attention to the potential favorable prospects and adaptation of it by farmers in the state via soil conservation districts.

Soil protection on preserved farms is a matter of common sense***,*** and the SADC draft SPS proposal was vastly improved before its final adoption to avoid unnecessary conflict with preserved farm operators.

THE THREAT TO AGRICULTURE FROM INVASIVE AND NOXIOUS PLANT SPECIES (2025)
Land upon which farming has stopped, whether row crops, grains or orchards, quickly grows up in volunteer vegetation that can be invasive and even noxious to crop plants. NJ's woodlands too have become infested with invasive, alien plants resistant to deer depredation, some of which have been valuable ornamental species grown in NJ nurseries, especially for use in urban situations.

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. The NJDA has organized a New Jersey response to a growing national movement to protect agricultural producers from the biological harm of invasive pests: 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. By requiring the NJDOT, NJTA, and the SJTA to prioritize the use of native vegetation for landscaping, land management, reforestation, and habitat restoration, we can reduce the quantity of non-native species being transported by ship or airplane into the American market.

The NJ nursery industry is particularly at risk from invasive species in two respects. First, noxious weeds can spread to nursery stock, increasing the need for costly herbicides or cultivation. Second, parties concerned about the potentially harmful ecological effects of the widely spread nonnative species have developed a very long list of plants that users could be mandated to avoid planting.

NJFB should continue to work on favorable amendments in the invasive species bill that would: permanently establish the New Jersey Invasive Species Council and require the permanently established council to review and revise the 2009 New Jersey Strategic Management Plan for Invasive Species, establish initial comprehensive list of invasive species and likely invasive species, develop procedures and provide recommendations for the designation of new invasive species in New Jersey, and perform various other tasks related to the management of invasive species in the State. NJFB supports the Secretary of Agriculture as co-chair of the Council and that the creation and regulation of the permitting and exemption process should be the responsibility of the N.J. Department of Agriculture. The bill passed the Senate this session but is awaiting movement in the Assembly during the lame-duck session. NJFB supports the industry amendments that were passed last session in consultation with DEP and industry and will work to see the same bill passed again and this time signed by the Governor.

Regarding noxious weeds, abandoned orchards, and other neglected public open spaces, the New Jersey Farm Bureau should encourage the Department of Agriculture and the State DEP to enforce the laws that are in place to control invasive species that are found growing in the state.

The New Jersey Farm Bureau will call upon all public open space program administrators to take account of neglected/abandoned orchards and other neglected properties in the review and consideration of land acquisition projects. Ornamental fruit trees owned by private nonfarm landowners are more prevalent now than production orchards and pose a similar risk. Those organizations that purchase or assume control of these properties should be required to manage the properties for invasive weed control.

New Jersey Farm Bureau recommends all publicly owned open space, including the increasing number of greenways and farmlands, must be required to develop noxious and invasive weed management plans that require those lands to be maintained in such a way as to prevent it from harboring invasive insects and noxious weeds that become a nuisance to neighboring properties. The management plan could include timely mowing or herbicide control prior to the establishment of seeds to prevent the spread of weeds to neighboring properties.

NJFB supports a legislative change that would require municipalities, counties, and state agencies and non-profit landowners to adopt Best Management Practices (BMP's), such as timely mowing schedules, which would discourage and prevent invasive weeds from growing to a maturity, allowing seeds to spread to nearby farm fields and encourages the planting of flora that would outcompete those invasive species. Current laws addressing thistle alone are not sufficient to protect farms from other invasive species and need to be expanded to include marestail, and other invasive weed species as well. This is becoming an increasing nuisance due to lack of control in public areas.

The NJDA currently has the authority to control any disease or pest threat if determined by the State Board of Agriculture that it is dangerous to plants or humans. Farm Bureau shall seek legislation to ensure that the authority to enforce proper land maintenance related to plants, animals, and diseases rests with the NJDA.

The Farm Bureau should also seek legislation that would shift the removal expense to the public or private owner of the property. It should also research other means of control such as model ordinances that help local health departments control such noxious species as poison ivy.

<u>THE THREAT TO AGRICULTURE FROM INVASIVE AND NOXIOUS INSECT SPECIES</u> (2025)
The NJDA currently has the authority to control any disease or pest threat if determined by the State Board of Agriculture that it is dangerous to plants or humans. An example of this would be the authority used to control the Asian Longhorn Beetle and the spotted wing drosophila. Farm Bureau shall seek legislation to ensure that the authority to enforce proper land maintenance related to plants, animals, and diseases rests with the NJDA.

Since the recent discovery of the invasive Asian longhorn tick in New Jersey, there is a heightened concern since the tick is known to carry various diseases which could affect humans, livestock as well as pets. The NJFB should support legislation to include tick control as part of the county mosquito control department’s mission. The legislation needs to include a mandate for research to develop effective tick control methods and appropriate funding to meet the new mandate.

Spotted Lantern Fly
The NJFB should support the NJDA in the effort to control the spread of the spotted lantern fly and support for funds necessary to assist in control methods. In order for control methods to be effective, a rule change would be needed for state-owned farmland, to allow producers to remove the trees preferred by the Spotted Lantern Fly. Financial assistance from the State to conduct tree removal or treatment is also needed. The Department of Agriculture for 2024-26 is assisting all New Jersey counties, up to $50,000 and municipalities up to $20,000 by reimbursing counties and townships for costs they accrue for chemical treatment activities associated with spotted lanternfly control.

This invasive pest feeds on many crops grown in NJ including ornamental trees, woody trees, vegetables, herbs, and grape vines. The NJDA has enacted an SLF quarantine in all counties of the state.

The quarantine triggers the need for a permit to move regulated material in and out of the quarantine areas for businesses, municipalities, and government agencies. The public is required to complete a compliance checklist to inspect any regulated articles that are moving in and out of the quarantine area. The regulated items include:

- Any living life stage of the Spotted Lanternfly.
- Landscaping, remodeling, or construction waste.
- Firewood of any species. • Packing materials (e.g., wood crates, boxes).
- All plants and plant parts including logs, stumps, or any tree parts.
- Outdoor household articles like RVs, lawn mowers, chairs, grills, tarps, tile, stone, deck boards, and trucks or other vehicles not stored indoors.

The main effort is to contain the infestation and prevent a severe outbreak in New Jersey.

The outbreak of SLF has caused other non-infested states to begin the adoption of a rules to quarantine product from infested states unless the required phytosanitary requirements are met. This could severely impact commerce between states if more states follow California’s actions therefore necessitating the need for increased financial support and research to control the pest.

NJFB should support increased additional state funding as well as an increase in federal funding to the Phillip Alampi Beneficial Insect Laboratory to improve biological controls against this invasive pest.

The Emerald Ash Borer was discovered in New Jersey in 2014 and the Southern Pine Beetle in 2001 and because of these pests many forests have suffered significant harm to ash trees and pine trees. These invasive species have caused high mortality of trees and created a nuisance of dead trees falling on livestock fencing and deer fences on farms. The USDA Natural Resource Conservation Service (NRCS) in New Jersey has a program for addressing tree mortality. This program can be used for trees impacted by the emerald ash borer. The program will require at least 50% of the trees removed to be replaced as part of the practice under the EQIP program. NJFB supports another funding round for this program.

NURSERY AND PLANT INSPECTIONS (2025)
Part of New Jersey regulations include that all nursery stock be subject to inspection to confirm it is free of disease and insect pest organisms. Such pests could be damaging to the nursery industry and to NJ communities. It was deemed important that the Department of Agriculture be knowledgeable of all plant material as it is moved around the state and country. With new emerging plant diseases, it is important to have a strong well-funded nursery inspection program. Farm Bureau supports increasing funding for the Department and supports a review of the current fees and inspection program to ensure that all plant growers and sellers participate in the program.

The program review should ensure:

- All plants eligible for sale are to be inspected. A nursery certificate is provided to all nursery stock and displayed for all consumers to view.
- Inspectors review areas of inspection with the certified nursery businesses to ensure proper fee assessment.
- Regular filing of documents to secure the certification and appropriate fees are part of the process; there should be no exceptions to this regulatory process
- There must be uniform enforcement of the regulations. Overnight "nurseries and temporary holiday businesses" spring up just before major holidays, and "online-only" plant brokers, selling trees, plants and plant products competing directly with established nurseries that are playing by the rules and have completed amongst other things: application for a Certificate of Occupancy for the business, Agricultural Certificate for plant material propagated within the New Jersey and Agricultural Certificates for new plants shipped into the state.
- Farm Bureau, along with the New Jersey Nursery and Landscape Association and the New Jersey Landscape Contractors Association, should seek a formal hearing through the Department of Agriculture to examine the impacts of these temporary businesses, excluding non-profit organizations, on the nursery industry and the risks to plant health for New Jersey growers from these establishments.
- Ensure shipments from out of state are insect/pest free and reject or halt shipments that can cause outbreaks at operations. This fall many growers are seeing aphids in shipments from Florida and suffering once the product is on their farm.
- The division of plant industry should work on developing bio-security standards for nurseries to aid in the prevention of the spread of insect and plant disease pests.
- The emergence of the Spotted Lantern Fly in New Jersey and the establishment of a quarantine zone to contain the insect is the clearest example of why we need an active and fully funded Plant and Nursery inspection program.

WATER QUALITY REGULATION/WATERSHED PLANNING ISSUES (2025)
New Jersey Farm Bureau seeks a science-based, practical approach to water quality regulations and watershed planning.

Taking action to improve water quality on their farms has become increasingly difficult and expensive for NJ farmers. There is only technical assistance from NRCS available when the farm owner is participating in a Farm Bill program. The soil and water conservation money administered through the Farmland Preservation Program is available on a limited basis and only farms enrolled in a preservation program.

Stream buffers and freshwater wetlands

In the spring of 2020, 600 miles of rivers and streams were upgraded to Category One waterways, increasing protections to include a 300-foot buffer on all designated waterways. This was done through an amendment to the Surface Water Quality Standards that codified these new C1 streams and was published in the New Jersey Register on April 6, 2020. In August 2020, Farm Bureau joined an appeal as an amicus party to challenge the DEP's April 2020 adoption of C1 stream upgrades but the Appellate Division upheld DEP's rulemaking. The rule prohibits development within 300-foot buffers on either side of the stream, some of which affects agricultural lands. NJFB submitted written comments in 2019 expecting the newly protected waterways to grandfather existing agricultural practices that occur within the new buffer zones resulting from this expansion of delineated waterways. DEP rules for C1 streams through the permit by rule provisions and we anticipate this to apply likewise to any new buffer zones within current farmland areas.

Non-point Source Pollution, TMDL's

In response to the EPA requiring all states to show progress in controlling pollution from all nonpoint sources including agricultural operations, New Jersey has been developing specific pollutant loading limits (Total Maximum Daily Loads - TMDL's) for nutrients, pathogens, sediment, mercury, and metals, temperature, pH, dissolved oxygen, and pesticides on all stream segments or water bodies to meet New Jersey's Surface Water Quality Standards (SWQS). The Barnegat Bay and the Raritan River Basin have been made the subject of detailed TMDLs that identify and quantify existing pollutants. Agriculture, the largest and most easily identifiable land use in the Basin, is supposed to aid in the cleanup by reducing stormwater flows that cause soil erosion (sediment pollution) and its use of phosphorus fertilizer by 70 percent over the next decade. Farm Bureau and the Department of Agriculture expressed doubt that this could be done because the amount of crop production in that watershed has shrunk over the past years.

Farm Bureau will continue to monitor the TMDL process so that agriculture does not bear an unfair burden in correcting impairments in state waters.

The agricultural industry is often cited for runoff pollution without any consideration for the optimal infiltration of cultivated land and nonpoint pollution sources including suburban/homeowner lawn fertilizer use and wildlife pollution sources. Farm Bureau will work with RCE to ensure that the BMPs help address the issue and allow agriculture access to appropriate soil/water conservation practices.

Stormwater management

NJ agriculture's major contribution to nonpoint source water pollution is said to be soil sediment carried by stormwater runoff. The NJDEP Stormwater Management rules (N.J.A.C. 7:8) establish minimum design and performance standards for development by managing water quality, quantity, and groundwater recharge impacts from stormwater runoff. These rules have created more stringent stormwater management standards for land developments in the state, including agricultural construction projects subjected to the same rules and standards as commercial and other land developers. There are concerns about the application of this rule requirement for farm construction projects, especially for minor ones for which streamlined, less expensive and time-consuming kinds of regulation should be possible.

Therefore, Farm Bureau strongly encourages the NJDA to continue to work with the NJDEP in coordinating the establishment of standards and permitting for farm construction projects that would depend upon the scale and nature of the project. Depending on the conditions of the rule, a permit-by-rule provision in the stormwater management rule shall allow for a specific regulated stormwater management practice to be undertaken without written approval from the NJDEP. Additionally, Farm Bureau will support the use of a Farm Conservation Plan in addressing the management of stormwater runoff for water quality, quantity, and groundwater recharge.

In 2018 the legislature passed bills to authorize municipalities, counties, and certain authorities to establish stormwater utilities. NJFB made sure that there was an exemption from fees and other charges for land actively devoted to agricultural or horticultural use that is valued, assessed, and taxed pursuant to the "Farmland Assessment Act of 1964".

Stormwater credits are ongoing reductions in a customer's stormwater fee provided for private stormwater management activities that reduce demand on the stormwater system and/or reduce the utility's costs. Credits are typically offered for on-site stormwater management practices that manage peak rate, run-off volume and/or water quality. They may be extended to other activities such as maintenance of public facilities on private property, public education support, and other specific green initiatives. Credits provide property owners the opportunity to control their fees, tax burdens, recognize private stormwater management and support stormwater program goals. A partial fee reduction in the form of a credit for any property that maintains and operates a stormwater management system that met State and local stormwater management standards at the time they were approved, and that effectively reduces, retains, promotes infiltration, or treats stormwater onsite. Additional partial fee reductions in the form of credits for any property which has installed and is operating and maintaining current stormwater best management practices and for the capture and reuse of runoff (i.e. farm irrigation ponds).

Farm Bureau should:

- Work to coordinate federal and state programs dealing with non-point source pollution and stormwater runoff with a focus on farmland owners in areas with TMDL programs in place.
- Work to ensure that funding and technical assistance are available to help NJ farmers comply with any new regulatory requirements.
- Support a funding mechanism to assist farmers in adhering to regulatory requirements for drinking water wells and septic systems on all farms regardless of their preservation status.
- Be vigilant in following national issues on mandated water quality standards and nutrient management such as the case of the Chesapeake Bay TMDL and the Florida numerical nutrient criteria, which may serve as a national model for water quality and watershed management. Issues such as these have the potential to impact how water quality standards and TMDLs are addressed in any state in the future.
- Encourage the agriculture community to take advantage of cost-share funding, and tax credits to address storm water and non-point source runoff from farms where needed.

NJ PACT/NJREAL

Governor Murphy's Executive Order 100 directed NJDEP to identify specific rules, guidance documents and other regulatory mechanisms to revise by integrating climate change considerations. NJ PACT was created to address this targeted regulatory reform that will modernize the land use rules in New Jersey.

Through the Resilient Environment and Landscape (REAL) rules, the NJDEP is proposing amendments, repeals, and new rules to the Coastal Zone Management (CZM) rules, N.J.A.C.

7:7, Freshwater Wetlands Protection Act (FWPA) rules, N.J.A.C. 7:7A, Flood Hazard Area Control Act (FHACA) rules, N.J.A.C. 7:13, and Stormwater Management (SWM) rules, N.J.A.C. 7:8, as well as several additional rules that cross-reference these four chapters, as part of a comprehensive update of the State's Land Resource Protection program to reflect the latest global, regional, and State-specific scientific information on climate change.

The draft of these rules was published in the NJ Register in August 2024 and revised in July 2025. NJFB has submitted comments and joined the New Jersey Business Coalition in opposition to these proposed changes due to the devastating effect it will have on the economy of NJ. Some of the concerns brought forth in the NJFB comments include replacing "Permit by Rule" to "Permit by Registration" which will require public notification and potentially the need to hire costly engineers and architects for agricultural projects. New language for "flood inundation zones" will need to be included in all deeds and this designation will prohibit areas to a 3% impervious coverage standard. There is also a 4-foot elevation increase for all new and redeveloped structures in the climate-adjusted flood elevation. Not only is this requirement often unattainable for farm structures (ie: barns, stables, silos, farm markets), many would then be prohibited by municipal height ordinances. Additionally, ADA compliance would be jeopardized for many on-farm markets where a 4-foot rise in structural elevation is required. Any construction or reconstruction of docks, piers, wharfs and their associated processing buildings would be severely and negatively impacted as well.

NJFB through the NJ Business Coalition respectfully requests that REAL rules be withdrawn, the stakeholder process be restarted, and a new, workable regulation be proposed in its place. NJFB will continue to monitor the final publishing and implementation of these rules.

Animal Feeding Operations/Concentrated Animal Feeding Operations (AFO/CAFO)
The NJDEP establishes permitting requirements and effluent limitations for concentrated animal feeding operations (CAFO) in NJ through the New Jersey Pollutant Discharge Elimination Systems rule (NJPDES). NJ's CAFO rules are the strictest in the nation while there are few farm operations defined as CAFO's in NJ. Farm Bureau will continue to monitor both state and national rules, court cases, and other actions that impact all animal feeding operations.

NJPDES and farms
The NJPDES Program protects New Jersey's ground and surface water quality by ensuring the proper treatment and discharge of wastewater (and its residuals) and stormwater from various types of facilities and activities. To accomplish this, permits are issued limiting the mass and/or concentration of pollutants which may be discharged into groundwater, streams, rivers, and the ocean. The types of regulated facilities can range from very small users such as campgrounds, schools, and shopping centers to larger industrial and municipal wastewater dischargers. A business or property gets pulled into the NJPDES system when their septic system capacity exceeds 5 residential units of 2,000 gallons of wastewater.

This has become a problem for both preserved and non-preserved farms that have added additional septic capacity either because of labor housing needs, existing septic systems and additional septic systems for farm markets, or food processing. The rules apply to a single landowner or business and encompass all their holdings. Once the unit capacity is reached, the NJPDES permit process begins. This is an expensive engineering and environmental impact process.

NJDA worked with the NJDEP to create a general permit for up to an additional 2000 gallons of water for commercial purposes on farms. The Master General Permit has an effective date of January 1, 2022, and an expiration date of December 31, 2026. NJ Farm Bureau should advocate for amending NJPDES for an exemption for seasonal ag labor housing.

NJDA then worked with the NJDEP to create a general permit for greater than 2000 gallons of sanitary wastewater discharges from farm labor housing (GFLH). The effective date of the draft GFLH was January 18, 2023 and the final GFLH had an effective date of April 28, 2023.

NJFB will continue to monitor its implementation and search for funding sources to help farms upgrade their septic systems and meet the onerous monitoring and reporting requirements associated with these permits. Farm Bureau supports simplification of such.

PFAS

Per- and polyfluoroalkyl substances, or PFAS, are a large family of thousands of manmade chemicals that have been used in industrial and commercial applications for over 70 years. PFAS, also known as “forever chemicals,” repel water and oil and are resistant to heat and chemical reactions. PFAS chemicals have been found in water, soil and plant material in many northeastern states including New Jersey at varying levels. The USEPA scientific studies have shown that exposure to some PFAS in the environment may be linked to harmful health effects in humans and animals. There are thousands of PFAS chemicals, and they are found in many different consumer, commercial, and industrial products. This makes it challenging to study and assess the potential human health and environmental risks. NJFB supports using the federal definition of PFAS chemicals, limiting bans/monitoring to those chemicals and acknowledging the federal FIFRA exemption that has been adopted in other states. New Jersey was one of the first states to adopt drinking water standards, known as Maximum Contaminant Levels (MCLs) for three PFAS: Perfluorooctanoic acid (PFOA), perfluorooctanesulfonic acid (PFOS), and perfluorononanoic acid (PFNA). Through the state’s water monitoring program, PFAS has been detected in certain soils, plant and livestock material and wildlife near military bases and where historic industrial wastewater dumping occurred. Prior to the onset of additional regulations, there must be substantially more research info safety guidelines for human health and the environment. NJFB supports a dedicated funding mechanism to allow Rutgers University to continue substantial research for PFAS identification and solutions. Additional funding should be made available for expanded education and outreach to the public.

The American Farm Bureau Federation (AFBF) endorsed recommendations to advance a wide range of nonpartisan, common-sense solutions. Specifically, they call on the federal government to:

- Provide relief and support to impacted farmers and ranchers by passing legislation to create a dedicated program to address health impacts, provide financial relief, and safely keep farms in production. The recommendations also ask Congress and USDA to update existing federal programs to better serve impacted farmers and urge the Department of Defense to provide support to farmers directly affected by its actions.
- Protect farmers from unreasonable liability and third-party lawsuits under CERCLA (or “Superfund”) by strengthening, clarifying, and expanding upon the EPA’s Enforcement Discretion Policy which states that the Agency does not intend to make farmers with land contaminated by biosolids contribute to cleanup actions.

- Reduce additional PFAS contamination of agricultural land by considering the development of a health-based PFAS threshold for all land-applied biosolids by EPA. The recommendations also request that USDA use existing voluntary programs to help interested farmers transition from biosolids to other nutrient sources.
- Coordinate and invest in PFAS research by developing an interdepartmental research agenda, having Congress declare PFAS an agricultural research priority, and fully leveraging public and private dollars through USDA programs.
- Implement a coordinated education and risk communications strategy by promoting collaboration between USDA, EPA, NJDEP and FDA and communication with farmers, stakeholders, and the public. The recommendations also urge USDA to designate a PFAS Coordinator and provide additional information to farmers.

NJFB supports the formation of reasonable federal PFAS standards for soil, plant and livestock material by the USDA in collaboration with the USEPA. NJFB also supports the securing of additional financial support for monitoring, testing, and remediation on farmland as needed.

WETLANDS (2025)

Exemption for Ongoing Farming Activities

Legislation has been approved (2015) amending the freshwater wetlands protection act to provide that a cranberry bog or blueberry field that is maintained within the prior five years in accordance with the standards set out in the amendment shall be considered an established, ongoing farming operation, and shall not be deemed abandoned. The lack of a commercial harvest or production of a crop on or from the bog or field shall not be a determining factor as to whether agricultural use has been abandoned. Farmers should continue maintenance activities and active management of these areas to avoid having them declared abandoned.

NJFB continues to seek clarity in NJDEP policy on the interpretation of “normal farming activities” which are exempt from the Freshwater Wetlands rule. NJFB will continue to work with NJDA and NJDEP in obtaining clarification and continue to support these exemptions in the proposed NJREAL rules.

Farmers with appurtenant woodland may find themselves on the wrong side of the DEP’s rules. Currently, only farms with Woodland Management Plans can harvest forest products in wetlands and transition areas. Farm Bureau should work through the DEP rules to secure an exemption for owners of appurtenant woodland to allow the harvesting of forest products, in wetland and transition areas without a woodland management plan, as long as the BMP manual for forestry and wetlands is followed.

Wetlands Mitigation Projects on Farmland

Over the past several years, concerns have been raised by the agricultural community including Warren County about the potential impact of certain wetlands mitigation projects approved by DEP on the hydrology and drainage capabilities of surrounding farmland. New Jersey Farm Bureau should work with the Department of Agriculture and the State Board of Agriculture on policies and procedures for DEP and private/public entities with mitigation obligations to incorporate when considering mitigation projects that could affect surrounding farmland. Such considerations should include, but are not limited to, an evaluation of any drainage or other water flow impacts that may result on adjacent farmland when a property is converted to wetlands for mitigation or habitat enhancement purposes. Additional limitations or requirements should be considered for mitigation project proposals in the Highlands, Pinelands, Bayshore and Agriculture Development Areas that contain soils of local or statewide importance or are designated prime agricultural soils. Also, public health issues should be of serious concern.

Farm Bureau should:

- aggressively address the issue of loss of productive farmland, degradation of adjoining farmland, creation of wetland buffers which affect adjoining farms, agricultural pest habitat created, loss of land value to adjoining lands and public health issues caused by mosquito breeding habitat created in mitigation.
- Look for any expansion of mapped wetlands in the new Inland Flood Protection Rule that could create problems for working farmland or eliminate the availability of some productive farmland.
- Continue to monitor the amendments and adoption of the NJREAL rules and support the continued exemption for agricultural structures listed in the Freshwater Wetlands Protection Act.

NEW JERSEY DEPARTMENT OF AGRICULTURE BUDGET (2024)

Farm Bureau supports full funding to the NJ Department of Agriculture and strongly opposes any further reduction of the Department's budget.

New Jersey's agricultural industry is growing and expanding each year. For this growth to continue, the industry requires certain basic services and programs from the Department of Agriculture. New Jersey Farm Bureau the financial situation of the state; however, the Department of Agriculture should not be forced to make further cuts if they mean cutting vital services. With a hiring freeze in place and the retirement of key individuals, core functions of the Department are at risk.

In recent years, additional funds were put in the department's budget for industrial hemp, food security, deer fencing, and Jersey Fresh program. Farm Bureau should continue to support this and additional funding for the department's critical programs in the upcoming budget and work with the governor, the legislature, and the State Board of Agriculture to ensure there is the necessary funding. Due to increased workloads, NJFB supports increases in the budget for the Beneficial Insect Lab and the Division of Animal Health.

NJFB will request additional State budget appropriations for:

- Jersey Fresh Marketing- of seafood/aquaculture products $100,000.
- Additional funding for Jersey Fresh to cover new programs such as Jersey Native, Jersey Grown and Jersey Bred.
- Continued funding for deer fencing for non-preserved farms.
- Additional staff resources for the different divisions at a minimum of $150,000 per hire for:
    - Agriculture & Natural Resources,
    - Plant Industry,
    - Animal Health,
    - Marketing and Development
    - Fisheries and Aquaculture.

In 2023, a bill was introduced into the NJ Legislature which proposed the transfer of the Division of Food and Nutrition into the Department of Human Services. The NJFB strongly opposes this bill. The Division of Food and Nutrition historically receives a major portion of their funding through the United States Department of Agriculture, as does the rest of the NJDA. The respective departments are aligned in their mission, and efficiently and effectively work in unison to deliver vital services to New Jersey residents. A transfer would unnecessarily disrupt a seamless system that has worked well for over 30 years.

NEW JERSEY AGRICULTURAL EXPERIMENT STATION (NJAES) AND THE COMMITMENT TO PRODUCTION AGRICULTURE (2025)

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. Given the impacts and public benefits of the agricultural and food system complex, not only in rural areas but also in the state's urban and suburban communities, 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. It is for these reasons that the Governor and the Legislature must increase support for NJAES as it plays a vital role in helping farmers innovate and viably and sustainably produce food and fiber for our communities and our world.

NJFB and the ag community are deeply concerned about further attrition of expertise and experience as many of our most valued agricultural agents and specialists become eligible for retirement in the next few years. In the past, a significant number of retirements without hiring replacements have negatively impacted the delivery of critical agricultural programs across the state. NJFB shall urge the NJAES leadership to initiate the search process once a retirement is announced, thus expediting the process to ensure a smooth transition.

There are applied research areas which were covered by specialists in the past and are not covered now; yet are sorely needed by production agriculture. Though some progress has been made, there continue to be shifts in personnel where a highly effective Extension Specialist has retired, and a replacement has not been recruited to address industry needs. An example of this is the need for a vegetable entomologist, a position that has gone unfilled for more than a decade. All of this has been done during a time of budget cuts. Farm Bureau believes support for production agriculture has suffered cuts disproportionate to other sectors of the Land Grant System.

NJFB must continue to urge the leadership at NJAES to maintain a balance between tenure track agricultural agents that deliver an educational program to the agricultural community with sufficient specialists to meet the applied research needs of the agricultural community, with the input from the agricultural industry, identify and aggressively pursue applied research projects that will increase agricultural viability. Research happens in areas where grant money can be found, rather than originating from production agriculture needs. Funding sources need to be available for research for production needs in a timely fashion. Funding for applied agricultural research should be supplied more through formula funding from USDA and less through competitive grant funding.

NJFB shall continue its efforts to educate the Governor and the legislature about the funding structure at NJAES. NJAES is disproportionately impacted by budget cuts because unlike Rutgers University, NJAES does not receive tuition revenues and therefore cannot make up for lost budget dollars with tuition increases.

Farm Bureau is encouraged by the supplements to the state base budget appropriation of $20.931 million. These include $5.75 million in special purpose funding ($4.5 million for NJAES and $1.25 million for Cooperative Extension Outreach), as well as the $48,000 in additional funds for the Equine Science Center. It looks forward to learning about the allocation of these funds in support of production agriculture's needs and to a continuation of these supplements in upcoming state budgets.

We strongly urge the State Board of Agriculture, NJAES Board of Managers, and County Boards of Ag to join Farm Bureau's efforts to work with the Governor, the Legislature, and the County Boards of Commissioners to further increase the base budget of the NJAES and provide a higher level of stable state funding for NJAES research and extension.

Financial support from county Commissioners is an indispensable source of funding for Cooperative Extension, which farmers truly appreciate. The increased funding from the counties for faculty and staff salaries in Cooperative Extension have been vital.

New Jersey Farm Bureau calls upon New Jersey's Congressional delegation to address the infrastructure and research facilities capital needs backlog at land grant programs across the country by supporting the inclusion of significant funding for this in the long-overdue farm bill. NJAES advocacy efforts, with their counterparts across the country in their national campaign for improved funding, must succeed if American agriculture research is to continue in its essential role. We dare not allow these research programs to falter if production agriculture farmers are to remain competitive and utilize the latest technology in commodity production practices.

NEW JERSEY AGRICULTURAL EXPERIMENT STATION BOARD OF MANAGERS (2025)
The Board of Managers serves as a two-way communications link for conveying information between the Rutgers New Jersey Agricultural Experiment Station (NJAES) and the agricultural community and other constituency groups through the County Boards of Agriculture. Representatives from each County Board of Agriculture ensure grassroots input from the agricultural community to the NJAES to help shepherd our state's land grant institution. The board also serves as the advocate for the experiment station and provides advice to the Executive Dean and Executive Director of the experiment station on issues that concern the programs of the experiment station including Rutgers Cooperative Extension (RCE). The Board of Managers consists of a representative from each county board of agriculture, the president of the university, the director of NJAES and the NJ state secretary of agriculture as ex-officio members and a six-member statewide advisory committee.

In order for the Board of Managers to best represent the broad constituency of NJAES, members should be encouraged to reach out to stakeholder groups that may not be aware of the advisory role held by the Board of Managers to NJAES. In addition to agriculture, these stakeholder groups include fisheries, urban and community outreach, youth development, food, nutrition and health, and related areas of economic and workforce development. Likewise, the leadership at NJAES needs to communicate to these stakeholder groups through its faculty and staff that there is a Board of Managers representative in each county that they can reach out to if there is a concern or comment about NJAES.

The New Jersey Farm Bureau supports the Board of Managers in this advisory role and urges the County Board of Agriculture representatives to fully partake in the responsibilities of the

Board of Managers, to maintain the benefits for agriculture from this longstanding relationship. The Board of Managers requests each county appoint a non-voting alternate representative to attend Board of Managers' meetings, serve on committees and relay information in the absence of the county's designated representative.

NJFB urges the Board of Managers at their annual meeting with the University President and Board of Governors to give an annual report and to have discussions regarding the prior year's progress and future needs of production agriculture. Farm Bureau looks forward to the updated dialogue with the Rutgers administration to continue the current, as well as 4-H Youth Development, Family and Community Health Sciences (FCHS), and other NJAES mission-aligned programs and priorities spirit of cooperation for NJAES. This dialogue should also serve as a reminder about the importance of continuing to prioritize production agriculture research and extension work as a critical component of the university's overarching mission.

NJFB urges the Board of Managers to continue to review the NJAES Budget and be able to report to the county boards regarding the state of the NJAES budget. Additionally, the Board of Managers continues to petition to grow the state appropriation to NJAES (base budget) to replace previous cuts and to keep up with the rate of inflation. Increased base budget funds are essential to rebuild lost capacity in several agricultural program areas staff positions, an effort that cannot be initiated with "one-time" special purpose funds.

There is a need for additional certified food, agriculture, natural resource (FANR) teachers (formerly known as agricultural educators or agriculture teachers) due to retirements and an increase in the number of programs. Rutgers School of Environmental and Biological Sciences, as the land grant college of New Jersey, has traditionally prepared licensed FANR teachers. We support and further encourage the recent effort made by the School of Environmental and Biological Sciences to improve and market the 5-year agricultural science education program that currently exists. Farm Bureau also supports the development of the agricultural education option in the undergraduate major in Agriculture and Food Systems, including the development of courses focusing specifically on agricultural education, and efforts made by SEBS to utilize the Curriculum for Agricultural Science Education to recruit high quality undergraduates interested in agricultural careers.

Farm Bureau and county boards of agriculture will continue to rely on the board's insights on county agricultural agents, 4-H and other personnel needs in the wake of retirements. Farm Bureau encourages the board to maintain its direct link to the Rutgers Board of Governors as prescribed by statute.

The farm community continues to enjoy a productive and cooperative relationship with NJAES behind the lead of the Board of Managers. Farm Bureau appreciates the support from Drs. Laura Lawson, Brian Schilling, and Josh Kohut in guiding the land grant mission at Rutgers University amid a changing academic and research environment in higher education. Progress has been made in recent hiring decisions as one example of the growing cooperative between the Rutgers administration and NJAES-Rutgers Cooperative Extension. The Board of Managers should continue to advocate the hiring of new staff before retirements and other options, to ensure continuity of programs. Farm Bureau will lead a determined effort with the Board of Managers to gain increases in the NJAES baseline state budget. This further support can be used to build upon the success of recent years in the outreach/research/teaching objective of this valued institution.

NJFB encourages the Board of Managers to maintain the momentum that has been achieved in the past several years working with NJAES. Success in realizing additional state appropriations, staffing the ag viability initiative, strategic assistance in farm preservation and farmland assessment policy work, pursuit of the agrivoltaic research initiative and others have boosted the positive feelings farmers have for their land grant institution. County board of agriculture members of the BOM are congratulated for sustaining their efforts in support of the leadership team and faculty members at the Ag Experiment Station.

INTEGRATED PEST MANAGEMENT (IPM) FUNDING (2025)
Integrated Pest Management (IPM) is among the most impactful Rutgers Cooperative Extension programs offered to New Jersey residents and agricultural producers, especially those growing specialty crops. IPM aims to protect crop yields and human health by controlling pests sustainably and economically.

The IPM programs have helped farmers to improve pest management for crops in many ways. Precisely timed pesticide applications are made when economic thresholds are reached rather than spraying on a regular schedule, improving control of the target pest and saving farmers unnecessary spray applications, time, and money. Control recommendations through the RCE IPM program have allowed farmers to choose more environmentally friendly control measures, such as mating disruption tactics, insecticides that are pest specific and that do not harm beneficial insects, trap crops, and other sound options for pest control. Additionally, IPM programs have assisted with reduction of pest resistance to certain pesticides, minimize pesticide use, minimize production cost, prevent wrongful use of pesticides, protect New Jersey food supply from foreign insects and disease, protect farm workers and children from pesticide exposure, improve environmental quality, reduce non-point source pollution, maintain export markets for New Jersey produce, and improve food quality through farmers being educated on alternatives to traditional pesticide use, as well as the proper use of low risk pesticides and fertilizers. This highly integrated program uses information gathered throughout the state once a week, or for some crops twice weekly, during the growing season, as well as from neighboring states. It brings the latest insect and disease forecasts and recommendations to growers who wish to participate in the RCE IPM programs and to all growers through the RCE Plant and Pest Advisory weekly newsletters and RCE website.

The RCE IPM program addresses the growing pest challenges experienced by fruit and vegetable growers, turf producers, and nurseries, as well as those facing urban residents. It is imperative that RCE be provided with adequate staffing and resources to:

- Conduct applied research that underpins the development of new and novel monitoring and control measures.
- Test new IPM technologies and approaches that increase the efficiency and efficacy of IPM methods.
- Assist farmers, professionals, land managers, and residents in adopting novel IPM strategies.
- Hire seasonal workers essential to scouting and monitoring efforts during critical production periods.
- Expand surveillance and detection across the state for invasive pests and diseases that present growing threats to New Jersey's agricultural industry.
- Avoid program disruptions or gaps amid faculty and staff retirements.

Also imperative is the need to ensure that appropriate technical expertise, often provided by tenure-track Extension Specialists with appointments that support applied and translational research and educational outreach, remains appropriate at NJAES. This is so that New Jersey growers of the different commodities produced in the state benefit from modern advancements in science and technologies underpinning the delivery of IPM through RCE. This is particularly important in areas including entomology, crop pathology, weed science, and soil science.

NJFB requests that NJAES develop strategies for ensuring such expertise is not lost through the retirements of key faculty in these disciplinary areas, and that such expertise adapts to changing needs in the state. For example, over recent decades, the nursery sector has become the largest part of New Jersey agriculture in terms of sales, and the IPM needs of this sector are outpacing NJAES staffing available to support this sector. We further look toward the NJAES Board of Managers annual needs assessments as an important, grassroots-based assessment of existing and future needs in these areas.

NJFB recognizes the importance of having Rutgers IPM faculty and staff members continue the very effective practice of networking and information sharing among regional and national IPM experts across the land grant system, regional USDA-supported IPM centers, and other collaborating partners to advance the practices and technologies that support the beneficial impacts of IPM in the state, region, and nation.

BIOSECURITY AND EMERGENCY MANAGEMENT (2025)
Bird flu, or avian influenza (AI), is a major concern for agriculture in New Jersey in several ways, including:

- The presence of bird flu on farms can lead to economic uncertainty for farm owners, workers, and dairy processors. Livestock diseases can reduce production and profit and diminish income and asset values.
- Bird flu can spread quickly within a flock, sometimes within hours. The virus can be passed from wild birds to poultry operations, especially backyard flocks, and livestock that are kept outside, and even to individuals working within the industry.

The NJDA has an emergency response plan in place to control and eliminate the virus during outbreaks. The plan includes limiting traffic to and from infected premises, increasing surveillance, and depopulating infected birds. Plans are in place with RCE offices in each county to distribute PPE to dairy and poultry producers as needed.

Between the months of February and May 2025, the NJDA reported eight premises with detections of Highly Pathogenic Avian Influenza (HPAI) in domestic poultry. Two of these were in backyard-raised poultry, in Salem and Atlantic County, and six were in live bird markets. The NJDEP confirms that the HPAI virus has been found in wild birds within 16 counties of New Jersey this year. Most recently, state officials detected the disease in black vultures in Somerset County. Exposure to infected wild birds via direct contact or sharing waterers, feeders, or swimming areas is a potential source of disease transmission to domestic poultry. As the fall season of wild bird migration begins, NJDA would like to remind New Jersey poultry owners of their important role in monitoring, reporting, and preventing disease

New Jersey’s dairy herds remain free of highly pathogenic avian influenza H5N1. While several states have reported infections among dairy cattle since 2024, New Jersey continues to hold its “unaffected” status through ongoing testing and strong on-farm biosecurity measures.

Under a federal order issued by USDA, all lactating dairy cows must test negative for Influenza A before being moved across state lines. This rule, originally put in place in April 2024, remains in effect for 2025. Testing involves collecting milk samples from each quarter of the udder and submitting them to an approved laboratory, such as the NJ Animal Health Diagnostic Lab. Test results are valid for seven days from collection.

Cows moving directly to slaughter, non-lactating animals, and beef cattle are exempt from the federal testing requirement. However, any animal showing signs of illness or testing positive for Influenza A must wait at least 30 days and retest negative before becoming eligible for transport.

At the state level, NJDA has implemented a voluntary herd monitoring program and continues to participate in USDA's National Milk Testing Strategy. Routine sampling and active surveillance have so far shown no signs of H5N1 infection in New Jersey's dairy or livestock populations.

To protect both animal and human health, state officials continue to emphasize biosecurity and safety. Farmers are urged to use personal protective equipment, isolate sick animals, and follow strict sanitation practices.

The New Jersey Departments of Health and Agriculture caution against consuming raw milk products. For that reason, NJFB supports the pasteurization of milk products at this time.

The NJFB should continue to seek USDA support and financial assistance for those farms unaffected for preventive measures and affected farms.

As part of the national emergency management response established in the U.S. Department of Homeland Security agriculture is considered an essential industry, important for food security, New Jersey uses the same system. The pandemic response established a system for the continuation of the diverse sectors of NJ agriculture. Critical to the successful operation of these businesses was the implementation of recommended practices and guidance from the NJ Department of Health by the agricultural community.

Farm biosecurity and emergency management planning extends to crop storage and handling on the farm. The FBI cautions farmers storing products on the farm to ensure the harvest is safe from outside contamination. Farmers should ensure their products are stored securely as food contamination is the largest threat to food security in this country.

LIVESTOCK INDUSTRY SUPPORT (2025)

New Jersey's livestock industry is valued at nearly $260 million annually. This includes equine, beef cattle, swine, poultry, sheep, lamb and goats and domestic livestock and rabbits. Too often, the industry is viewed for its component parts and not for its collective impact on New Jersey's agricultural economy. This narrow, compartmentalized view hinders access to research and vital support services essential for the livestock industry's success.

Currently, the state's livestock industry lacks a unified voice that is representative of the entire industry. A unified group representing all aspects of livestock production could play a key role by offering support and guidance on livestock issues. This could be an expansion of the Agricultural Animal Alliance (AAA) that was meeting through the animal science department at Rutgers and should consult regularly with the state's Department of Agriculture and Farm Bureau.

An issue impacting the livestock industry is the limited access to slaughterhouse facilities. For many small-scale livestock producers, the custom-cut retail market is essential for sustained viability. Small-scale livestock producers are forced to travel greater distances – oftentimes out-of-state – to have their animals processed for retail sale.

New Jersey Farm Bureau should work with the livestock industry and supporters to locate a slaughter/processing facility that local producers can use to bring their animals to retail sales. This includes exploring the opportunities for state funding through the budget or the Economic Development Authority (EDA) and partners at the county or regional plan level. The New Jersey Highlands Council granted a $150,000 planning incentive grant to Oxford Township Warren County to study the location of a facility on a redevelopment site. Discussions between county commissioners and the Northwest Jersey Food Processing and Innovation Center, the group leading the proposed project, are ongoing.

Large Animal Veterinarian services
Many livestock producers are finding it more difficult to get emergency Veterinarian care as there is a shortage of large animal vets in the industry and entering the industry. Though this is an emerging national issue, it is already reaching a critical impact stage here in NJ. The new Veterinary School at Rowan University opened in 2025 but it will be years before graduates come from the program with no guarantee of large animal practitioners. However, NJFB was encouraged to hear the Dean of the school express support for graduating veterinarians in large animal specialties from the new program. New Jersey Farm Bureau should work with the NJ Veterinary Medical Association, the State Veterinarian, and State Board of Agriculture, Rutgers NJAES, Rowan University, and livestock industry representatives on steps that can be taken now to provide critically needed veterinary care immediately. NJFB should also work with the state legislature to craft an incentive program to encourage graduates with livestock expertise to stay and practice in New Jersey. Such as the creation of a scholarship, loan forgiveness program or other incentive programs for veterinary students that would commit to practicing livestock (small ruminants, poultry, cattle) veterinary medicine in NJ for 5 years.

Another key to the success of New Jersey's livestock industry is education. This includes education for producers and consumers, who may not understand regulations and regulatory requirements. To take advantage of New Jersey's robust retail marketplace for livestock products, producers must continue to offer high quality products and redouble their focus on marketing. With both comes consumer awareness on the relative quality of locally produced livestock products. This education component includes essential extension research, marketing support and a unified voice to carry-forward the industry's message. NJFB requests that Rutgers host an annual livestock summit.

NJFB is uniquely positioned to assume a leadership role using publicity to build public support for this sector of the state's agriculture industry. Additionally, any marketing component should also include a branding program for New Jersey livestock products, like the "Jersey Fresh" program for fresh produce. This branding initiative should include quality grading standards developed by the statewide committee representing New Jersey's livestock industry.

New Jersey Farm Bureau should:

- Establish needs growth and potential of statewide livestock industry.
- Increase producer awareness of available USDA and other agency testing programs to diminish diseases such as Avian Flu.

- Monitor and mitigate prohibitive environmental regulations.
- Evaluate current staff and encourage the hiring of specialists in the livestock field.
- Establish a statewide committee, like the AAA representing all aspects of livestock production and work with this group to identify key industry needs going forward. NJFB should continue to support this committee once it has been established.
- Support livestock and slaughter facilities that offer essential services for livestock producers including custom-cutting and processing for retail sale.
- Work with County Vocational schools and County Colleges on training programs for butchers and meat cutters to ensure a well-trained workforce for the industry.
- Work with NJAES researchers and the statewide livestock committee to identify and support current and emergent education and marketing opportunities to enhance New Jersey's livestock industry.
- Generating public support and media publicity for the industry

DAIRY (2025)

NJFB believes there is an unparalleled value in having a locally produced supply of all food and agricultural products. Dairy farms not only provide a local and fresh source of milk and other dairy products, such as yogurt, cheese, butter, and ice cream, but they also provide large tracts of tax-paying, privately maintained open space. Unfortunately, the cost of production for these farms is often not offset by the money farmers receive from the various milk cooperatives and/or processors. To keep these vital farm properties open and actively devoted to the dairy industry, NJFB must work with the dairy community, the Department of Agriculture and Rutgers Cooperative Extension and small business development groups to find innovative ways to assist dairy producers, and to ensure that more consumer dollars go back to dairy producers.

Currently, more than ten dairies have on-farm processing capabilities which is an indicator of a changing business model that is shifting from co-op milk sale to on-farm processing. On-farm dairy processing allows the producer to receive a premium price for their milk and satisfy a growing market demand for local dairy products.

Farm Bureau, through its dairy farmers, shall:

- Work with NRCS and the State Conservationist to ensure that all dairy producers are aware of the conservation programs and assistance available to them.
- Support value-added business endeavors that allow dairy producers to process their own milk to create locally produced dairy products that can be sold on-farm or through local businesses to promote local agriculture.
- Work with the State Department of Health and other related groups to develop or clarify reasonable regulations and standards to ensure on-farm milk/milk product processing is an easy, achievable opportunity.
- Promote the sale of authorized dairy products produced on and off the farm, including pasteurized bottled milk, cheese, yogurt and ice cream made from sheep, goats, water buffalo and cows' milk within the State of New Jersey.
- Identify current and potential farm markets and other agricultural enterprises that would be interested in the inclusion of a local source of dairy products to complement their current source of fresh market products that are currently sold.
- Identify and develop sources of funding through small business, rural enterprise development, or similar state sources of funding to promote business continuity and ensure a core base of dairy production in New Jersey.

- Support value-added business endeavors that allow dairy producers to process their own milk to create locally produced dairy products that can be sold on-farm or through local businesses to promote local agriculture. This includes supporting and establishing food safety and regulatory training for farmers wishing to establish on-farm dairy processing as a means to strengthen the dairy industry and encourage new operations.
- Support the transfer of licensing and inspection regulatory authority of on-farm dairy processors from the state Department of Health to the New Jersey Department of Agriculture.

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. We ask that the USDA and FDA enforce their standards on manufactured dairy products.

EQUINE INDUSTRY (2025)
The equine industry includes breeding, training, horse keeping, sports competition, arena showing, horse racing, equine assisted therapy for children and adults, recreation, and public and private owned equestrian facilities. Notable New Jersey is home to breeders of internationally recognized performance horses especially in the growing category of Sport Horse competition. Research and education are important components to the success and future of the equine industry. The New Jersey Farm Bureau should continue to support growth and innovations in the New Jersey equine industry.

Racing
The continued annual commitment of $20 million by the State of New Jersey to supplement purses and breeding incentive programs for Jersey Bred and Sire Stakes horses in New Jersey has been successful and was continued for an additional five years through fiscal year 2029. The legislation supplies the racing and breeding programs with $20 million a year for five years. Unfortunately, the appropriation was cut in half to $10 million for FY2025. NJFB will promote reinstating the $20 million annual purse for the FY2026 budget.

In 2021, the total live wagering handle at New Jersey’s three racetracks was $27 million. This represents a *78*% increase from the total live wagering handle in 2020, which was $15.3 million. In 2021, the total intrastate simulcasting handle was $8.1 million representing a 7% increase from the 2020 intrastate wagering handle of $7.6 million. In 2021, the total interstate simulcasting handle was $171 million, representing a 48% increase from the 2020 interstate wagering handle of $116 million. In 2021, the total off-track and account wagering handle was $390.9 million, representing a 1% increase over the 2020 total off-track and account wagering handle of $386,949,337.

These numbers demonstrate the turnaround horsemen were looking for from the commitment by the State. In addition, because of the state incentives, the number of Standardbred stallions standing in New Jersey has remained steady and number of mares bred increased from 442 and foals registered from 272 in 2019 to 766 mares bred and 507 foals registered in 2023: an increase of 73 percent and 86 percent, respectively. In addition, a new pacing stallion Tattoo Artist, which earned more than $2.55 million in their lifetime, stood at Deo Volente Farms in 2024.

New Jersey Sire Stakes program purses also increased from $2.9 million in 2019 to $4.1 million in 2023, an increase of 38 percent. Owners of New Jersey bred horses reaped the benefits with purse increases for the NJSS and the addition of the New Jersey Maturity series during this time.

In the Thoroughbred industry, steady increases in mares and foals born in the state have reversed the trend after years of steady decline. There were four registered stallions standing in New Jersey in 2023 and three new stallions stood in New Jersey in 2024. One of the new stallions, Max Player, was a multiple Grade 1 winner that earned over $1.5 million. This is the first time that New Jersey has had a grade 1 winner stand here in decades. The only reason the stallions are returning to stand stud in New Jersey is because of the increased purses from the purse subsidy investment by the State.

The State must continue to further strengthen the racehorse industry and horse breeding and New Jersey bred breeding programs, Jersey owned, and Jersey preferred races should be written regularly onto race cards.

Closure of Freehold Raceway

In September of 2024, Freehold Raceway announced it would cease all live harness racing and simulcast operations in December. The current owners purchased the track in 1999, which is the nation's oldest racing track having officially started in 1853. In 42 days of live racing last year, Freehold had a gross handle of $13.8 million and an on-track handle of $1.3 million. Shortly after the announcement, the Standardbred Breeders and Owners Association (SBOA) filed a lawsuit in federal court against the raceway and an online betting company. The lawsuit alleges the raceway officials breached a revenue sharing agreement, which runs through 2029, when it moved its online sport wagering operations to a casino partner to avoid sharing revenue with SBOA. The suit said the raceway was allowed to "fall into a dangerous state of disrepair" which also violates its agreement with SBOA.

Freehold Raceway closure will have a direct impact on the state equine industry. Economically, there will be a reduction of horsemen's benefits based on the lost revenue from the track closure. There will be fewer horses stabled locally, reducing the employment at the training centers, and horsemen will move out of the state to provide for their families. Feed companies, veterinarians, farriers and local hay and grain producers will lose income as the number of horses in the area decline. NJFB will follow the closure of Freehold Raceway and the impact it will have on SBOA and harness racing industry.

NJFB supports the NJ Sire Stakes Board of Trustees in continuing to host the Hambletonian events at the Meadowlands in New Jersey. It was announced in 2025 that the Hambletonian Society was contemplating moving these events out of state and this is to be discouraged at all costs as it will have a significant adverse economic impact to the equine industry in New Jersey.

Additionally, NJFB supports the ballot referendum to allow for casino gambling at the racetracks at the Meadowlands and Monmouth Park.

Sales Tax

Since 2004 as part of the revisions of the sales tax code, horse stall rental has been considered a sales taxable item. As horses are defined as livestock by the Department of Agriculture including through the standards for the Humane Treatment of Livestock, N.J.A.C. 2:8 New Jersey Farm

Bureau should continue working to pass legislation to clarify that horse stalls and related horse keeping expenses should not be subject to New Jersey Sales tax.

Horse Land Preservation
Since 2009 there has been a sharp decline in the number of horse farms preserved and the acreage of horse farms preserved. In 2009 horse farms made up 11% of the farms preserved and 8% of the total acres. From 2010-2014 only 4.9% of the farms preserved were horse farms making up only 3.9% of the land preserved in that period. New Jersey Farm Bureau should work with the SADC to help determine why there was a sudden drop off in horse farm preservation and to study ways to improve those numbers. Farm Bureau should also track the impacts of the soil disturbance rule on horse farm preservation and encourage the SADC to appropriately address the needs of horse farms when crafting their rules now and in the future.

There have been cases at the SADC regarding Right to Farm protection for horse shows and rodeos. There are currently no metrics for equine production when it comes to showing and this needs to be addressed in order to adequately protect a reasonable number of events (marketing) tied to the output of the farm (trained horses) at preserved equine operations. NJFB encourages the SADC to establish these metrics for an AMP for equine events.

Trails
With growth in the recreational use of horses there is a growing need for places to ride, both facility and open trails. New Jersey Farm Bureau should work with open space advocates and Rails to Trails program to support the establishment of a state-wide horse trail system. New Jersey Farm Bureau should work with interested stakeholders and comment on proposed changes in the States Wildlife Management Area fee schedule for trail permits.

Federal Legislation
The Horseracing Integrity and Safety Act (HISA) of 2020 was signed into law in December of 2020 and the first part was enacted on July 1, 2022, with regulations being implemented for thoroughbreds. The Authority is overseen by the Federal Trade Commission.

The Horseracing Integrity and Safety Authority (HISA) launched and began successfully implementing both its Racetrack Safety Program (July 1, 2022) and its Anti-Doping and Medication Control (ADMC) Program (May 22, 2023), establishing, for the first time, a national, uniform set of integrity and safety rules in the sport. There is concern that the standardbreds will be brought under HISA with little or no harness racing representation or consideration for that industry’s concerns. Farm Bureau should monitor this closely.

The US Horse Protection Act (HPA) is a federal law passed in 1970 to ban "soring," a cruel practice of inflicting pain on a horse's legs to create an exaggerated gait. The act prohibits soring horses and their participation in shows, sales, and auctions. Recent proposed updates aim to strengthen enforcement by ending industry self-regulation and authorizing USDA inspectors, though the effective date of these changes has been delayed to February 1, 2026. These new updates would create huge burdens to all equine showing groups, not just those “soring” their horses. NJFB supports the AFBF initiative to delay these changes until more reasonable standards can be sought.

In 2023 the Rutgers Equine Science Center hosted the first New Jersey Equine Industry Summit in 20 years. The purpose was to take the pulse on the challenges the horse industry faces and to come up with solutions to ensure its sustainability. Annual Summits were also held in 2024 and 2025. NJFB supports these annual events and will continue to support the Center in its efforts to help increase the viability of the New Jersey equine industry.

Farm Bureau should work with the equine industry to:

- Educate owners about responsible breeding, considering health and quality of foals and plans for long term use and outlets for horses bred.
- Support permanent identification, especially for horses traveling off farm to track horse health and history.
- Educate the public about realistic plans for excess and unwanted horses.
- Support non-chemical euthanasia.
- Encourage the American Farm Bureau to raise awareness along with national equine breed groups of these issues.
- Support the Equine Science Center along with the New Jersey Agriculture Experiment Station at Rutgers including budget and legislative funding requests to continue the cutting-edge research and education of the equine industry in New Jersey and to sustain the growth of the industry in the Garden State.
- NJ should establish a State Strategic Plan for the equine industry, unifying the states diverse horse community under a single coordinated vision for growth, sustainability and collaboration. This could mirror Maryland's efforts.

BEEKEEPING INDUSTRY (2024)

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.

To ensure a safe and plentiful supply of bees for New Jersey farmers, Farm Bureau supports 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 a second, full-time inspector.

New Jersey Farm Bureau supports the on-going beekeeping education program being provided by the New Jersey Beekeepers Association that trains and establishes new beekeepers in the state. NJFB advocates for establishing a partnership with the New Jersey Beekeepers Association and the Department of Agriculture to create and expand intermediate and advanced education programs for beekeepers.

For Beginner Beekeeper classes, twelve hours of classroom instruction and two hours of hands-on field hive-inspection should be the minimum to satisfy the state requirement. Classroom topics to be covered include: State Regulations; Bee Biology; Equipment; Obtaining your bees; Pests; Diseases; Best location; Nectar and Pollen sources; Colony and Seasonal management; Best Management Practices; Bee nutrition; Harvesting; Products of the hive and Product safety. Other topics may be included to reflect the geographic area where the class is being offered.

With the significant increase in beekeepers and total hives in New Jersey in the last five years, NJFB encourages Rutgers to hire a honeybee specialist. This would fill a critical role and benefit several commodity groups, especially blueberries. As the number of New Jersey beekeepers approaches 3,500 with nearly 20,000 colonies, the timing is perfect for hiring a honeybee specialist.

It is important that New Jersey Farm Bureau work with the Beekeepers Association and to assist them in finding ways to help the industry grow by;

- supporting the right to farm regulations for beekeeping and the NJDA regulations for beekeeping.
- making beekeepers aware of the cottage food regulations and the exemption for raw honey

<u>DEER FARMING</u> (2025)
The deer farm industry has been strong in Europe, New Zealand and Canada for years. While the marketing of venison in the United States is still developing, deer farming is now growing throughout the United States. Some producers are new to agriculture while others are turning to deer farming to diversify their farm operations.

Deer farming has been in existence in New Jersey since the early 1900's. The 2022 agriculture census shows 10 deer farms with 327 animals in New Jersey. This industry is currently regulated by the Division of Fish and Wildlife, Department of Environmental Protection.

New Jersey Farm Bureau supports a legislative change that would transfer the oversight of the deer farming industry from the Department of Environmental Protection to the Department of Agriculture. This is the case in neighboring states including New York and Pennsylvania, where deer farming is becoming a fast-growing industry.

<u>AQUACULTURE DEVELOPMENT</u> (2025)
NJFB shall urge the NJDA to embrace their mandate in the Aquaculture Development Act. "The Department of Agriculture shall be the lead state agency for the development, marketing, promotion, and advocacy of aquaculture in the State. The Department of Environmental Protection shall be the lead State agency with respect to regulation of aquaculture activities in [public fresh and marine] the waters of the State."

NJFB shall support a change to the New Jersey Aquaculture Act, modifying the composition of the Aquaculture Advisory Council and clarifying the role of the Aquatic Farmers License (AFL). NJFB shall advocate for changing the Aquaculture Act to provide greater industry representation of active aquaculturists on the NJ Aquaculture Advisory Council and further advocating for the elimination of ex-officio seats on the Aquaculture Advisory Council of entities that no longer exist. NJFB shall advocate for a change to the Aquaculture Act revising the term Aquatic Farmers License (AFL) to Aquatic Farmers Registration, as said license (AFL) grants no further privileges or rights upon the farmer greater than those licenses, permits and instruments currently required to obtain the license. Furthermore, NJFB shall advocate all statutory penalties and associated fees and fines be removed from the AFL.

NJFB shall advocate statutorily renovated Aquatic Farmers Registration (AFR) act as a voluntary verification of multiyear permit requirements and conditions of external granting agencies, towards a process of expedited "Aquatic Registered Farmer" applications to annual NJDEP licenses and leases via a MOU with NJDA and NJDEP or by some other means.

NJFB shall advocate for statutorily required updates to the Aquacultural Development Plan be conducted every five years as mandated in the Aquaculture Development Act and will participate in this updating process. NJFB will also work with the NJDA to promote industry representation on the Aquaculture Advisory Council.

NJFB shall support the creation of a quality grading program for farmed shellfish to be marketed through Jersey Fresh. NJFB will encourage the NJ Department of Agriculture and the NJ Department of Health to establish grading standards for farmed shellfish, including in the Jersey Fresh Program. NJFB also encourages support for hatchery and nursery development. NJFB will encourage the introduction of shellfish hatcheries into the farmland assessment program.

Farm Bureau will work to promote a change to the definition of aquaculture as follows: "Aquaculture" means the propagation, rearing, and subsequent harvesting of aquatic organisms in controlled or selected environments, and the subsequent processing, packaging and marketing, and shall include, but need not be limited to, activities to intervene in the rearing process to increase production such as stocking, feeding, transplanting and providing for protection from predators. "Aquaculture" shall include the construction of facilities and appurtenant structures that might otherwise be regulated pursuant to any State or federal law or regulation.

NJFB will research options to reduce electric expenses for hatchery and nursery facilities in New Jersey, and promote the integrity of existing private-owned hatcheries.

NJFB encourages the SADC to establish an AMP for shell recycling based on the NJDEP guidelines now that aquaculture practices officially have Right to Farm protection.

WINE AND CIDER INDUSTRY SUPPORT (2025)
New Jersey Farm Bureau supports the fast-growing wine grape and wine production industry within New Jersey agriculture. It is a dynamic business with a strong potential for future growth among those entrepreneurs who have invested in these enterprises.

In support of the wine industry New Jersey Farm Bureau shall:

- Support innovative ways to do long term land lease arrangements for grape production.
- Support the use of marketing activities that include weddings and other life events at wineries and protecting them under right to farm along with the ability to use these marketing techniques on both preserved and non-preserved farms when meeting the criteria of "promoting and using the agricultural output of the farm."
- Encourage the industry to participate in the Division of Travel and Tourism's annual agritourism grants to help market their wineries.
- Support the allowance of NJ wine to be sold by the glass provided that those products are made with 51% or more of NJ grown commodities at on-farm breweries and distilleries, and NJ winery owned and operated outlets.
- Support a marketing program for "Jersey Fresh" wines and ciders.
- NJFB supports legislation that would allow on farm wineries to sell NJ beer and Distilled beverages by the glass.

In 2023, legislation was enacted that permits preserved farms including preserved wineries to host special occasion events via applications filed through the CABD's. NJFB supports wineries in hosting SOE's but also believes that if farm wineries are marketing their products at the event, an AMP should be created for alcohol-based agritourism, allowing wineries to host events without needing to apply for SOE.

ON-FARM BREWING AND CRAFT DISTILLERY (2025)
On-farm brewing licenses could provide an additional marketing opportunity for New Jersey farms and their farm products. New Jersey Farm Bureau has supported bills that would establish a farm brewery license that would permit farm breweries to produce malt alcoholic beverages for retail sale to consumers. In 2012 the governor signed legislation making changes to the brewery license that simplified and reduced the process by which a small micro-brewery would operate accomplishing much of what the "farm brewery" license does. However, the farm brewery license only allows for tastings on-site. NJFB supports the allowance of purchasing beverages for on-site consumption through the farm brewery license.

In August 2013 a new law that would permit craft distilleries went into effect. The bill creates a craft distillery license based on the following parameters: that the license holder manufacture less than 20,000 gallons annually; in order for the product to be labeled as a NJ-based product, at least 51% of the raw material used must either be grown in-state or purchased from providers located in-state; the producer can sell to licensed wholesalers and retailers and can additionally offer tours and, provided that an individual participates in a tour, sell product for consumption on-site and for consumption off-site in a quantity of not more than 5-liters per tour participant and can also offer up to three free on-site samples (1/2 ounce serving) per visitor.

Farm Bureau should:

- Support efforts by the NJDA to establish standards for Jersey ingredients being used in distilling and brewing as to promote Jersey Fresh or made with Jersey Fresh ingredients. These rules can serve as incentives to use NJ agricultural products in the growing brewing, distilling marketplace.
- Work with the brewers' guild and others on legislation to allow for reasonable expansion of customer amenities at Breweries and distilleries to accommodate special occasion type events as well as food service.
- Participate in a discussion to recognize on-farm brewing (micro-brewing) and distilling as an approved agricultural practice under specific criteria.

Farm based brewing distilling like wine making has an agriculture tourism connection and expanding farm-based brewing and distilling to promote use of "Jersey Fresh" products should be encouraged.

Governor Murphy has proposed revamping New Jersey's alcoholic beverage licensing laws to expand the availability and make them more affordable, while protecting the value of existing licenses. NJFB should participate in this process to ensure there are beneficial outcomes for the state's farm-based wineries, breweries, distilleries, cideries and meaderies.

NJFB supports legislation that would allow for farm breweries and distilleries to sell NJ wine by the glass provided that those products are made with 51% or more of NJ grown commodities at on-farm breweries and distilleries, and NJ winery owned and operated outlets.

NJFB supports a legislative bill that establishes a winery-brewery sublicense that would permit wineries to produce malt alcoholic beverages for retail sale to consumers for consumption off the licensed premises and establishes a farm brewery license that would permit the licensee to produce malt alcoholic beverages for retail sale to consumers for consumption off the licensed premises.

A farm brewery would operate in much the same manner as a farm winery, using locally grown farm products in brewing malt beverages which would be sold at the farm. A licensee would be required to be actively engaged in farming on or adjacent to the brewery site and to be actively cultivating hops or other products used in the production of the malt alcoholic beverages.

MARKETING - JERSEY FRESH/LOCALLY GROWN (2025)
Established in 1984, The NJDA's Jersey Fresh promotion program has been a uniquely successful and nationally recognized effort to maintain the public's awareness of the availability and quality of New Jersey's agricultural products. As the program is expanded with other branding names such as Jersey Grown, Jersey Bred, Jersey Seafood, and Jersey Firewood, it is important that proper funding be in place to further the state's marketing and promotional support. NJFB supports expanding the definition of Jersey Bred to include all poultry and livestock. NJFB also supported the development of a Jersey Native Plants designation.

NJFB urges the governor and state legislature to restore full funding to the Jersey Fresh promotion program to former peak levels totaling $1.26 million dollars so it can maintain and increase the successful promotion of the Garden State's agricultural, aquaculture, livestock and horticultural products. New Jersey Farm Bureau is supportive of reasonable increased producer fees to support the Jersey Fresh marketing program. Farm Bureau will work with the NJDA to actively seek out other funding sources for the Jersey Fresh marketing program. All these products should be eligible for Jersey Fresh promotion regardless of where they are processed.

Farm Bureau applauds the innovative use of social media by the program. Additionally, there should be a greater enrollment by produce farmers with Jersey Fresh Certification, and Farm Bureau will promote the same among its membership.

The "locally grown" distinction on labeling can prevent repacking abuse if needed but importantly conveys to the consumer the authenticity with assured benefit in marketing local New Jersey grown produce. Farm Bureau supports the marketing and accurate promotion of all fresh produce as a gain for consumer health and economic outlook for New Jersey farmers. The use of state tax credits should be explored as a means of boosting participation by both retailers and commodity producers alike. Also, an effort should be made to harmonize the state definition of locally grown with the USDA rules regarding WIC and nutrition assistance programs.

COMMODITY CHECKOFF PROGRAMS (2025)
Request that the State Board of Agriculture and the NJDA conduct a review of all of the current state promotional checkoff programs followed by referendums with producers to ascertain if there is continued support for a state promotional checkoff programs~~.~~ They should then conduct a review to affirm the assessed rate and how funds should be utilized, i.e. research, promotion, etc. In particular, the state promotional checkoff programs on white potato, sweet potato, asparagus and apples.

PLASTIC BAG BAN (2025)
In November of 2020, a law was signed banning single use plastic carry out bags in New Jersey. The law became effective May 4, 2022.

The Legislature determined that it was no longer acceptable to permit the unfettered use and disposal of single-use plastics in the State; specifically, single-use plastic carryout bags, polystyrene foam food service products, and single-use plastic straws as these items are among the most significant sources of beach and ocean pollution.

NJFB applauds the action of the Legislature to stem the overuse and disposal of single-use plastics which have become omnipresent in our environment. We note that the law exempted several uses for plastic carry out bags:

> "A carry-out bag shall not include -
> (1) a bag used solely to contain or wrap uncooked meat, fish, or poultry.
> (2) a bag used solely to package loose items such as fruits, vegetables, nuts, coffee, grains, baked goods, candy, greeting cards, flowers, or small hardware items."

In the summer of 2022, DEP clarified that plastic "produce" bags such as those on a roll to contain fresh fruits and vegetables were not banned as "carry out bags" but the plastic "tee-shirt" type bags were banned.

At agricultural markets and pick your own farms, these produce bags are not an adequate substitute for the tee-shirt type bag due to the thin construction and small size of the produce bags. Reusable bags are not ideal for this type of product as freshly picked produce is often wet and may have residual soil from the fields.

NJFB supports further research and implementation of compostable products (straws, utensils, bags, packaging) made from organic material made in the USA (such as corn and sugarcane) instead of petroleum feedstock wherever feasible.

NJFB and NJDA should seek opportunities for negative impact studies of the reusable bags that have reached saturation levels and are filling landfills. Seek to find out if this ban on plastic bags has had any significant reduction of beach and ocean pollution.

USDA (2025)
On July 24, Agriculture Secretary Brooke Rollins announced a USDA reorganization plan that consolidates and eliminates programs and personnel. Impacts will vary by state. In New Jersey, key services, such as NASS agricultural census updates and commodity economic reports, are essential. NASS has already lost 40% of its staff from earlier federal retirements and terminations, and further reductions or mergers could compromise local agricultural support. NJFB is also concerned with the proposed closure of the Beltsville Agricultural Research Center (BARC), the nation's largest ag research facility with 17 labs covering genetics, plant and animal science, nutrition, and more. Of particular concern is the Bee Research Lab, whose relocation could harm honeybee health and local food security. The NJFB strongly supports maintaining NASS's locally based staff and the Beltsville Agricultural Research Center and has voiced this in comments on the proposal.

Local Food Purchase Agreement / Local Food for Schools
The cancellation of the Local Food Purchase Agreement LFPA and Local Food for Schools (LFS) programs in New Jersey removes nearly $26 million in federal funding that supported local farmers and the distribution of fresh, minimally processed foods to schools, food banks, and underserved communities.

With federal support cut, farmers lose stable market outlets, while food banks and feeding programs face reduced access to fresh local products. The infrastructure built around LFPA, including producer-to-institution supply chains, is at risk.

To mitigate the loss, NJ has pledged $6.8 million in state funding, but this is not a full replacement for federal funds and may not fully support all producers or maintain existing distribution channels. These programs created new markets for fresh produce while providing local, nutritious food to food banks and schools. NJFB supports the reinstatement of full funding to both programs either through legislation or another program.

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.

Farm Loan Program
Farm Bureau supports:
- A change in policy that would make all equine operations eligible for the loan program.
- A change to allow the use of the direct Farm Ownership funds for refinancing debt. The FSA is currently not allowed to refinance an existing real estate purchase.
- A relaxation of the performance requirement for new (not yet preferred) lenders to participate in the loan guarantee program allowing banks with strong commercial portfolios to enter this program.

The Biomass Crop Assistance Program (BCAP) provides financial assistance to owners and operators of agricultural land who wish to establish, produce, and deliver biomass feedstocks. New Jersey Farm Bureau supports the continued implementation and development of this program that promotes on-farm fuel production.

New Jersey State Conservation Enhancement Reserve Program (CREP)
The Conservation Enhancement Reserve Program (CREP) was designed to help farmers voluntarily reduce potential impairment from agricultural water runoff sources to improve water quality along New Jersey streams.

It is important to note that this voluntary and beneficial program could be severely hampered by other regulatory agencies. If NJDEP or other agency creates regulations that mandate easements or buffers, this would eliminate the federal government's ability to pay incentives, because FSA is not permitted, by rule, to enroll land where the producer is required to perform a conservation practice as an obligation to comply with local, State or Federal law.

New Jersey Farm Bureau supports the following changes to the Noninsured Crop Disaster Assistance Program (NAP):
- Allow for continuous sign-up coverage. Coverage only takes hold after 30 days, so there is no reason for a coverage deadline.
- Eliminate acreage reporting deadlines. Crops should only need reporting as disasters occur, and by the end of the crop year for APH purposes.
- Add eligible loss conditions to include wildlife damage.

- Remove the requirement for a primary loss condition for secondary loss conditions like insect infestations and plant diseases to be eligible.
- Reduce production evidence requirements to eliminate the need to compare reliable production evidence. This is particularly difficult for New Jersey producers because so many sell retail. This also complicates the approval of APHs that are 150% of the county average and gives the producer no recourse.

New Jersey Farm Bureau supports the following changes to the Farm Storage Facility Loan Program (FSFL) to better serve New Jersey's diverse agricultural industry including:

- Allow for multi-use facilities to include some non-storage component (ie: office space in a storage barn) to a given percentage of the overall facility
- Eliminate late file acreage reporting fee for applicants

NJFB supports a change in the Tree Assistance Program (TAP) so that normal mortality could be based on the entire year's combined losses as opposed to each individual loss event.

High tree mortality caused by the Emerald Ash Borer and the Southern Pine Beetle has created a nuisance of dead trees falling on livestock fencing and deer fences on farms. NJFB supports the creation of a funding program for the removal of trees from fence lines and other areas that could cause damage to farm structures. The funding could be a program similar to the program that removes trees from severe weather-related events.

Farm Bill

The Farm Bill is a complex and comprehensive piece of legislation that benefits all citizens, not just farmers. The 2018 farm bill, after being extended twice, expired on October 1, 2025, creating uncertainty for the agricultural industry.

The expiration of the farm bill has created uncertainty for farmers and rural communities. The One Big Beautiful Bill Act (OBBBA), enacted July 4, 2025, maintained key programs—such as farm safety net updates, trade promotion, conservation programs (EQIP, CSP, ACEP, RCPP), and crop insurance, some of which are now authorized through 2031. However, many programs, including those under Credit, Rural Development, Research and Extension, Forestry, Energy, and new Conservation Reserve Program enrollments, remain unfunded without a new farm bill or extension.

The full effects of the farm bill expiration are expected in January 2026, when outdated permanent laws from the 1930s–1940s for price supports (milk and honey) would take effect, creating potentially disruptive and costly market interventions. Meanwhile, falling commodity prices, high production costs, and declining farm incomes heighten the need for swift legislative action. NJFB supports the passage of a "farm bill 2.0" to restore stability, funding, and market certainty.

NJFB priorities in future Farm Bills include:

- increased support for Specialty Crop block grants for marketing and promotion.
- improved/expanded crop insurance options for diversified specialty crop growers.
- strong support for research funding; Agricultural research provides farmers with new crop varieties and growing techniques, but also includes research on burgeoning topics such as climate resiliency and agrivoltaics.
- continued support for technical assistance for voluntary, working lands conservation programs like EQIP.

- timely passage of a unified farm bill which includes nutrition programs and farm programs together.
- Support for the Research Facilities Act to provide funding for much needed updating and rehabilitation of agricultural research facilities in the Land Grant University system.
- Support for National Ag in the Classroom funding to assist in promoting agricultural literacy.

New Jersey Farm Bureau opposes proposed legislation that would reduce the overall payment cap on EQIP contracts.

Commodity check-off programs provide valuable promotion activities supported by producer funding. All check-off programs are required to produce a report on total funds collected and how those funds are used. Timely reporting is essential to maintain confidence in these programs. New Jersey Farm Bureau opposes the OFF Act, and any other similar legislation that would dismantle the existing commodity check-off programs.

Risk Management Agency (RMA)
The 2014 Farm Bill created several changes in crop insurance that producers need to be aware of. First, to receive premium assistance from the federal government for crop insurance, produc ers will have to comply with highly erodible land and wetland conservation requirements that most already have to comply with as a result of participating in FSA and NRCS programs. Conservation compliance requires producers to have a conservation plan if they plant annually tilled crops on highly erodible soil and prohibits producers from planting on or destroying wetlands for crop production. Producers who do not comply with conservation compliance can still purchase crop insurance, however, they will no longer be eligible to receive the government paid premium subsidy.

Second, the Federal Crop Insurance Corporation Board of Directors approved a new Whole-Farm Revenue Protection policy. Whole-Revenue Protection combines Adjusted Gross Revenue and Adjusted Gross Revenue-Lite with some adjustments to target the following types of farms: (1) highly diversified farms and (2) farms selling 2-5 commodities to wholesale markets. This whole-farm insurance covers all commodities including specialty crops.

New Jersey Farm Bureau should work with RMA to develop a program for failed plantings in vegetable and flower crops. The NAP program does not work for New Jersey growers with multiple plantings when one or two plantings fail. Because so many New Jersey farms are so diversified, the development of risk management and insurance products that will meet the needs of those farms must be a priority for New Jersey Farm Bureau. New Jersey Farm Bureau should also work with FSA to add additional planting periods for crops where deemed appropriate, as an alternate solution to this issue.

Other Risk Management
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.

Natural Resource Conservation Service

Federal payments to New Jersey farmland owners to create wildlife habitat, or to set aside farmland for other conservation purposes, are encouraging them to take many acres out of agricultural production. This land is then lost for farmers renting the land who depend upon those acres to be viable. Because New Jersey farmers already struggle with competition for tillable land, any loss of viable cropland is detrimental to the industry. The pattern of land ownership in New Jersey also differs in that there are many more farms owned by non-farmers to whom a government payment may appeal.

New Jersey Farm Bureau urges the USDA-NRCS and non-profit wildlife groups to be selective in the properties they target for projects. Agricultural and wildlife groups should work together to find ways to keep the best agricultural lands in agricultural production and use more marginal lands for wildlife habitat. Additionally, when properties are managed in such a way to enhance habitat for certain species, like ground nesting birds, it sometimes has the incidental effect of also creating deer habitat and refuges. This is a growing concern for New Jersey farmers.

NRCS has recently started using new models and methodology to determine soil losses on cropland. Compliance with these new standards has been especially difficult for vegetable growers on highly erodible lands. This creates difficulties for crop insurance qualification and FSA programs eligibility. Compliance is further complicated by a lack of vegetable growing cultural practices that can be incorporated into a soil loss standard. Vegetable growers are essentially being forced out of USDA program participation. This is unacceptable in New Jersey where vegetable production is the second largest commodity group. NJFB will work with the NRCS State Conservationist to modify soil loss calculation methodologies to reflect vegetable growing cultural practices that are available to farmers today that have been proven to be commercially viable.

In 2023, NRCS staff held another round of ‘Local Work Group’ meetings in different locations in the state. The purpose is to gather more input from those affected by NRCS programming. NRCS plans to continue holding these meetings. NJFB strongly encourages producers to participate in this process. NJFB also urges NRCS to plan their outreach meetings and activities at times that are reasonably convenient for farm producers to participate.

National Agriculture Statistics Service

Farm Bureau calls upon the New Jersey Congressional delegation to maintain adequate funding levels in the USDA budget for NASS spending that is so vital to the many programs of the USDA, NJDA and NJAES, in support of commercial agriculture. Since this information is so vital, Farm Bureau encourages its membership and all farmers to timely respond to all NASS survey’s and Census requests.

Rural Development

The need to emphasize rural development issues such as emergency services, high-speed Internet access, cellular telephone network coverage, improved healthcare services, enhanced education and improved infrastructure is growing in importance to New Jerseys farm families and communities. NJFB should urge the Board of Public Utilities to push Verizon and other carriers to provide high speed internet and cellular network coverage in the Pinelands and other rural areas of New Jersey.

New Jersey Farm Bureau also supports the important work of USDA Rural Development to improve the quality of life and increase economic opportunity in rural America. We encourage the long-term funding of the grant, loan and loan guarantee programs administered by USDA Rural Development.

New Jersey Farm Bureau supports:

- Legislation encouraging rural economic development, particularly to foster agriculture and value-added opportunities.
- Rural Economic and Community Development programs and urge that these continue to be administered through USDA.
- Additional USDA Rural Development funding, targeting a greater portion of funds towards stimulating commerce in rural areas and increased technical and marketing assistance to provide value added opportunities for agricultural producers.
- Establishment of and funding for a state rural development council.

CLIMATE RESPONSE AND ADAPTATION (2025)

Hundred-year climate trends in New Jersey are showing greater frequency of short-term droughts, greater frequency of heat waves, warmer summers overall, less frequent cold spells and a shorter duration of a chilling period. If the climate continues to warm, precipitation in New Jersey is expected to come more and more from heavier storms rather than gentle, gradual precipitation events. (Information from Rutgers Climate Institute's publication "Climate Change and Agriculture in New Jersey, January 2016)

These trends are having the following effects on New Jersey agriculture:

- Heat stress on crops affecting pollination, yield, disease, and sunscald.
- Heat stress on agricultural workers, affecting productivity.
- Heat stress on livestock, reducing productivity.
- Increased need for irrigation
- Need to evaluate alternative varieties of crops and breeds of livestock that are tolerant to new conditions.
- Soil erosion issues from dramatic rainfall events
- Changing species ranges of commercially important fisheries populations

Farm Bureau will continue to participate in state and federal events, policymaking and coalitions that address the effects of climate change on agriculture. NJFB was a member of the New Jersey Climate Change Alliance (NJCCA), its Steering Committee, and its Natural and Working Lands subcommittee. The NJCCA operated as a statewide network of diverse organizations that shared the goal of advancing science-informed climate change strategies at the state and local levels in New Jersey from 2011-2024. In 2020, the NJ Climate Change Resource Center was established by statute to carry out collaborative and interdisciplinary research. analysis, and outreach activities to help New Jersey adapt, mitigate and prepare for climate change. In 2024, the leadership of the Alliance and the Center recognized the value in a reorganization that would integrate the consultative role of the Alliance into the Center.

Farm Bureau should promote the research and dissemination of the research results for:

- Crop and livestock breeding that is focused on climate resilience.
- Soil management techniques that create drought tolerance and erosion resistance

- Capital improvements, such as landscape level water management, high tunnel construction, and irrigation systems that will add to farmers' ability to withstand erratic weather.
- Carbon credit redemption payment programs to farmers for new and existing conservation practices that trap carbon. NJFB shall explore standardization of metrics that could be used in a carbon credit program.

NJFB supports the new stewardship program through the SADC that would provide grants for the necessary technology and equipment for climate-smart, precision agriculture.

Securing NJ's Farming Future: NJDA, RCE, and NJFB should develop training, outreach, peer learning, pilot projects, and farm system adaptation funding, enlisting both public and private funding, to increase resilience of NJ farms and regional infrastructure (such as aggregation and distribution sites, cooperatives) to more frequent extreme and unpredictable weather so that farms and the agriculture sector of NJ can thrive for decades.

New Jersey rejoined the RGGI (Regional Greenhouse Gas Initiative) in 2018. The State has since set up a grant program to spend a portion of the RGGI proceeds on natural climate solutions including promoting blue carbon in coastal areas and enhancing forests and urban forests. Agricultural land was excluded from the first rounds of grants. NJFB will continue to support agricultural projects as natural climate solutions for future rounds of RGGI funding.

Farm Bureau should participate in efforts on a national level to address potential solutions to climate change, as it is unlikely that autonomous efforts by farmers will curb the risk that climate change poses to the profitability of their operations. Farmers are large users of electricity and petroleum and therefore face big impacts from mitigation efforts if the government is not careful to minimize negative impacts to the industry.

In 2022, the USDA announced $3.1 billion in funding for its Partnerships for Climate-Smart Commodities opportunity. Through this new program, USDA is financing partnerships to support the production and marketing of climate-smart commodities via a set of pilot projects lasting one to five years. To date, 141 projects across the nation have been selected to participate. NJFB will support its growers and researchers interested in this partnership opportunity for future rounds of funding.

The Food and Agriculture Climate Alliance (FACA) was formed in February 2020 by four groups that now co-chair the alliance: American Farm Bureau Federation, Environmental Defense Fund, National Council of Farmer Cooperatives, and National Farmers Union. The alliance has since expanded to include FMI – The Food Industry Association, National Alliance of Forest Owners, National Association of State Departments of Agriculture, and The Nature Conservancy.

Together, the group developed more than 40 recommendations based on three principles: agricultural and forestry climate policies must be built upon voluntary, incentive-based programs, and market-driven opportunities; they must promote resilience and adaptation in rural communities; and they must be science-based. These recommendations share an overarching goal to do no harm. Climate policies will impact farmers, forest owners, ranchers, rural and limited-resources communities, wildlife, and natural resources and must be thoughtfully crafted to account for any potential inequities, consequences and tradeoffs.

RENEWABLE ENERGY (2025)

Ethanol

Farm Bureau shall encourage the state's congressional delegation to support the continuation of the federal Renewable Fuel Standard and resist the effort to eliminate it by the oil industry. More than 5 billion of the 14 billion bushels of corn produced in the US annually now are used in the production of ethanol fuel*.* The goal of the renewable Fuel Standard was to have 36 billion gallons into the supply by 2022.

Biodiesel

Federal Incentives and new clean air requirements are improving the prospects for biodiesel. NJFB should continue to monitor the feasibility of biodiesel and soybean crush opportunities to help create additional marketing outlets for local soybeans.

Biomass Crops

New technology and market conditions for electric power generation to serve New Jersey's energy needs may soon create an opportunity for farm-grown energy crops. Farm Bureau should work with the New Jersey Board of Public Utilities to enable biomass sources to be co-fired with other fuels as a class one renewable energy source and encourage other federal and state legislative efforts to further incentivize biomass energy production on farms.

NJFB shall work with DEP to streamline the air permitting process for stoves used to burn biomass energy as a heating source. The permitting fees and delays associated with obtaining these permits can add significant costs to the construction and operation of a biomass energy system and, under the current model, serve as a disincentive for on-farm biomass development.

Solar and Wind Energy

Farm Bureau should seek amendments to the legislation on renewable energy on preserved farms to remove the 110% cap of the current farm's energy usage for solar projects and allow agrivoltaics on preserved farms and all farms in the Highlands and Pinelands New Jersey Farm Bureau supports the use of agrivoltaics on preserved farmland and farms in the Highlands and Pinelands. This expansion of solar could bring extra income to a preserved farm situation with no additional impacts to the land use.

There was also a law passed for the Board of Public Utilities (BPU) to create rules for the Dual Use Pilot Program also known as agrivoltaics, where the farm produces both agricultural and horticultural crops as well as solar energy. The BPU released their rules for the dual use program in 2024, and expressions of interest (EOI) were submitted early in 2025 for the first round, which will be capped at 50 MW in year one. The NJBPU completed issuing pre-qualification determination letters for the first round of agrivoltaics project proposals in August 2025. NJFB will monitor this first round of projects to ensure that there is diversity in the crops farmed and types of arrays.

The North American Agrivoltaics Awards program announced in August 2025 that Rutgers' work in agrivoltaics had won its "Solar Farm of 2025" award. According to an announcement on the North American Agrivoltaics Association website, Rutgers' program for its "three-site research network advancing dual-use policy and practice across New Jersey," led to the award, adding that Rutgers is "leading the way" in demonstrating how agrivoltaics can help farmers stay resilient, productive, and profitable.

NJFB continues to monitor the roll out of the SREC successor program (known as the Competitive Solicitation Incentive (CSI) Program, which puts caps on farmland to be converted (statewide 2.5% cap, 5% per county for prime soils and soils of statewide importance). The second solicitation of the CSI program culminated in April 2024, with the BPU awarding SRECS to 310 MW of grid-scale solar projects. In 2025, the NJBPU set the third solicitation of the CSI program. Farm Bureau will continue to monitor the amount of farmland used in these projects.

NJFB along with the American Farmland Trust and Rutgers Agrivoltaics Working Group had several meetings and formed a consensus for guiding the BPU in its rule making for dual use solar. The program outlined in legislation should be flexible enough to get answers on what works and does not work on working farmland using a variety of crops to provide answers and direct legislation for a permanent program.

- The program should also look at how incentives can be used to help farms change practices, acquire the appropriate equipment to farm in the new environment and help ensure energy payments enhance farm viability.
- Farm Bureau would also like to see the dual use program match up with the community solar programs so that consumers can see that their locally produced energy comes from the same farms in their community that provide local food security.
- The program as a pilot should not overly limit projects through open lands ratios or single design systems but allow for a diversity of crops and design layouts.

Farm Bureau should work with the BPU or seek legislation clarifying that when a farm project is net metering its energy use for a solar project, that the farm operation can use the combined readings of all meters on a farm to establish the farm energy use for the project and not require a different system for each meter on the farm.

Ag-modified wetlands often serve as a buffer for active agriculture and could also be a suitable place for solar or wind energy installations. NJFB shall encourage the DEP to look into the potential for this concept.

Other Renewable Energy Sources
New Jersey Farm Bureau supports and encourages the development and use of renewable energy sources. Farm Bureau believes that these technologies are inherently beneficial to the state and should be supported where applicable. Farm Bureau shall seek the enactment of legislative and/or regulatory initiatives that provide incentives for the use of renewable energy sources. Farm Bureau also supports the increased use of renewable energy by all state government agencies.

OFFSHORE ENERGY (2025)
The Bureau of Ocean Energy Management (BOEM) has designated lease areas, with some located offshore of New Jersey. Offshore wind leasing and progress for projects in New Jersey have been stopped or paused due to federal actions. In January 2025, a presidential memorandum halted new offshore wind leasing, and in July 2025, the BOEM rescinded all designated Wind Energy Areas (WEAs), effectively ending the practice of designating areas for future leasing. Separately, New Jersey also paused its own support for the Atlantic Shores South project in February 2025.

Further leasing is underway for sand and gravel extraction, offshore aquaculture, and other uses. These processes could be significantly improved, especially regarding effectively engaging fishing communities and considering the needs of the commercial fishing industry.

NJFB supports the development of a regionally based, collaborative research and monitoring program to share accurate scientific information addressing the potential impacts of offshore development on fisheries. This should include identifying the monitoring, research and funding needs, as prioritized by the fishing industry. This program should also include the development of channels for collaboration on all phases of offshore development (planning, assessment, construction, operations, and mitigation of fisheries impacts).

NJFB also supports broad monitoring for research relevant to offshore energy and other Outer Continental Shelf leasing that intersect with existing scientific efforts in regional-scale ecosystem monitoring, stock assessment and fisheries management.

Based upon the tremendous uncertainty of offshore energy production, NJFB supports additional research and studies on the impacts of offshore energy development to the environment and commercial fishing industry on the following topics:

- Proprietary information on environmental impacts owned by offshore wind developers is not being shared with legislators and investors.
- There is a BPU/Rutgers study that shows a sum job loss in NJ with the development of stationary offshore wind development sites.
- There are significant gaps in research on marine mammal corralling into shipping lanes by stationary wind turbines.
- There are no approved technology standards on counting offshore avian bird strikes by wind turbines at sea.
- There are no studies currently done on the electromagnetic field disturbance on the horseshoe crab migrations vital to NJ's ecosystems.
- Stationary offshore wind development will close over a thousand square miles of fishing grounds, increasing the need for imported seafood and specifically causing the NJ quahog clamming industry to lose 40% of their productive shellfish fishing ground.
- First responders will be needed for oil spills, worker rescues, injured worker transport, water rescues, etc.
- There will be a need for massive recycling programs and open landfill space, as wind turbines have a limited life span.
- Floating hydrological electric generation can be developed using an eighth of the footprint, will comply with the Jones Act.
- Decommissioning funds of any array or cable landing need to be paid up front or in escrow for any development project.

UTILITY LINE MAINTENANCE & EFFECTS OF UTILITY LINE DEVELOPMENT/EXTENSION
(2025)
The New Jersey Energy Master Plan puts emphasis on better use of current facilities and energy resources leading to improvements in delivery of power and energy sources. Expansion of major electric and gas lines through the northern part of NJ, including the Highlands are considered critical to bringing more wind power and gas supplies from newly developed sources in PA to the consumers of New Jersey and the Northeast. This would help to raise the percentage of power produced by alternate fuels to the 2020 and 2050 goals.

AFBF warns that farmland owners must take more care in agreeing to the terms of long-term leases or option agreements, related to pipelines and fracking activities. Some of the questions a landowner must ask include:

- How will the “fair market value” of the easement or acquisition be calculated?
- Will owners of land needed to expand the utility/transmission line right of way receive a one-time payment or a yearly royalty like those who allow wind turbines or cell towers on their land?
- Who assumes liability for the construction and operation and who pays for the liability insurance? Is it included in a yearly payment?
- Does this land use reduce the value and usefulness of the property, such as impairing access, reducing the functionality of existing land and buildings? Compensation would be due for this impact.
- Will the company restore the land to its prior condition and agricultural use if and when the utility use ceases?

Based on the previous questions among others, In the coming year, NJ Farm Bureau will continue to work with the Department of Agriculture, SADC, Farm Credit East and RCE to help landowners protect their rights and what impacts they should try to receive compensation on.

Active and abandoned utility lines located on farmland can create a serious nuisance for farming operations if they are not properly located and 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. NJFB should encourage the BPU in addition to seeking legislative change requiring the proper maintenance of these areas, including the control of vegetation. NJFB will monitor this situation and advocate proper maintenance wherever it is appropriate. Similarly, gas and petroleum pipeline rights of way should also be maintained.

The NJFB should encourage the BPU to require updating old equipment including poles which would limit repairs and outages. These updates such as having new utility poles compared to old, rotted poles could limit power outages and damage when severe weather events occur in the future. Utility companies should also plan for and maintain easement access, verify adequate height of utility lines that cross public roads in a way that prevents them from being caught or damaged by farm equipment and vehicles.

TRUCKING/MOTOR VEHICLE REGULATIONS (2025)
The motor vehicle laws and regulations affecting agricultural vehicles are numerous and complex. To keep the farm community current on these laws, the New Jersey Farm Bureau continues to update and distribute its handbook on motor vehicle regulations for farmers to any NJFB member or law enforcement entity upon request.

State Regulations
NJFB should seek legislative changes for the following state motor vehicle regulations:

- A legislative change that would allow farmers to use their farmer trucks for private snow plowing contracts.
- A regulatory change to allow the personalization of “farmer” plates.

- A regulatory change for oversized agricultural equipment. The current law requires flags at four corners of vehicles and equipment over 8 feet wide. Warning lights should also be allowed to be used as an alternative to flags since most new equipment has lights installed at its widest points.
- Legislation that would allow UTV/gator-type vehicles to be used on the road as farm equipment by farmers or farm workers.
- A regulatory change is recommended to allow the transportation of farm equipment up to 18ft wide on public roads without any special permit if the appropriate safety precautions are taken. Pennsylvania recently expanded theirs with limitations, and NJ could mirror the Pennsylvania law.
- There is a need to review the current inability to register with NJMVC self-propelled sprayers used for hire.

Federal regulations

- The heavy use tax exemption should be expanded beyond the current 7,500 miles. Farm vehicle travel is limited based on the seasonality of the industry, but the mileage limitation should be expanded to 15,000 miles.
- NJFB should support the permanent exemption for the electronic logging device requirement for livestock. (Currently agricultural commodities are exempt from the ELD requirement within 150 miles of the farm.)

NJFB opposes the adoption of the proposed rules that will incorporate by reference California's Advanced Clean Cars II (ACC II) regulation, which will require manufacturers of passenger cars and light-duty trucks to meet an annual zero-emission vehicle (ZEV) requirement intended to require only ZEV sold in 2035. The target date is not a long enough transition period for such a drastic change that will cause added expense for many businesses for vehicles and infrastructure upgrades.

The NJDEP adopted two regulations that will impact the availability and expense of vehicles in NJ. The two rules are the Advanced Clean Truck (ACT) and the Advanced Clean Cars II (ACCII) regulations.

The ACT regulation requires increasing percentages of manufacturer sales of on-road medium- and heavy-duty vehicles from Class 2b to Class 8 to be zero-emission vehicles (ZEVs). By model year 2035, zero-emission sales would need to be 55% of Class 2b-3 vehicle sales, 75% of Class 4-8 vehicle sales, and 40% of Class 7- 8 truck tractor sales.

The ACC II rules include two main elements: the annual ZEV (zero-emission vehicle) requirement and the LEV (low-emission vehicle) program. On and after January 1, 2027, the ACC II rules will apply to the new model year 2027 or later passenger cars, light-duty trucks, and medium-duty vehicles delivered for sale in New Jersey, subject to the ZEV and LEV requirements. The ZEV component requires vehicle manufacturers to comply with an annual ZEV requirement that culminates in a 100% ZEV requirement in 2035.

The ACC II program also establishes more stringent exhaust emission standards for manufacturers producing new internal combustion engines (vehicles powered by gasoline or diesel), passenger cars, light-duty trucks, and medium-duty vehicles sold in New Jersey. Any new 2027 or subsequent model year vehicle gas or diesel purchased or registered in NJ must be certified by California Air Resources Board (CARB) emissions requirement.

NJFB opposes the Advanced Clean Truck (ACT) and Advanced Clean Cars II (ACCII) regulations. Due to a lack of infrastructure and limited affordable zero-emission vehicles, the rule must be postponed at a minimum.

The New Jersey Farm Bureau should encourage the NJDA to explore the process for adopting planting dates for the state. These planting dates are needed since some FMCSA regulations are dependent on those dates. Many states have adopted year-round growing seasons using indoor and greenhouse production.

There has been an increase in weight restrictions on local roads to limit truck traffic. This has caused a large inconvenience for farms, causing a nuisance when transporting their crops to their appropriate markets. Since farms often use third-party haulers and receive supplies by trucks, some haulers are reluctant to travel on these restricted roads because of the hassle of being pulled over, even though they are local deliveries. The NJFB opposes the designation of weight limits only to limit truck traffic because of the impact on the local farming industry.

The Garden State Parkway (GSP) does not permit vehicles over 10,000lbs registered gross vehicle weight to travel north of milepost 105 of the GSP. This regulation burdens farmers to reach markets in central and North Jersey in a timely and direct route. NJFB supports a regulation change to allow Farmer plated vehicles to travel on the GSP north of milepost 105. The vehicles would be limited to 26,000 lbs or less with height restrictions.

Periodically, NJFB should undertake a comprehensive review of all relevant motor vehicles regulations affecting agriculture. This review should serve to identify any outdated or inconsistent regulations. To assist in this process, Farm Bureau should establish a working group of farm operators to provide guidance and insights about specific regulations or regulatory interpretations that should be evaluated as part of this comprehensive review.

The NJFB should investigate the obligation to use tow trucks dispatched by law enforcement. These tow companies can often be overpriced and take advantage of a situation involving an inoperable vehicle.

The NJFB should encourage the state to promote public awareness during most active times of the year when farm machinery is traveling on public roads. The increased traffic on many rural roads has made the transportation of farm equipment more difficult. Public awareness should also include a strong emphasis on the law that vehicles must slow down to the speed of the farm equipment before passing. Increased public awareness, such as NJFB-produced posters placed in all NJMVC facilities, is needed to help inform drivers of the dangers of illegally passing farm equipment.

The NJFB encourages the NJDA to work with NMVC and NJDOT to use the variable message signs to promote caution on roadways during harvest season, similar to the peak deer season messages displayed on the signs. The NJDA produced a very informative video promoting safe driving when encountering farm equipment on the road. This video has been promoted on social media and this type of information promoting safe driving should continue. NJFB recommends the incorporation of this video in all driver education programs.

NJFB should explore opportunities to educate state and local police about these same motor vehicle regulations affecting farm businesses.

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. Most states have a similar exemption for their farmers, but very few reciprocity agreements exist between the states. New Jersey has been successful in signing reciprocity agreements with Pennsylvania and Delaware confirming that both states acknowledge the CDL exemption for farmers. While the NJDA has asked NJMVC to request the necessary reciprocity agreements from the other states within 150 miles of our state's lines (CT, NY, RI, VT, NH, MD VA and WV), no other reciprocity agreements have yet been signed. NJFB urges the NJDA to continue working with the NJMVC to expedite the adoption of these reciprocity agreements.

NJFB supports a change in regulation to allow holders of international driver's licenses to operate vehicles with a gross vehicle weight up to 25,999 pounds, as opposed to the current limit of 7,700 pounds.

BUILDING CODES (2025)

Fire Code

The New Jersey Division of Fire Safety, a division of the New Jersey Department of Community Affairs (NJDCA), launched a state-wide enforcement initiative on farms in NJ. Within the Division of Fire Safety, the Bureau of Fire Code Enforcement is responsible for enforcing the State's Uniform Fire Code. The bureau was prompted to investigate farm buildings for any violations of the uniform fire code or building code depending on the age of the building. Initially, the New Jersey Department of Agriculture was consulted about the on-farm inspection directive.

There is a specific regulation that would have a significant impact on most farms regarding the placement of fuel tanks on farms. The existing code does not allow for fuel tanks to be within 50 feet of any building. Since most fuel tanks are next to ag buildings providing easy access to electric service and have shown to be the safest location to prevent collisions when maneuvering large equipment on farms. The NJFB attended a fire code advisory meeting to recommend a regulatory change for fuel tanks. The council accepted the recommendation, but the process is still progressing through the administrative process for the regulatory change.

Growers with questions about the fire code regulations with respect to farm labor housing should review the letter the NJDA provided. The letter also includes instructions on how to request a variation for alternative fire sprinklers that require less water reserve. Some agricultural employers will need to retrofit existing labor houses to meet code requirements. This regulation has placed an economic disadvantage on New Jersey growers. NJFB supports continued efforts with NJDA & the Department of Community Affairs to explore alternative standards for seasonal farm labor housing including amending the requirement for fire suppression in single story farm labor housing and merging fire codes on farm labor housing with Department of Labor regulations and furthering a consistency with every other state's farm labor fire codes. NJFB supports grant funding to help offset the expense of compliance.

In an effort to address the significant hurdles to installing sprinklers for fire suppression in farm labor housing, due to the seasonal nature and remote locations. Legislation has been introduced to create a template building code for on-farm housing that would be used for farm labor housing. This code would mandate how housing can be designed, with appropriate egress options, alarm systems, and fire extinguishers that provide adequate protection for occupants. Seasonal Farm labor housing should include housing used for at least six months. NJFB would support this legislation that creates a specific template for farm labor housing.

Building Code
There needs to be clearer guidance for single use structures as to whether a permit is needed and if the structure should be taxed. The use of large hoop metal pipe storage facilities are more common on farms and are easy to dismantle with no foundation. These structures should not need permits for construction to use as storage for agricultural products or equipment.

TAXATION ISSUES (2024)
Local Property Taxes
Because education in the State of New Jersey is funded mainly through local 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, but rather, to slow or even stop development, in an effort to hold down school taxes. Many of these land use decisions, like down zoning, 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. We urge the Governor and Legislature to immediately address this issue.

An area of concern has grown with State institutions, particularly colleges, that have expanded and bought residential units for staff to use as a residence as part of their employment compensation. The concern is that these increasing tax-exempt residential buildings are consuming services as any other residence in the community but not contributing to the tax base. The NJFB supports the reexamination of tax-exempt status based on "exclusive use" be revised to allow municipalities to assess taxes fairly to all residents in the community.

Mansion Tax
New Jersey imposes an additional fee of one percent of the sales price for homes with sales prices of $1 million or more, i.e., the "mansion tax." The mansion tax also applies to certain commercial properties as well. The mansion tax is imposed on several different types of property including farms, provided that the farm includes a building or structure intended or suitable for residential use, such as a residential farmhouse. This extra tax only exacerbates the existing challenge of farmland affordability. New Jersey Farm Bureau supports a change in this rule that would exempt all farmland assessed lands, including agricultural improvements, from the calculated property value that is used to determine if a property is subject to the mansion tax.

State Inheritance Tax
New Jersey is one of only seven states that impose an Inheritance Tax. The New Jersey inheritance tax ranges from 11%-16% depending on the class of beneficiary. New Jersey Farm Bureau continues to support the elimination of the New Jersey Inheritance Tax, or at minimum, an increased exemption amount for non-exempt inheritors.

State Income Taxes
Farm Bureau should work toward allowing New Jersey farmers to average three years income for purposes of state income taxes.

New Jersey Farm Bureau supports current legislation that creates a pilot program to provide corporation business tax and gross income tax credits for the value of certain fruit and vegetable donations made by commercial farm operators.

Federal Taxes
New Jersey Farm Bureau supports the permanent elimination of the federal estate tax and the federal capital gains tax.

NJFB supports the permanent extension of the federal Tax Cuts and Jobs Act of 2017.

New Jersey's land values are among the highest in the nation, and a large percentage of a farmers' assets are in the form of land, equipment, and structures, that are largely illiquid. The death taxes represent a regressive tax on assets that were already taxed at least once, and these taxes represent a disincentive to farmers to invest in their businesses to remain competitive in a market where margins are slim at best. The death tax can also make intergenerational transfer of farms difficult or impossible. This could also have an impact on preserved farms, forcing owners to liquidate to pay the tax.

New Jersey Farm Bureau calls upon the United States Congress to exempt all farms from the federal estate or death tax, and furthermore call on the New Jersey legislature to do the same.

NJFB recognizes that this is a complex issue, and that any changes may require careful negotiation. Until a complete exemption from state and federal estate/inheritance taxes can be achieved for farms, New Jersey Farm Bureau urges its members to take all appropriate estate planning measures.

Farm Bureau supports eliminating the capital gains tax. Until this is possible, the tax rate should be reduced, and assets should be indexed for inflation. In addition, there should be an exclusion for agricultural land that remains in production, for transfers of farm business assets between family members, for farmland preservation easements and development rights, and for land taken by eminent domain. At the very least, capital gains taxes should not be collected at death, and the unlimited step-up in basis of inherited assets should continue.

Currently, farmers who donate food through "gleaning" programs are not eligible for the tax deduction. New Jersey Farm Bureau shall support a modification to the current federal tax deduction for food donations, so that farmers donating their products could qualify.

Motor Fuels Tax
New Jersey Farm Bureau should investigate a possible expansion of the current exemptions from the Motor Fuels Tax to include the transport of agricultural, livestock and seafood products transported on public roads within the state of New Jersey.

TRADE PRACTICES/PRODUCE PRICES (2025)
Chronic low prices received by New Jersey wholesale market produce farmers have raised suspicions about U.S. trade practices with Mexico and Canada. It is felt that domestic East Coast vegetable prices are suppressed when cheap imports unfairly come into the U.S. at the behest of buyers, regardless of local crop availability. Tomato growers in Florida have sought relief by filing a Sec. 201 inquiry with the International Trade Commission (ITC) in Washington.

The U.S. Department of Commerce announced its withdrawal from and termination of the 2019 Agreement Suspending the Antidumping Duty Investigation on Fresh Tomatoes from Mexico on July 14, 2025. With the termination of the agreement, the Commerce Department issued an antidumping duty order, resulting in duties of 17.09% on most imports of tomatoes from Mexico.

While the South Florida-Mexican tomato dispute may have triggered awareness of New Jersey impacts from a trade issue, concerns remain for the adverse ripple effect for local wholesale growers from these trade practices. New Jersey's market share for these produce items may not allow for unilateral actions to correct the undermining of market prices, but fostering awareness among our federal legislators and economic researchers is worthwhile to protect local farm viability. This includes possible inter-regional differences as well as trans-border problems. Farm Bureau commends the efforts of Sen. Cory Booker and Rep. Jeff Van Drew to examine the issue on behalf of New Jersey farmers.

ASPHALT MILLINGS (2025)
Farmers use reclaimed asphalt pavement (RAP) or asphalt millings to improve farm lanes and prevent mud tracking onto public roadways and eroding into roadside swales and waterways from farm equipment. The reclaimed asphalt millings make farm road improvements and seasonal maintenance affordable for farmers. Purchasing new natural crushed aggregate as a sub-base to bituminous concrete pavement is expensive and creates unnecessary hardship for farmers.

The Farm Bureau will work on getting NJDEP to provide an approval for this use or a Notice in the Response Action Outcome that an LSRP can rely on (similar to what we have for Historic Pesticides). The New Jersey Department of Environmental Protection has a guidance document available regarding the Reuse of Recycled Asphalt Pavement and Asphalt Millings. Any farm considering using these products should consult that guidance document before determining to use or accept millings on their property.

LOCAL NUTRITION ACCESS(2025)
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. In 2002 a pilot program was started to address the fresh food needs of our senior citizens and to that end the Senior Farmers Market Nutrition Program (SFMNP) was started with great success for New Jersey's direct farm marketers. Both programs have put federal food program dollars in farmer's hands but unfortunately, they have not had as successful a rate of return.

New Jersey Farm Bureau supports exploring the development of greater access for WIC and SFMNP participants including making electronic reading devices available to more local area growers. Clarifying requirements for participating farmers as well as alleviating some of the training hours to encourage more farmer involvement is supported by NJFB.

In 2019, NJ Department of Health was approved by USDA to authorize farmers markets to accept WIC/SFMNP rather than only individual farmers who go through the training. This was meant to allow more farmers to participate in the program without having to invest in it but was mostly unsuccessful due to market understaffing.

In 2023, a Fact Sheet was developed by the NJDA modifying eligibility for growers with less than five acres to participate in WIC, FMNP and SFMNP. The change allows growers on less than five acres to participate if they are located in one of the NJ Economic Development Authority (EDA) designated food desert communities. NJFB supports this change.

Every year, these programs are losing farmer participants and federal funds are being returned instead of being utilized. Farm Bureau shall continue to monitor what is going on with the program so that this decline in funding doesn't continue, allowing the program to be rebuilt with transparency.

Farm Bureau should work with the NJDA and NJDOH to identify and implement new strategies for enhancing redemption of SFMNP and WIC vouchers at community and retail farm markets throughout the state.

State managed resources/lists of farms and markets that accept WIC, SFMNP and SNAP need to be updated on an annual basis to remain current and useful to those wishing to use their vouchers.

In 2023, the DOH moved to a QR code internet-based system for the redemption of WIC, S/FMNP. Many glitches seemed to be worked out for the 2024 season and NJFB will continue to monitor the roll out.

NJFB encourages the State to investigate vendors/technology for simple, modern machines to streamline processing benefits and make it as easy as possible for farmers to accept all forms of payment. In addition, farmer input should be included in any proposed changes or discussions.

NJFB will encourage better coordination and communication between county boards of agriculture, county agricultural extension agents, farmers market managers, community local food access nonprofits, NJ Department of Health and Human Services, and other relevant stakeholders for pre- and post- season planning to increase and improve distribution and utilization of WIC, FMNP, and SNAP utilization at authorized farmstands and farmers markets, with participating NJ farms.

NJFB will also encourage and provide guidance for engagement with the NJ Inclusive Farmers Markets Working Group, which provides guidance materials, such as the FMNP Best Practices Guide, and provides outreach and assistance.

NJFB commends the NJDA for allocating funds to local food pantries for the purchase of local NJ produce and other local commodities and encourages them to continue this funding to support communities in need and local farmers.

STATE PURCHASE OF NEW JERSEY AGRICULTURAL PRODUCTS (2025)
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 and value-added products from New Jersey farms at competitive prices, there is presently no state policy or mandate for these institutions to purchase in-state products. In August 2011 the Governor signed the bills to create the opportunity for state agencies to look at New Jersey agricultural products first. NJ Farm Bureau will follow the rulemaking process as guidelines for implementation are developed.

Since 2002 the NJDA and the Department of Corrections have been continuing a program that allows for the Corrections Department to buy New Jersey produce directly from local growers.

Since procedures were streamlined to help promote the purchase of Jersey Fresh produce by state agencies the New Jersey Farm Bureau should continue to support such programs and continue to explore new avenues to have state agencies purchase Jersey Fresh produce.

New Jersey Farm Bureau has worked with New Jersey Farm to School Network and Division of Food and Nutrition in the NJDA to promote the value of Jersey Fresh produce to be included in NJ school meal programs. One success is the "Jersey Fresh Farm to School Week" that occurs the last week of September and will highlight and promote the value and importance of New Jersey agriculture and fresh foods produced in New Jersey, and the value and importance of fresh farm foods for children, their general health, and their success in school.

Farm Bureau should continue to support efforts to expand purchase programs beyond schools and corrections and look at opportunities to work with other institutions and organizations that can promote the use and purchase of local food and agriculture products.

The past two budget cycles $85 million was added to the state budget and passed through the NJDA to help food banks and emergency feeding organizations purchase necessary food items for those in need. Additionally, in the FY 2026 State Budget, $4.8 Million was added to create a Local Foods Purchase Program to purchase local farm products on behalf of NJ Food Banks, and $2 Million obligated to support purchasing local farm products on behalf of NJ school feeding programs. NJFB urges this addition to the budget become an annual appropriation. NJFB worked with the food banks and the state's farm cooperatives to establish relationships for the purchase of farm fresh NJ produce when in season. In addition, NJFB should include New Jersey farm produced, value-added products in all discussions and actions taken where appropriate.

HUNGER INITIATIVE/GLEANING (2025)
Farm Bureau commends the federal Local Farms for Purchasing Agreements (LFPA) and the Assembly Speaker's Hunger Initiative as significant win-win benefits for both local farm producers as well as the state's food bank associations and food insecure population. Nutritious produce is always in demand by the soup kitchen and food pantry delivery points with food deficit households. The breakthrough connections between major food banks and local produce sources facilitated by Farm Bureau and others were a major achievement for the farm community in 2022, with greater relationship development in 2023 through 2025. As the federal funding is coming to an end, it will need to be supplemented with larger state appropriations to keep the program intact to grow. NJFB requests the formation of a multi- sector representative advisory committee to provide guidance, feedback and input from farmers, food hubs (aggregator-distributors), and food pantries, and data review for any NJ local food for communities (food pantries, schools, etc.) purchasing programs. Further steps can be taken in addressing household food deficits by farmers through expanded retail produce sales in "food desert" areas of urban New Jersey and expansion of community farm markets near those locations. Farm Bureau supports these

initiatives in solidarity with urban policy leaders, and Rutgers Extension food education initiatives. NJFB commends the NJDA for the allocation of funds for purchase of NJ commodities by local food pantries and encourages the future allocation of funds for this purpose.

NJFB will continue to support gleaning to provide nutrition to families in need and minimize food waste. Gleaning is the process of collecting excess food from farms, gardens, farmers' markets, grocers, restaurants, state and county fairs, ports and other sources to provide for those in need. Gleaning reduces the unnecessary wasting of quality food, and gives low-income populations access to fresh, nutritious foods that are sometimes not available in their communities. Farmers and individuals can get involved in gleaning by connecting with various non-profit organizations, such as the New Jersey Agricultural Society's Farmers Against Hunger program, which sponsors gleanings across the state. NJFB supports the state funding that goes to non-profit gleaning organizations.

The State of New Jersey recognized the importance of gleaning for the first time in 2016 by declaring the last week of September as "NJ State Gleaning Week" and officially recognizing Wednesday of that week as "Farmers Against Hunger Day". New Jersey held its first Gleaning Summit during this premier week, bringing together legislators, farmers, emergency feeding organizations and gleaning groups. New Jersey Farm Bureau supports the efforts of the New Jersey Agricultural Society to promote awareness about gleaning and continues to encourage farmers with excess produce to join the Farmers Against Hunger Program.

NJFB supports the current liability protection given to farmers for donations through NJ law.

NJFB continues to support bills to provide financial incentives through tax deductions for donations as well as clarifying liability in the food donation liability law for donations and gleaning. There is a bill currently moving in the State Legislature that would allow for farmers to claim up to 50% of their wholesale produce value when donating, capped at $5,000 annually per farm. NJFB will continue to support this bill which is modeled off of Maryland's Pilot Program, and supports the permanent changes that were made in Maryland allowing for 100% of the wholesale value and increasing individual farmer caps to $10,000 after completion of the Pilot.

SEAFOOD GLEANING PROGRAM (2025)

New Jersey is home to four of the largest commercial fishing ports in the United States. The annual harvest of New Jersey's fishing industry is valued at $8 billion and is among the top in the nation, supporting 52,000 jobs.

It is estimated that 17 to 22 percent (approximately 2 billion pounds) of the entire U.S. fisheries catch is discarded each year. At any time, more than 1 million residents in New Jersey, including 375,000 children, suffer from food insecurity. That number is 49 million people, including 16 million children, nationwide. Utilizing a portion of that total discarded seafood could make and enormous impact on hunger, by securing a much-needed year-round source of protein for food banks, pantries and soup kitchens.

The Dietary Guidelines for Americans recommends eating at least 8 ounces (2 servings) of fish as a part of a healthy eating pattern per week. Eating fish has heart health benefits, promotes bone health, decreases the risk of becoming overweight or obese and decreases the risk for colon and rectal cancers. Fish provide key nutrients for baby's spinal development and children's brain development as well as providing iron and zinc to support immune systems.

New Jersey's commercial fishers seek to reduce hunger by participating in a new program called "The United States Seafood Gleaning Program (USSGP)" to utilize discarded and wasted seafood by gleaning. The application and award of grants by the New Jersey Department of Agriculture (NJDA), United States Department of Agriculture (USDA) and the National Oceanographic and Atmospheric Administration (NOAA) would help expand this program.

The USSGP is partnering with seafood processors and distributors, food banks and other interested parties to develop an innovative and compelling program for the collaboration of fishers, aquaculturists, fish dealers and processors in New Jersey and along the East Coast to create usable fishery products from discards and underutilized species, thus helping to address food insecurity. To further NJFB support of the Seafood Gleaning Program in New Jersey, NJFB will advocate for legislation requiring all New Jersey fisheries management plans require consideration of gleaning on a voluntary basis.

New Jersey Farm Bureau supports the establishment of a US Seafood Gleaning Program, and advocates for the use of grants and donations from all appropriate sources. State funding for gleaning was expanded in 2025 to include seafood.

NJFB shall in support of seafood gleaning, advise all gleaned seafood to be compliant with regulations intended for safe human consumption and assure gleaned seafood should not affect the image of "Jersey Seafood," "Jersey Fresh" or fresh seafood within the state.

FOOD, AGRICULTURE AND NATURAL RESOURCE EDUCATION & FFA (2025)
Food, Agriculture and Natural Resources 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, food science, biotechnology, politics, sociology, and international relations and trade.

Quality Food, Agriculture and Natural Resources Education programs consist of classroom/laboratory instruction by a certified teacher of agriculture; work-based learning through supervised agricultural experience programs; and leadership and career development through FFA.

New Jersey Farm Bureau is concerned about successfully meeting growing domestic and global demands for food and fiber and seeks to identify the future managers, producers, scientists, leaders, and others who will ensure the future security and productivity of agriculture. We recognize the need for higher academic achievement among students, especially in math and science. We also recognize requirements for increased accountability, standards, rigor, and relevance throughout the quality education systems.

To achieve this, New Jersey Farm Bureau endorses the implementation of rigorous and relevant secondary Food, Agriculture and Natural Resources Education programs in schools with approved agriculture programs, as well as in schools wanting to establish approved agriculture programs. New Jersey Farm Bureau recognizes the consistent use and positive impact of the national Curriculum for Agricultural Science Education (CASE) program throughout New Jersey. School districts, especially those with CASE, are establishing articulation agreements with 2- and 4-year postsecondary institutions to offer college credit for rigorous agriculture courses at the secondary levels. Therefore, agriculture students are receiving college credit for high school agriculture courses saving the time and money for content learned at the secondary level.

Recruitment of more students focused on agricultural sciences and Food, Agriculture and Natural Resources Education will be necessary to meet employment demands in the future. Marketing New Jersey's high-tech agriculture programs to students (and their parents) interested in pursuing professional agricultural careers is a priority and is necessary if we are to serve global needs for food and fiber.

The National Council for Agricultural Education and the National Association of Agricultural Educators (NAAE) recognizes the national shortage of agriculture teachers. NJFB supports the New Jersey State Teach Agriculture Results (STAR) program where a team of 12 people representing education, agriculture, FFA, Rutgers and Delaware Valley University to promote careers as agriculture teachers. The STAR program implemented a recruitment campaign to build the supply of young people to replace those retiring. In addition, there is a continued need for both the School of Environmental and Biological Sciences and Graduate School of Education to strengthen the agricultural education program, including a qualified agricultural education professor, in order to meet the future needs of certified teachers of agriculture and the current shortage. NJFB supports legislative efforts to establish a student loan forgiveness program for agricultural education teachers.

NEW JERSEY AGRICULTURAL LEADERSHIP DEVELOPMENT PROGRAM(NJALDP) (2025)
New Jersey Farm Bureau has been a supporting sponsor of the NJALDP program since its inception. The NJALDP program has over the years seen much success in fostering the leadership skills of participants in the program and has created many new leaders in agriculture. The program has opened many doors and created opportunities for collaboration amongst participants and alumni, now well over 200, which would not otherwise have been possible. In recent years, the program has undergone several drastic changes, including moving the management of the program, and also hiring an agricultural liaison to ensure the program meets the needs of the agricultural community. NJALDP is a program of the New Jersey Agricultural Society in partnership with Rutgers University. It is supported in part by the New Jersey Department of Agriculture, the New Jersey Farm Bureau, the American Agriculturist Foundation, Farm Credit East, and the Northeast Agricultural Education Foundation. The two-year program consists of ten seminars throughout New Jersey along with a visit to Washington D.C. and an international trip.

The NJALDP and its leadership training purpose contribute directly to building those skills among young farm and ag-related professionals. Farm Bureau continues its strong support for the program and encourages young agriculturalists in New Jersey to participate in future classes.

NEW JERSEY AG IN THE CLASSROOM (2025)
The New Jersey Ag in the Classroom program provides teaching resources, grants, and other teacher education programs to improve agricultural literacy by increasing the frequency and level of agricultural education in New Jersey schools.

Since working under the Farm Bureau umbrella in January 2018, NJ Agriculture in the Classroom has reached over 6,000 students and over 780 teachers through convention connections.

Leadership in Agricultural Literacy has been a goal as well, with its Program Leader being elected to the Executive Board of National Agriculture in the Classroom and presenting learning sessions at the national conference. Reaching over 2000 readers each month with an e-newsletter has proven to lead the way to improving agricultural literacy in New Jersey.

New Jersey Farm Bureau will continue its support of the NJ Ag in the Classroom program.

COMMUNICATION (2025)
The 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 shall continue to implement a proactive, planned approach to communicating agriculture's key messages. One issue area in need of greater communication and public education is farm vehicle safety. New Jersey Farm Bureau will undertake a broad public education campaign this year to inform drivers of the laws and safety precautions that should be followed when sharing the road with farm equipment. NJFB has developed an ongoing relationship with reporters in the print and broadcast media that serve New Jersey, many of whom now seek the Farm Bureau's input when reporting on issues and stories that pertain to agriculture.

In addition to communicating our policy issues, New Jersey Farm Bureau must also promote the agricultural industry and the organization of Farm Bureau to the non-agricultural community. Agriculture needs to continue to build alliances and support outside the farm community to ensure that emerging issues are identified and addressed early by a strong coalition of support. Improving the overall agricultural literacy of the non-farming public must be a priority for New Jersey Farm Bureau. This can occur in a variety of ways including distribution of printed materials, a presence on the internet/social media, and through in-person contact at events like county fairs. This communication effort should be positive oriented messaging and should be delivered to farmers and others in the agriculture industry in ways that can be easily shared with the general public.

NJFB shall work with the county boards and other agricultural organizations to develop a network of well-informed farmers with strong communication skills to disseminate the industry's key messages. NJFB should specifically target graduates of the New Jersey Agricultural Leadership Development Program and members of the NJFB Young Farmers and Ag Professionals to participate in this network, to capitalize on the training they've received.

In addition to communicating with the media and public, NJFB needs to keep legislators aware of how policy decisions may affect farmers.

To effectively communicate with legislators, New Jersey Farm Bureau shall:
- Identify key issues of importance to agriculture and relay that information to Farm Bureau members.
- Assist its members by providing information about who New Jersey's legislators are and how they can be reached most effectively.
- Encourage all members to take advantage of AFBF's online advocacy tools to communicate with Congress; and

- Identify those key members with the most knowledge of Farm Bureau policies and strongest communication skills and nominate them to be part of the Farm Bureau Grassroots Outreach (GO) Team.
- Recruit additional members to NJFB's new Advocacy Action Team, and expand the use of this online tool, to become more effective agricultural advocates on state legislative issues.

EMINENT DOMAIN (2025)

Eminent domain gives governments the power to "take" private property for "public use" or "public purposes" while providing just compensation to the landowner. States have statutes and rules that set up a process to be followed that is supposed to be fair for all parties: the landowner, the government entity, and the public that theoretically receives the ultimate benefit of the action.

New Jersey has its Eminent Domain Act of 1971 and the Local Redevelopment and Housing Act that set up a prescribed set of conditions for using the condemnation power and a legal process that must be followed.

The New Jersey Agricultural Development and Retention Act recognizes the possibility of using eminent domain to take farmland by setting up a process within the Act (NJSA 2:4C- 19) through which CADBs can "determine the effect of the use of this power upon the preservation and enhancement of agriculture in the Agricultural Development Area, the municipally approved program, and upon overall State agricultural preservation and development policies." Government's contemplating using eminent domain to acquire farmland in an Agricultural Development Area are required to notify the CADBs, or in counties with no CADB, the SADC. These boards review the reasons offered and can hold a public hearing before deciding whether there will be adverse effects on the Agricultural Development Area. In using this process, there have been instances when a CADB or the SADC determined that there would be no effects harmful enough for them to oppose the action. Recent attempts to take farmland, using eminent domain, in efforts to fulfil municipal affordable housing obligations continue to be a concern for both farmers and the public alike. Actions taken in Cranbury, NJ have gained national attention. USDA leaders have stated that Eminent Domain shall not be utilized to solve artificially imposed affordable housing obligations while contributing to local or regional food insecurities. Recent siting limitations and settlement agreements appear to have averted the takings in Cranbury, NJ and gives notice to other municipalities proposing a similar path to the taking of farmland for affordable housing.

Farm Bureau shall:

- Oppose the use of eminent domain to take farmland out of agriculture for open space acquisition or merely to obtain increased tax revenue for an agricultural property.
- Be a resource for farmers, municipal officials, the state's planning entities, Highlands and Pinelands Councils, and state regulators on the process and impacts to farmers and farmland owners when Eminent Domain occurs.
- Work with the Legislature to amend the New Jersey eminent domain statutes to strengthen measures to protect active farmland from indiscriminate and ill-advised use of this powerful tool.
- Support proposed legislation restricting the use of redevelopment incentives when agricultural lands are targeted as part of a redevelopment plan. We understand there are times when agricultural land needs to be developed but it should not be targeted with incentives to do so. Furthermore, farm fields are not "blighted areas" and should never be designated as such in need of redevelopment.

- Support the NJ Development Redevelopment Plan (SDRP) whereby planned affordable housing shall be located near to existing town centers where easy access to food, transportation, sewer, water and broadband services are readily available. Additionally, The SDRP urges local planning agencies to promote interconnected neighborhoods, plan for walkability to services and decrease automobile dependence.

LAND USE REGULATION (2025)

Agricultural and forested lands continue to be the largest areas of remaining undeveloped land in the state that pay taxes while providing food and fiber products to New Jersey's economy. To ensure that 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.

New Jersey 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. Many municipalities are using their zoning power for much more, including farmland and open space preservation, preservation of rural character, water quality improvement, and limiting population and growth. Since their master plans must be updated at least every 10 years, this gives them the opportunity to add or change tools to accomplish these goals. If zoning changes are made because of this reconsideration process, the MLUL requirement that all affected property owners be personally notified does not apply.

Farmland owners should be alert at key points during the master plan re-examination, master plan amendments, township committee passage of land use or police power ordinances such as those required by municipal stormwater management plans, and any municipal planning activities moving toward State Plan implementation or Highlands Plan Conformance.

New Jersey Farm Bureau should:

- Continue to urge its members to stay alert to land use planning changes in their municipality possibly coming with new wastewater management plans and the new State Strategic Plan and make sure they are in favor of the potential effects on their properties.
- Encourage the farm community to seek positions on local land use boards, environmental commissions, and other municipal and regional decision-making bodies in order to have input on land use and zoning issues that impact agriculture.
- Encourage all members to participate in or 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 affects agriculture. Help find funding for the Agricultural Advisory Committee to review their master plans and ordinances to assess whether existing documents do support the agricultural industry.
- Under the new administration, Farm Bureau members and county boards are advised to be alert for the resumption of strong growth management initiatives by the state that may change local land use plans and ordinances.
- Reemerging as a threat to farmland is solar development. With the passage of the successor SREC program, it is possible that NJ will lose up to 5% of ADA prime and statewide significant soils. SADC has been tasked with keeping track of the acreage removed from agriculture.

- Ensure that county and municipal plan conformance applications to the Highlands Council include local favorable right-to-farm ordinances and farm advisory committees, where appropriate.
- Warehouse development is also an emerging threat to farmland. Largely due to the pandemic and increase in online purchased goals, NJ is the prime location for warehouse facilities with its active ports. In 2022 the State Planning Commission (SPC), Office of Planning Advocacy (OPA), issued guidance for municipalities titled “Distribution Warehousing and Goods Movement Guidelines.” The guidance states that, "In New Jersey’s more rural and less developed areas where open space and farmland preservation efforts have been focused, large warehouse projects are encroaching deeper into remaining unprotected agricultural and forested areas. With only a finite amount of available land near major ports, highway interchanges, and accessible freight rail lines, warehouse development is occurring in outlying locations that have limited infrastructure and capacity to support them, particularly along local roads and related infrastructure that was not designed to handle heavy truck traffic. As large tracts of forested habitat and productive farmland are replaced with intensive warehouse uses, communities may be changed forever. Should such trends in accelerating greenfield development continue unabated, and without adequate State Planning Commission Warehouse Siting Guidance land use parameters to appropriately locate, scale, and design projects, the negative impacts to New Jersey’s agricultural and natural land base, and associated communities, have the potential to be dramatic." NJFB supports SPC’s initiative to update this guidance and the model ordinance in 2025. NJFB supports protecting farmland with good soils; there needs to be a mechanism put in place to preserve farms in a timely manner that are under imminent threat of development, and we are hopeful that the SADC’s new formula value will provide this change.

Carefully designed growth management includes larger lots along with agricultural development clustering to protect land, a better way to enhance the viability of agriculture than smaller lots and a hands-off approach to development. Every study of what’s needed for agricultural viability nationwide has contained strategies for directing inevitable growth into smaller, more marginal land areas so the best land can be protected for farming.

The New Jersey State Plan is going through the process of being updated over the next year for the first time since it was enacted in 2001. NJFB will work to ensure that adequate updates are made to all the sections that touch on agriculture, from infrastructure to environmental protection and natural resource restoration, to open space preservation strategies, climate change and resiliency to economic and workforce development. As of October 2025, the SPC completed the comment period and cross acceptance process is waiting for the release of the final draft of the document to be presented by the Office of Planning Advocacy. The final document must be approved by the SPC. NJFB will continue to monitor this progress.

HIGHLANDS (2025)
The Highlands Water Protection and Planning Act became law in 2004 and the first regional master plan was adopted in 2008, and since then there have been two plan conformance and review processes to update the plan. The Highlands Regional Master Plan is a regional approach to protect the water and natural resources of the Highland’s Region, to plan for growth and development in the region and encourage appropriate sustainable economic development.

New Jersey Farm Bureau has followed and participated in the planning process. It has encouraged the Highlands Council to adopt policies to protect landowner property rights and values, encouraged agriculture as an industry to be supported in the region, and sought balance in policies to encourage appropriate development and economic growth while protecting the important water resources in the region. Using programmatic funds issued through the budget process the highlands council established a sustainable agriculture grant program geared toward production systems as well as regional marketing of agricultural products in the highlands. The Council have also used their planning incentive grant funding to look at redevelopment projects that could benefit food processing in the region.

Going forward, the New Jersey Farm Bureau will focus on three main areas: 1. land preservation and equity, ensuring that money is available to compensate landowners fairly for the preservation and restriction of their lands; 2. Agriculture viability and sustainability, looking for ways the council can invest in the agriculture industry in the region; 3. Housing and development, to ensure there is appropriate development that can include the housing needs of the agriculture workforce and the other industries in the region. 4. Have equal representation from all counties in the Highlands region

Land Preservation/Equity:

- Working to fund the HDC Bank annually so that it always has money to buy HDC credits since without mandatory Receiving Areas there is no market other than the Bank to buy credits. Ensure that the opening credit value is recalculated to be closer to the true property values being lost.
- Work with the legislature on new initiative to fund the TDR bank in the highlands, including a permanent dedication of a portion of the CBT or annual appropriations in the budget
- Urging the HLC to support any and all farmland preservation funding from the Legislature. Farm Bureau supported the need to reauthorize the dual appraisal method of appraising property valuations in addition to the new valuation formula.
- Encourage the completion of the “Municipal Average” study as an alternative to the current appraisal processes for land preservation.

Agriculture viability and sustainability:

- Ensure that the existing rules for agriculture development are followed and that towns coming in for plan conformance have strong right to farm policies in place.
- Supporting timely implementation of the new land conservation programs and clarification of how they will apply to forested properties. Support the use of USDA forest stewardship programs and funding to encourage active land management on private lands.
- Work with the Council and staff on forest management incentives for the region to improve public and private forestry in the region.
- Encourage partnerships between County Economic Development authorities, the Highlands Council and the State’s Economic Development Authority on Projects that can enhance agriculture production and processing in the region.
- Work with and support the 2024-2025 Highlands Branding Project to ensure that agriculture and agritourism remain a major focus to enhance farm viability in the Highlands.
- Support the Highlands Council's sustainable agriculture grant program.
- Ensure that county and municipal plan conformance applications to the Highlands Council include local favorable right-to-farm ordinances and farm advisory committees, where appropriate.

- Support the functions of the newly formed agriculture advisory committee.
- Support the HLC in their effort to secure funding and hire an agricultural policy and field ombudsman

Housing and Development:

- Monitoring the activities of the Highlands Credit Bank and urge more progress in development of a viable TDR program, including the establishment of mandatory receiving areas that would provide a real market for Highlands Development Credits,
- Supporting the HLC in making planning expertise and funding available to towns where there is potential for development of a Receiving Zone, including the communities outside the Region but in Highlands counties where research shows capacity for the necessary increase in density of development.
- Study the housing needs of the agricultural workforce in the region for both year-round and seasonal work forces and encourage policies to allow for workforce housing in the region.
- Plan as a region for other types of development including warehouses and solar to reduce pressure on the agricultural land base and impacts to the agriculture viability in the region.

ATTORNEY FEE SHIFTING (2025)
NJFB supports the adoption of legislation that provides for the assessment of attorneys' fees and costs against a complainant who commences an administrative or legal action against the owner or operator of a commercial farm that is dismissed by motion or otherwise determined to have been brought without substantial merit. In November 2025, the Governor signed A4603 into law which allows commercial farmers to be awarded reasonable costs and attorney fees for defending against bad faith complaints brought under the Right to Farm Act.

THE LANDSCAPE PROJECT (2025)
The Landscape Project mapping of alleged habitat for threatened, endangered or "rare" animal species continues to be the most powerful land use mapping tool with the potential to make vast acreages of New Jersey land difficult if not impossible to use. Current evidence suggests that the mapping is not property-specific yet applications and approvals are. This leads to incorrect assessments for DEP land use reviews and approvals. When used this mapping can reduce usage and development potential on farmland and could make it difficult to build necessary farm structures that might enhance farm viability. The landscape project should be used as a planning guidance document while site-specific confirmation must be utilized when making critical land-use review decisions.

On the federal level, Court decisions have forced the US Fish and Wildlife Service to perform an economic impact assessment before declaring an area as habitat. New Jersey Fish and Wildlife should have to do the same before green lining thousands of undeveloped acres in New Jersey. NJFB must work to require that there be science based physical evidence in addition to habitat potential before any regulatory action may be taken regarding restricting land use by NJ DEP and other land use regulatory bodies.

Farm Bureau shall:

- Urge the NJ Division of Fish and Wildlife to report on a regular basis sightings of new animal species with the potential to be regulated in NJ and a report on their possible habitat and food choices.

- Continue to question the basis for the Landscape Project mapping, the lack of public review through the formal rulemaking process, and guard against further restrictions on the ability to farm profitably.
- Advocate for a change to the Landscape Project procedures to require a detailed, specific economic impact assessment for all properties affected by this regulation. A thorough analysis of the real Agricultural Impact must be required as well.
- Encourage the New Jersey Department of Agriculture to participate fully with the DEP in the development and implementation of reasonable landscape project regulations that enable viable agriculture instead of prohibiting it.
- Inform landowners and farmers so they can get access to DEP data mining and GIS mapping of these habitat areas and the impact on their property.

MOUNT LAUREL DOCTRINE (AFFORDABLE HOUSING) (2025)
Affordable Housing Designation, formerly COAH, was established following the 1975 and 1983 Mount Laurel decisions to ensure that every community in the state addressed the need, and it developed the rules and standards by which municipalities plan for and build affordable housing. There is consensus that many more affordable housing units are still needed. With the failure of third round rules, the state courts have stepped in to address municipal compliance with affordable housing obligations. It remains to be seen how towns' fourth-round obligations will be addressed when that round commenced in 2025.

Creation of affordable or workforce housing in even rural communities (when appropriately sited, and at a scale appropriate to those communities) can benefit NJ agriculture by making more reasonably priced housing available for family members, farm employees, and local government employees such as school teachers, police, and firefighters. It also may present opportunities for growth in which land equity tools such as noncontiguous clustering could be used while providing affordable housing for those who qualify.

NJFB should work on:

- Finding ways to have farm labor housing count towards a town's affordable obligation.
- Defend that Eminent Domain shall not be utilized to solve artificially imposed affordable housing obligations while contributing to local or regional food insecurities.
- Remove affordable housing fee assessments for agriculture related structures.
- Provide for exemptions from fees for construction of farm family homes, that would meet the definitions of affordable housing.
- Advocating for the NJ Development Redevelopment Plan's position (SDRP) whereby planned affordable housing shall be located near to existing town centers where easy access to food, transportation, sewer, water and broadband services are readily available.
- Prime soils and soils of state-wide importance and the public investment in preserving those soils can best be protected through comprehensive planning efforts including state-wide, county, and local farmland preservation plans and wastewater management plans. These plans must be followed when siting affordable housing, including inclusionary developments mandated through builders' remedies.

WAREHOUSES AND REDEVELOPMENT PLANS ON FARMLAND (2025)
A current well-publicized trend in New Jersey land use activity is the development of large warehouse facilities to serve the commercial retail industry. The demise of "brick-and-mortar" shopping and outlets as well as the need for high tech-oriented light industrial space fuels the

demand for this new development. Frequently, many sites being selected for locating these warehouses are active farmlands.

Legislative proposals are now pending that call for added site plan review and inter-municipal consultation prior to approval of these development plans. Like the consideration of large solar panel development projects on farmland, some projects should be avoided to protect the ag viability of existing farms and the agricultural industry. Other situations may have less adverse consequences to farming but should nonetheless be evaluated for its impact on local farming. In the event lands deserve regulatory protection, those landowners should be automatically qualified for equity compensation under the state or local farmland preservation program. Rules administered by the SADC including appraisal policies should be amended to reflect this new circumstance.

The Murphy administration and regional planning advocates have been at odds regarding the level of oversight to be provided to local planning boards in the review of warehouse development proposals and redevelopment proposals. The state has offered advisory guidelines through its Office of Planning Advocacy as an assist to the regional impact review process. Professional planners and environmentalists seek a stronger role for state level interests in the review process to ensure that good planning objectives are met.

Farm Bureau urged the SADC to review and revise its appraisal procedures so there can be a conservation alternative in certain circumstances when a critical farmland parcel may be more valuable to regional farming interests than it is for development as a large-scale warehouse project or redevelopment. The SADC has succeeded in providing a conservation alternative to warehouse and other development projects that threaten farmland through the use of its new formula which makes offers more competitive. Additional review and valuation should be considered where there may be an adverse conversion of previously mapped prime soils or soils of state-wide importance. Farmers and agriculture advisory committees are encouraged to take part in local planning board procedures whenever major farm industry interests are at stake.

Farm Bureau supports the full exercise of state and local planning authorities to better oversee the issuance of permits for new warehouse development. This includes the use of farmland preservation funding and potential new appraisal formulas.

In the year ahead, Farm Bureau recognizes the continued pressures for the conversion of open farmland for warehouse and other development projects. It wishes to keep the current course of encouraging the maximum use of local land use authority to sort out siting issues when prime farmland is in question. County farm preservation officials and the SADC should be ready when called upon to resolve these land use conflicts.

STATE DEVELOPMENT - REDEVELOPMENT PLAN (SDRP) (2025)

The New Jersey State Development and Redevelopment Plan (SDRP), or State Plan, is in the process of being updated. The update is overseen by the Office of Planning Advocacy and the State Planning Commission. The Commission approved the Preliminary State Development and Redevelopment Plan, or Preliminary State Plan, on December 4, 2024. It was released on December 6, 2024. The State Plan will reflect current planning principles and best practices in the areas of land use, transportation, housing, environmental protection and enhancement, economic development, provision of public infrastructure, historic preservation, social justice, and adaptation to global climate change. Once it is adopted, State agencies implement the SDRP through their functional plans, investment priorities, and administrative rules, while local governments implement it through their planning objectives. The Office of Planning Advocacy remains confident that the final State Development and Redevelopment Plan can be adopted by the end of 2025. The State Plan is not designed to overrule, negate, or interfere with existing plans or regulations in these communities, but is intended to provide guidance and foster collaboration among stakeholders.

The Goals of the updated SDRP are:
1. Promote economic growth that benefits all residents of New Jersey
2. Provide an adequate supply of housing for residents of all ages and incomes in interconnected communities of their choosing that meet their needs and offer ready access to the full range of supportive transportation, goods and services
3. Economic opportunity through nation-leading infrastructure
4. Revitalize and recenter the state's underutilized developed areas
5. Effectively address the adverse impacts of global climate change
6. Protect, maintain, and restore the state's natural and water resources and ecosystems
7. Protect the environment; prevent and clean up pollution
8. Protect, enhance, and improve access to areas with exceptional archeological, historic, cultural, scenic, open space, and recreational value
9. Implement equitable planning practices to promote thriving communities for all New Jerseyans
10. Foster sound and integrated planning and implementation at all levels statewide

Farm viability continues to be the prime concern for farm owners. Farming is a business and keeping the farmer on the farm and remaining viable and profitable must be paramount in all the policies set forth in this SDRP. The New Jersey agricultural community is composed of some of the most unique and successful business entrepreneurs throughout the state. Farmers must be allowed to be both proactive and reactive to the emergent needs on the farm and to provide for the varying needs of the customers.

Farm Bureau supports economic development through entrepreneurship and innovation in all agribusinesses. The NJ Farm Bureau urges the State Planning Commission and the State Office of Planning Advocacy to remain consistent with the intent of this Redevelopment Plan and to guide local planning agencies to follow the same goals of the approved SDRP. Farm Bureau also supports the SDRP by eliminating obstacles to good business practices, profitability and economic growth on the farm where it impedes viability and is determined to be redundant or unnecessary.

Farm Bureau accepts the SDRP as informational only and we reserve the right to oppose regulations that may have a negative impact on NJ farmers.

GOVERNANCE BY INITIATIVE AND REFERENDUM, EMERGENCY RULES AND EXECUTIVE ORDERS (2025)

New Jersey held a referendum on the 2013 State ballot to raise the minimum Wage in NJ. This process to raise the minimum wage circumvented the standard legislative process. Not only was NJFB opposed to the increase of the minimum wage via the NJ constitution, NJFB opposes the use of initiative and referendum type governance to impose new mandates and burdens on farm operators and farm businesses. Without detailed examination, these actions often leave NJ businesses, including agriculture, at a competitive disadvantage with other states.

Farm Bureau also opposes the government abuse of emergency rulemaking to address updates in regulations that should go through the regular rulemaking process. We also oppose the use of Executive Orders to accomplish state policies and procedures that should be legislated and then implemented through the regular rulemaking process. Examples include the NJDEP clean car rule proposal, NJ-REAL and the BPU electrification incentive programs that become mandates on consumers.

Farm Bureau encourages all state agencies to reach out to the impacted community when developing new regulations before drafts are sent to the register for publication and adoption.

COMMUNICATION WITH THE AGRICULTURAL COMMUNITY (2025)
Farm Bureau will continue and expand its use of the New Jersey Farm Bureau website as a communication tool within the organization. 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 on topics like motor vehicle regulations, sales tax rules, farmland assessment, and other issues shall be developed and/or updated as necessary and made available to Farm Bureau members. In addition to online and printed information, Farm Bureau shall also continue to present seminars or workshops on timely subjects as needed throughout the state.

Farm Bureau Membership Recruitment and Retention
The implementation of membership recruitment activities must be a priority for the Farm Bureau. In 2023 NJFB President Carter created an ad hoc membership committee to specifically address recruitment and retention issues. The work of the membership committee will be ongoing, as needed. Some ongoing membership development work includes:

- Conduct regular review of current member benefits and recommend new benefits as appropriate.
- Focus on recruiting individuals with no direct connection to the business of farming but who want to support the continuation/preservation of the industry for community benefits. The individuals would fall under the “friends of agriculture” membership category at $25 annual dues.
- Update membership brochures and create new printed and online materials as needed including county-specific recruitment materials.
- Continue the current awards program of awarding a $500 stipend for county boards who exceeded the previous year’s membership level.
- Restricting the dissemination of NJFB informational materials to members only.
- Working cooperatively with commodity groups to find ways to cross-promote membership in multiple organizations.

NJFB will assist county leaders in this recruitment and retention effort by sharing membership renewal information with them regularly and by supplying them with applications and benefit brochures as needed.

One of the core services provided by Farm Bureau for its members is informal constituent assistance when help is needed. Many farmers call or email Farm Bureau with questions, requests for information or ideas about how to handle problem situations. Farm Bureau staff assistance in response to these inquiries shall be reserved for Farm Bureau members only.

COUNTY BOARDS OF AGRICULTURE (2025)
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. The Young Farmer & Rancher program and the Agricultural Leadership Development Program may aid in the recruitment of new members, some of whom may be interested in assuming leadership roles at either the county or state level. 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.

Farm Bureau has established a membership committee to find better ways to maintain and expand membership. Each County Board of Agriculture should find ways to work with New Jersey Farm Bureau on membership recruitment and retention activities as well as member engagement in legislative and public outreach on agriculture issues.

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.

AG CONVENTION/STATE BOARD OF AGRICULTURE APPOINTMENTS (2025)
Each year the State Agricultural Convention meets to develop resolutions and policy directives for the NJDA. During the convention delegates have two important nominating functions. To nominate two members to the 8-member State Board of Agriculture where each member serves for 4 years and to nominate a farmer representative to the Fish and Game Council, one each from three regions in the state to also serve for 4 years.

NJFB should request that the State Board of Agriculture conduct an education and training session at the State Agricultural Convention this year and County Boards of Agriculture meetings throughout the year to acquaint delegates with the current caucus system. This would increase knowledge and understanding for all counties and attendees to help speed the nomination process.

Once the convention makes the nominations, they are sent to the Governor's office for review, nominees are encouraged to file applications and any financial reports as soon as possible so the Governor can make a timely nomination. People appointed by the convention to these posts must also have the support of their home county Senator(s) before confirmation hearings can be held. Candidates are encouraged to begin the process and outreach to their senator(s) as soon as possible.

New Jersey Farm Bureau should help speed the process whenever possible by writing support letters to the Governor's appointments office and by assisting nominees in their outreach to Senators. Farm Bureau has also been active in requesting hearings before the Senate Judiciary Committee for the nominees and should continue those efforts once the nominations have been made. The same effort should also be made for farmer appointments to other boards and commissions that call for farmer representation.

The NJFB strongly urges the Governor's appointments office and the Senate Judiciary Committee to make these appointments in a timely manner. Each member of the State Board of Agriculture represents different sectors of the industry. Unfilled vacancies deprive the board of vital expertise in making important decisions affecting New Jersey's agricultural industry.

Current statutes permit the State Board to temporarily fill a vacancy on the state board through nomination by the governor and advice and consent from the Senate. This appointment remains until the next state agricultural convention where the person can be nominated to fill the unexpired term, or another farmer may be selected.

However, for a sudden vacancy in the Fish and Game Council there is no statutory procedure for selecting a replacement other than the State Agricultural convention.

New Jersey Farm Bureau working with the State Board of Agriculture should review options for having an alternate mechanism for temporary appointment of farmer members to the Fish and Game Council if a vacancy should occur after the convention has met. There needs to be legislation introduced to permit a temporary appointment to address this issue. NJ Farm Bureau should work for the introduction and passage of appropriate legislation to accomplish this.

New Jersey Farm Bureau also urges the State Board of Agriculture to work diligently to always keep the farmer appointments to the SADC current.

At the end of the 2017 legislative session a bill was passed to create an alternate farmer and public member for the SADC. For the Farmer member recommendations of a past State Board or SADC member are sent to the governor for their consideration of the nominee and must be approved by the Senate.

TRESPASS/VANDALISM (2024)
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 preventable source of increased costs of production and is an unnecessary hassle for those farmers. The increased interest in the "Rails to Trails" program as well as the development of other new walking and horseback riding trails nearby or through active farmland is likely to increase the incidents of trespassing, littering, and vandalism, making this issue of even greater importance. These problems can otherwise negatively affect some of the advantages of being in direct proximity to large retail market opportunities.

Due to damage from off-road vehicles in State Parks from people abusing the existing road network and going off road, there is a concern about the state shutting down access roads to the public which in turn could lead to more off-road drivers looking at farm and farm roads to drive on. NJFB should monitor this situation and revisit the need to have these vehicles registered and licensed in the state.

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 and all-terrain vehicles be included in the same laws as motor vehicles concerning trespass.

State legislation to increase penalties for trespassing and vandalism on agricultural lands was adopted in 2018, which was intended to simplify the process for obtaining restitution for damages. NJFB supports legislation currently moving that would revise elements of offense of agricultural trespass, expand the number and type of activities constituting agricultural trespass, and expand the definition of "lands" susceptible to agricultural trespass.

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.

ENERGY USE ON FARMS (2024)
The increase in energy prices brings more attention to the ongoing issue with the installation of demand meters. Demand meters attached to seasonal equipment such as irrigation pumps have resulted in significant charges to growers who have upgraded their equipment. Farm Bureau should support the reinstatement of the farm exemption for demand meters to clarify that all farms, new or existing, are exempt from the need to install a demand meter.

There are reports of utilities imposing significant fees on rural users seeking to go from two-phase to three-phase and or seeking to upgrade their services. To correct this problem, NJFB should urge the BPU to limit utilities from imposing these onerous fees on rural energy users and create a program that provides farmers an incentive to assist growers in the cost to install three-phase electric service.

Energy cost influences farmers' decision-making processes regarding energy use. The state energy plan is pushing energy demands toward electric alternatives. As some farms seek to implement energy-efficient practices or invest in renewable energy sources, such as solar panels, to mitigate expenses. However, the initial investment for such technologies can be expensive and or connections unavailable in specific areas of the state. Hearings were held in NJ highlighting energy costs, including a hearing by Congressman Jeff VanDrew to address significant Atlantic City Electric bill increases and an NJ Assembly Telecommunications and Utilities Committee hearing to evaluate energy costs in NJ.

Before mandating increased electric usage such as electric vehicle mandates, the current energy plan must consider the lack of infrastructure, specifically in South Jersey. There also needs to be protections for ratepayers so they are not blindsided with rate increases that dramatically increase their bills.

In encouraging solar development on working farms even if it is to just provide energy to the home farm, Farm Bureau should seek legislation clarifying that when a farm project is net metering its energy use for a solar project, the farm operation can use the combined readings of all meters on a farm to establish the farm energy use for the project and not require a different system for each meter on the farm.

Energy Audits
There are several incentive programs available to farmers to help defray the costs associated with having an on-farm energy audit done. However, since funding is only available up to a certain amount, audits are often scaled down to fall within cost constraints and are therefore not always

exhaustive. NJFB should work to pursue additional resources for farmers seeking more complete energy audits and should work with NJAES, a process that started with the on-farm energy use seminars, to further this policy goal.

The Environmental Quality Incentives Program (EQIP) On-Farm Energy Initiative helps farmers and ranchers make voluntary improvements that can boost energy efficiency on the farm. Financial assistance is available to inventory and analyze farm systems that use energy and identify opportunities to improve efficiency through the development of an Agricultural Energy Management Plan. Growers report delays in completing these audits based on the limited number of technical service providers. NJFB should communicate with NRCS the need for more NRCS-certified Technical Service Providers to perform energy audits on farms across the state.

FOOD SAFETY (2024)
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. A rapid response to media inquiries by both New Jersey Department of Agriculture (NJDA) and Farm Bureau must occur whenever a food safety issue arises.

Food safety is a dynamic process with new research and information continually becoming available. This requires the industry to be updated throughout the year. Rutgers Cooperative Extension and NJDA work closely to provide the latest information to the industry through written material, workshops, websites, etc. Farm Bureau supports these efforts and encourages the continued funding of these efforts.

In addition to the Food Safety Task Force, The New Jersey Department of Agriculture, along with the United States Department of Agriculture, offers a voluntary farm auditing program that verifies that produce has been grown, harvested, packed and shipped in a safe and sanitary manner. New Jersey Farm Bureau encourages growers to participate in this voluntary program.

New Jersey Farm Bureau should promote recognition and acceptance of uniform standards for third party audits. Multiple audits are demanded by varying retailers and produce buyers, significantly increasing the cost of the farm's food safety program while produce farms are experiencing level, or in some cases, decreased prices for produce. Research has shown no demonstrable advantage of one audit over another. Some of these audits have veered from auditing the safety aspects of growing and handling produce to social aspects of employee benefits, etc. Legislation may be required and warranted to rein in run-away costs of multiple food safety audits and to preserve the produce industry in New Jersey and the United States.

New Jersey Farm Bureau shall seek to educate the various entities (ie: chain stores, brokers, shippers, etc.) requiring food safety audits to accept the “Harmonized Audits” that have been developed through a national dialog between the private and public sectors. Where possible, costs of third-party audits should be totally or partially reimbursed to growers.

In July 2022, the FDA issued a supplemental notice of proposed rulemaking (SNPRM) to the proposed agricultural water rule to extend the compliance dates for the proposed pre-harvest agricultural water provisions. The SNPRM proposes to establish the following compliance dates for the pre-harvest agricultural water requirements for covered produce other than sprouts:

- 2 years and 9 months after the effective date of a final rule for very small businesses.
- 1 year and 9 months after the effective date of a final rule for small businesses; and
- 9 months after the effective date of a final rule for all other businesses.

The SNPRM also clarifies that they intend to continue enforcement discretion for the harvest and post-harvest agricultural water requirements of the Produce Safety regulation until the following dates:

- January 26, 2025, for very small businesses;
- January 26, 2024, for small businesses; and
- January 26, 2023, for all other businesses.

The FDA plans to take an "educate before and while we regulate" posture as they begin implementing the harvest and post-harvest requirements. For the first year of compliance, the FDA intends to work closely with state and industry partners to advance training, technical assistance, educational visits, and on-farm readiness reviews to prepare both growers and state regulators for implementing these provisions prior to initiating routine inspections verifying compliance. The NJFB will continue to support Rutgers and NJDA with their education program for farms covered by this rule.

Food Traceability
The FDA published the final rule for Food Traceability and became effective on January 20, 2023, and compliance will be required on January 20, 2026. The rule imposes additional traceability recordkeeping requirements for certain high-risk foods. This rulemaking is required by section 204 of FSMA and is an additional action in FDA's ongoing FSMA implementation. At the core of this proposal is a requirement for those who manufacture, process, pack or hold foods on the Food Traceability List (FTL) to establish and maintain records containing Key Data Elements (KDEs) associated with different Critical Tracking Events (CTEs)

The proposed rule also would require that:

- records be maintained as either original paper records, electronic records, or true copies; they all must be legible and stored to prevent deterioration or loss.
- traceability records be provided to FDA as soon as possible, but no later than 24 hours after a request is made.
- an electronic, sortable spreadsheet containing relevant traceability information be provided to FDA within 24 hours of a request, when necessary, to assist FDA during an outbreak, recall, or other threat to public health.

There are some exemptions (full or partial). Full exemptions include small retail food establishments, small farms (less than $25,000 in sales), farms selling food directly to consumers, certain food produced and packaged on a farm, food that receives certain types of processing and transporters of food. Partial exemptions would apply to certain commingled raw agricultural commodities (not including fruits and vegetables subject to the produce safety regulations), fishing vessels, retail food establishments that receive a listed food directly from a farm and farm to school and farm to institutions programs.

FDA rules include the total gross income the farm generates. Many crops that a grower produces include grains and nursery that have no food safety concerns and should be exempt from total gross income.

The NJFB should help promote the educational seminars hosted across the state by Rutgers Extension program to make sure growers are informed and trained to comply with the FSMA. This past growing season the Rutgers On-Farm Food Safety Team and the New Jersey Department of Agriculture completed numerous On Farm Readiness Reviews (OFRR) to help growers determine if they are ready for a Food Safety Modernization Act Produce Rule Inspection. New Jersey agriculture will be ahead of the curve with the recent OFRR's conducted by NJDA and the Rutgers On-farm Food Safety team.

As the FSMA is implemented growers are concerned with possible varying interpretations of the impending rules and how compliance is measured. New Jersey agriculture will be ahead of the curve with the recent preliminary audits conducted by NJDA. As FSMA audits begin the NJDA should encourage uniform interpretations of the rules by inspectors and monitor the progress.

The NJFB supports an appropriation to Rutgers for $100,000 to study and comprehensive study on the use of high-pressure processing for shellfish. HPP has several applications in the seafood industry. Application of HPP eliminates common seafood pathogens, such as Vibrio and Listeria spp., and slows the growth of spoilage microorganisms. Use of cold water as a pressure medium induces minimal changes in sensory and nutritional properties and helps in the development of clean label seafood products. This technology is also useful to shuck oysters, lobsters, crabs, mussels, clams, and scallops to increase recovery of the edible meat. There are also opportunities to research the use of HPP on produce for pathogens as well.

There is a heightened concern within the agriculture industry with the recent criminal charges filed against a Colorado farm for a food contamination outbreak. NJFB believes that growers who are certified with a food safety audit should be held harmless from criminal and civil charges.

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 Rutgers 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. NJFB must also work to keep our members informed of policy and practice changes as they relate to food and food security issues.

ANIMAL CARE (2024)

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.

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. After challenges to the rules by animal rights groups the New Jersey Supreme Court upheld the authority and the expertise of the Department to promulgate the standards further stating, "Regardless of one's personal view of the overall regulatory scheme or of domestic livestock in general, the regulations are consistent with the meaning of the term "humane."

The Humane standards were readopted in 2017 with very little amendments or changes. They are scheduled for readoption in 2024 and are currently being amended to address the confinement of calves raised for veal and breeding sows in pork production. Farm Bureau will monitor the amendment and adoption process and encourage our members to make comments on the proposals.

It is very important for New Jersey agriculture to have strong and working humane standards for livestock producers that are based upon science and that separate agricultural management practices from true animal abuse. It is also important that those standards be referred to and followed by county prosecutors, animal control officers and law enforcement in consultation with Certified Livestock Investigators. New Jersey Farm Bureau produced a pamphlet outlining livestock owners' rights during a humane enforcement action. This is available to all Farm Bureau members.

New Jersey Farm Bureau will:

- Continue to work with the Department of Agriculture and educate animal owners of the humane standards and how the rules apply to their farms and keep updated the guidebook produced with the department.
- Work with the Emergency Management Animal Working group and other animal rescue groups to ensure there is a support system for livestock operations in emergencies and during investigations to ensure humane treatment and care of livestock animals.
- 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.
- Support and encourage the NJDA to update the humane standards to align with American Veterinary Medical Association (AVMA) and industry best management practices.

The federal government through the USDA is working on a National Animal Identification System (NAIS). The program includes a Premise Identification (PI) component, and after much push back from the livestock groups the NAIS rules now focus on animals that move off premise and across state lines.

New Jersey Farm Bureau also supports the USDA Scrapie Eradication Program for sheep and goats and supports the USDA plan to phase in the NAIS tagging system to replace the current "scrapies" tag program in order to avoid duplication and undue expenses to those producers.

The New Jersey Farm Bureau supports the USDA concepts (Program Aid No. 1797 and 1800) and does not want the NAIS or PI programs to become a burden on any domestic animal producers. Farm Bureau also supports the avoidance of multiple identification programs, processes, or requirements. Farm Bureau will oppose the imposition of fees to producers for implementation of this program.

FDA FEED DIRECTIVE (2024)

The latest changes in the FDA Feed Directive regulations were implemented in June of 2023. This entailed the FDA removing over-the-counter availability for those additional antibiotics that are of importance to human health, unless prescribed by a veterinarian.

With limited numbers of livestock veterinarians, cost not only of care, but the drugs becoming limited in production is a great concern for farms large and small. However, while there are still legitimate concerns about timely care and limited numbers of livestock veterinarians, the FDA has held firm that the potential for creating antibiotic resistance in humans as well as livestock is too great to continue using these products without a veterinary prescription.

After consultation with representatives from NJDA, Rutgers and livestock veterinary medicine, it was determined that it can be helpful to educate livestock owners about the FDA requirements and encourage them to develop a working relationship with a veterinarian, which includes a written document called a Veterinary-Client-Patient-Relationship. An article explaining the rule is available to Farm Bureau members on the NJFB.org website.

As the negative effects of this regulation continue to impact livestock producers, New Jersey Farm Bureau recommends a regulatory change to create a licensing system for producers. This would be similar in nature to a pesticide applicator license, requiring educational credits prior to receiving the license. Once the proper number of credits are achieved, a producer could again purchase these critical medications over the counter as needed.

U.S. CLEAN WATER ACT (2024)
Waters of the United States (WOTUS)
In January 2023, the EPA and the U.S. Army Corps of Engineers finalized a new WOTUS rule.

A May 2023 Supreme Court decision in Sackett v. EPA forced EPA and the Corps to revise their 2023 Rule.

After the Supreme Court ruling in Sackett, EPA and the Corps chose to revise only a slice of the rule that was rejected by the Court. The agencies eliminated the “significant nexus” test that all nine Supreme Court Justices rejected–but ignored other concerns raised by the Justices, 27 states, and farmers across the country about the rule’s failure to respect private property rights and the Clean Water Act.

The updated rule leaves in place much of the overreach that Farm Bureau and many others have been opposing, including the agencies’ vague “relatively permanent” standard. For this reason, AFBF will persist in its legal challenge to the rule to protect farmers from the threat of penalties and prosecution for simply farming their land.

NPDES Permits
The Clean Water Act (CWA) controls water pollution by regulating point sources that discharge pollutants in and around waters of the United States through the National Pollutant Discharge Elimination System (NPDES) permit program. The federal Environmental Protection Agency (EPA) has never required NPDES permits for the application of pesticides for agricultural crop protection, mosquito control, invasive aquatic weed control, forest canopy insect control, or other registered uses of pesticides when properly applied following FIFRA-approved label directions; and
In January 2009, U.S. Court of Appeals for the Sixth Circuit decision, in the matter of National Cotton Council of America et al. v. United States Environmental Protection Agency, vacated an EPA Final Rule which exempted pesticides applied in accordance with the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) from the federal Clean Water Act’s permitting requirements; and

The Court granted EPA a two-year stay of its decision, during which time EPA is developing general permits for four aquatic pesticide uses in the four states without CWA authority, and states which have assumed CWA authority may use these examples as models in adopting general permits for their states.

Several attempts by Congress to remedy this situation by clarifying FIFRA's sole primacy in regulating pesticide use failed to achieve final passage, including an attempt by the House to have this corrective language included as part of the new 5-year Farm Bill. This new permitting requirement is now in place.

This change will require NJPDES permits for pesticide applications made to or near the "Waters of the State," meaning the ocean and its estuaries, all springs, streams and bodies of surface or ground water and wetlands, whether natural or artificial, within the boundaries of the State of New Jersey or subject to its jurisdiction, and this would place additional burdens on applicators, impact crops in fields, pastures and forestlands adjacent to farm ponds or bogs, ditches, streams or rivers, and interfere with the timely application of pesticides.

NJFB, working closely with NJDA, was able to effectively communicate with NJDEP about the potential impacts of this new permitting requirement should it be applied broadly (i.e. interpreted to include agricultural modified wetlands). These discussions have yielded favorable interim interpretations for farm operators, clarifying that this new permitting requirement does not apply to pesticide applications made "to" or "near" agricultural modified wetlands areas. Still, NJFB should:

- Continue to Work with American Farm Bureau Federation to support the passage of the federal legislation to clarify that this new permitting requirement does not apply to agricultural applicators, in the Senate and urge our Senators to support this measure. Even though the deadline for permit coverage has now expired, this issue can still be resolved legislatively.
- Work with DEP to maintain a general permit for agricultural applications that is not burdensome to applicators, that provides adequate protection against 3rd party lawsuits and is issued to allow farmers to make pesticide applications in a timely fashion.
- Ensure that sufficient federal resources are made available to offset the costs associated with getting permit coverage so that these costs are not shifted to state agencies and hardworking farm families.

<u>BIO-ENGINEERED FOODS</u> (2024)
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. 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.

Several counties in other states have passed regulations banning the planting and use of GMO crops. It is important that sound science be used in establishing such regulations and that they be done as part of a national policy and not on a state or regional level.

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 bioengineering 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 world's economy and future food supply. Scientific research and findings support 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.

NJFB opposes state legislation that would require that every GMO food product that is offered for sale in the state to contain a label indicating that the product contains GMOs. The practice of labeling foods as "bio-engineered" or "made with bioengineered products" will serve no public service, and without public education could potentially frighten consumers away from safe, high-quality products.

NJFB continues to support voluntary labeling of bio-engineered food products as an alternative to mandatory labeling proposals.

On January 1, 2022, the bioengineered labeling law took effect, and this was the last day that state GMO labeling could be put into commerce. The standard requires food manufacturers, importers, and certain retailers to ensure bioengineered foods are appropriately disclosed. Regulated entities have several disclosure options: text, symbol, electronic or digital link. A court decision to challenge the rule left the rule intact except for the text message option. Additional options such as a phone number or web address are available to small food manufacturers or for small and very small packages.

Plant Based and Cell Based Alternatives

The New Jersey Farm Bureau shall closely follow the plant-based and cell-based alternative markets by compiling an annual update of the sector. Farm Bureau shall continue to promote food items grown or raised on farms.

The Specialty Food Association (SFA) has predicted that plant-based alternatives will continue to be a top food and beverage trend in 2024. The plant-based alternative sector is now worth $194 billion annually.

WATER SUPPLY (2024)
Farmers are again advised to be very careful in keeping up with their DEP Bureau of Water Allocation certification renewals. Growers allowing certifications to lapse could lose their water rights. With serious competition for access to New Jersey's water supply, the agricultural industry may not regain the approvals for an increase in irrigation water use, once considered routine for agricultural diversions in some areas of the state. This is especially important as the division of water supply is scrutinizing any new allocation request or any unused allotment at time of renewal. Farm Bureau strongly urges compliance with the current water allocation program. The permit process has been streamlined to make it as efficient as possible. NJFB should also continue to advocate for the role that RCE agents play interacting with the DEP in the water allocation and permitting process.

The permitting and allocation process needs to be improved to not require growers to install an agricultural well before making an application for an agricultural water use certification for wells. This seems counterproductive to issue a drilling permit and have the well drilled when the farmer may not be allowed to use the amount of water intended for crop production. This often results in the farmers drilling a large well and not being able to use it at full capacity whereas the farmer could have saved money drilling a smaller well.

The Delaware River Basin commission (DRBC), who once tried to require certification with their agency, is currently exempting farmers from their application process. NJFB should oppose any future requirement for certification or fees through the DRBC or any other agency. The certification process should be administered through the state bureau of water supply without fees.

The NJ Water Supply Authority [BC1] has also been found to charge excessive fees for any new or additional water usage for farms that are in basins under their purview. New Jersey Farm Bureau opposes any fees and duplicative paperwork that would be imposed outside of the NJDEP purview. The NJFB should work with the NJDA to ensure consolidation of the additional applications from water authorities with the DEP applications and eliminate the fees being imposed.

There have been municipalities in the state that have created ordinances regarding water supply. The municipalities have set standards requiring water withdrawal applicants to adhere to these municipal mandated guidelines. New Jersey Farm Bureau believes this is outside the jurisdiction of the municipality and demands the DEP to assert their exclusive authority for water use in the state. Local municipalities have no regulatory authority to require additional research for approvals.

As a result of completed and continuing studies evaluating the availability of water in various aquifers and watersheds, farmers have experienced a reduction of water amounts allocated. 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 New Jersey DEP as the highest priority to ensure farm viability on all farmlands. New Jersey Farm Bureau recognizes the need to implement water conservation practices to secure this vital resource. In response to the effort to conserve water, NJFB should evaluate the possibility of preserving water reductions that are accepted by farms, to be placed in a bank for future or neighboring agricultural usage. NJFB should also encourage the requirement of municipalities in proximity to the Tri-county pipeline in South Jersey to source public water needs from American Water pipeline that extends from Burlington County into Gloucester County.

In September 2024, the NJDEP released the 2024 water supply plan, which is a five-year plan projecting water usage out to 2050. The report states agricultural and non-agricultural irrigation accounted for 7% of the total use, with a 30% consumptive loss. The agricultural industry needs to be acknowledged for its ability to provide open land for the replenishment of water to aquifers, even with a larger percentage of consumptive loss. NJFB understands the water supply plan is used to plan for future water demands in the state and that it is important for agriculture to participate in that discussion.

The Water Supply Report did acknowledge concerns about reporting accuracy with water usage reports. The discretion in reporting was comparing the usage of water meters to pump capacity reporting. There needs to be safeguards in place to prioritize the water needs for agriculture before any changes can be considered. The New Jersey Farm Bureau feels an alternative to improve water reporting may be for Rutgers to assist in developing new estimation calculations for daily water usage. The implementation of meters is opposed by the NJFB due to additional expenses for growers and other complications in its administration.

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 implementing voluntary water conservation measures during drought periods and complying 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 public, as well as the agricultural industry will know what water uses are and are not permitted.

BROADBAND INTERNET/TELECOMMUNICATIONS IN RURAL AREAS OF NEW JERSEY
(2024)
Over the course of 2014 and 2015, Verizon, the major phone and internet service provider for NJ, has sought and received agreements with the BPU which, in sum, removes the requirement on Verizon to expand broadband internet service to any other areas of the state as well as the requirements that they maintain existing telecommunications infrastructure (ie.Copper telephone wire) across the state.

The NJFB will continue to voice the following issues in rural areas of NJ, where most farms are located:

- Verizon considers 4G-based wireless service as broadband access, so if a home or business is in an area served by 4G wireless, then no fiber optic wire is required. Even though the Internet can be accessed with wireless devices, the bandwidth is not sufficient to conduct business or to enable students to do their homework.
- The Verizon Wireless service coverage map at their website has been known to show better coverage than exists. Many areas of the state have non-existent or spotty, unreliable service.
- Unlike wired broadband access (e.g., Verizon FIOS), wireless access is subject to data cap pricing making it a much more expensive solution.
- The definition of broadband put forth in this settlement is seriously outdated and does not meet the current federal standard. Any attempt to define broadband should recognize that the speed benchmark will continue to increase as consumer demand grows.
- DSL is not a long-term solution as it does not have adequate bandwidth to meet business requirements. When copper lines are not maintained, it is an even less plausible option.
- For businesses in areas of telecommunications deficiency, it is increasingly difficult to compete on any level: locally, regionally, nationally, or globally.
- Farm businesses cannot relocate land, which means the broadband infrastructure and wireless access must come to the agricultural areas.
- Communities successful in the preservation of farmland and open space are being penalized. Because these communities will never have the population densities to cost-justify telecommunications infrastructure build out, there should be some "quid pro quo" consideration when deploying current technologies. Otherwise, the state inadvertently compromises the public's investment in farmland preservation by not ensuring that farm businesses remain viable over the long term.

Due to its criticality in sustaining society, agriculture must have the telecommunications infrastructure necessary to compete in today’s economy and to keep pace with an ever-growing world population. The NJFB will join forces with the American Farm Bureau to elevate these issues to the federal level by sharing the New Jersey experience with the Broadband Deployment Advisory Committee (BDAC) of the Federal Communications Commission (FCC) to ensure that:

- Rural areas of New Jersey are included in broadband federal funding map(s); and
- Meaningful broadband benchmarks are established and re-established as technology advances.

New Jersey is set to receive $263.6 million to expand broadband access in the state as part of a $42 billion round of federal funding. The allocation is part of the “Internet for All” initiative via the Broadband Equity, Access, and Deployment (BEAD) program from the Bipartisan Infrastructure Law. The funds come through the Department of Commerce’s National Telecommunications and Information Administration (NTIA). New Jersey’s plan for $263.7 million in funding from the federal (BEAD) Program has been approved by the National Telecommunications and Information Administration (NTIA). The state’s Office of Broadband Connectivity (OBC), under the Board of Public Utilities (BPU), will lead the program’s rollout over the next five years, with the goal of decreasing the lack of service in urban and rural areas.

PRODUCT DISPARAGEMENT (2024)
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-has been misrepresented by publications such as the "Dirty Dozen" chemicals and conveys the false idea that conventional produce is unsafe to eat. It is important that consumers understand that the consumption of fruit and vegetables, organic or not, is critical to a healthy diet and good health.

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 New Jersey 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 Bureau shall be active in mitigating any undeserved negative publicity toward local produce in the wake of federal warnings resulting from contamination outbreaks. The past FDA public notice to avoid consumption of all romaine lettuce had a significant impact on the sale of Jersey product. The NJFB and NJDA need to work with FDA on future outbreaks to prevent disparagement of a whole industry. The food safety task force of the NJDA have developed plans to stem any misdirected warnings to consumers about the safe wholesome condition of New Jersey produce

COMMUNITY FARMERS MARKETS (2024)
Farmers' Market is a public market for the primary purpose of connecting and mutually benefiting New Jersey farmers, communities and shoppers while promoting and selling products grown and raised by participating farmers. The purpose of a community farmers market is to enhance direct marketing opportunities for farmers, to connect farmers and local consumers, and to maintain the viability of rural communities through farm-based economic development. Farmers' markets throughout the state need to be professional and well run to serve the interests of the farmer and the community to ensure their long-term success. Products sold should be produced within New Jersey when available and vendors should source ingredients from New Jersey farmers when possible. Brokers should be strictly prohibited.

New Jersey Farm Bureau should support the efforts of the farm community in recognizing the need to develop guidelines or regulations to keep community farmers markets Jersey markets.

New Jersey Farm Bureau should urge the NJDA to work with the State Department of Health to institute uniform policies for community farmers markets across the state and update Chapter 24 guidelines for items sold at farmers markets. Farmers selling at markets in different towns often face varying regulations based upon the whim of the local health department officials. Local health department officials must be better educated on how to deal with farmers' market entities.

New Jersey Farm Bureau should seek to promote NJFB membership opportunities to organizers, patrons and supporters of community farmers markets.

New Jersey Farm Bureau should explore new mechanisms to enhance the influence of farmer-participants at community farm markets in the overall decision-making about market management. This might include encouraging boards of directors for community farm markets to maintain a seat on the board for a participating farmer, or a pre-season meeting hosted by the market manager and other key staff where participating farmers can make recommendations about market management protocols for the upcoming season.

SERVICE ANIMAL IDENTIFICATION (2024)
As per a resolution passed at the 2019 Department of Agriculture Convention, the State Board of Agriculture, Rutgers and NJFB worked with the Seeing Eye Inc. to create posters, cards and a FAQ document regarding service animals at farm venues. Posters and cards were created, and the FAQ has been posted by Rutgers online. NJFB will continue to disseminate these resources and encourage education at direct markets.

New Jersey Farm Bureau should consider advising a change to the Americans with Disabilities Act (ADA) to require service animals, with the exemption of seeing eye dogs in harness, to have issued photo ID cards, identifying them as service animals. It should be noted that comfort animals are not covered under the ADA. This should include the name and phone number of the animal's veterinarian on the back. This would help open-to-the-public farms protect their animals/livestock from asymptomatic and symptomatic diseases and psychological distress. Photos could be taken, and ID cards issued through the existing Motor Vehicle Division or other government entities.

COMMERCIAL FISHING (2024)
Farm Bureau shall strongly oppose any legislation that attempts to ban legitimate, historical fisheries in state waters. It shall be an active player in any coalition of recognized commercial fishing groups formed to oppose such a ban. Farm Bureau 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). NJFB should work to ensure that any legislation establishes a workable process for mitigating "Right to Fish" disputes.

Farm Bureau shall seek funding that reflects the realities of commercial fisheries, and serves as a bridge between the state's agricultural, scientific and commercial fishing communities.

NJFB shall support the Jersey Seafood marketing program of commercial fishing products within the New Jersey Department of Agriculture.

NJDEP Fish Consumption Advisories
The NJDEP regularly releases fish consumption advisories, sometimes more stringent than federal EPA guidelines. These more stringent standards can have a devastating effect on New Jersey's party and charter fishing business and can also have a severe negative impact on the sale of commercially caught species. The recent risk/benefit studies conducted by Harvard University and the National Academy of Sciences Institute of Medicine both concur that the benefits of increased seafood consumption outweigh any potential risks, especially in the commercial chain. New Jersey Farm Bureau strongly urges the NJDEP 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 enterprises owned and operated by large, conglomerate corporations.

Ocean Dumping

The New Jersey Farm Bureau strongly opposes all ocean-dumping of waste. Commercial fishermen have long suffered from current dumping practices.

Off-Coast Liquid Natural Gas (LNG) Facilities and Drilling

NJFB opposes any and all LNG/green hydrogen/green ammonia facilities, either for importation or exportation, that would be sited off of New Jersey’s coast.

Support of Commercial Fisheries

Farm Bureau shall move as vigorously and as quickly as possible to support the 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:

- The repeal of restrictions on the sale of menhaden as a “for bait only” designation.
- Depuration and relay of all shellfisheries (hard clams, soft clams, oysters and mussels) from all restricted and special restricted waters in the state of New Jersey.
- 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.
- Advise New Jersey Farm Bureau to work with the Garden State Seafood Association for opportunities to collaborate on advocacy issues.
- Encourage all marine extension research to be directly related to the needs of the industry. New Jersey Farm Bureau shall also formally review the various advisory councils affecting commercial fishing for relevancy to the needs of the industry.

NJFB requests that the National Marine Fisheries Service hold public hearings with the fishing industry to identify more modern, economical, scientifically responsible forms of biological assessments.

We support the use of sound scientific data to evaluate fisheries.

New Jersey Farm Bureau supports proposed federal legislation to change the definition of overfishing.

NJFB continues to work with fellow state Farm Bureaus in Northeast Atlantic coast states to coordinate similar fishing-related issues management to help build greater influence for commercial fishermen.

NJFB shall solicit a change in the State of New Jersey’s Menhaden law to allow owners of a Menhaden Purse Seine Fishing Vessel License, operated by an individual who is in possession of a Menhaden Purse Seine Fishing Vessel Operator’s License be able to land their fish outside of New Jersey if New Jersey’s quota is already met.

AGRITOURISM LIABILITY PROTECTION ACT (2024)
Rising numbers of agritourism customers and visitors across the state have created higher risk and higher premium costs for those farm operators. Additionally, that increased risk may lead to a rise in lawsuits by the public who visit these locations. The situation deserves a review that would clarify customer versus business owner responsibilities for these agritourism activities (such as hayrides, petting zoos, pony rides, corn maze, etc.).

New Jersey Farm Bureau will continue to seek state legislation that would provide farmland owners with liability protections for all public on farm activities known as agritourism, consistent with the protections afforded through the Pick Your Own and Equine Liability Protection Acts.

PROPERTY RIGHTS (2024)
Farm Bureau shall seek the enactment of state policy to protect all property owners from the adverse effects of excessive land use regulations. This policy should resemble the property rights protection legislation in the state of Florida known as the Bert Harris Act or Measure #37 of Oregon. Those laws both recognize that while some laws, regulations and ordinances may not amount to a constitutional taking, they can still cause an inordinate burden or “regulatory taking” on property owners, and such burden should be compensated for.

A good example of Farm Bureau rising to the defense of farmland owner property rights is the now-completed farm preservation issue of soil protection standards. For the past several years, an active proposal before the SADC suggested that the remedy to a flaw in the applicability of those standards was to mandate a change in the preserved farmland owner’s deed of easement. NJFB firmly objected to this as a unilateral mandate with adverse property rights impacts and confronted the rule proposal. Fortunately, an adequate solution was found but only after property owners and many others, including Farm Bureau objected. This episode joins a long list of other property rights defense issues including mandatory TDR, municipal down-zoning, Pinelands valuation formula, state master plan/SDRP where Farm Bureau defended its members’ interests. Protecting land value equity-another component of maintaining ag viability in New Jersey.

LITIGATION POOL (2024)
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.

Farm Bureau shall continue to work with its general counsel and board of directors to identify and confront precedent-setting state or local regulations that are adverse to the best interests of its member farmers.

PINELANDS (2023)
It is critical that New Jersey Farm Bureau continues an ongoing dialogue with the Pinelands Commission stressing the need to treat farm and forest landowners in the Pinelands with respect and in a way that protects their equity.

- NJFB should monitor any future attempts to create new PDC regulations to protect against the devaluation of PDC values.
- New Jersey Farm Bureau should support a re-evaluation of the pinelands formula to confirm it reflects the current comparable land values outside the Pinelands.
- Farm Bureau should oppose any CMP amendments that would diminish the demand for PDCs, work with Pinelands Commission members when necessary to help stimulate private-sector interest in Pinelands Development Credits (PDC's) and closely review potential CMP amendments to suggest such changes.

- There was a decision by the Pinelands Development Credit Bank Board that allowed for the donation of PDCs for a low-income senior housing development project. NJFB should oppose any future PDC donation requests made to the PDC Bank Board regardless of the projected use.

The Pinelands Agricultural Advisory Committee has been inactive for several years. It has been replaced by a formal agriculture advisory subcommittee, comprised of Commission members. The subcommittee's meetings are open to the public, but there is no formal obligation that they include agricultural interest from within the Pinelands region in these meetings. Farm Bureau should explore with Pinelands Commission staff the possibility of adding non-voting farmer members to this new subcommittee. Failing that, Farm Bureau should work to ensure that the recommendations of the subcommittee are representative of the interests of farmers from within the Pinelands region. The full Ag Advisory Committee should be re-activated for consideration of major agricultural policy matters.

- Farm Bureau supports a program to allow non-agricultural activities to adequately reflect the needs of farm businesses within the Pinelands, consistent with allowances for such activities on farmland outside of the Pinelands and expansive enough to include events or activities where marketing the output of the farm plays a significant role.
- Farm Bureau shall monitor the distribution of funds under the Garden State Preservation Trust to ensure that it reflects the geographic diversity of the state to the maximum extent practicable and feasible.
- Funds allocated for Pinelands purchases by the GSPT shall only be used for farms within the Pinelands region, while there are active farmland applications pending. Landowners should be notified when and if funds are allocated for Pinelands purchases.
- The current Pinelands Comprehensive Management Plan (CMP) does not allow equine activity in the preservation district. The CMP only allows berry agriculture and horticulture of native plants and other agriculture activities compatible with existing soil and water conditions that support traditional Pinelands agriculture. Equine farms that existed prior to the act are allowed, but any new equine activity is not considered agriculture. NJFB should support an amendment to include equine agriculture in the preservation district.
- Farm Bureau supports low impact/low intensity recreational uses on farmland in the Pinelands region.

The NJFB supports the promotion of sound science when decisions are made when considering the need to use herbicides or pesticides in the Pinelands. The commission has an ongoing debate on using herbicides to control vegetative cover impacting fire towers and fire control projects in the preserve. The Pinelands commission should not consider restricting the usage of pesticide or herbicides when needed to control a plant or pest.

With the ever-changing dynamics of agriculture, it is important that the Pinelands Commission support the Right to Farm within the Pinelands. Agriculture is an indigenous industry to be protected by the Pinelands Protection Act and Comprehensive Management Plan. Due to the diversity of crops and labor-intensive crops grown in the Pinelands, it is important that growers can expand all aspects of their business such as labor camps, packing facilities and supporting structures without onerous restrictions, such as having to purchase a PDC credit or surrendering the same. It is important that the Pinelands Commission understands and supports the continuation and growth of agriculture within the Pinelands boundaries. Agricultural production areas should be permitted to have small business entities that support agriculture infrastructure.

Farm Bureau will also encourage the inclusion of farmland within the Forest Area into Agricultural Production Areas designation under the Pinelands Plan that will entitle them to allocation of Pinelands Development Credits and the accompanying share of GSPT.

The State Ethics Commission ruled that some Pinelands Commission members recuse themselves from all discussions concerning landowner and agricultural issues because of a perception of conflict of interest. The Pinelands Protection Act requires these interests to be represented and that agriculture be promoted and enhanced.

Farm Bureau should work to see that legislation to permit members of the Pinelands Commission to participate in discussion and vote on amendments to the comprehensive management plan becomes law. Failing a legislative remedy, NJFB should formally challenge the State Ethics Commission's ruling. Further, all discussion by the Pinelands Commission concerning landowner and farm interests should be suspended until full ag representation is restored.

Farm Bureau believes that applications for new residential development should require some purchase of Pinelands Development Credits. We support the pending changes for the credit program to do this, without any exemption for affordable housing.

The Commission’s new stormwater management rules became effective January 18, 2022, and expand beyond NJDEP’s stormwater regulations in that they require green infrastructure to manage the stormwater close to the source, treat stormwater through infiltration into the subsoil, treat stormwater through filtration by vegetation or soil, and/or store stormwater runoff for reuse. The Commission’s new rules will, for the first time, require stormwater management for minor development. Minor residential development will be required to retain and infiltrate clean stormwater generated from the roof of a house by using green infrastructure measures, which include dry wells, pervious paving systems and small-scale bioretention systems such as a rain garden. This requires excessive expense to hire an engineer to comply with this regulation for a single-family residence. NJFB opposes this excessive regulation for minor developments especially outside urbanized and suburbanized areas, considering this impact on residents in the pinelands. If these regulations stand, then the agency should publish tabular standards which can be implemented without specific engineering by homeowners.

Farm Bureau shall also monitor the appointment process for the seven governor-sourced nominations to the 15-member Pinelands Commission by the Murphy administration. Among the seven, there ought to be individuals selected who can represent agriculture, local stakeholders, and residents of the region.

INDUSTRIAL HEMP PRODUCTION (2023)
NJ Farm Bureau supports the production, processing, commercialization, and utilization of industrial hemp. At the federal level, it should be regulated by the USDA rather than the DEA. The 2014 Farm Bill allowed for industrial hemp production and many states are now growing it for market. USDA released its Hemp Production Interim Rule establishing national hemp regulations on October 31, 2019. They became effective immediately with a sixty-day comment period before they are permanently adopted.

USDA published a final rule on January 19, 2021, that provided regulations for the production of hemp in the United States and became effective on March 22, 2021. The final rule builds on the interim final rule published October 31, 2019, that established the U.S. Domestic Hemp Production Program. The final rule incorporates modifications based on public comments and lessons learned during the 2020 growing season.

To date, most states have expressed support for decriminalizing the production of industrial hemp. Industrial hemp is not a significant producer of THC, the psycho-active element in marijuana. Industrial hemp was a valuable fiber, oilseed, and biomass crop in the United States prior to the 1938 Marijuana Act that criminalized the production of all types of hemp. Annually, over $34 million of legal hemp products are imported into the United States from Canada, Belgium, Portugal and other countries.

NJFB will continue to assist in providing fact-based detail to the membership, legislators and the public regarding the benefits of industrial hemp production as a suitable and profitable crop for New Jersey growers.

NJFB will continue to support Rutgers as it further develops its policy for hemp production and marketing.

TRANSFER OF DEVELOPMENT RIGHTS (TDR) AND NONCONTIGUOUS CLUSTERING (2022)
The planning concept Transfer of Development Rights (TDR) continues to be an option for municipalities who want to manage growth yet provide equity for their landowners. Four TDR programs have been developed in New Jersey in the past, one of which is still in the process of buying credits for development, the Pinelands Development Credit program.

In March of 2004, the Governor signed the first statewide TDR legislation. The final statute has safeguards built in to protect landowner equity when establishing a TDR program on a municipal or regional level. A successful TDR program is one where all parties buy in and there are actual transfers made that result in the appropriate development. As an equity protection tool*,* TDR has had very limited success in NJ, proving to be a more difficult planning tool to use than many planners expected.

As part of the 2004 legislation the Task Force succeeded in convincing the Legislature to make changes to both the MLUL and the TDR Act to enable use of noncontiguous clustering as a smaller scale way to achieve transfer of development potential from properties that could support it from those where preservation is desirable. This may be a much more practical tool than full-scale TDR.

Non-contiguous clustering means that if a municipality enables this tool in its ordinances, a landowner or two landowners could agree among themselves to transfer all the development potential from one property to another while preserving the remaining land. There would be no formal exchange of credits, only an agreed upon price.

Farm Bureau members must ensure that if TDR is being considered in their town, the equity-protection principles must apply.

Farm Bureau shall:

- Explore the possibilities of statewide transfers of Pinelands and Highlands Development Credits.
- Having the state harness the high-density development demand in growth areas like the Jersey City waterfront with areas of specific state restrictions like Pinelands and Highlands.
- Support using constitutionally dedicated CBT money to fund the sale of Highlands and Pinelands credits using farmland preservation money when it is a farmland easement and green acres money if it is an environmental conservation easement.

Farm Bureau shall seek the completion of its suggestions for legislation to create financial incentives for the redemption of TDR credits in the Highlands and Pinelands programs. Its planning consultant's recommendations are now pending with the Office of Legislative Services and being put into legislative language.

SENATE AGRICULTURE COMMITTEE (2022)
Agriculture, the third largest industry in New Jersey, impacts the food supply, the economy, the landscape and general health and well-being of New Jersey and its citizens.

Currently, the New Jersey State Senate does not have a Senate Agriculture Committee. Bills dealing with agricultural issues are typically assigned to existing Senate Committees. In the Assembly, the Assembly Agriculture and Food Security Committee routinely considers legislation impacting the agricultural sector and is made up of legislators with high concentrations of agriculture in their districts or those who otherwise have a keen interest in and an understanding of agricultural issues. A stand-alone Senate Agriculture Committee would offer a similar venue for agricultural issues to be considered. With this in mind, NJFB should work with Senate leadership to pursue the establishment of a stand-alone Senate Agriculture Committee composed of Senators with an interest in agricultural issues.

Because Committee chairpersons are often hesitant to reduce the scope of the subject areas that their respective committees consider, the establishment of a standalone Senate Agriculture Committee could be met with some resistance. NJFB should work to ensure that unless and until a Senate Agriculture Committee is created, the existing committees to which agriculture-related bills are referred take up these bills regularly and in a timely manner.

SALES TAX ISSUES (2021)
The 2004 revisions to the sales tax code that deemed horse stall rentals as a sales taxable item has created confusion within the training and breeding industry. Because some of the animals are housed for production purposes, many mistakenly thought they were exempt from the need to collect sales tax. Additionally, stall rentals, the sale of claimed horses and the sale of horses are taxable in New Jersey, but not taxable in neighboring states. This tax directly impacts the competitiveness of the racing and training industry here in New Jersey. Farm Bureau should work

with the equine industry to create an exemption for these items. The Sales Tax Review Commission approved language in a bill that would end the sales tax on Equine operations, New Jersey Farm Bureau must work to complete the passage of this legislation.

An area of concern has grown within the agricultural industry with the method and interpretation of the New Jersey Division of Taxation as they determine farming enterprise qualifying for sales tax exemption (as referred to on the ST-7 form) and how it impacts state tax issues in areas such as but not limited to purchase of farm vehicles, farm use equipment and necessary farm supplies. Farm Bureau urges the NJDA to work with the Tax Division to adopt an acceptable set of definitions for farming enterprises.

Additionally, a clear definition needs to be developed of what constitutes a “farming enterprise” in New Jersey, to be recognized by all agencies and departments.

The Department of Agriculture has a comprehensive online guide to Farming and Sales Tax with special guides for the nursery and equine industries. Farm Bureau should continue to make the guides available to members and work with the Department of Agriculture and the Division of Taxation when updates are needed.

MANDATED CONSERVATION EASEMENT DEED RESTRICTIONS (2021)
The SADC, the DEP, and municipalities are authorized by N.J.S.A. 13:1D-9 to formulate comprehensive policies for the conservation of natural resources, to promote environmental protection, and prevent pollution of the environment of the State, and are authorized by N.J.S.A. 13:8B-3 to acquire and enforce conservation restrictions. Even the smallest permit or other approval can be used to require the landowner to prevent use of the rest of the property through a conservation deed restriction.

Through these easements the public gains control of the use of thousands of privately owned and maintained acres at no cost. Each conservation easement specifies what is to be protected and often what methods are to be used. No changes can be made in perpetuity without permission of the owner of the easement and amendment of the deed. A governmental entity or a nonprofit owner of the easement may have the right to inspect the property at any time and monitor to ensure that the deed requirements Farm Bureau should:

- Remind the administration of the land use and land equity effects of this over-reaching practice. Landowners should not be forced by the need of a state government permit or approval to donate any future value of their property.
- Work with the SADC to change the contents of their deeds of easement to be more like those used in New York State where the landowner receives an appraisal of and some compensation for all areas preserved for agriculture or natural resource protection.
- Urge all Farm Bureau members to be careful to read all the small print when receiving any action from a state or municipal agency and review it with their own attorney to make sure such a sacrifice of land use and value is necessary.
- Survey members for their experiences with this type of exaction and collect examples of conservation easement deeds imposed without compensation.
- Ask DEP, the SADC, nonprofit land conservation organizations for statistics on how much privately-owned land is protected forever by these deed restrictions.
- Seek legal opinion about how much legal support these easements could have and how to challenge the practice.

- Use this information to develop guidance for Farm Bureau landowners about these conservation restrictions – their nature, their long-term effects, steps a landowner can take to avoid or change them. This could take the form of a section on the Farm Bureau web page, a guidance paper, and/or a future Update article.
- Build an argument for legislation to outlaw this inequitable practice and find legislative support for a bill to deny state, county, local government agencies or nonprofits the ability to require conservation easements without compensation.
- Report the findings of these activities to the Board of Directors in order to develop more action in the future.

HISTORIC PRESERVATION (2021)
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. New Jersey Farm Bureau supports a change in regulation that would require notification of a landowner prior to nomination of their property for historic status. Landowners should also be made aware if their property is being considered for inclusion in an historic district.

A 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.

New Jersey Farm Bureau shall:
- Investigate the takings implications of designation of historic landscapes, "viewsheds," and scenic corridors.
- Work with the SADC to find ways to additionally compensate farms for historic and scenic values when preserving a farm.
- Be watchful for adverse actions on the local and municipal level and be prepared to educate town officials and the public regarding the cultural interpretation of agriculture and the historic role agriculture has and continues to fulfill in New Jersey's landscape.
- Determine whether the Right to Farm Act requirement for an agricultural impact statement applies to these state-supported actions.
- Assert and reinforce the fact that agriculture in practice and agricultural chattel are the present-day evidence and artifacts that can aid in the interpretation of agriculture as a cultural resource to the general public.

BRIDGE CHANGES AND ROAD WIDENING (2021)
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 redesigned, 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 accommodation.

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.

With increased traffic, the transportation infrastructure is continuing to be upgraded and expanded. New Jersey Farm Bureau recognizes the need for these improvements, but requests that the impacts of those changes, such as water runoff onto adjacent farmland, be addressed at the planning stages by the entity doing the project.

HOTEL OCCUPANCY TAX/AGRITOURISM (2019)
Currently a portion of the hotel room tax collected by the state is dedicated to funding travel and tourism promotion in the state. NJ Farm Bureau supports having a portion of the state-wide proceeds returned to the County Travel and Tourism Boards where the revenue has been generated to support local travel and tourism destination and promotion for agritourism farms.

There is a New Jersey Tourism Policy Council consisting of 23 members representing lodging, food service, eco-tourism, cultural, conventions, amusement, outdoor recreation and historical sector and the six tourism regions. New Jersey Farm Bureau should support legislation to amend the council for an additional seat to represent the agritourism industry.

USE OF FOOD BY-PRODUCTS/SOURCE SEPARATED FOOD WASTE (2017)
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 byproducts was adopted by the SADC in 1999. Farmers land-applying these products should follow the guidelines provided in the AMP to receive full protection under the Right to Farm law. Farm Bureau should make farmers aware that this AMP is available for their use.

Legislation was passed to encourage food waste recycling with the goal of encouraging its use for energy production. Farm Bureau worked to ensure that food waste used by farmers for animal feed or for composting would remain acceptable recycling alternatives.

Farm Bureau supports the current regulation that calls for the feeding of food waste products to be under the authority of the Department of Agriculture and calls for it to remain within NJDA.

With the increased desire to have food waste used for animal feed there is a need for additional research to develop AMP’s for such uses. The NJFB would support research to develop best management practices to make the use of food waste for livestock feed practical and limit neighbor conflicts.

Both the farm and food industry need research to develop best management practices to make this practical. Some of the negative results on farms that have initiated the practice are listed below:

- Storage and smell of the organic material particularly when disturbed.
- The extreme smell of the manure generated by the food source digestion.

- The lingering putrid order of the manure when spread on fields.
- Acidosis created in the cattle's stomach when fed this food source—the recommendation of free choice of sodium bicarbonate did not solve odor problem.

Suggested areas that could be researched, but not necessarily limited to:

- Ration of feed: percentages of grains, roughage, food waste and effect on odor, nutrition, and weight gain.
- Economic methods of this manure as a fertilizer whether spreading, injecting etc. to reduce odor.
- How all these factors impact animal feeding operations/concentrated animal feeding operations, AFO/CAFO.
- Are there any public health concerns because of high levels of gases in the air outside on farms or fields after spreading? There is a need for scientific data rather than the current state policy of nose sniffing which is too subjective.

DEFINING 'FARM MARKETS' (2015)
Direct marketing is becoming an increasingly popular business enhancement tool for farmers throughout the state of New Jersey. These direct marketing activities include establishing on-site farmers markets and roadside stands, participating in community tailgate farmers markets and other means of selling products directly to consumers.

There are other retail establishments also identified as "farmers markets" but there is no farmer involved and much, if not all, of the product being sold is coming from out-of-state or third-party sources. These types of farmers markets undercut business opportunities for community farmers markets, road stands, tailgate markets and other venues specializing in locally grown produce.

New Jersey farmers report that these so-called farmers markets sometimes mis-label goods to give consumers the false impression that these products and production of these products happens in-state. Maintaining the integrity of the "farmers market" label by clearly distinguishing between those producing and selling these local products and those that do not is integral in further developing consumer awareness of retail opportunities to purchase in-state products.

Farm Bureau shall support the State Board of Agriculture to work in close coordination with farmers throughout the state that participate in direct marketing activities, to investigate ways to formally identify and distinguish these farm markets that truly specialize in selling local products and take the appropriate steps to make any needed corrections to avoid this type of false representation of farmers and false labeling of produce sales.

MASTER GARDNERS (2013)
For over 25 years the Master Gardener program has been training volunteers who assist Rutgers New Jersey Agricultural Experiment Station (NJAES) Cooperative Extension in its mission to deliver horticulture programs and information to the public. Since 1984 over 8,000 volunteers have completed the program and dedicated over 2 million hours to Rutgers Cooperative Extension programs in their counties. The work the volunteers do - answering homeowners' general gardening questions - has played an important role in freeing up time for County Agents to work with producers and professionals in agriculture.

The Master Gardeners play a critical role in delivering to the public the knowledge and work that the Extension has to offer. The Master Gardener program offers a natural link for New Jersey

Farm Bureau to expand how it communicates with the public. In the upcoming year, New Jersey Farm Bureau should find ways to partner with the Master Gardener program, not only to grow membership, but to share with an interested audience the role agriculture plays in the state, its economy and the communities of New Jersey.

BISON PRODUCTION AND INSPECTION (2009)
Bison are not currently considered meat animals by the USDA. Because of this, the inspection process for bison meat products is much more costly than for other meats. NJFB supports a USDA regulation change to include bison on their list of meat animals.

BEEF PROMOTION (2007)
New Jersey Farm Bureau continues to support the mandatory beef check-off program and related activities of the National Cattlemen's Beef Association and the New Jersey Beef Council for the promotion of beef and beef-related products, consumer education and beef research activities.

FARM BUREAU POLICITCAL POSITION (1999)
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.

Agricultural issues are non-partisan and benefit all citizens of the state. When the agriculture community seeks to fill appointments to boards and commissions, political parties should not be a factor in the nomination or subsequent appointment.

POLICY IMPLEMENTATION (2023)
To aid in the implementation for all the adopted New Jersey Farm Bureau policies, the NJFB president, with advice from the first vice president and executive director, shall develop a list of actions for farm bureau to undertake, as contained in this policy document. The NJFB Board of Directors then shall, before the end of the calendar year, approve of and prioritize said "action list." NJFB staff will then use this priority listing as a blueprint for actions in the coming year. This process shall be based upon the "Top Ten Policies" list approved by the delegates at the conclusion of the annual meeting.