



CONSERVATION ALMANAC  
*Tracking Investments in Protected Lands*

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LAND

## State Highlights in Conservation: New Jersey

### Profile of State Program(s)

**New Jersey Garden State Preservation Trust:** The Garden State Preservation Trust distributes funds to four programs: 1) the Green Acres Program, 2) the Farmland Preservation Program, 3) the New Jersey Historic Trust, and 4) the Blue Acres Program. Each program has multiple components.

These programs receive consistent support from New Jersey voters, who have approved 13 statewide ballot measures since the Green Acres program was created in 1961. The Farmland Preservation program was established in 1983. The New Jersey Historic Trust was established in 1967. The Blue Acres Program, which is managed under the Green Acres program, was created in 2007.

**New Jersey Green Acres Program:** New Jersey's Green Acres Program, which marked its 50th anniversary in 2011, is among the most successful state preservation programs in the nation. Since 1961, Green Acres has preserved more than 650,000 acres of land and supported the development of more than 1,100 state and local parks.

The Program funds direct acquisitions by the state from willing sellers. The program also funds local (municipal and county) land acquisition, local development of parks and recreation facilities, acquisition projects by nonprofit organizations, and recreation development by nonprofits through low interest loans and grants.

**New Jersey Farmland Preservation Program:** The New Jersey State Agricultural Development Committee (SADC) administers the New Jersey Farmland Preservation Program. The Program provides grants to counties, municipalities, and nonprofit groups to fund the purchase of development easements on farmlands. It also

directly purchase farms and development easements from landowners.

Landowners can either sell the development rights to their land and continue to farm the land, or sell the land outright. The land is permanently restricted for agricultural use. When the SADC purchases farms outright, it resells them at public auction as permanently preserved farms.

The SADC provides additional funding to counties and municipality to preserve farmland through the County Planning Incentive Grant and Municipal Planning Incentive Grant programs. Counties may seek funding from the state for up to 60-80 percent of the costs of purchasing development rights on approved farms.

The SADC provides grants to nonprofit organizations to fund up to 50 percent of the fee simple or development easement values on farms to ensure their permanent preservation.

The SADC also manages an Eight-Year Preservation program, where farmland owners voluntarily agree to restrict non-agricultural development for a period of eight years for certain benefits such as the eligibility to apply for grants to fund up to 50 percent of certain soil and water conservation projects.

The New Jersey Historic Trust is an independent agency that advances historic preservation in New Jersey. The Trust administers a number of funding programs for preservation projects – such as the repair, restoration, rehabilitation planning, and improvement of historic properties. These include the Preserve New Jersey Historic Preservation Fund, the Garden State Historic Preservation Trust Fund, the Cultural Trust Capital Preservation Grant Program, the 1772 Foundation, the Discover NJ History License Plate Fund for Heritage Tourism,

the Revolving Loan Fund, and the Emergency Grant and Loan Fund. The program also accepts perpetual easements to provide for long-term preservation of a historical resource.

The Blue Acres program, administered by the Department of Environmental Protection, acquires flood-prone private property in the Delaware, Raritan, and Passaic Rivers watersheds.

Properties (including structures) that have been damaged by, or may be prone to incurring damage caused by, storms or storm-related flooding, or that may buffer or protect other lands from such damage, are eligible for acquisition under Blue Acres. All acquisitions must be from willing sellers. State funding is often leveraged with federal funds from FEMA and the NRCS.

#### **New Jersey Port Authority of New York and New Jersey – Hudson-Raritan Estuary Resources**

**Program:** The Hudson-Raritan Estuary Resources Program (HREP) is designed to help balance redevelopment plans of the Port Authority of New York and New Jersey with the need to preserve critical habitats and public waterfront access in the two states. The program funds protection of critical habitat within the Hudson-Raritan Estuary. To be considered, sites must be identified as threatened by development and suitable for conservation, ecological enhancement, public waterfront access, and/or environmental mitigation.

The program is funded with appropriations made by the Port Authority's Board of Commissioners. In July 2001, the board set aside \$60 million (\$30 million each for New York and New Jersey). An additional \$10 million was authorized in 2004 for acquisitions and improvement within the Meadowlands District in New Jersey. The Board approved a second \$60 million investment in February 2014 to be split by New York and New Jersey. So far, 400 acres have been preserved, including 250 in New Jersey.

#### **The New Jersey Environmental Infrastructure**

**Financing Program:** The New Jersey Environmental Infrastructure Financing Program (EIFP) is a revolving loan program, which is administered by the New Jersey Department of Environmental Protection (DEP) and the New Jersey Environmental Infrastructure Trust, an independent state financing authority. Established by the Legislature in 1986, the Program is the first of its kind in the country and

offers local governments and some private water companies low-cost financing for wastewater systems, combined sewer overflow abatement, nonpoint source pollution control, safe drinking water supplies, and open space acquisition. To date, the program has provided more than \$4.3 billion dollars to municipal and county governments, as well as some private water companies.

Open space acquisition projects are eligible for the Smart Growth Financing Package – where the Department of Environmental Protection funds 75 percent of the project cost at zero percent interest and 25 percent of the project costs are funded by the Environmental Infrastructure Trust at market rates.

#### **Substantial State Investment**

For over 50 years, New Jersey voters have consistently supported statewide measures for conservation and open space.

Most recently, in 2014, voters approved a constitutional amendment dedicating a portion of the corporate business tax to pay for environmental programs. The measure received 65 percent support and raised the amount dedicated for environmental programs from four percent to six percent of the tax revenue beginning in July 2019. The amendment also changes the environmental programs that will benefit to open space acquisition (Green Acres,) farmland preservation, historic preservation, and flood-prone area acquisition. It also makes water quality improvement, polluted site cleanup, and underground tank removal and clean up eligible purposes. The measure is expected to dedicate more than \$2.15 billion over the next 20 years for these conservation programs.

From 1961 to 1995, voters overwhelmingly approved nine state bond issues that generated more than \$1.4 billion for parkland, open space, and farmland acquisition. Voters also approved four measures between 1998 and 2009. These are described in detail below.

In 1998, voters approved a constitutional amendment that created a stable source of funding to acquire and preserve open space, farmland and historic sites statewide. This voter approval and subsequent Garden State Preservation Trust Act in 1999 established the Garden State Preservation Trust and dedicated funding for conservation and historic preservation from existing state sales and use tax revenue. It also authorized the issuance of up to \$1

billion in revenue bonds. This legislation dedicated funding for 30 years, although funding was split into two parts. For the ten years from fiscal year 2000 through fiscal year 2009, the Trust received \$98 million annually for land conservation and historic preservation projects. Acquisition projects ended in 2009 under this authorization. For the 20 years from fiscal year 2010 through fiscal year 2029, the Trust receives an amount sufficient to repay the debt service on the open space bonds. This amount may not exceed \$98 million. The annual difference between the necessary debt service and \$98 million goes to the general fund. As such, this constitutional dedication is now used to fund debt service.

The Act set a \$200 million annual limit for open space and farmland preservation. It also set a formula for the distribution of revenue. Each year, the Trust must allocate \$6 million to the Historic Preservation Trust. Of the remaining proceeds, 60 percent goes to the New Jersey Department of Environmental Protection's Green Acres open space preservation program, and 40 percent goes to the New Jersey State Agriculture Development Committee's Farmland Preservation program. The Act also continues the payment in lieu of taxes (PILOT to municipality in which lands are purchased under the Green Acres program.

In 2003, voters approved a \$150 million increase in the bonding authority cap, from \$1 billion to \$1.15 billion. Debt service on bonds issued under this authorization is paid using the dedicated funds in the Garden State Preservation Trust. This funding was earmarked for acquisition of open space in the state's highlands area and for creating and improving 200 local parks.

In 2007, voters approved a ballot measure that authorized the issuance of \$200 million for open space acquisition, farmland preservation, and historic preservation. The measure also authorized a new program, known as "Blue Acres," to acquire conservation land in flood-prone areas.

In 2009, voters approved a ballot measure that authorized the issuance of \$400 million in general obligation bonds for open space and recreation land acquisition and development, acquisition of flood-prone conservation land, farmland preservation, and historic preservation.

## State Incentive for Local Conservation Funding

Through the Green Acres Program, local governments have the following options:

- 25 percent matching grants are available to local governments that do not have an open space tax
- 50 percent matching grants are available to local governments that have an open space tax

Through the Farmland Preservation Program, local governments may receive grants through the following programs:

- County Easement Purchase Program, which funds 60-80 percent of the costs of purchasing development rights on approved farms.
- Planning Incentive Grant Program, which provides grants to counties and municipalities and requires that farms must be in an Agricultural Development Area and be eligible for Farmland Assessment, establish an agricultural advisory committee, have an approved open space of Farmland Plan, and have a funding plan to establish and maintain a dedicated source of funding for farmland preservation (i.e. bond, appropriations, open space tax).

## Public-Private Partnerships

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percent of the project cost at zero percent interest and 25 percent of the project costs are funded by the Environmental Infrastructure Trust at market rates.

The State Agriculture Development Committee (SADC) Farmland Preservation Program provides grants to nonprofit organizations to fund up to 50 percent of the fee simple or development easement values on farms to ensure their permanent preservation.

### Local Financing Enabled

In 1989, New Jersey passed legislation that enables counties and municipalities to raise additional local funds by establishing voter-approved Open Space Trust Funds supported by property taxes. All 21 counties and over 250 municipalities have established an open space tax by voter referendum.

Open Space Trust Funds are funded through voter passage of a local dedicated property tax, commonly referred to as the "open space tax".

The tax may be levied at any amount, although it is fairly common for a ballot question to specify that a tax may be levied within a certain range (i.e., "up to 2 cents per hundred dollars of assessed value").

Unless specified, the authority to levy the tax continues indefinitely, although a sunset provision can be included.

### Local Programs Included

Data for the Conservation Almanac has been collected for county measures approved by voters in New Jersey. Visit [www.landvote.org](http://www.landvote.org) for more information on municipal and county open space measures in New Jersey.

### Federal Partnerships

Federal agencies and programs that have conserved land in New Jersey include:

- U.S. Fish and Wildlife Service
- U.S. Forest Service – Forest Legacy Program (FLP)
- U.S. National Oceanic and Atmospheric Administration – Coastal and Estuarine Land Conservation Program (CELCP)
- U.S. National Park Service
- U.S. Natural Resources Conservation Service – Farm and Ranch Lands Protection Program (FRPP)



The Trust for Public Land creates parks and protects land for people, ensuring healthy, livable communities for generations to come.

#### The Conservation Almanac

A comprehensive database of land conservation and public conservation funding in America, the Conservation Almanac provides a context for assessing impacts of conservation and the growing conservation finance movement. The Almanac offers information on public dollars spent and acres conserved, details on local, state, and federal conservation programs, and geospatial mapping of conserved land.

Almanac data collection efforts focus on land conserved using public dollars; contributions funded by private and non-governmental organizations are not tracked comprehensively. Federal data is complete from 1998-2017. State and local data is complete from 1998-2005. In the tables and charts below, acres are allocated to each program proportionate to the size of the contributions to each acquisition. For example, if an acquisition had two contributions, and each program contributed equal dollar amounts, each program receives 50% of the acres. If you have questions or want to provide updated information, please contact Jessica Welch at [jessica.welch@tpl.org](mailto:jessica.welch@tpl.org).

[www.tpl.org](http://www.tpl.org)

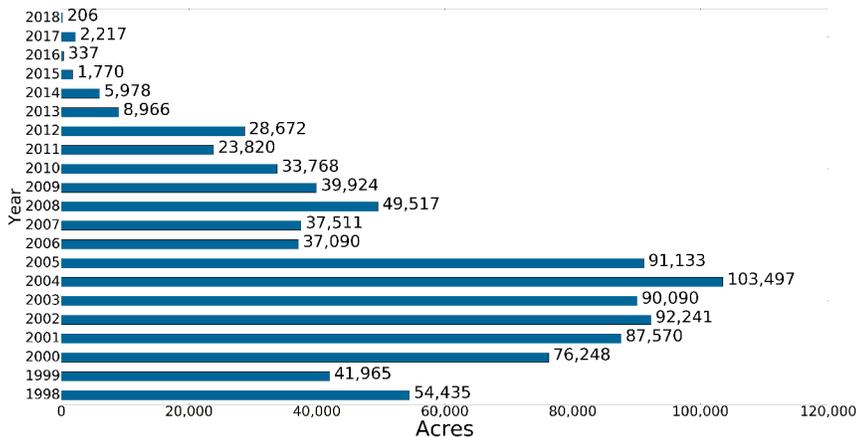
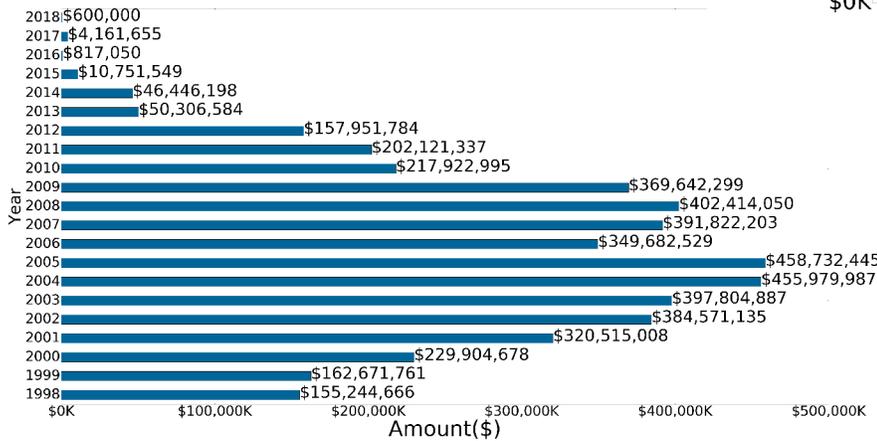
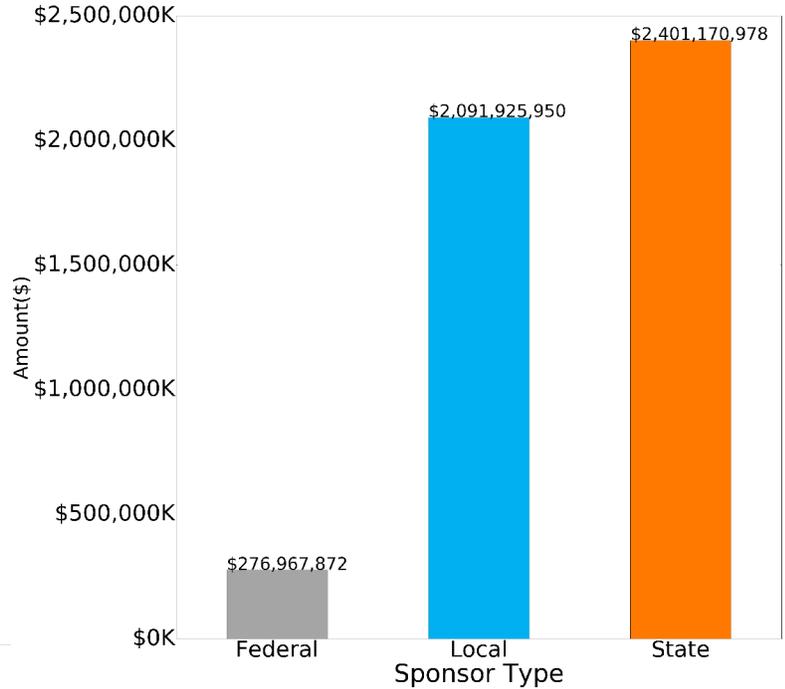
[www.conservationalmanac.org](http://www.conservationalmanac.org)

# State Conservation Report New Jersey



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The data in the Conservation Almanac track the impacts of public spending on land conservation. Created by The Trust for Public Land, the Conservation Almanac brings those data together along with state policy profiles, current conservation finance news, and an interactive map, to provide a powerful online tool.