

GENERAL INSTRUCTIONS

Farmland Assessment Act of 1964 (C. 48, P.L. 1964, N.J.S.A. 54:4-23.1 et seq., C. 201, P.L. 1986, C. 213, P.L. 2009, C. 43, P.L. 2013, N.J.A.C. 18:15-1.1 et seq.)

1. APPLICATION: Only one Supplemental Farmland Assessment Gross Sales Form, form FA-1 G.S., should be filed with the municipal assessor on or before August 1 of the pre-tax year: that is, you are reporting the pre-tax year's gross sales for qualification in the next tax year. **Late or incomplete applications will be denied.** At the assessor's request, applicants must provide proofs of eligibility as to ownership, land area, farming activity and gross sales. The FA-1, WD-1, and FA-1 G.S. forms are prescribed by the Director of the New Jersey Division of Taxation. Lands in Farmland Preservation Programs must still meet the criteria and filing prerequisites of the Farmland Assessment Act to receive preferential reduced assessment.

Filing Extension-Assessors may grant an extension of time for filing an FA-1 application and FA-1 Gross Sales form, but no later than September 1 of the pre-tax year, if the assessor is satisfied that failure to file by August 1 was due to (1) the owner's illness and a physician's certificate stating that the owner was physically incapacitated and unable to file by August 1 and the FA-1 & FA-1 G.S. forms are filed with the assessor; or (2) the death of the owner or the owner's immediate family member and a certified copy of the death certificate and the FA-1 & FA-1 G.S. forms are filed with the assessor by the owner or by the executor/executrix of the owner's estate. "Immediate family member" means an owner's spouse, child, parent or sibling residing in the same household. (See N.J.S.A. 54:4-23.6d.)

2. QUALIFICATIONS: "Farmland assessment" means valuation, assessment and taxation under the Farmland Assessment Act. Land may be eligible for "farmland assessment" when it meets the following:

- a. The land has been actively devoted to agricultural or horticultural use for at least 2 successive years immediately preceding the tax year for which "farmland assessment" is requested. (See N.J.S.A. 54:4-23.6.)
- b. The land area actively devoted to agricultural or horticultural use is not less than 5 acres, exclusive of the land upon which the farmhouse is located and such additional land actually used in connection with the farmhouse.
- c. Gross sales, fees, or payments average at least \$1,000 annually on the first 5 acres (or \$500 annually on the first five acres for land under an approved Woodland Management Plan) and average \$5 per acre on acreage above 5 acres and \$0.50 per acre on woodland and wetland. (See N.J.S.A. 54:4-23.5.)
- d. Application by the owner is filed on or before August 1 of the year immediately preceding the tax year. (See N.J.S.A. 54:4-23.13a and 54:4-23.6.)
- e. Farmland management units less than 7 acres are required to submit a descriptive narrative of agricultural/horticultural uses, a sketch of their location, and number of acres devoted.

SECTION I-IDENTIFICATION:

"Owners' Name"- List every individual, partnership or corporation having an ownership interest in the land.

"Block(s) & Lot(s)"- List block(s) and lot(s) comprising a farm unit of contiguous land from your tax bill; official tax map; or page(s) and line(s) from the current year's assessment list.

SECTION II-GROSS SALES:

List products produced and the respective acreage under the appropriate headings. If necessary, attach a separate sheet with the break down of additional products produced on the farmland management unit and the acreage devoted to those products.

"Total Acres"-is the total acreage of the farmland management unit.

"Final Income"-is the income produced by the farmland management unit, including income attributable to agricultural/horticultural products produced thereon, payments received under Federal soil conservation programs, fees received for breeding, raising or grazing livestock, income imputed to grazing land as determined by the State Farmland Evaluation Committee, and fees received for boarding, rehabilitating or training livestock where the land under the boarding, rehabilitating or training facilities is contiguous to land otherwise qualified for farmland assessment. Rents paid to owners by tenant farmers **do not** constitute gross sales. Generated energy from any source is **not** an agricultural or horticultural product and any power or heat sold from biomass, solar, or wind energy generation is **not** income for valuation, assessment and taxation of land pursuant to the "Farmland Assessment Act of 1964."

For qualification for tax year 2016, the first five acres must have averaged at least **\$1000 in 2015** and **\$500 in 2014**, or there is clear evidence of anticipated yearly gross sales and payments of at least **\$1000 within a reasonable time period**. Also where the land is more than 5 acres, gross sales must average \$5 per acre for each acre over 5. However, in the case of woodland/wetland subject to a Woodland Management Plan, the gross sales required remains at \$500 for the first 5 acres and \$0.50 per acre for any acreage over 5.

SECTION III-SIGNATURE AND VERIFICATION OF OWNER(S):

For non-corporate multiple ownership, one owner is presumed to have authority and may sign on behalf of the other co-owners. In the case of a corporate owner or co-owners, the full name of the corporation must be provided, accompanied by the signature and the title of the corporate officer authorized to sign the application in its behalf.

OWNERSHIP-must be single ownership: that is, a unified title meaning common ownership by one distinct legal entity of one or more contiguous parcels together.

Open Public Records Act Information:

N.J.S.A. 47:1A-1.1 defines certain information as not being government records and therefore confidential for the purposes of the Open Public Records Acts, including, "trade secrets and proprietary commercial or financial information obtained from any source."

Executive Order 26 of Governor James E. McGreevey, issued August 23, 2002, Paragraph 4, Section B, provides that information concerning individuals, including, "[i]nformation in a personal income or other tax return" and "[i]nformation describing a natural person's finances, income, assets, liabilities, net worth, bank balances, financial history or activities, or creditworthiness, except as otherwise required by law to be disclosed," is not considered to be government records subject to public access pursuant to N.J.S.A. 47:1A-1 et seq., as amended and supplemented.

Helpful Links: New Jersey Department of Agriculture <http://www.state.nj.us/agriculture> Click on "Publications" then "For Farmers; scroll to Farmland Assessment Act. New Jersey Department of Environmental Protection, New Jersey Forest Service <http://www.nj.gov/dep/parksandforests/forest> Click on "Private Lands Management" then Farmland Assessment Program.

New Jersey Division of Taxation <http://www.state.nj.us/treasury/taxation> Click on "Local Property Tax", then "Reference Materials", then General Assessment. Also click on "Statistical Data, Farmland/FEAC".