

New Jersey Highlands Council **Letter 101**

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The Highlands RMP is a document that doesn't address our state's energy needs and the creeping impact of climate change. is not This failure sadly is not just of planning for future threats, but for dealing with the crisis at our doorstep. From the myriad of pipeline proposals and transmission line projects to the very real need to protect our forests for climate mitigation, the RMP needs to address the following points, which the NJ Highlands Coalition fully explores in their comments: Climate Change & Renewable Energy • Climate change is not currently addressed in the Regional Master Plan, but protection of the large tracts of contiguous forests in the Highlands is directly related to mitigating the effects of climate change. Recent research has revealed that more mature forests with larger trees sequester greater amounts of carbon. • The Council should address the effects of Climate Change by lessening the impacts to the region's core forests. In addition to prioritizing forest land preservation, using the Forest Stewardship Council's third-party certification guidelines to regulate forestry and linear development projects is the best way to ensure that core forests remain intact. • The Highlands Act at Section 11(6) authorizes the Council to include energy considerations in the RMP, specifically in the Smart Growth section. The RMP does not include an energy section; we strongly recommend its inclusion. • Goals, policies and objectives should be developed that harmonize with the State Energy Master Plan, facilitate the improvement of energy efficiency in all sectors, encourage load management, and facilitate and regulate the development of renewable sources (solar, wind, geothermal and small scale hydro). Linear Development • The Highlands region is traversed by a number of linear projects (highways, transmission lines, pipelines, etc.) that have significant environmental consequences, especially if existing projects are expanded and new projects proposed. The RMP should ensure that Highlands resources receive a higher priority than is currently employed in the facility siting process. The Council should take a firm advocacy role to protect resources in the current regulatory framework (e.g. FERC, NJDEP, BPU, etc.) • The RMP should include policies related to mitigation that require a thorough alternatives analysis (including the "no build" alternative) and require avoidance first, minimization second and mitigation last, when addressing consistency determination requirements. Similar requirements are found in National Environmental Policy Act (NEPA) rules. The promise of the RMP really is the promise of the Highlands Act --- to preserve the watershed lands for more than half of New Jersey's residents. The RMP is critical to ensure the Highlands Act was not just an empty promise BUT would protect our valuable streams, use scientific standards for nitrate dilution, protect our vernal pools and our threatened habitat in the preservation AND planning areas. Stream Protections • Stream resources are highly valued for water supply, ecosystem viability, recreational opportunity, and aesthetic use. Since surface water and ground water are often mixed in the Highlands, the protection of both is necessary. • The Council should establish, maintain, and make available an inventory of all Highlands Open Waters and their integrity as specified in the RMP, including the Watershed Resource Values of each Highlands HUC14 watershed. Water Quality - Nitrate Dilution Standard • NJDEP's septic density standards are based on a scientific model with valid assumptions designed specifically for the Highlands Preservation Area. The Highlands Act requires the Department to establish regulations to "ensure that existing water quality shall be maintained, restored, or enhanced." • It is not the responsibility of the Highlands Council to address nitrate dilution standards through the RMP. Nitrate Dilution for the Preservation Area is directed by the Highlands Act and implemented by NJDEP. Forest & Critical Habitat • Though forestry activities with an approved forest management plan are exempt from the Highlands Act, forestry is a critical activity with enormous potential for negative impacts to the region's critical resources, including water and rare species. Forestry activities may be addressed through the RMP Conformance Process, either by the requirement of a model ordinance or resolution developed by the Highlands Council. • The best method to protect core forests from inappropriate projects is to require that all proposed projects meet Forest Stewardship Council (FSC) certification standards. Many states and other entities have adopted the FSC certification standards with great success. • The Highlands RMP must maintain, if not increase, the existing 1000 foot buffer for vernal pools. The Highlands Council has already mapped the vernal pools and their buffers, but more needs to be done at the state and municipal levels to ensure their continued protection. • The Critical Wildlife Habitat overlay in the RMP is incredibly useful, but is too subjective. Although NJDEP has an existing list of identified T&E species, projects are proposed and no mitigation is offered because too few of these species are identified during the planning process. Instead, we strongly recommend that surveys must be conducted by experts for each taxon, using appropriate methods, and must be repeated over at least two full years during all appropriate seasons. Once all occurrences of rare flora and fauna at a proposed development site have been quantified, existing populations of rare flora and fauna must be avoided.

Respondent

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