

New Jersey Highlands Council **Letter 53**

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As a society, more than anything else, we need fairness and justice. Without fairness and justice, we revert to chaos of the jungle where one only acts for one's self-interest. The concept of society is that when we all work together, we all benefit more than if we are each alone working for our self-interest. Those who are in power to do the governing must strive to be absolutely fair and just because that's that calling they wanted to pursue. Clearly, the Highlands Act is not fair or just as everyone knows. We can all value clean water and abundant supply of clean water, but to make landowners of the Highlands pay the price for all of society is clearly unfair and unjust. It is equivalent to slavery of the Black citizens of America. One can argue that it is good to have clean and abundant water supply, but that is equivalent to arguing that during slavery, it was good to have food and cotton and tobacco for society. Slavery made the Blacks pay a price and the slave owners benefited. It is the same here on the Highlands Act, the Highlands landowners became the slave, and they can't use their land for their own interest just as the Blacks were not able to use their labor for their own benefit. The Highlands Act made the Highlands landowner poorer and powerless to do much with their land while those in the Gold Coast along the Hudson River benefit from the water by building higher and denser and pay nothing for the water that comes from the Highlands. The Highlands landowners have been slaves for more than 10 years now and there is no fairness or justice. Unfortunately, as the Highlands landowners are not beaten or killed, there is no notice of their harm by members of society. There is no horror to waken society's consciousness. Not many people even know about the pain or the suffering these Highlands landowners suffered; as basically, their lives are held suspended for more than 10 years. Everything requires approval and requires money for experts, lawyers to get approval and the landowners' hopes and dreams and everyday lives are stopped by the Highlands Act. Even if you want to farm, you can't get financing to farm. Unfortunately, the Highlands landowners' bills do not stop coming because of the Highlands Act. They still have bills tied to the dead asset, taxes, mortgages, schooling for their children, everyday living expenses, etc. The so-called "do-gooders" will say, these landowners were speculators and thus should suffer or the landowners are rich and thus should suffer. That's like arguing that the Blacks should be slaves because they were hunting for food in Africa or that they had lots of strong muscles. "Do-Gooders" should not do bad to achieve good. That is just bad. To be fair and just, the modern slaves need to be freed: Either the Highlands Act need to be repealed or the benefits gained by the user of the Highlands water need to be transferred to or shared by the slaves, the Highlands landowners. There are many ways to do that, one can charge for the water and pay the Highland landowners or even easier, under the existing Highlands Act, give the TDRs to the Highlands landowners and allow them to use the TDRs wherever the Highlands waters are used. In this manner, the building rights in western NJ are transferred to eastern NJ just like the water. Since the eastern NJ buildings are going higher and denser anyway every day (just look across the Hudson over the years), it is not a problem to make them go a bit higher or denser over time. It is unlikely that this will happen all of the sudden if the TDRs are allowed to have indefinite time frame just like the right to build in the Highlands before the Highlands Act. If the governing bodies really are interested in fairness and justice and want to keep their promise to "show them (the Highlands landowners) the money" then, this is a simple way to do it when the legislators do not have the money to show the landowners or do not have the courage to legislate the money to cure this injustice and unfairness.

Respondent

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