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April 30, 2015

Margaret Nordstrom
Executive Director
N.J. Highlands Council
100 North Road
Chester, NJ 07930



Re: Comments on the Monitoring Program and Recommendation Report
of the Highlands Regional Master Plan

Dear Margaret,

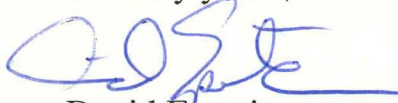
The Land Conservancy of New Jersey submits the following comments
regarding the Highlands Regional Master Plan (RMP) and Plan
Conformance:

- 1) Because the Plan Conformance process is complex, we believe it is very important for the Highlands Council to continue its efforts to inform the public of municipal progress, especially when major milestones are reached, as it would be beneficial for the Conformance Process to be more widely understood.
- 2) We believe that the Council has a responsibility to maintain and update inventories of the cultural and scenic resources of the Highlands. Cultural inventory work should be conducted and overseen by credentialed professionals.
- 3) The Council should implement their required cultural inventories as the State's register is an inadequate substitute. The RMP should include requirements to recognize and protect resources in all contacts with site owners and localities.
- 4) Council staff should convene the Scenic Resources Advisory Board, crowdsource Scenic Resource nominations from the public, and follow through with implementation of the RMP's scenic resource protection goals, policies, and objectives at both the regional and local levels.

- 5) The Highlands Act requires the N.J. Department of Environmental Protection (NJDEP) to establish regulations to "ensure that existing water quality shall be maintained, restored, or enhanced." NJDEP developed septic density standards based on a scientific model with valid assumptions designed specifically for the Highlands Preservation Area. The RMP should not address nitrate dilution standards as the Highlands Act that this be conducted by NJDEP.
- 6) 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.
- 7) Though forestry activities with an approved forest management plan are The RMP should require that all proposed projects meet Forest Stewardship Council certification standards.
- 8) 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.
- 9) The RMP should include an energy section with 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).
- 10) With regard to mitigation, the RMP should include policies that require a thorough alternatives analysis (including the "no build" alternative). The policies should require avoidance first, minimization second and mitigation last, when addressing consistency determination requirements, similar to the requirements found in the National Environmental Policy Act (NEPA) rules.
- 11) The updated RMP should give strong encouragement that the Highlands Council be included as a participant in all inter-agency decisions involving the use of dedicated open space funds or as a consequence of legal settlements, regulatory fines, mitigation contributions, etc. in the region. The Council's primary objectives should be to ensure that open space funds are used to purchase high resource value properties and not diverted to non-open space purposes.

Thank you for the opportunity to comment.

Sincerely yours,



David Epstein
President