



JON S. CORZINE
Governor

State of New Jersey
Highlands Water Protection and Planning Council
100 North Road (Route 513)
Chester, New Jersey 07930-2322
(908) 879-6737
(908) 879-4205 (fax)
www.highlands.state.nj.us



JOHN R. WEINGART
Chairman

EILEEN SWAN
Executive Director

Contact: Craig Garretson, Manager of Communications
(908) 879-6737 ext. 105 or craig.garretson@highlands.state.nj.us

FOR IMMEDIATE RELEASE
July 23, 2008

Planning for a Better Environment

How the Regional Master Plan Protects State Land, Water and Wildlife

CHESTER, N.J. – The Garden State will stay green, at least in the Highlands Region, thanks to the Regional Master Plan approved July 17 by the Highlands Water Protection and Planning Council.

“This Plan is a victory for the environment,” Highlands Council Chair John Weingart said. “It sets the state’s most stringent safeguards in a number of key areas, ensuring the critical resources and natural beauty of the Highlands Region will be passed down to future generations.”

“The Highlands Regional Master Plan will protect the water for over half the population of the state of New Jersey as was intended by the Act,” Executive Director Eileen Swan said. “History will prove that the Council’s Plan protected, restored and enhanced water quality for the state.”

The Plan’s protections include:

- **Areas with Water Deficits:** The Highlands Council used very conservative methods to identify areas with water deficits, and requires new water-using projects to provide between 125 percent and 200 percent mitigation of existing deficits. Mitigation must be successfully implemented prior to initiating water use. In addition, the RMP addresses water uses below the NJDEP allocation threshold of 100,000 gallons per day (Planning Area) or 50,000 gallons per day (Preservation Area).
- **Forests:** The NJDEP has protections for forests in the Preservation Area, but no specific protections for the Planning Area. The RMP controls development of core forests within the Forest Resource Area of the Planning Area. The Plan also encourages protection of forests through stewardship programs.
- **Ground Water Recharge Areas:** No state regulations exist specifically protecting these critical areas. Under the RMP, development in prime ground water recharge areas must be avoided where feasible; when allowed, it is restricted to a maximum of 15 percent of

the area, and the project must provide mitigation of 125 percent of the pre-construction recharge.

- **Highlands Open Water Buffer Protections:** Buffer areas are critical for the protection of water quality and quantity as well as wildlife and plant habitat. The NJDEP requires 300 foot buffers for Category 1 waters and for Highlands Preservation Area waters, and 150 and 50 foot buffers for other areas; the State also allows for redevelopment waivers in previously disturbed areas. The RMP applies a 300 foot buffer to *all* Highlands waters, including streams and wetlands, in the Preservation and Planning areas, and a 1,000 foot buffer for all vernal pools. Waivers for previously disturbed areas require no net loss of buffer values.
- **New Developments in Septic System Areas:** The NJDEP Water Quality Management Planning rules use 2 mg/L nitrate target (using average annual recharge) to derive septic system yields, and preserved lands can be used in calculating septic system yields. The RMP restrictions on septic system density are based on nitrate targets of 2 mg/L (Existing Community), 1.87 mg/L (Conservation Zone) and 0.72 mg/L (Protection Zone) and use drought ground water recharge, a more stringent standard. Yields average septic system densities of approximately 9, 10 and 26 acres per unit, respectively. Preserved lands cannot be used in calculating yields. The RMP allows for *much* lower septic system yields (and therefore less development) in the Planning Area, especially in the Protection Zone.
- **New Developments in Public Water/Wastewater Areas:** The Highlands Act and NJDEP rules prohibit creation or extension of water and wastewater utilities in the Preservation Area except for exempt projects and waivers for public health and safety, redevelopment and takings, but the Water Quality Management Rules allow for new wastewater utilities in the Planning Area if there is a demonstrable need, avoidance of certain environmental features, and availability of water. The RMP uses the same controls in the Preservation Area, and is significantly more stringent in the Planning Area: creation or extension of utilities is prohibited in the Protection and Conservation Zones and the Existing Community Environmentally Constrained Sub-zone except for cluster developments and Highlands Act waivers. Even when new utilities are permitted, numerous environmental features must be avoided.
- **Preservation and Protection Through Cluster Development:** A protective policy to prevent the suburban sprawl that has caused so much damage to environmental resources elsewhere in the state. Under current NJDEP rules, cluster development in septic system areas is allowed with a 10 mg/L nitrate standard (based on annual average recharge), and at least 70 percent of the land must be preserved. The RMP uses the same 10 mg/L nitrate standard, but it is based on drought ground water recharge (a more stringent standard); the Plan also requires well protection in development design and preservation of at least 80 percent of the land. On average, cluster developments in septic system areas result in a minimum of 1.9 acres per septic system. In addition, farm conservation plans are required to minimize pollution potential.

- **Sensitive Environmental Features and Areas:** The NJDEP's Preservation Area rules provide protection for steep slopes, but the RMP has a broader definition of steep slopes to protect riparian areas, and also applies provisions to protecting steep slopes in the Planning Area. The RMP also controls development in carbonate rock areas that have sinkholes and similar threats to property and water quality.
- **Well Head Protections:** Under the RMP, local ordinances must be adopted to protect wells from new and existing potential contaminant sources within 12 years time of travel to a public water supply well. This program is encouraged but not required outside the Highlands Region.

The Plan also places restrictions on development in the Highlands to ensure that all growth is sustainable. Without the Plan, given existing zoning rules and regulations, as many as 47,600 new homes could be built in the region, including 21,600 in the environmentally sensitive Preservation Area. Under the Plan, just 2,800 homes could be built in the Preservation Area, where conformance is mandatory. If all municipalities in the Planning Area opt to conform with the Plan, just 9,500 new homes would be built.

The Highlands Build Out Technical Report can be found at the Highlands Council Web site at http://www.highlands.state.nj.us/njhighlands/master/build_out_analysis.html.

Users also can get a visual representation of how the Plan maps resources deserving of protection by using the Highlands Interactive Map at <http://maps.njhighlands.us/hgis>.

The Highlands Council will meet tomorrow at 10 a.m. in its office at 100 North Road (Route 513) in Chester to approve the minutes of the July 17 meeting; the minutes will then be sent to Governor Jon S. Corzine for his review.