

**New Jersey Highlands Council
Land Preservation
Technical Advisory Committee
Meeting Summary
21 July 2005**

Summary:

The first meeting of the Technical Advisory Committee (TAC) on Land Preservation was held on July 21, 2005, in the office of the New Jersey Highlands Council in Chester, New Jersey. The Council staff representatives were Steve Balzano, Director of Science and Planning, and Maryjude Haddock-Weiler, Master Plan Coordinator. Laura Szwak, Land Preservation and Grants Coordinator, served as the moderator. Participants included Barry Ableman, Tim Brill, Mike Catania, Donald Einhorn, David Epstein, Ella Phillipone, Mervyn Haines, Bill Leavens, Dennis Miranda, Terrence Nolan, Bill O'Hearn, Dave Peifer, Bill Rawlyck, Jon Wagar, Margaret Waldoock, and Tom Wells.

Steve Balzano and Laura Szwak began the session with a brief synopsis of the Committee's role as a brainstorming and feedback mechanism that would provide advice on land preservation efforts undertaken by the Highlands Council.

A number of diverse topics were entertained, but most of the discussion centered on the issue of providing **incentives** that encourage land preservation and stewardship in the Highlands.

Acquisition

Municipal Incentives

- Share with towns strong cost of community services studies. These studies identify the costs of hosting development and how preservation may offer more attractive financial advantages. Share information how open space preservation can pay, rather than erode a town's tax base.
- Highlight the financial benefits of ecotourism and its promotion resulting from land preservation and the development of relevant support facilities.
- Promote the use of available funding for recreation and preservation projects, especially stewardship funds from NRCS. Much of this funding is left unclaimed. In addition, the funds that are claimed may be used for non-preservation activities (construction equipment, infrastructure, etc.). If these funds could be more fully utilized, with the municipalities more aware of the funding and access made easier, the financial burden of preserving and maintaining properties on towns would be lessened.
- Encourage the establishment of open space trusts in the thirty remaining Highlands municipalities that have not created them.
- Help municipalities understand that acquisition is often a matter of opportunity.

Landowner Incentives

- Increase the pace of the preservation process to make the process as quick and efficient as possible. This action builds trust between the landowner and the preserving agency or town and makes the process more attractive to landowners.
- Investigate ways to use long-term purchase installment agreements for fee-simple or easement acquisitions to better meet the needs of landowners and stretching funds for the purchasing agency or municipality as well. This process also ensures the land will be preserved and provides a potential mechanism for tax-free payments.
- Consider a model in use by the State of New Hampshire to give long-term financing to landowners who are keeping their lands preserved. The program allows landowners, who maintain the current natural use of their lands, to forego paying taxes. The program also requires developers who build on private land to pay 10% of the purchase price to the municipality. (Current use assessment model)
- Explore tax credit programs, like those in Colorado and Virginia. These programs offer “tradeable” credits as rewards for preserving land instead of the tax exemptions used in New Jersey, which are often not used.
- Promote capital gains incentives.
- Use tax benefits as incentives for land conservation.
- There are many active conservation/preservation groups in the Highlands. It is often difficult to sort out the lead in preservation projects.

Stewardship

Problems

- It is commonly believed that ‘preserved’ land is land that should be untouched and unmanaged.
- High deer densities, invasive species, and off-road vehicle damages are some of many detrimental uses found on preserved lands.
- Invasive species damage Highlands biodiversity and ecosystem vitality, reduce crop yields, and require significant management costs to address.
- Management of preserved lands can be expensive, especially for small municipalities.
- Many municipal governments do not know the locations of their easement holdings.
- State needs better stewardship of its own lands.

Proposed Solutions

- Educate landowners, municipalities, State and non- government agencies about land management practices and invasive species. Encourage demonstration areas within the Highlands region restored and/or maintained by experts and professionals that could serve as case studies.
- Establish standards for invasive species and land management that apply to all public and private preserved lands and easements.

- Incorporate additional costs to cover stewardship into the TDR sending value of preserved properties.
- Identify and support contracts with agencies such as the Land Trust Alliance and Ducks Unlimited that have experience in land management practices. Identify other groups or individuals (such as sports groups) that could help with education and stewardship. Land Trust Alliance also promotes standards for good stewardship of easements.
- In lieu of regulations, provide incentives for landowners to adopt exemplary standards of good stewardship for their lands, including backyards.
- Mendham Township has established a pilot program that identifies and maps its easements as well as looks for any violations that may occur on them. State funding could be mobilized to support similar programs in other towns.
- Agri-tourism can benefit farmers and residents.
- Educate code enforcement officials to monitor easements.
- Train DPW personnel to manage edges where invasive species begin.

Inter-agency Coordination

Government

- Green Acres needs to have representation at the Technical Advisory Committee meetings to hear and comment on the ideas and strategies suggested by the non-government sector.
- Difficulties with consistency among State agencies, especially in regards to post-Highlands Act property assessments, were cited to show the need for regular communication during the formative stages of State policy.
- Identify areas where agencies' missions overlap and explore the possibility of forming partnerships. One area of common interest is the establishment of 300 foot waterway buffers in which the Army Corps of Engineers, among other government agencies, have expressed a vested interest.
- SADC could develop a woodlands preservation program that is consistent with their agricultural interests.
- Other government bodies, such as County trust funds, could be encouraged to prioritize land in the Highlands for preservation purposes.

Non-government

- The Regional Master Plan could provide direction and common goals for the various and diverse organizations in the Highlands.
- As with government agencies, areas of common interest should be identified and partnerships formed which will strengthen the push for preservation of important resources.
- Continue to work with water purveyors as purchasers of open space.

- Look at and potentially expand private mechanisms, such as preserved lands within a TDR scheme or a cluster development.

Additional resources needed to assist land preservation efforts in the Highlands:

- A map which shows priority acquisitions for the protection of surface and groundwater quality.
- A similar map with biodiversity as the highlighted element. Lands that overlap biodiversity and water resource layers should be considered most desirable for preservation.
- A map of priority areas should be completed early to incorporate land use planning aspects into the Regional Master Plan.

The Highlands Council would like to thank everyone who participated in this opening meeting of the Land Preservation TAC. We greatly appreciate any follow-up comments and questions about this summary report. Please contact Laura Szwak via email: laura.szwak@highlands.state.nj.us. Notice of future meetings will be provided to the public on the Highlands Council website, www.highlands.state.nj.us, and via email to Committee participants.