

PUBLIC COMMENTS SUBMITTED

Statement to New Jersey Highlands Council – April 19, 2012

By Wilma Frey, Senior Policy Manager, New Jersey Conservation Foundation

Mr. Chairman and Members of the Highlands Water Protection and Planning Council:

Please postpone the vote on a new Executive Director for the Highlands Council!

There must be a genuine broad search for a candidate, who is qualified to lead one of the nation's most impressive regional planning agencies, and perhaps its most innovative one.

We need a national search to find the best qualified person to protect our water and other Highlands region resources, not a purely political appointment.

Other similar state agencies, such as the Pinelands Commission, the Delaware Canal Commission and the State Planning Commission, employ an independent, transparent process to search for a qualified executive director. This does not mean there is NO politics involved -- the Governor still has a voice in the process. But the selected candidate is not entirely at the behest of the Governor.

An appropriate and qualified candidate should have the following qualifications:

- Experience with regional planning and with managing a competent staff with expertise *and commitment to implementing the RMP.*
- Understanding that Highlands planning is about the future - the long-term future;
- Comprehension of the critical nature of both water supply and water quality issues.
- Appreciation and concern about the quality of both the natural and the built environment.
- Commitment to steward natural resources, wildlife and rare species, historic resources, recreational opportunities and scenic beauty.

The Regional Master Plan which the Council and its executive director are charged with implementing is genuinely forward-looking. It is a document that truly attempts to plan for the future, the long-term future – not just the next five or ten years.

The Council commissioned a number of consultants, including the NJ Geological Survey and the US Geological Survey, to determine the water supply capabilities of the region and its various municipalities, as well as the capacity of the region's soil to absorb wastewater without degrading the quality of the groundwater.

As you may know, most people in the Highlands Region rely on groundwater -- they get their drinking water from either their own private wells, or municipal or county wells. Their ground water supply must not be degraded by the Region's septic systems.

The **residents of the Highlands** deserve no less than a well-qualified executive director who is prepared by training, experience and commitment to protect their water quality and their way of life in the Highlands, by implementing the current carefully designed Regional Master Plan.

The citizens of the rest of New Jersey deserve the same consideration – an executive director who will do his or her very best to protect the water supply for the nearly two-thirds of the State's residents who do not live in the Highlands, as well as its recreational opportunities, agri- and ecotourism assets, natural and cultural treasures, and scenic beauty enjoyed by the many who come to visit the Highlands Region.

Thank you for the opportunity to provide comments.

Comments to the Highlands Council – April 19, 2012

My name is Deborah Post. I own property in Chester Township.

Mr. Shope has been pummeling this Council with data regarding the viability of agriculture for several years now. Is there any economic beneficial use in Highlands farming? Does the land have any economically productive use in providing food? The greenies, the master plan and others love their feel good argument: But you can still farm! Let's conjure up that roadside view of lush cornfields, blooming peach trees, and fresh bales of hay that they spin by in their Lexus on their way home from the office. Isn't the rural countryside life so wonderful, with the A/C blasting and the CD at full volume. It is the cluelessness that is so annoying.

But the reality of farming in expensive dense NJ is a farmer population averaging over 60 years of age who can no longer turn a profit at what they used to do. "You can still farm" means that old men and women without IRAs or government pensions can still go out and do backbreaking manual labor to generate red ink. All they had was equity stored in their land, as old a store of value as known to mankind

And the response is always that agritourism will save the day. I am an expert on agritourism. In fact, my mother pioneered this business, long before word agritourism was coined, when she opened our orchards to the general public back in the early 1970s. I believe she was the first to do so in NJ. And the ag community spoke of her with disdain for three decades: that crazy lady who, heaven forbid, lets people in her farm fields. Ironically, today, agritourism is the business model the enviros want to shove down everyone's throat because they think it solves the agricultural viability problem, when it doesn't.

Agritourism will work for maybe 5 percent of farmland. You need location. Not all farmland has location. You need a high value added product. Not all farmland is suited to higher margin fruit and veggies. You need the personal capacity to manage retail, with its mob control demands. Farmers, typically private people who prefer working alone, tend not to be suited to retail management. And you need market demand. While I know Mr. Alstede is fond of saying there is room for all in the agritourist industry, I respectfully disagree that the demand for agritourist activities is high enough to bring productive economic use with adequate return on investment to all devalued open space in the Highlands.

Please do not be fooled that "we can still farm" is anything but a mean-spirited clueless attempt to push the crucial question of agricultural viability and landowner compensation under the rug.

① My name is Hank Klumpp. I own 150 acres in the Highlands Preservation Area in Tewksbury and for 8 years I've been asking to see the scientific study that put my farm there.

Senator Bob Smith has once again managed to cause my blood pressure to go out of control. As the prime sponsor of the 2004 Highlands Act, he lied to my face by saying I would be fully compensated for my lost property values. Now, in the Courier News, March 24th, he stated that Eileen Swan, balanced the interests of landowners in the Highlands Region with the need to protect the 860,000 acre land area

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that supplies drinking water to people in the state. Well, I am one of those landowners and Swan did nothing for me - nothing! Yet, Smith sings her praises. Smith put down Robert Walton and Richard Vohden the two recent appointees - saying they signal resistance to the act. Smith puts down anyone who knows what is right and what is wrong and is trying to be fair. Smith still claims the Highlands Act provides drinking water. The amount of water that these people DRINK is minimal

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compared to the amount of water that these people WASTE. I'm paying the price for people who have no restrictions on how this water is used. I'm paying for their lawns and recreation. Donald Trump should send me a thank-you note for keeping his golf course green.

An example of wasted water is on the Watchung Circle. A lady environmentalist wearing a big straw hat - pretending to be a farmer I guess - planted a few flowers and then watered them with so

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much water that it flooded the street and slowed traffic. Since, I have seen this flooding repeated.

This is one make-believe farmer and a dozen flowers. It is happening everywhere - wasted water - and my property is paying for it.

Smith says that the Highlands Act is for our grandchildren and choices made by the council will impact New Jersey families for generations. The act has changed my grandchildren's lives. My family has owned and operated our farm

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for generations and now my grandchildren are being left with land that has no equity and restrictions that make operating extremely difficult.

Smith got it right when he said families will be impacted - because my family sure has been - we have been robbed !!

Thank you!

Hank Klumpp

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NEWS

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Commissioner Susan Bass Levin Announces Three TDR Demonstration Projects to Benefit Highlands Region

CHESTER, N.J.- During the New Jersey Highlands Council meeting today, Department of Community Affairs Commissioner Susan Bass Levin announced three Transfer of Development Rights (TDR) demonstration projects to benefit the Highlands Region. The demonstration projects will take place in Oxford Township, Lodi Borough and Prospect Park, and mark the first step toward the implementation of a regional TDR program in the Highlands.

"TDR is a good way to accommodate New Jersey's growing populations without consuming all of our open space," said Acting Governor Richard J. Codey.

The TDR program is designed to give local governments more control in guiding development in their areas. The demonstration projects will showcase the various ways TDR can benefit Highlands communities, and support the Region's development, redevelopment and preservation needs.

"These demonstration programs will show us that TDR can be an essential tool for the Highlands – to preserve hundreds of thousands of acres of New Jersey's most environmentally sensitive lands and to protect our water supply, which serves more than 5 million New Jersey residents," Commissioner Levin said. "At its heart, the Transfer of Development Rights is an investment in our future, changing the way development occurs in a community by preserving open space and focusing development in the right places."

On March 29, 2004, New Jersey became the first state in the nation to make TDR available statewide through law. In August, when the Highlands Water Protection and Planning Act was signed into law, the Office of Smart Growth was charged with creating demonstration projects to show how TDR can benefit the Highlands Region.

"I want to thank Commissioner Levin and the Office of Smart Growth, as well as the pilot towns we are announcing today, for taking a leadership role in helping to shape a better quality of life and environment for the citizens of the Highlands," said Adam Zellner, Executive Director of the New Jersey Highlands Council. "Through the TDR program, these towns, with help from the Highlands Council and the State, will help to make sure that the next generation of New Jerseyans have a place to live, work and enjoy their quality of life."

The State Transfer of Development Rights Act addresses the development issues our state faces while maintaining environmental integrity, preserving natural and historic resources, and strengthening the agricultural industry and cultural heritage of the Garden State. TDR can be used in a variety of ways: as a tool for preserving open space or farmland, to preserve historic buildings and resources, and to transfer different types of development from one part of a town to another, or even from one community to another.

Developers purchase development rights to build in a “receiving area” – an area that is targeted for growth. The funding is then used to permanently preserve land in a “sending area” – the open space, farmland, or historic resources – at no cost to taxpayers.

As a result, municipalities have more control over where growth occurs; landowners are compensated fairly for their property; developers have a clear picture of where they can build; and fewer public funds are spent on preservation.

The Highlands Council will fund the demonstration projects in the three municipalities, while DCA’s Office of Smart Growth will provide technical assistance.

“This is an exciting first step toward implementation of a TDR program in the Highlands,” said John Weingart, Chair of the Highlands Council. “The inclusion of both sending and receiving areas in DCA’s pilot projects will provide extremely valuable information to the Highlands Council as we consider the best ways to plan for the region.”

TDR Demonstration Projects Benefiting the Highlands

Oxford Township, Warren County

Oxford Township is located in both the preservation and planning area of the Highlands Region. The Township is currently working on a redevelopment plan for a recently closed textile-manufacturing site, which will provide the Township with a unique opportunity to include TDR in its community planning. The former industrial site will become the receiving area and will feature a mixed-use development compatible to the Township’s existing downtown. A site the Township had originally purchased to redevelop will become a sending area and converted into usable open space.

Lodi Borough, Bergen County

Lodi is not in the Highlands Region, but is willing to accept credits from the preservation area under a provision of the law that allows municipalities in Highlands Counties to do so. The proposed receiving areas include a number of large vacant and underutilized industrial sites suitable for mixed-use redevelopment, like the BASF site.

Prospect Park, Passaic County

Prospect Park is not in the Highlands Region, but is willing to accept credits from the preservation area under a provision of the law that allows municipalities in Highlands Counties to do so. The proposed receiving area is a soon-to-be-closed, 75-acre quarry. The borough plans to create a mixed-use development on the property, which represents 25 percent of the Borough’s land area.

Last week, Commissioner Levin announced six demonstration projects in Washington Township, Fanwood Borough, Berkeley Township, Montgomery Township, Woolwich Township and Hopewell Township, for a total of nine TDR Demonstration Projects across the state.

The TDR Demonstration Projects are implemented through DCA's Office of Smart Growth, which is leading the effort to promote sustainable development, protect the environment, preserve open space and revitalize older communities throughout New Jersey.

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