

Highlands Council Monthly Report

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Aurora Borealis as seen from Holland Township, October 10, 2024
Photo by: Sarah Friend, Environmental Scientist

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Highlands Council Monthly Report

Summary of Activities | October 1-31, 2024

Executive Director Priority Spotlight

- **Affordable Housing.** Once again, the Highlands Council's work on affordable housing policies merits attention in this month's report. The need to balance resource protection and the mandate for municipalities to provide affordable housing opportunities requires not just a thoughtful approach, but one that ensures we are not compromising the future well-being of the entire state as the result of a single, albeit important, policy initiative. The Council has taken a reasoned and rational approach towards providing adequate guidance and clear policy positions that enable Highlands municipalities to deliver appropriate outcomes while attempting to accommodate development in a limited growth region of the state.

The Council's work began even before the new affordable housing legislation was introduced. It was clear that Round 4 affordable housing obligations would present a challenge for Highlands municipalities that had a mandate to protect the region's valuable natural resources. When the legislation was passed containing specific references to the Highlands Act and the Highlands Regional Master Plan (RMP), it was incumbent on the Council to provide appropriate guidance and resources to the 88 municipalities in the region. In the ensuing months the Council drafted and adopted an amendment to the RMP, produced a guidance document, allocated funding for new affordable housing plans, and developed a GIS tool that allows municipalities to determine their build-out potential, which will be the foundation for all new affordable housing plans in the region.

Note that only conforming municipalities will be able to access the new build-out tool and – per the provisions of the Affordable Housing Act – only fully conforming towns will be able to rely on the Highlands Act and RMP in developing their new plans and qualify for the legal protection of an enhanced presumption of validity for their new plans.

- **Drought Continues.** The end of the month of October marked the completion of the first month ever with **no recorded measurable precipitation since record-keeping was started** in the late 19th century. None of the five weather stations in the Highlands region that are a part of the state-wide network with automated rain gauges reported any precipitation this month. Despite the lack of rain, the Highlands continues to export over ¾ billion gallons of water per day to the more populated areas of the state while still supporting the 850,000 people who call the region their home.

Going “0 for October” after an abnormally dry September has placed a great deal of stress on the region's resources. The water in Spruce Run Reservoir in Clinton has dropped by 17 feet since September 1st and just over 25 feet since the beginning of June and is at about 1/3 of its full pool capacity.

Newark's Oak Ridge Reservoir, which straddles the border between Morris and Passaic County in Jefferson and West Milford Townships has been nearly completely drained revealing the remnants of the town that once occupied the land that now comprises the reservoir. At the time of this report, multiple forest fires are burning around the Highlands and streamflows are near record lows. These conditions point out some of the major challenges of planning in a time of a changing climate. Precipitation swings that produced 72 inches of rainfall in the Highlands in 2023 followed

by what we're currently experiencing demonstrate how hard it is to predict what the state will experience in the future.

Impacts to drinking water supplies are probably the most important effects that need to be accounted for. However, ecological and agricultural impacts must also be taken into consideration. While the extended stretch of dry weather was beneficial for the region's agritourism operations, it is only due to the late onset of these drought conditions at the conclusion of the growing season that catastrophic consequences were avoided. It still remains to be seen what long-term effects, if any, will occur. It will rain again, and there will likely be some very heavy precipitation, and the forests and wetlands of the region will demonstrate their value in retaining runoff that would otherwise create downstream flooding. Until that occurs, we will need to continue to plan for the protection of the Highlands resources for all of their benefits to the people of New Jersey. For further information on current conditions, please visit the [DEP Drought Information Page](#).

- **City of Newark.** The largest landowner in the Highlands region also happens to be the largest single consumer of Highlands water. The City of Newark has owned the 35,000-acre Pequannock Watershed in Morris, Sussex and Passaic Counties since it was purchased in the late 19th and early 20th Centuries and has served to protect its water supply since then. This massive land holding is foundational for the larger area of core forest that makes up the northern NJ Highlands. Protection of the forests in this area for their water supply protection qualities is a key element of effectively protecting the state's water supply and accomplishing the most essential part of

Drought Impact: Spruce Run Reservoir



the Highlands Council's mission. Partnering with the City to implement forest stewardship practices that further protection of the water supply meets the needs of Newark, the Highlands Council and the state as a whole. It also highlights the critical relationships that exist between rural and urban New Jersey that need to be fostered for our common good. The Highlands region provides some or all of the drinking water for approximately 7 million residents of the state including over 80% of people living in identified Overburdened Communities.

The Highlands Council and the City of Newark are partnering on a grant application to the U.S. Forest Service to fund a comprehensive forest stewardship plan for the 35,000-acre Pequannock Watershed. The grant would also fund a survey of invasive plant species, evaluation of riparian corridors and water quality monitoring within watershed lands. The Council and the City are also working on a Memorandum of Understanding (MOU) that will identify specific forest health activities and strategies for pooling limited resources to better manage and protect the City's water supply well into the future. Ideally, the information gained, and lessons learned through this partnership can be extended region-wide to eventually manage the all of the region's forests in cooperation with the public and private owners of watershed lands in much the same manner that New York City manages its 2,000-square-mile watershed in the Upper Delaware region of New York State.

- **Booth 150 in the Exhibit Hall at the League Conference.** Later this month the Highlands Council will have a presence at the 109th Annual New Jersey League of Municipalities Conference in Atlantic City. Even though the venue is far from the Highlands region, it provides a great opportunity to meet and speak with elected officials and staff from our constituent municipalities and counties, their professional planners and engineers, as well as representatives from nonprofit and academic institutions engaged in protecting the Highlands region. It also provides professional development opportunities for members of our staff. Please stop by Booth 150 and say hello if you're planning to attend.

Municipal and County Regional Master Plan (RMP) Implementation

Updates related to Highlands Council-funded projects that help implement the RMP.

Completed Projects

The following municipalities/counties have submitted project deliverables that were reviewed by Highlands Council staff and found to be consistent with the approved scopes of work and eligible for reimbursement.

- **Town of Clinton, Hunterdon County.** Municipal Traffic Study (partial completion)
- **Denville Township, Morris County.** Open Space and Recreation Plan Update
- **Glen Gardner, Hunterdon County.** Open Space Plan, Wastewater Management Plan
- **Hope Township, Warren County.** MS4 Permitting/Stormwater Management Plan (partial completion)
- **Hunterdon County.** Tourism, Digital Marketing and Advertising Campaign
- **Parsippany-Troy Hills, Morris County.** Open Space and Trails Plan

Other Notable Implementation Activities

- **Harding Township Achieves Conformance with the Highlands RMP.** The Highlands Council approved Harding Township’s Petition for Plan Conformance in July 2024. Subsequently, the township approved a Master Plan Re-Examination in accordance with the Highlands RMP and adopted an “Ordinance for Highlands Council Regional Master Plan Conformance.”
- **Affordable Housing Support.** On October 18, the Department of Community Affairs (DCA) released the agency’s proposed calculations of municipalities’ affordable housing obligations. The following week, the Highlands Council provided its 88 constituent municipalities with guidance for developing affordable housing plans in the context of resource protection. See GIS Updates below.
- **Economic Sustainability Plan, Branding Effort.** As part of the [New Jersey Highlands Economic Sustainability Plan](#), a project is underway to create a regional identity or “brand” for the Highlands. The first step in this process is gathering input and insights from those who know best – the local community. A survey is now open and Residents from all over the Highlands are encouraged to learn more about the project and complete the survey by visiting authenticnjhighlands.com. The survey will remain open through mid-November.

Project Reviews

The Highlands Council does not issue permits but is statutorily required to review certain proposed projects in the region for consistency with the Highlands RMP. In some cases, the Highlands Council shares jurisdiction with the New Jersey Department of Environmental Protection (NJDEP).

- **Highlands Applicability Determination (HAD), Exemption #11 (w/NJDEP).**
FirstEnergy, Jersey Central Power & Light Company (JCP&L) Flanders Substation
Mount Olive Township, Morris County
JCP&L is seeking an [Exemption 11](#) from the NJDEP to make improvements and an expansion to an existing substation. The proposed work will require approximately 0.20 acres of additional gravel be added to the footprint of the site.
Highlands Council staff determination: Exempt.
- **Highlands Planning Area Exemption. Proposed Warehouse Renovations**
Rockaway Township, Morris County
Applicant is seeking an [Exemption 4](#) to redevelop an existing industrial site into a warehouse.
Highlands Council staff determination: Exempt.
- **Highlands Planning Area Exemption. The Morrison**
Parsippany-Troy Hills, Morris County
Applicant is seeking an [Exemption 4](#) for the development of inclusionary housing development on a previously developed site.
Highlands Council review in progress.
- **Conditions Compliance: The Cubes at Alpha (formerly Alpha Commerce Center)**
Alpha Borough, Warren County
The applicant submitted additional materials and information related to the Highlands Warehouse Policy Standards.
Highlands Council staff determination: Consistent with the Policy Standards for Warehousing in the New Jersey Highlands Region.

- **Conditions Compliance: The Woodland Apartments, AKA Hackettstown Apartments**

Hackettstown, Warren County

Applicant submitted additional information and materials in response to staff comments sent in March and May of 2024 that were in response to materials submitted in February 2024 to meet the conditions of a consistency determination originally completed by Highlands Council staff in April 2022.

Highlands Council staff review in progress.

GIS Updates

- **Build-Out Update Review Portal, Associated Documentation and Training.** To support Highlands municipalities in meeting the requirements of the affordable housing legislation passed earlier this year, the Highlands Council GIS team developed a GIS-based tool that allows fully conforming Highlands municipalities to determine the number of developable lots remaining in their town and from that, extrapolate their affordable housing obligation. That information, in conjunction with guidance material released by the Council in October, will aid in the creation of new affordable housing plans.
The *Build-Out Update Review Portal* and instructions for its use were completed in October and provided to conforming municipalities in advance of a training session held on November 1. Access to the Portal requires a login and password, which has been provided to conforming municipalities. While non-conforming municipalities may request log-in credentials, per the parameters of the affordable housing legislation only conforming municipalities are eligible to consider Highlands resources in determining development potential of individual parcels.
- **Composite Zoning data layer update.** The Highlands Composite Zoning layer has been updated on the [Highlands Open Data site](#). The Composite Zoning Layer, as the name implies, includes zoning information compiled in collaboration with Highlands municipalities, consultants, state and other local resources, to create a clearer picture of local conditions and development potential.

Science Initiatives

- **Forestry Management and Stewardship.** The Highlands Council has submitted two grant applications to the US Department of Agriculture-US Forest Service to support the implementation of forestry best management practices that are in alignment with the RMP. Both grants are competitive federal grants with notifications expected by the end of 2024 and TBD, respectively.
 - **New Jersey Highlands Region Forest Stewardship Initiative for Water Protection.** Proposal for the development of forest stewardship plans for private landowners (total request: \$1.7 million) (Source: Inflation Reduction Act)
 - **Partnership for Comprehensive Forest Stewardship and Water Quality Protection in Newark's Pequannock Watershed.** Proposals for the development of a comprehensive forest stewardship plan for Newark's Pequannock Watershed (total request: \$500,000). (Source: Landscape Scale Restoration Program)

Land Preservation Program Updates

- **HDC Easement Inspections scheduled.** Property owners were notified and inspections to determine compliance with terms of conservation easements were scheduled and will begin in November.

Staffing and Staff Development

- **Open Position.** The Highlands Council is currently seeking a **part-time Communications Specialist** to support outreach and education efforts for the agency. This position requires a communications generalist with an emphasis on social media, newsletters, and graphic design, underpinned by strong writing and editorial skills. Applications are being accepted through Thursday, November 21. Complete details are available in the [job posting](#).

Outreach & Education

- **UPCOMING: New Jersey League of Municipalities Conference, November 19-21.** Visit Highlands Council staff members at **booth 150** in the Exhibit Hall during the annual league conference in Atlantic City.
- **Northwest New Jersey Rivers Conference.** The Highlands Council hosted an exhibit table at the annual Northwest New Jersey Rivers conference held on Friday, October 18 at the Lackland Center at Centenary University in Hackettstown. In addition to meeting and sharing information with visitors at the table, Executive Director Ben Spinelli co-led an educational session on “Forest Management for Clean Water” with Charlie Laing, Forestry Program Manager, New York City Department of Environmental Protection.
- **Sussex County Harvest, Honey & Garlic Festival.** The Highlands Council was once again invited by Sussex County to have an informational table at this annual event held at the County Fairgrounds in Augusta, NJ. The free festival attracts thousands of visitors and features local farm products, craft vendors and artists, live music, and activities for children. Highlands Council staff had the opportunity to meet and talk with many constituents interested in the work of the Council.
- **Constituent Assistance.** The Highlands Council received and responded to 34 inquiries from constituents in October.

Municipal & County Coordination

Highlands Council staff frequently meet with our constituent municipalities and counties to discuss their priorities and how they intersect with implementation of the Highlands RMP.

- In October, Highlands Council staff met with Clinton Township, Hunterdon County (RMP implementation); Jefferson Township, Morris County (development projects).

Agency & Organization Collaboration

Highlands Council staff often meet with sister state agencies to ensure effective coordination; professional and non-governmental organizations to learn and collaborate; and other entities that have a stake in protecting the New Jersey Highlands.

- In October, Highlands Council staff met with the NJ Department of Agriculture (support for agriculture in the Highlands); Governor’s Authorities Unit (Highlands region priorities and needs);

Foodshed Alliance (progress on grant project); City of Newark/Pequannock Watershed (Forestry); U.S. Fish and Wildlife Service (Highlands Conservation Act coordination and 20th anniversary hike)

Council Committee Meetings

- The following committees met in October: Budget and Finance, Affordable Housing.
- At the Highlands Council October meeting Chairman Richko made the following committee appointments:
 - Member Bush – member to Plan Conformance and Audit Committees
 - Member Dougherty – chair of Audit Committee (replacing Member Visioli)

Legislative Update

Following is a summary of updates to Highlands-specific and Highlands-related legislation that has been introduced and referred to committee in 2024.

Bill Number	Prime Sponsors	Bill Summary	Bill Status
A4847 / S3715	Fantasia, Dawn Parker, Space	Requires establishment and implementation, in certain circumstances, of wildlife management plans for open space and farmland, and authorizes use of constitutionally dedicated CBT revenues to finance activities undertaken pursuant to such plans.	9/23/2024 Introduced, Referred to Assembly Commerce, Economic Development and Agriculture Committee; 10/7/2024 Introduced in the Senate, Referred to Senate Environment and Energy Committee

Looking Ahead

- **Public Council Meetings.** The December Highlands Council public meeting is scheduled for Thursday, December 12, 2024. The January public meeting is scheduled for Thursday, January 16, 2025. All meetings are held at 4 p.m. at the Highlands Council office in Chester, NJ. Complete details are available on the [calendar page](#) of the Highlands Council website.

