

Highlands Council Monthly Report

March 2024
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Spruce Run Recreation Area, Union and Clinton Townships, Hunterdon County

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Summary of Activities | March 1- 31, 2024

Executive Director Priority Spotlight

Affordable Housing. The previous edition of this report discussed pending affordable housing legislation, which has now passed. As was true in the draft, the bill signed by Gov. Murphy on March 20 (A4/S50) includes specific references to the Highlands Act and the Highlands RMP effectively saying that the RMP **must** be taken into account when determining municipal affordable housing obligations. Conformance status will also factor into calculations. The reason this is so important is because development in the Highlands must be managed differently than the rest of the state. Decisions regarding development must be made in a manner that protects important Highlands resources, which are vulnerable to inappropriate land use. The new act acknowledges these factors and accounts for them. As also mentioned in prior monthly reports, the Highlands Council will be providing guidance and grant funding to help municipal partners navigate this important and challenging task. Municipalities that are not already working with the Highlands Council are urged to reach out now, to ensure sufficient time to prepare and plan properly.

Open Space Funding. Last year, the Highlands Council, in cooperation with the U.S. Fish & Wildlife Service (USFWS), petitioned the U.S. Secretary of the Interior (DOI) for special consideration regarding appraisals of New Jersey Highlands properties in the Federal Highlands Conservation Act (HCA) grant program. Existing DOI rules did not recognize the dual appraisal provisions of the New Jersey Highlands Act, which made it nearly impossible for New Jersey to participate in the HCA program. In March, an agreement was reached that allows pre- and post-Highlands Act appraisals to be conducted using “yellow book” standards. This will meet the obligations of the Highlands Act to consider pre-Highlands Act values, while still meeting federal appraisals requirements.

While this is a major step forward in the Council’s ability to use HCA funds for land preservation projects, there is still a lack of dedicated funding for the Highlands Council’s Open Space Partnership program to provide the required matching funds. The absence of any funding mechanism for the Highlands means that New Jersey is leaving millions of dollars in potential Federal funds on the table each year. Getting this funding is essential for both meeting the mission of the Highlands Act and for providing a source of equity for landowners impacted by the restrictions of the legislation. As has been pointed out here before, approximately 19,000 undeveloped but developable lots remain in the region. This represents about 230 square miles of the 1,300 square miles defined by the Highlands Act. Many of these properties do not fall squarely within existing land preservation programs. Appropriately funding the Highlands Council’s open space program would go a long way towards resolving this issue.

Coordination with the City of Newark. The City of Newark owns more land in the New Jersey Highlands than any other property owner. The Newark watershed lands take up approximately 35,000 acres of Highlands forests. The city is also the single largest user of Highlands water. For these reasons, the Council has been working to establish a collaborative relationship with the City to support Newark’s management of its extensive land holdings in the Highlands. The intent of greater coordination with the

City is not only to help ensure greater protection of these important watershed lands, but also to facilitate a stronger connection between the state’s drinking water consumers and the source of that drinking water.

Last year, the Highlands Council science staff engaged in an extensive project to better understand best practices for managing forest specifically for their watershed value. This is a key area where the Council can better meet its obligation to safeguard the state’s water supply by encouraging sustainable forest management practices that are specifically designed to protect water quality and quantity. Connecting these concepts with Highlands water users outside the region can help increase understanding about how actions in one part of New Jersey can have an impact on other areas. The idea that “we’re all in this together” must guide actions when it comes to protecting the resources of the Highlands.

Addressing Failing Septic Systems. There are a number of locations within the Highlands where failing septic systems are threatening water quality, particularly in smaller communities located along the South Branch of the Raritan and the Musconetcong rivers. Several factors contribute to this issue: older settlements tend to have properties that are too small to support septic systems and wells; the properties are in environmentally sensitive areas where extension of sewer and water service isn’t feasible; and they lack a ratepayer base that would support creation and maintenance of a new utility.

The Highlands Council has been actively working with the New Jersey Department of Environmental Protection (NJDEP) and other state agency partners to find a solution. Entities such as the NJ I-Bank may play a role in devising an appropriate strategy to resolve what currently seems like an intractable situation that is both a burden to these small communities and their residents as well as a threat to the region’s resources. The intent is to engage with one or more of these communities on a pilot basis to explore solutions that will technically address these problems in a manner that is fiscally responsible and sustainable.

Statewide Water Supply Plan. The State’s Water Supply Master Plan was released for review last month. Council Member Dan Van Abs, in his role Professor of Professional Practice for Water, Society & Environment at Rutgers University, was instrumental in the creation of this plan. The Highlands Council is currently engaged in reviewing the plan and submitting comments on its content. As the source for all or a portion of the drinking water supply for 70% of the state’s population, appropriate management of the resources of the Highlands is a key part of sustainably managing these resources and meeting the current and future needs of New Jersey. At the present time, nearly 840 million gallons of water per day are exported out of the Highlands for the needs of the population. Adequately supporting the Highlands and providing necessary resources and coordination at all levels of government with the Highlands RMP is an essential part of the success of the statewide plan and of ensuring a prosperous future for New Jersey.

Municipal and County Regional Master Plan (RMP) Implementation

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

- **Bedminster Township, Somerset County.** Submitted a scope of work (SOW) and request for funding assistance to support activities related to MS4 permit requirements. Staff reviewed and approved the SOW authorizing work to begin.

- **Bethlehem Township, Hunterdon County.** Submitted a SOW and request for funding assistance to support activities related to MS4 permit requirements. Highlands Council staff review is pending.
- **Green Township, Sussex County.** Submitted a SOW to complete a Master Plan Update. Staff reviewed and approved the SOW, authorizing project work to begin.
- **Harmony Township, Warren County.** Submitted a request for funding assistance to support activities related to MS4 permit requirements. Highlands Council staff review is pending.
- **Jefferson Township, Morris County.** The year-two final report of a three-year Lake Hopatcong Trout Habitat and Tagging Study was submitted and is being reviewed by Council staff.
- **Liberty Township, Warren County.** Submitted a SOW for Stormwater Management Planning and MS4 Permitting Compliance. Staff reviewed and approved the SOW, authorizing work to begin.
- **Netcong Borough, Morris County.** Submitted a SOW to complete a Highlands Center Designation Petition. Staff reviewed and approved the SOW, authorizing work to begin.
- **Rockaway Township, Morris County.** Submitted a SOW and request for funding assistance to support a nitrogen removal demonstration project at Fox's Pond (aka Parks Lake). The need for this project was identified in a township-wide Watershed Management Program developed by the township with Highlands Council funding. Review of the current funding request is pending.
- **Roxbury Township, Morris County.** Submitted a SOW for completing Initial Assessment Report (IAR) for the Planning Area. An IAR is designed to help a municipality better understand what is involved in aligning local planning and regulatory documents with the Highlands RMP. Staff reviewed and approved the SOW, authorizing work on the project to begin.
- **Mine Hill Township, Morris County.** Adopted a Water Use and Conservation Management Plan as a sub-element of the Conservation Element of the municipality's Master Plan. The plan was reviewed by staff and found to be consistent with the approved SOW and eligible for reimbursement.
- **Montville Township, Morris County.** Submitted deliverables related to a Floodplain Reconnection and Groundwater Recharge Demonstration Project. The materials are being reviewed by staff for alignment with the approved SOW.
- **Oxford Township, Warren County.** Submitted materials related to the completion of the Northwest Jersey Food Processing and Innovation Center Feasibility Study. The deliverables were reviewed by staff and found to be eligible for reimbursement.

Regional RMP Implementation

In addition to supporting municipal and county implementation of the RMP, the Highlands Council frequently funds larger and regionwide projects that help advance the goals, policies and objectives of the RMP.

- **Affordable Housing Guidance for the Highlands Region.** Highlands Council staff met with project consultants twice in March to discuss the recently passed affordable housing legislation and the development of materials to support Highlands municipalities.

- **Branding/Marketing Plan for the Highlands Region.** At its March meeting, the Highlands Council awarded a contract to place-branding firm [North Star](#) to develop a unique brand and associated marketing plan and materials for the Highlands region, as part of the Council’s efforts to implement the Economic Sustainability Plan.

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 (with NJDEP) – 3**

Locations:

Hager Water System - Liberty Hills Court and Old Farmers Road

Hager Water System - Overlook Drive and Oak Terrance

Schooley’s Mountain Water System – Ann Road

Washington Township, Morris County

The Washington Township Municipal Utilities Authority is seeking a Highlands Act [exemption #11](#) to replace aging water main infrastructure within public rights-of-way at three different locations within the Township. Highlands Council staff review is pending.

- **Planning Area Consistency Review – Ashley Avenue Apartment Building**

Hackettstown, Warren County

An applicant is seeking to construct an addition to an existing apartment building, incorporating additional parking and new walkways. The project is located in the Existing Community Zone of the Highlands with sufficient public utilities available and no impact to Highlands environmental resources. Since Hackettstown has adopted a Highlands Land Use Ordinance, no further Highlands Council review is required.

Highlands Council staff finding: No objection to application proceeding.

- **Municipal Referral – Multi-Family Development, Ridge Road**

Mahwah Township, Bergen County

Applicant is proposing a 100 % affordable multi-story residential building with associated parking and stormwater management.

Highlands Council staff review is pending.

GIS Updates

- **GIS Services Contract Award.** The Highlands Council approved staff recommendation to award GIS Services contracts to Neglia Group, Verdantas, LLC, and Remington & Vernick Engineering to provide on-call GIS services for no more than \$25,000 a year for 3 years per firm.

Science Initiatives

- **Weather Station Installation.** A weather station funded by the Highlands Council was recently installed on the grounds of the Chester Borough Municipal Complex, a short walk from the Council office. The station collects a range of important climate data, including air temperature,

relative humidity, dew point temperature, incoming solar radiation, barometric pressure, wind speed and direction, wind gusts and direction, and precipitation. Soil sensors and a snow gauge will be installed before fall. Up-to-the-minute weather info directly from the station is available on the [Rutgers NJ Weather Network website](#). The installation of the station is part of a larger effort with the State Climatologist to monitor the climate trends in the Highlands region. Understanding climate impacts on the resources of the Highlands, and in particular long-term precipitation and temperature changes, is essential for the mission of the Highlands Council.

Land Preservation Program Updates

- **Property Valuation in the New Jersey Highlands.** The Highlands Council has been working with the US Fish and Wildlife Service (USFWS) to resolve conflicts between federal appraisal requirements and the dual appraisal methodology required by law in the New Jersey Highlands. A possible solution will be piloted in an upcoming preservation project.

Outreach & Education

- **Sharing Experience with Young Planners.** Planning Manager Maryjude Haddock-Weiler was a guest lecturer at the Rutgers Bloustein School Comprehensive Planning class, speaking about State & Regional Plans/Special Plans. In addition to her tenure at the Highlands Council, Maryjude's experience also includes work with the Hackensack Meadowlands Development Commission (now the New Jersey Sports and Exposition Authority) and the Office of State Planning.
- **New Jersey Sustainability Summit.** The Highlands Council was invited to be a Summit Partner for the [Sustainable Jersey's Sustainability Summit](#) to be held Friday, May 3 at Bell Works, the historic former Bell Labs building in Holmdel, NJ. Registration is now open and more information is available at the [Summit website](#).
- **Constituent Assistance.** The Highlands Council received and responded to 25 inquiries from constituents in March.

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 March the Highlands Council met with Boonton Town (RMP implementation), Harding Township (affordable housing), Lopatcong Township (stormwater management), Ringwood Borough (watershed moratorium aid, redevelopment), and Union Township (redevelopment project).
- Highlands Council staff met with Franklin Township's project consultant to discuss the township's Water Use and Conservation Management Plan.
- Highlands Council staff attended the Passaic County Strategic Infrastructure Plan Stakeholder Advisory Committee meeting.

Agency & Organization Collaboration

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

- In March, Highlands Council staff met with NJDEP to discuss failing septic systems; held their regular quarterly meeting with the USDA; and attended an NJDEP briefing regarding the Statewide Water Supply Plan.

Council Committee Meetings

- The following committees met in March: Budget and Finance; Plan Conformance; Agricultural Advisory.
- Council Member Dan Bush was appointed to the Budget and Finance committee at the March Council meeting.

Looking Ahead

- **Public Council Meetings.** The April Highlands Council public meeting is scheduled for Thursday, April 18. The May public meeting is scheduled for Thursday, May 16. 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.

