

RESOLUTION 2015-3
NEW JERSEY HIGHLANDS WATER PROTECTION AND PLANNING COUNCIL
AUTHORIZATION TO PROMULGATE RULES IN CONNECTION WITH THE
LANDOWNER EQUITY & LAND PRESERVATION PROGRAM

WHEREAS, the Highlands Water Protection and Planning Act (Highlands Act), N.J.S.A. 13:20-1 et seq., created a public body corporate and politic with corporate succession known as the Highlands Water Protection and Planning Council (Highlands Council or Council); and

WHEREAS, the Highlands Act, at N.J.S.A. 13:20-2 includes, among its findings, that “the new regional planning approach and the more stringent environmental regulatory standards should be accompanied, as a matter of wise public policy and fairness to property owners, by a strong and significant commitment by the State to fund the acquisition of exceptional natural resource value lands . . .”; and

WHEREAS, the Highlands Council has established a Land Owner Equity and Land Preservation Committee whose mission, among other things, is to consider, evaluate and recommend to the full Council, programs and policies to advance and enhance, where possible, the statutory commitment to compensate Highlands property owners where appropriate; and

WHEREAS, the Council has received, reviewed, and considered a final draft Landowner Equity and Land Preservation Program (the Program) that has been vetted through the Land Owner Equity and Land Preservation Committee; and

WHEREAS, the Program provides for an open space matching grant program that would incentivize property owners to seek out contributions from entities interested in land conservation by having the Council match such contributions and also provide that the Highlands Development Credit Bank, would purchase HDCs on a priority basis identified in the Program, from certain landowners; and

WHEREAS, the Highlands Act, at N.J.S.A. 13:20-6(y), authorizes the Council to prepare, adopt, amend, or repeal, pursuant to the “Administrative Procedure Act,” P.L.1968, c.410 (N.J.S.A. 52:14B-1 et seq. (the APA) such rules and regulations as may be necessary in order to exercise its powers and perform its duties and responsibilities under the provisions of this act; and

WHEREAS, the Council is of the view that it would be appropriate to promulgate the Program as an administrative rule, pursuant to the APA; and

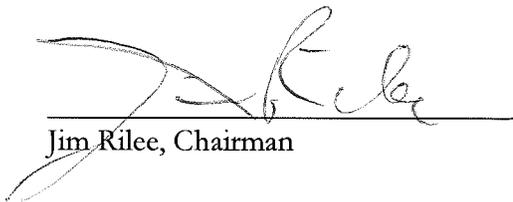
WHEREAS, the Council understands that prior to the Program being finally adopted under the APA, the Executive Director will provide a summary of the responses received in connection with the promulgation of the proposed APA rules, and that the full Council will be called upon to vote to authorize the adoption of the Program as an administrative rule.

NOW, THEREFORE, BE IT RESOLVED, that the Highlands Council hereby authorizes and directs the Executive Director to initiate the rulemaking process in connection with Program, and to keep the Council advised and informed as to the status and progress of the promulgation of the Program.

RESOLUTION 2015-3
NEW JERSEY HIGHLANDS WATER PROTECTION AND PLANNING COUNCIL
AUTHORIZATION TO PROMULGATE RULES IN CONNECTION WITH THE
LANDOWNER EQUITY & LAND PRESERVATION PROGRAM

CERTIFICATION

I hereby certify that the foregoing Resolution was adopted by the Highlands Council at its regular meeting held on the 22nd^h day of January, 2015.



 Jim Rilee, Chairman

**Vote on the Approval of
 This Resolution**

	Motion	Second	Yes	No	Abstain	Absent
Councilmember Alstede	_____	_____	✓	_____	_____	_____
Councilmember Carluccio	_____	_____	✓	_____	_____	_____
Councilmember Dougherty	_____	_____	✓	_____	_____	_____
Councilmember Dressler	_____	_____	✓	_____	_____	_____
Councilmember Francis	_____	_____	✓	_____	_____	_____
Councilmember Holtaway	_____	✓	✓	_____	_____	_____
Councilmember James	✓	_____	✓	_____	_____	_____
Councilmember Richko	_____	_____	✓	_____	_____	_____
Councilmember Sebetich	_____	_____	✓	_____	_____	_____
Councilmember Tfanck	_____	_____	✓	_____	_____	_____
Councilmember Visioli	_____	_____	✓	_____	_____	_____
Councilmember Vohden	_____	_____	_____	_____	_____	✓
Councilmember Walton	_____	_____	✓	_____	_____	_____
Chairman Rilee	_____	_____	✓	_____	_____	_____