

# Highlands Council Monthly Report

October 2023

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Turning Maple Leaves, Chester Township, Morris County

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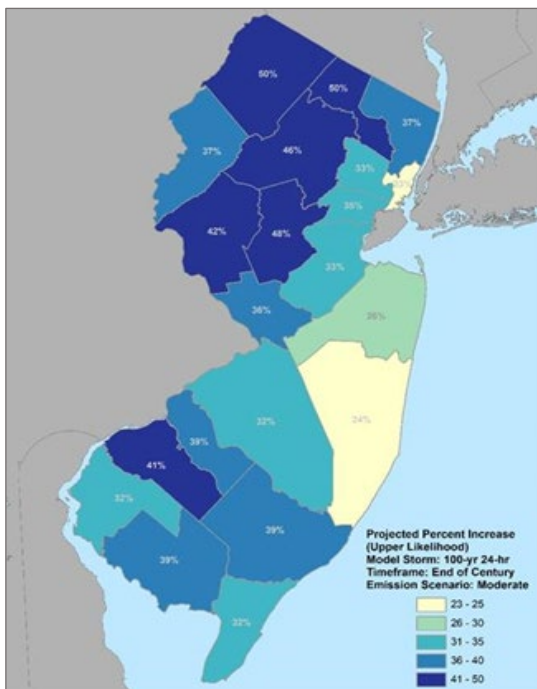
# Highlands Council Monthly Report

*Summary of Activities | October 1-31, 2023*

## Executive Director Priority Spotlight

- **State-wide Strategic Climate Action Plan.** In October the Highlands Council provided comments on the [New Jersey Department of Environmental Protection Strategic Climate Action Plan](#), which had been released in September. Our comments emphasized the critical role that protection of the Highlands Region plays in the long-term resiliency of the state, which is only becoming more acute with the growing impacts of climate change. Not only will the role of the Highlands as the primary source of drinking water for most New Jersey residents become increasingly evident, the role of the region as a stable food source in proximity to large metropolitan areas will increasingly take center stage. It is of vital importance that New Jersey take

action ***now*** to ensure the protection of natural resources and local economies of this region as articulated in the Highlands Act 20 years ago.



Projections included in the draft plan, shown in the figure to the left, indicate that the largest increases in precipitation intensity will be in the Highlands. This will mean higher incidents of flash flooding such as what occurred in August 2023. Adequately protecting and restoring Highlands forests and wetlands along with minimizing increases in impervious coverage are critical to reducing future climate change fueled flood risks both within the region and downstream from the Highlands. Consideration of the direct impacts that are coming to the Highlands region is critical to the overall climate resiliency of the state.

- **Budget Planning.** At its October meeting the Highlands Council passed annual budget resolutions for the Fiscal Year 2024 (7/1/23 through 6/30/24), and promptly began planning for FY 2025. The Highlands Council approved two separate budgets based on allocations from the state: one to cover our operations, and one that provides funding for the grants we make to municipalities and counties for local implementation of the Regional Master Plan (RMP). It's notable that the Highlands Council allocation from the state for grant funding to local governments has remained unchanged since 2011, when it was essentially cut in half and repurposed for non-Highlands uses by the administration at that time. The Council's operating budget has also remained largely stagnant, despite inflation and increased costs for day-to-day functions of the Council. With mounting environmental pressures on the Highlands region, it is imperative that this budgetary trend be reversed. The Highlands Council requires increased

funding to support the region's agricultural economy, formulate and implement policies and programs to address the impacts of climate change, assist Highlands communities with stormwater management, and help care for the region's forests, wetlands, rivers, and streams. Directly addressing these issues is not optional. It is essential for the effective implementation of the goals, policies, and objectives of the Highlands Act and the RMP. It is also beyond the capacity of the current Highlands staff size. The Highlands Council needs the support of both the Governor and the legislature to provide the financial and staffing resources needed to adequately protect and manage the region for the best interests of the state and for current and future generations of New Jersey's residents.

- **Land Preservation Funding.** In early November, Highlands staff will be attending a regional "Highlands Summit" convened by the U.S. Fish and Wildlife Service to address land conservation efforts in the four-state Federal Highlands region. The Highlands Conservation Act (HCA) provides millions of dollars in matching funds for land conservation projects annually. Access to these funds requires a local match. Currently, the Highlands Council has *no dedicated source of land preservation funding* to provide a match. As a result, New Jersey's share of the funding is available to Pennsylvania, New York, and Connecticut Highlands preservation projects.

In addition to the inability to leverage federal HCA funds, the lack of dedicated funding for the New Jersey Highlands prevents the Highlands Council from meeting landowner equity goals through the Highlands Development Credit Program. Although the Council's primary focus is on natural resource protection through regional planning, land preservation is also an essential tool for protecting the Highlands. Highlands Council land preservation programs fill a unique need since parcels of any size may qualify and applications for land that is forested, agricultural and/or mixed use are all considered. Currently there are about 19,000 individual parcels in the region that are undeveloped but developable. This comprises around 17% of the land area of the Highlands.

In January 2023, the Highlands Council adopted a resolution requesting a dedication of a portion of the Corporation Business Tax (CBT) currently devoted to the state's land preservation programs be redirected to the Highlands Council to address this issue. To date, no action has been taken. At the Highlands Summit, New Jersey will be the only state with representation from an agency focused solely on the region. None of the other HCA states has created a Highlands-specific government entity. New Jersey had the vision to see the importance of having a staff dedicated to the protection of the Highlands. Now is the time to make a commensurate financial commitment. The money is available and the demand exists. It is imperative that CBT funds be allocated to the Highlands Council for these purposes.

- **Booth 126 in the Exhibit Hall at the League Conference.** Later this month the Highlands Council will have a presence at the 108th 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 members from our constituent municipalities and counties as well as professional planners and engineers engaged in projects in the Highlands, and representatives from nonprofit organizations that support the work of the Council. It also provides professional development opportunities for members of our staff. Please stop by Booth 126 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.

- **Byram Township, Sussex County.** The Highlands Council approved a scope of work (SOW) for the Township to complete components of its stormwater management plan related to the MS4 permitting process.
- **Franklin Township, Warren County.** The Township has completed a Farmland Preservation Plan. Highlands Council staff reviewed the plan and found it to be consistent with the approved SOW and eligible for reimbursement.
- **High Bridge Borough, Hunterdon County.** High Bridge has submitted materials related to the Borough's application to become a designated Department of Transportation "Transit Village." Highlands Council staff are currently reviewing the materials.
- **Mendham Township, Morris County.** The Highlands Council approved a SOW for Mendham Township to complete an Initial Assessment report. An Initial Assessment is designed to help a Highlands municipality better understand where local goals align with the Highlands RMP and what additional work may be required to bring local planning and regulatory documents into alignment with the RMP.
- **Morris County.** The County completed components of a Lake Management Plan, including a Sediment Oxygen Demand (SOD) and Phosphorus Speciation Analysis. The deliverables were reviewed by staff and found to be in alignment with the approved SOW and eligible for reimbursement.
- **Morris County.** The County submitted a funding request and SOW for the development of a Floristic Inventory and Assessment (evaluation of the botanical diversity, ecological character, and habitat quality) of two county parks over a two-year period.
- **Sparta Township, Sussex County.** The Highlands Council approved a revised SOW for Sparta to complete an update to the township's Open Space and Recreation Plan addressing habitat planning.
- **West Milford Township, Passaic County.** West Milford submitted materials related to its township-wide watershed management study. The deliverables were reviewed by Highlands Council staff and found to be in alignment with the approved SOW and eligible for reimbursement.

## 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: Warwick Turnpike Underground Electric Project, West Milford Township, Passaic County.** Rockland Electric Company is seeking to install approximately 1.3 miles of underground electric line beneath portions of Warwick Turnpike and White Road in West Milford Township.  
*Highlands Council staff determination: Consistent with the goals and purposes of the Highlands Act*
- **Highlands Preservation Area Approval (HPAA), Morris County Municipal Utilities Authority (MCMUA), Mt. Olive Transfer Station Water Service Extension, Mt Olive Township, Morris County.** The MCMUA is seeking to extend an existing watermain approximately 1,100 ft. to connect the main to a domestic service line and a fire service line.  
*Highlands Council staff review is pending.*
- **Planning Area Consistency Conditions Review: Grand Luxury Senior Living, Parsippany-Troy Hills, Morris County.** In September 2022, the Highlands Council staff reviewed a proposal for the construction of a three-story, 181,300 sq. ft. senior living facility and associated site improvements. Staff provided specific conditions that needed to be met for the project to be consistent with the RMP. In June and September of this year, staff received additional information from the applicant and have determined these conditions have been met and the project is now consistent with the RMP.  
*Highlands Council staff determination: Conditions met.*
- **Chester Borough WQMP Amendment Adoption: Turkey Farm/Mill Ridge Lane, Chester Borough, Morris County.** A requested amendment to the Upper Raritan Water Quality Management (WQM) Plan in Chester Borough that the Highlands Council reviewed earlier this year has been adopted by the NJDEP. The amendment establishes a new sewer service area (SSA) of 15.2 acres to accommodate a multi-use development consisting of twenty 3-bedroom townhouses, eight one-bedroom apartments, 22 two-bedroom apartments, 7 three-bedroom apartments, 40,000 square feet of office space for a medical building, drug store, and office building, and a 225-seat restaurant. The amendment is scheduled for publication in the November 20, 2023 issue of the New Jersey Register.
- **Planning Area Consistency Review: 1700 Macarthur Boulevard Building 2, Mahwah, Bergen County.** The applicant is seeking to construct a two-story, 142,250 sq. ft. industrial building and associated site improvements within a currently developed site.  
*Highlands Council staff review is pending.*



## GIS Updates

- **Open Space and Land Preservation Data.** The Highlands Council Open Space and Land Preservation data layer has been updated. Updates are visible on both the [Interactive Map](#) and [Highlands Region Interactive ERI](#).

## Science Initiatives

- **Draft Strategic Climate Action Plan.** The Highlands Council provided written comments to the NJDEP on the Draft Strategic Climate Action Plan. Council comments focused on the significant role the Highlands region plays in climate change mitigation and resilience. Specific recommendations were provided related to water supply resiliency, forestry, wetlands management, and land preservation among other comments. See further comments in Executive Director priorities above.
- **Montclair State University (MSU) Traveling HAB Lab Citizen Science project.** Sampling events concluded in October and results are currently being analyzed.

## Outreach & Education

- **UPCOMING: New Jersey League of Municipalities Conference.** The Highlands Council will once again have a presence at the New Jersey League of Municipalities conference in Atlantic City. The Highlands Council will be at booth 126 in the Exhibit Hall.
- **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. *(Pictured right, Maryjude Haddock-Weiler, Planning Manager speaks with a constituent at the Harvest, Honey & Garlic Festival.)*
- **North Jersey Transportation Planning Authority.** On October 16, Executive Director Ben Spinelli provided a presentation of the Highlands Council's warehouse planning guidelines to the NJTPA Freight Initiatives Committee.
- **Musconetcong Watershed Association.** On October 24, Executive Director Ben Spinelli presented a "Highlands Primer" to members of the Musconetcong Watershed Association as part of the organization's River Talk series.



- **The Metro New Jersey Chapter of the Appraisal Institute.** On October 27, Executive Director Ben Spinelli presented and participated in a discussion about warehouse development in northern New Jersey during a conference of the Appraisal Institute.
- **Constituent Assistance.** The Highlands Council received and responded to 15 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, the Highlands Council met with Sparta Township, Sussex County, to discuss watershed/water use and conservation management planning; and Chester Borough, Morris County, to discuss installation of a weather station. The Economic Sustainability County Coalition also met in October and heard a presentation by NJ Film Commission member Janice Kovach about making municipalities and counties “Film Ready.”
- The Highlands Council is participating in the Stakeholder Advisory Committee (SAC) for the [Passaic County Strategic Infrastructure Investment Plan](#). The first meeting was held in October.

## 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.

- Staff met with NJDEP colleagues several times in October to discuss a variety of matters including: Natural Heritage Priority Sites, the Brownfield Development Area grant program, and Highlands septic systems.
- Staff met with the New Jersey Board of Public Utilities (BPU) to learn more about the BPU’s solar energy program.
- Staff met with representatives from the New Jersey Highlands Coalition, Food and Water Watch, the New Jersey Chapter of the Sierra Club, and the Eastern Environmental Law Center to discuss the Tennessee Gas Compressor Station in West Milford.

## Council Committee Meetings

- The Budget and Finance and Plan Conformance Committees met in October.

## Looking Ahead

- **Public Council Meetings.** The Highlands Council does not have a scheduled public meeting in November. The December public meeting is scheduled for Thursday, December 14. The January 2024 public meeting is scheduled for Thursday, January 18. 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.

