

RESOLUTION # 31

HIGHLANDS REGIONAL MASTER PLAN

1 **WHEREAS**, the Highlands Act, signed into law in August 2004, divided the 850,000-
2 acre Highlands region into two areas: a preservation area, where development would be
3 strictly regulated, and a planning area, where development would be monitored; and
4 established a Highlands Water Protection and Planning Council charged to prepare and
5 implement a regional master plan for the entire Highlands region; and

6 **WHEREAS**, with lessons learned by the agricultural community in the Pinelands, the
7 Highlands law included significant relief for agricultural and horticultural activities and related
8 development in the preservation area, and as a result, agricultural development and activities
9 in the preservation area are part of a separate process from the strict regulations that are
10 imposed by the New Jersey Department of Environmental Protection upon “major
11 development” (defined as one-quarter acre of impervious cover or one acre of any soil
12 disturbance) in the preservation area; and

13 **WHEREAS**, the New Jersey Department of Agriculture developed and adopted rules
14 to implement the separate process for agricultural development and activities in the
15 Highlands Preservation Area; and

16 **WHEREAS**, 527 farms covering 42,622 acres of farmland had been preserved in the
17 Highlands region as of December 1, 2017 – 227 farms covering 18,077 acres in the
18 Preservation Area and 309 farms covering 25,922 acres in the Planning Area; and

19 **WHEREAS**, the Highlands Development Credit Bank Board has made offers to
20 purchase credits from 82 properties, including 20 properties that have landowners meeting
21 the hardship criteria under the initial HDC purchase program established in 2009 and an
22 additional 62 properties under the Highlands Development Credit Purchase Program
23 adopted by rule in April 2016; and

24 **WHEREAS**, of those, 29 landowners' credits were purchased resulting in the
25 preservation of 989 acres while six landowners chose not to proceed, with the remaining
26 expected to be purchased in 2018 resulting in the additional preservation of 1,593 acres; and

27 **WHEREAS**, of the 61 towns and five counties to apply for Highlands Regional
28 Master Plan conformance review, 50 municipalities and two counties have received approval
29 from the Highlands Council for their conformance plans.

30 **NOW, THEREFORE, BE IT RESOLVED**, that we, the delegates to the 103rd State
31 Agricultural Convention, assembled in Atlantic City, New Jersey, on February 7-8, 2018, urge
32 the Department to continue to monitor and contribute to the future implementation of the
33 Highlands TDR program and Plan Conformance process in order to maximize program
34 success and provide equity protection for affected landowners.

35 **BE IT FURTHER RESOLVED**, that we support the TDR Conservation Restriction
36 developed in coordination with the Department and the Highlands Development Credit Bank
37 Board and approved by the Highlands Council.

38 **BE IT FURTHER RESOLVED**, that we encourage the continued coordination
39 between the State TDR Bank and the HDC Bank Board to further the implementation of TDR
40 programs in the Highlands and statewide.

41 **BE IT FURTHER RESOLVED**, that we applaud the Legislature's extension of the
42 dual appraisal valuation process through June 30, 2019 for farms in the Highlands region, a
43 measure that was signed into law by Governor Christie in February 2015. The process
44 allows appraisals for farmland preservation acquisitions in the Highlands to be based on
45 either current zoning and environmental laws and regulations or those in effect as of January
46 1, 2004 – whichever yields the higher value.

47 **BE IT FURTHER RESOLVED**, that we support the new Highlands Open Space
48 Partnership Funding and Highlands Development Credit Purchase Program that establish
49 new programs for land acquisition and purchase of HDCs, initially funded through money
50 received by the Highlands Council as mitigation for linear utility projects.

51 **BE IT FURTHER RESOLVED**, that we support the Department's involvement in the
52 Regional Master Plan (RMP) Monitoring Program to evaluate progress in achieving the goals
53 of the RMP through the implementation of its policies and programs.

54 **BE IT FURTHER RESOLVED**, that we strongly urge the Governor, Senate President
55 and Assembly Speaker to consider the agricultural background, knowledge and/or
56 experience of any new potential Highlands Council members, as well as their residency, to
57 ensure that farmers in the preservation area – who are most directly affected by the RMP –
58 have additional representation on the Council.

59 **BE IT FURTHER RESOLVED**, that we encourage the Governor to do a complete
60 independent review of the Highlands Act and its programs as to its effect on the Highlands
61 Region municipalities, economy and agricultural viability.