

**RESOLUTION # 6**  
**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**, 544 farms covering 43,739 acres of farmland had been preserved in the  
17 Highlands region as of June 30, 2018 – 233 farms covering 17,879 acres in the Preservation  
18 Area and 311 farms covering 25,860 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 [FFR](#) in April 2016; and

24           **WHEREAS**, of those, 52 landowners’ credits were purchased resulting in the  
25 preservation of 1,547 acres while six landowners chose not to proceed, with the remaining

26 expected to be purchased by the end of 2019 resulting in the additional preservation of 915  
27 acres; and

28 **WHEREAS**, of the 61 towns and five counties to apply for Highlands Regional  
29 Master Plan conformance review, 51 municipalities and two counties have received approval  
30 from the Highlands Council for their conformance plans.

31 **NOW, THEREFORE, BE IT RESOLVED**, that we, the delegates to the 104<sup>th</sup> State  
32 Agricultural Convention, assembled in Atlantic City, New Jersey, on February 6-7, 2019, urge  
33 the Department to continue to monitor and contribute to the future implementation of the  
34 Highlands TDR program and Plan Conformance process in order to maximize program  
35 success and provide equity protection for affected landowners.

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

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

42 **BE IT FURTHER RESOLVED**, that we urge the Legislature to extend the dual  
43 appraisal valuation process for farms in the Highlands region upon its expiration on June 30,  
44 2019, to continue to allow appraisals for farmland preservation acquisitions in the Highlands  
45 to be based on either current [local zoning](#) and environmental laws and  
46 regulations or those in effect as of January 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.

62           **BE IT FURTHER RESOLVED**, that we urge the adoption of a contract purchaser  
63 provision for Dual Appraisal for those landowners that have time constraints, must sell their  
64 property immediately, and cannot wait for the development easement sale process, so that  
65 once and application for preservation has been made, the sale of the property can take place  
66 and the new owner can succeed to the Dual Appraisal rights of the previous owner.

67           **BE IT FURTHER RESOLVED**, that we support the dedication of a portion of the CBT  
68 for land preservation to fund the Highlands Development Credit Bank.