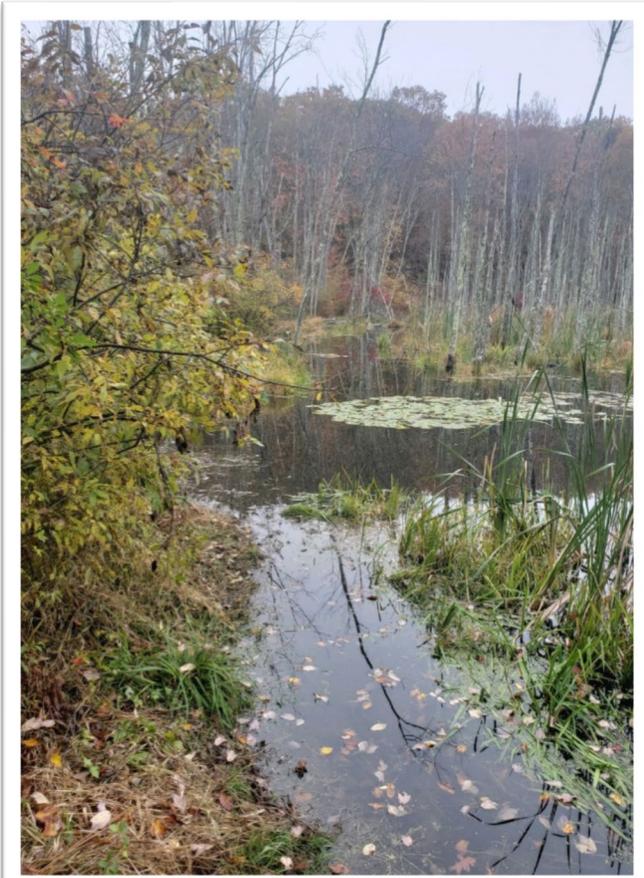
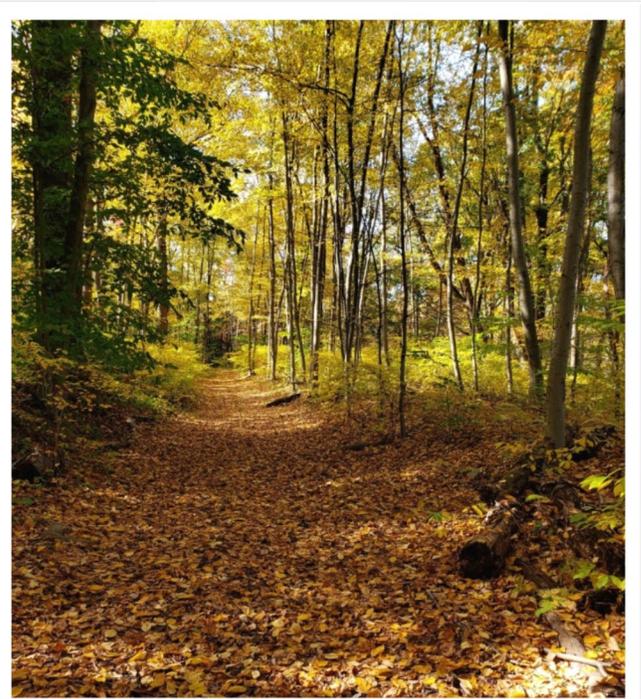
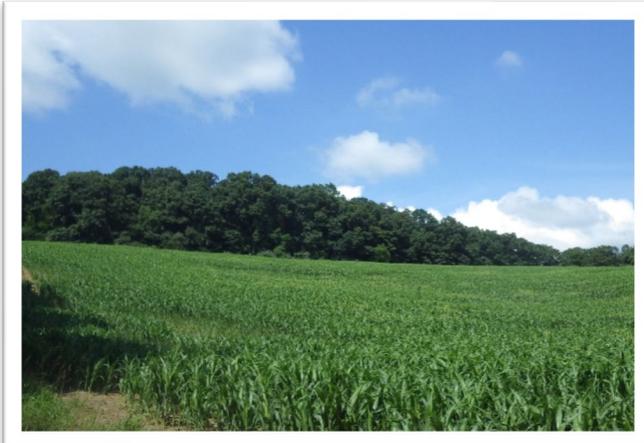


2020 Highlands Region Land Preservation Status Report

Release Date: December 2020



Photos clockwise from top right: Oxford Township, Warren County; Jefferson Township, Morris County; Rockaway Township, Morris County; Tewksbury Township, Hunterdon County. (photos by Highlands Council staff)

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Introduction

When the 2004 New Jersey Highlands Water Protection and Planning Act (Highlands Act) was adopted, the Legislature declared that “the protection of the New Jersey Highlands, because of its vital link to the future of the State’s drinking water supplies and other key natural resources, is an issue of State level importance...” and that the Act should be followed “by a strong and significant commitment by the State to fund the acquisition of exceptional natural resource value lands.” (N.J.S.A. 13:20-2.)

The Act also specified several goals to be addressed in the Highlands Regional Master Plan (RMP). Among them was the preservation of farmland and open space throughout the Region to help ensure the protection of natural, scenic, historic and other resources, and provide opportunities for recreation on publicly owned lands. (N.J.S.A. 13:20-10) The RMP further directed the Highlands Council to maintain inventories of public and private preserved lands, and to serve as the primary source of such information for the Highlands Region. As the only state entity solely focused on the Highlands Region, the Highlands Council is in a unique position to maintain such information.

Accordingly, the 2008 RMP and the Highlands “Land Preservation and Stewardship” technical report identified 273,457 acres of preserved land, representing nearly one-third of the 859,358 acres in the Highlands Region. These preserved lands include public parks, wildlife management areas, reservoir watershed lands, and conservation and agricultural easement holdings, with ownership representing federal, state, county, municipal, nonprofit and private entities.

In 2010, the Highlands Council released a “Land Preservation Report,” updating the RMP figure to a revised total of 290,214 acres, or 34% of the Highlands Region. As with those lands previously identified, this additional acreage was preserved through a variety of channels. Of the additional acres identified in the 2010 report, 5,694 acres had been identified in the RMP for priority acquisition as representing “exceptional natural resource value lands” targeted for preservation by the Highlands Act.

In 2016, the Highlands Council released the “Highlands Region 2016 Land Preservation Status Report.” Drawing upon data in the RMP, the 2010 report, and additional data culled from the Plan Conformance process as well as updates from state, county, municipal and private sources, the 2016 report provided an updated accounting of preserved land in the Highlands Region through December 2015, finding approximately 312,217 acres of the Highlands Region, or 36%, preserved. A 2018 release of the report, reflecting data current through December 2017, reported a total of 314,796 acres, or 37% of the Highlands Region, preserved.

Analysis Approach

This report provides a current status of land preservation in the Highlands Region, examining preserved land, land that is neither preserved nor developed, and developed land. Data was collected through December 2019.

For the purposes of this report:

- **Preserved land** refers to land that is protected from development through deed restriction, easement, or other conservation or preservation means.
- **Neither preserved nor developed (potentially developable) land** refers to land that has not been preserved as described above and is not developed.
- **Developed land** refers to unpreserved land that is neither vacant nor considered qualified farmland.

In addition to providing a simple accounting of the acreage that falls into these three categories, this report includes an evaluation of the nature and extent of these lands related to parcel size, since preservation occurs by parcel, not acre. The report also examines preservation from the perspective of “Priority Areas” identified in the Highlands Regional Master Plan (RMP). Lands classified in the RMP as High or Moderate Agricultural Priority and High or Moderate Conservation Priority have been identified as in need of protection in order to preserve their agricultural or ecological and water supply value. The Special Environmental Zone (SEZ) is a subset of the Conservation Priority Area. The Highlands “Land Preservation and Stewardship” technical report (2008) and the “Sustainable Agriculture” technical report (2008) provide comprehensive details regarding the identification and classification of these priority areas.

Data is also broken out by Planning Area and Preservation Area in some cases. The Highlands Act delineated the boundaries of the New Jersey Highlands Region, dividing it into these two areas, specifying that the Preservation Area is of exceptional natural resource value and requires stringent protections. Of the 88 municipalities in the Highlands Region, five are located wholly within the Preservation Area, 47 have lands within both the Preservation and Planning Area, and 36 are wholly within the Planning Area.

Readers should note that because data collection and analysis methodologies are continually improving, and quality assurance/quality control (QA/QC) efforts by Highlands Council GIS staff are ongoing, comparisons of data from one report to another may result in inconsistencies. For example, this report will show an increase in potentially developable lands when compared to prior reports. This is due to a change in the methodology used to calculate these lands. Previous reports were based on municipal build out data collected by the Highlands Council in 2009. Potentially developable lands in the municipal buildout dataset were QA/QC'ed by the municipalities, resulting

in a more precise definition of what is actually developable than a simple data analysis can provide. This year's report includes data extracted from the NJ MODIV Tax Parcel database (2019). While it does not include a QA/QC check at the municipal level, it is updated every year and therefore provides a more reliable and consistent data source going forward. As was true in earlier reports, environmental constraints and local zoning ordinances were not taken into account when calculating potentially developable lands in this report.

It is important to keep in mind that although changes over time in developed and potentially developable lands are noted in this report, the primary objective is to provide a current accounting of preserved lands based on the best available data at the time of publication.

Summary of Findings

Acreage

This most recent analysis finds that 323,903 acres of the Highlands Region, or 38%, is currently preserved. This is an increase of more than 50,000 acres since the Highlands Council’s first analysis of preserved lands in the “Land Preservation and Stewardship” technical report of 2008. Developed land accounts for 44% of the region, and 18% of the Highlands is neither developed nor preserved.

It should be noted that of the 414,994 acres of the Preservation Area, only 52% has been permanently preserved through deed restrictions, easements or fee simple purchases; while 16% remains neither preserved nor developed.

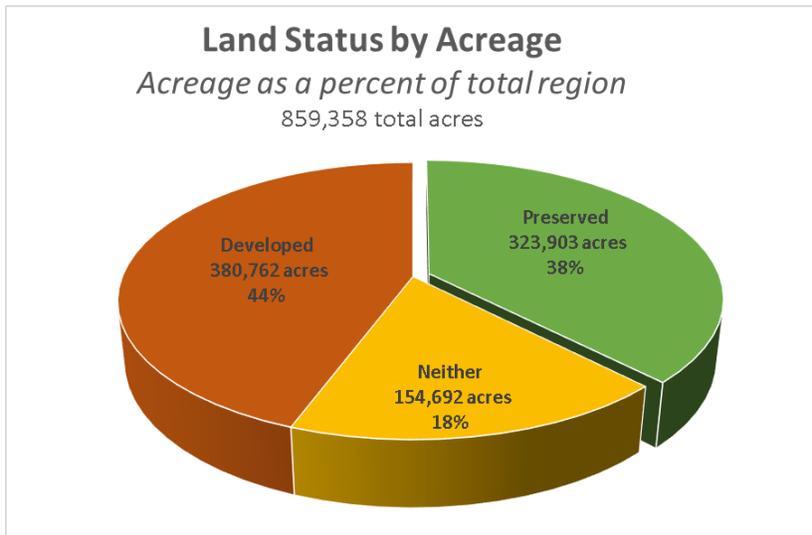


Figure 1

Parcels

The 859,358 acres of the Highland region is divided among 312,095 parcels. A parcel-level analysis reveals that the majority of parcels in the region are already developed (91%). Only 3% of parcels have been preserved, and 6% remain neither preserved nor developed.

As in the past, the analysis of preserved lands by parcel size shows that larger parcels make up the majority of preserved land in the Highlands, and land which remains neither preserved nor developed is divided among smaller parcels.

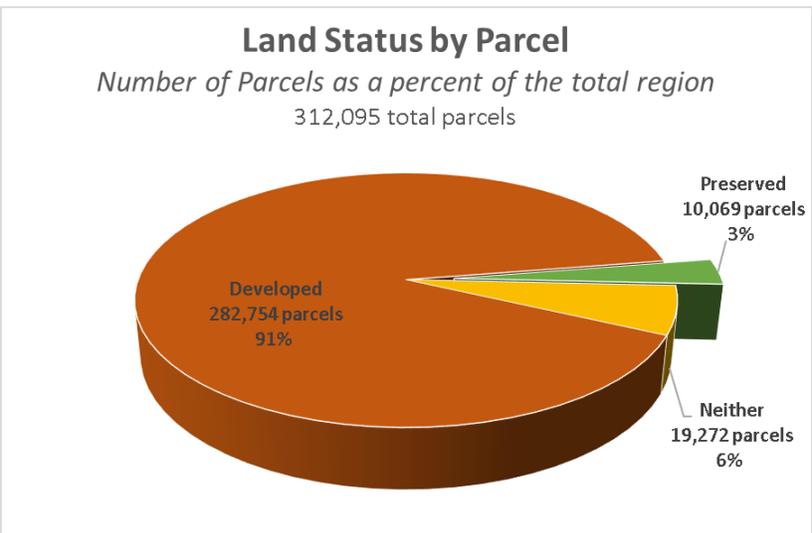


Figure 2

RMP Priority Areas

Approximately 151,000 acres, contained in 3,500 parcels, were identified in the RMP technical reports as either Conservation Priority Areas or Agricultural Priority Areas. As of this most recent accounting, approximately half of these priority areas remain neither preserved nor developed.

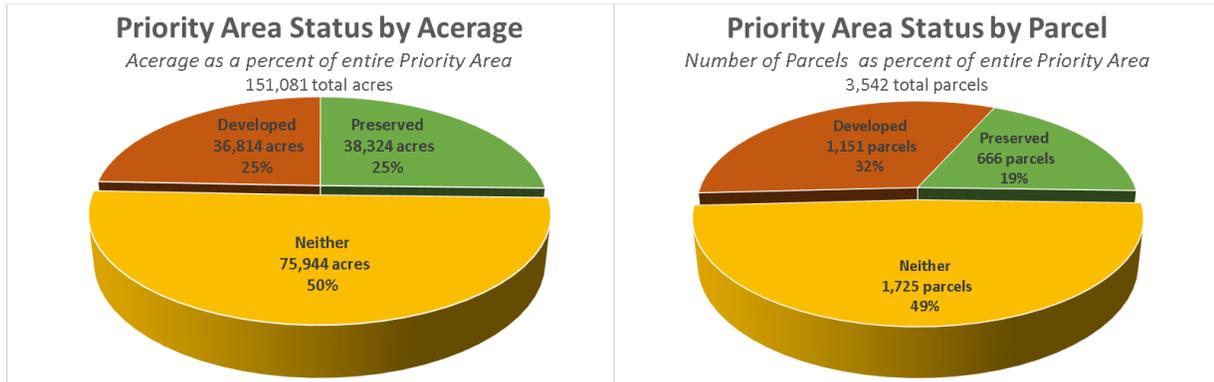


Figure 3

Similarly to the overall region, a parcel analysis of priority areas reveals that the majority of preserved land in priority areas is contained in larger parcels.

The majority of the Special Environmental Zones (SEZ) remains neither developed nor preserved since first identified in 2008 (49%). Approximately 37% of the SEZ has been preserved, and the remaining 14% is developed.

The Role of the Highlands Council in Land Preservation

The Highlands Act tasked the Highlands Council with promoting the protection of water supply lands and serving as a regional clearinghouse for a Highlands-specific database of preserved land conditions. The evaluation of land preservation conditions in the Highlands Region requires coordination with the numerous nonprofit organizations and government entities that track preservation information at the state, county, and municipal level. For this reason, the analysis that follows draws from a number of sources.

Highlands Council Land Preservation Programs

The Highlands Council operates two land preservation programs: The Highlands Open Space Partnership Funding Program (OSPP) and Highlands Development Credit Purchase Program (HDCPP). Both programs are designed to increase protection of Highlands resources, while also advancing landowner equity priorities through acquisition or deed restriction of land throughout the region. They also fill a unique need among other preservation programs in the state since parcels of any size may qualify and the programs will consider applications for land that is forested, agricultural and/or mixed use. The programs are administered under the provisions of N.J.A.C. 7:70, Highlands Open Space Partnership Funding and Highlands Development Credit Purchase Program.

The OSPP is a matching grant program that is open to government and nonprofit entities. The Highlands Council provides up to a 50% match for acquisitions in fee simple or via deed restriction. The HDCPP is a deed restriction program open to individual property owners wishing to retain ownership of their property while placing a conservation easement on the land.

In this report, lands preserved through the OSPP are reflected in the open space class of the entity that owns or holds an easement on the property (county, municipal, nonprofit, etc.). Properties protected through the HDC Purchase Program are broken out separately.

Preserved Land Analysis

Of the 323,903 acres of preserved land in the Highlands Region, there are 215,324 preserved acres in the Preservation Area and 108,579 acres in the Planning Area.

Parcel-Size Analysis

A parcel-size analysis reveals a bias for preserving larger parcels throughout the Highlands Region. The majority of preserved land in the Highlands Region is contained in parcels of 75 acres or larger.

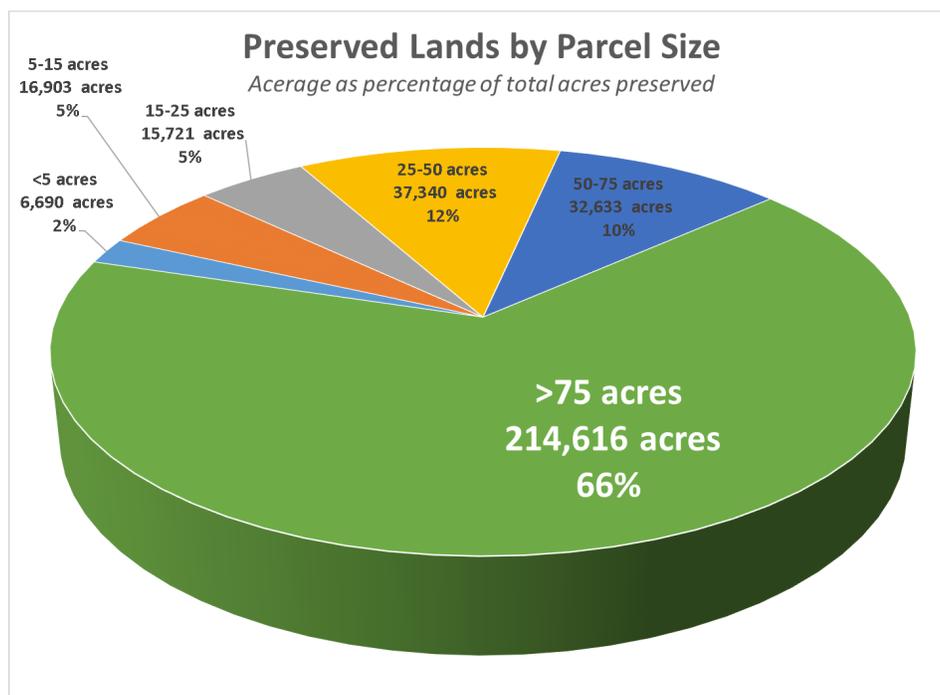


Figure 4

A breakout by Preservation Area and Planning Area shows consistent results. In the Preservation Area, 73% of preserved lands are contained in parcels that are 75 acres or larger and in the Planning Area, 53% of preserved lands are in parcels of 75 acres or larger.

Table 1: Preserved Land by Parcel Size (as % of total preserved acres within specified area)

	Parcels of 5 acres or smaller	Parcels of 5-15 acres	Parcels of 15-25 acres	Parcels of 25-50 acres	Parcels of 50-75 acres	Parcels of 75 acres or larger
Entire Highlands Region	2.1%	5.2%	4.8%	11.5%	10.1%	66.3%
Planning Area	3.7%	8.4%	6.8%	15.1%	12.9%	53.1%
Preservation Area	1.3%	3.7%	3.9%	9.7%	8.6%	72.8%

Open Space Class Analysis

The chart that follows provides details regarding preserved lands in the Highlands Region by the following Open Space Classes.

- **State** – Includes state-owned parks, camps, conservations areas, and other open spaces.
- **Water Supply/Watershed Lands** – Includes areas that are owned by water supply authorities or parties in the interest of protecting the water supply.
- **Farmland** – Includes deed-restricted farmland that has been preserved through the State Agricultural Development Committee (SADC) or County Agricultural Development Boards (CADBs).
- **Municipal** – Includes municipal parks, trails, and other open space.
- **County** – Includes county parks, camps, and other open spaces.
- **Nonprofit** – Includes lands preserved through and owned by nonprofit entities.
- **Federal** – Includes national parks, historic sites, recreation areas, etc.
- **Private** – Includes privately owned lands that have been preserved through deed restrictions. It is important to note that this category is not explicitly tracked and thus this is not a comprehensive accounting of all privately held lands in the Highlands.
- **Highlands Development Credits (HDC)** – Includes deed-restricted properties that were preserved through the HDC Purchase Program.

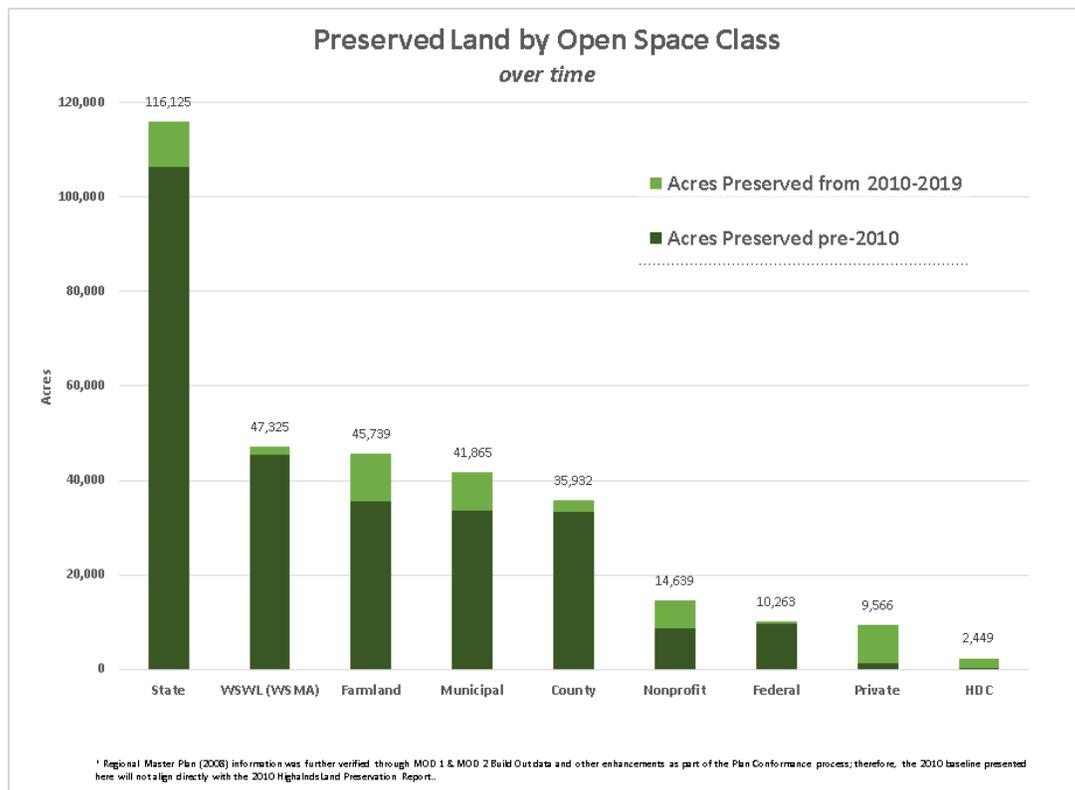


Figure 5

The single largest increase in land preservation by Open Space Class since 2010 has been in agricultural lands, with just over 10,000 acres of farmland preserved either through the SADC or CADBs. State preservation programs are the next largest contributor, having preserved over 9,000 additional acres since 2010.

Neither Preserved nor Developed Land Analysis

Of the 154,692 acres of neither preserved nor developed land in the Highlands Region, 65,383 acres are in the Preservation Area and 89,309 acres are in the Planning Area.

Parcel-Size Analysis

There are 19,272 parcels in the Region that remain neither preserved nor developed, meaning in accordance with local land use they have been neither fully developed nor preserved. This total represents 7,464 parcels in the Preservation Area, and 11,808 parcels in the Planning Area.

In contrast with preserved lands, the majority of potentially developable parcels are small in size. Across the Region, 70% of neither preserved nor developed parcels are smaller than five acres. Specifically, 65% of parcels in the Preservation Area and 73% of parcels in the Planning Area are five acres or smaller. As noted earlier, the Highlands Council is uniquely positioned to address preservation needs among these properties, since parcels of any size may qualify for the OSPP and HDCPP.

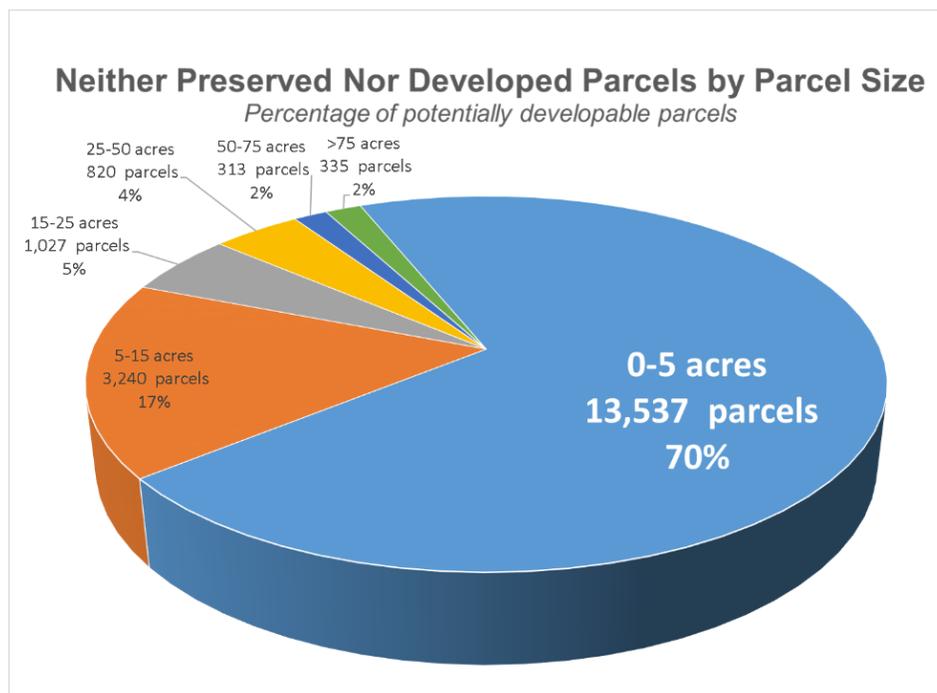


Figure 6

Table 2: Neither Preserved nor Developed Parcels by Parcel Size (as % of total neither preserved nor developed parcels within specified area)

	Parcels of 0-5 acres	Parcels of 5-15 acres	Parcels of 15-25 acres	Parcels of 25-50 acres	Parcels of 50-75 acres	Parcels of 75 acres or larger
Entire Highlands Region	70.2%	16.8%	5.3%	4.3%	1.6%	1.7%
Planning Area	73.5%	14.7%	4.7%	3.8%	1.6%	1.8%
Preservation Area	65.1%	20.2%	6.4%	5.0%	1.7%	1.6%

Highlands RMP Priority Area Analysis

The Highlands “Land Preservation and Stewardship” technical report, which accompanied the 2008 Highlands RMP, provided specific criteria for designating lands as either Conservation Priority Areas or Agricultural Priority Areas; lands that should be prioritized for preservation. The report identified approximately 151,000 acres, contained in 3,500 parcels that met these criteria. This represents 18% of the total Highlands acreage and 1% of all parcels in the region.

To date, 25% of the priority area acreage has been preserved and 25% has been developed. The remaining 50% remains neither preserved nor developed. When viewed as parcels, 19% of the Priority Area parcels have been preserved, 32% of the parcels have been developed while 49% of the parcels are neither preserved nor developed. (See Figure 3, page 5)

It is interesting to note that the status of preservation and development within Priority Areas is roughly consistent across the Planning Area and the Preservation Area, despite increased protections against development in the Preservation Area.

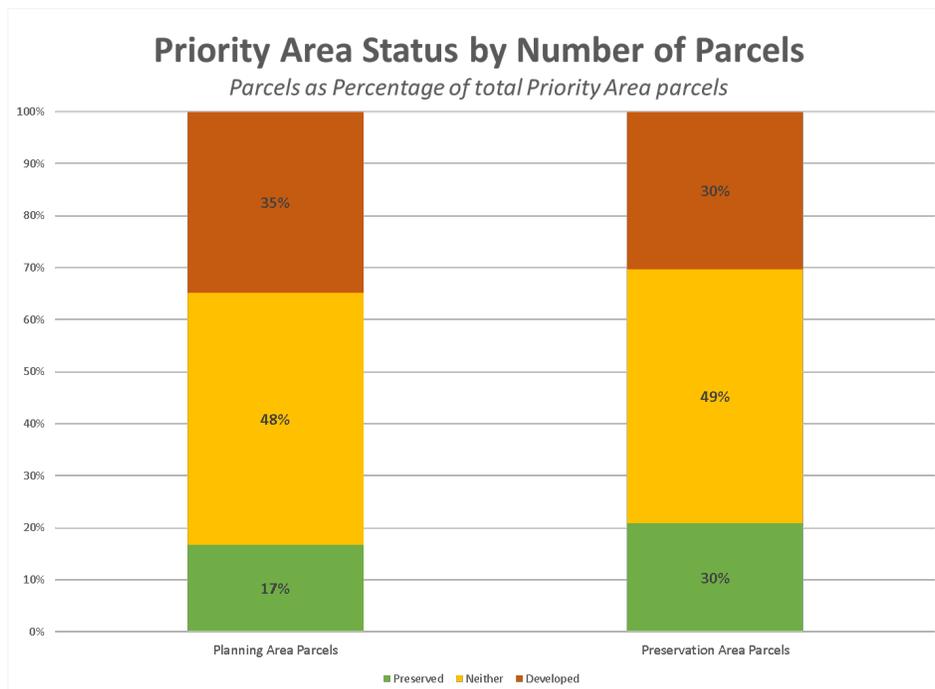


Figure 7

Table 3: Preserved Land (acres) in RMP Priority Areas Across the Planning and Preservation Areas

	Preserved Acres	Neither Preserved nor Developed Acres	Developed Acres	% of priority area that is preserved
Entire Highlands Region	38,324	75,944	36,813	25%
Planning Area	16,763	41,508	20,229	22%
Preservation Area	21,561	34,436	16,584	30%

Special Environmental Zone (SEZ) Analysis

The Special Environmental Zone (SEZ) is a subset of the Conservation Priority Area and was defined in the Highlands Act as an “area where development shall not occur in order to protect water resources and environmentally sensitive lands and which shall be permanently preserved through use of a variety of tools, including but not limited to land acquisition and the transfer of development rights.”

The Highlands “Land Preservation and Stewardship” technical report, which accompanied the 2008 Highlands RMP, provided specific criteria that would designate lands as SEZ and identified approximately 19,000 acres that met these criteria.

The most recent accounting shows the majority of the SEZ acres, 49%, remains neither preserved nor developed. Approximately 37% of the SEZ has been preserved, and the remaining 14% has been developed.

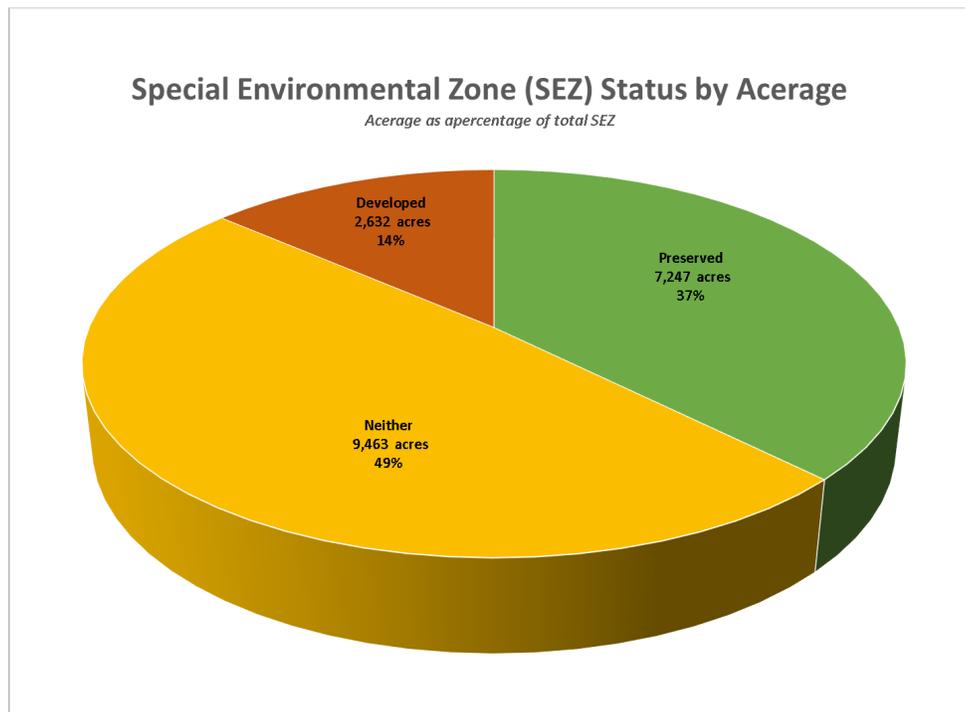


Figure 8

Next Steps

The Highlands Council will continue to coordinate with state, county, municipal and nonprofit partners to monitor and track land preservation in the Region. Using this Status Report as a template, the Council will periodically provide updates for the benefit of stakeholders and other interested parties throughout the Region.

In an effort to gain broader insight into preservation activities in the Region, the Highlands Council is currently exploring the possibility of creating an online tool that would allow users to submit missing preserved parcels to be verified and added to its inventory. Through this and other ongoing efforts, the Highlands Council will continue to improve the accuracy of preserved land tracking within the Highlands.

The Council will also continue its preservation efforts through the Highlands Open Space Partnership Funding Program and HDC Purchase Program, prioritizing protection of lands within the Preservation Area, specifically the Special Environmental Zone. In recent years, these two Highlands Council programs have begun to make a significant impact on the protection of Highlands resources. These two programs have accounted for nearly 11% of total growth in preserved lands within the Highlands Region since 2010. Much of this growth is concentrated in efforts conducted since 2016. Financial support for these acquisitions came through a combination of one-time sources and a federal grant program that requires the Highlands Council to provide a 50% match. Ongoing funding for preservation activities will be critical to ensuring continued success in the Highlands Region.

Figure 9: Land Status within the Highlands Region

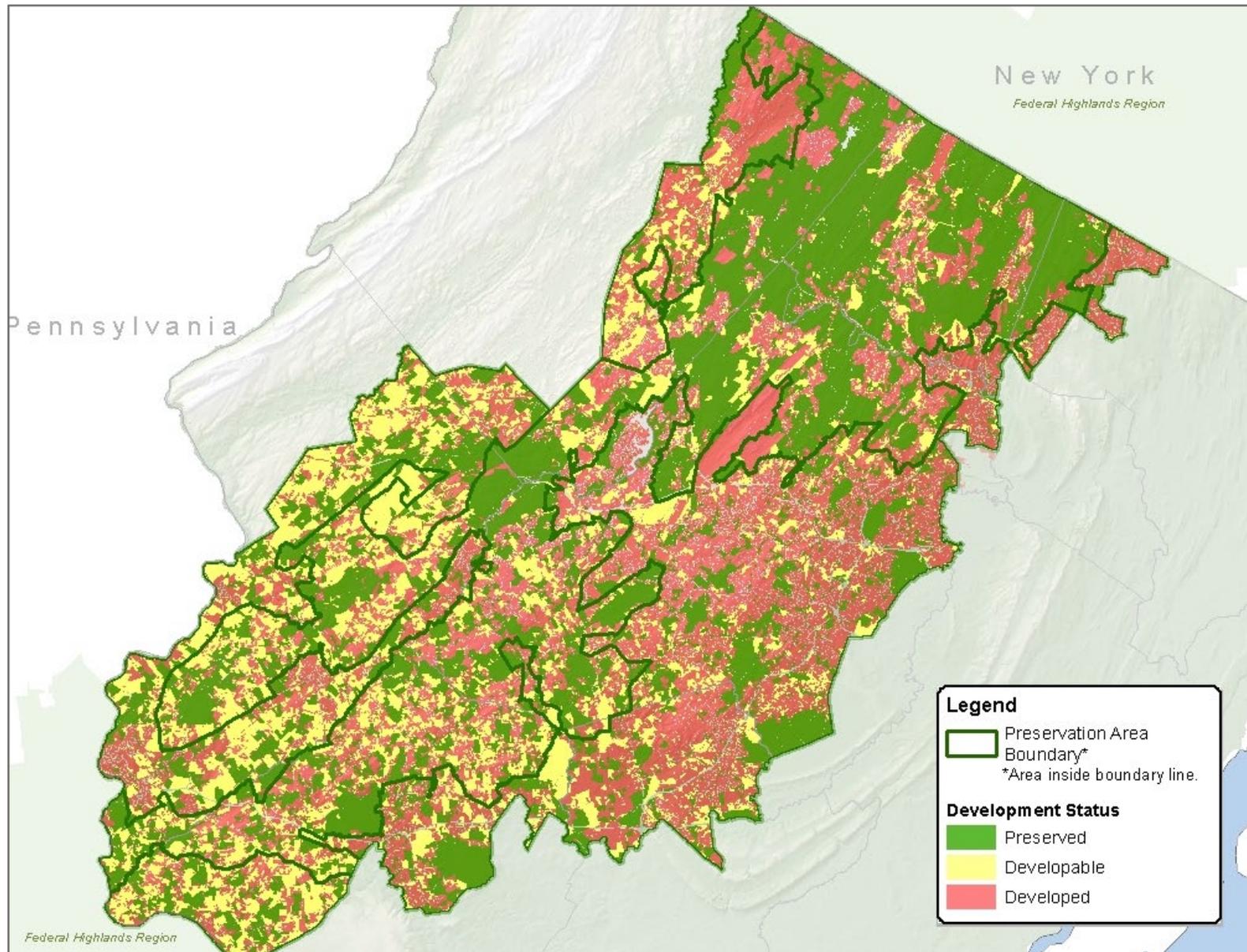
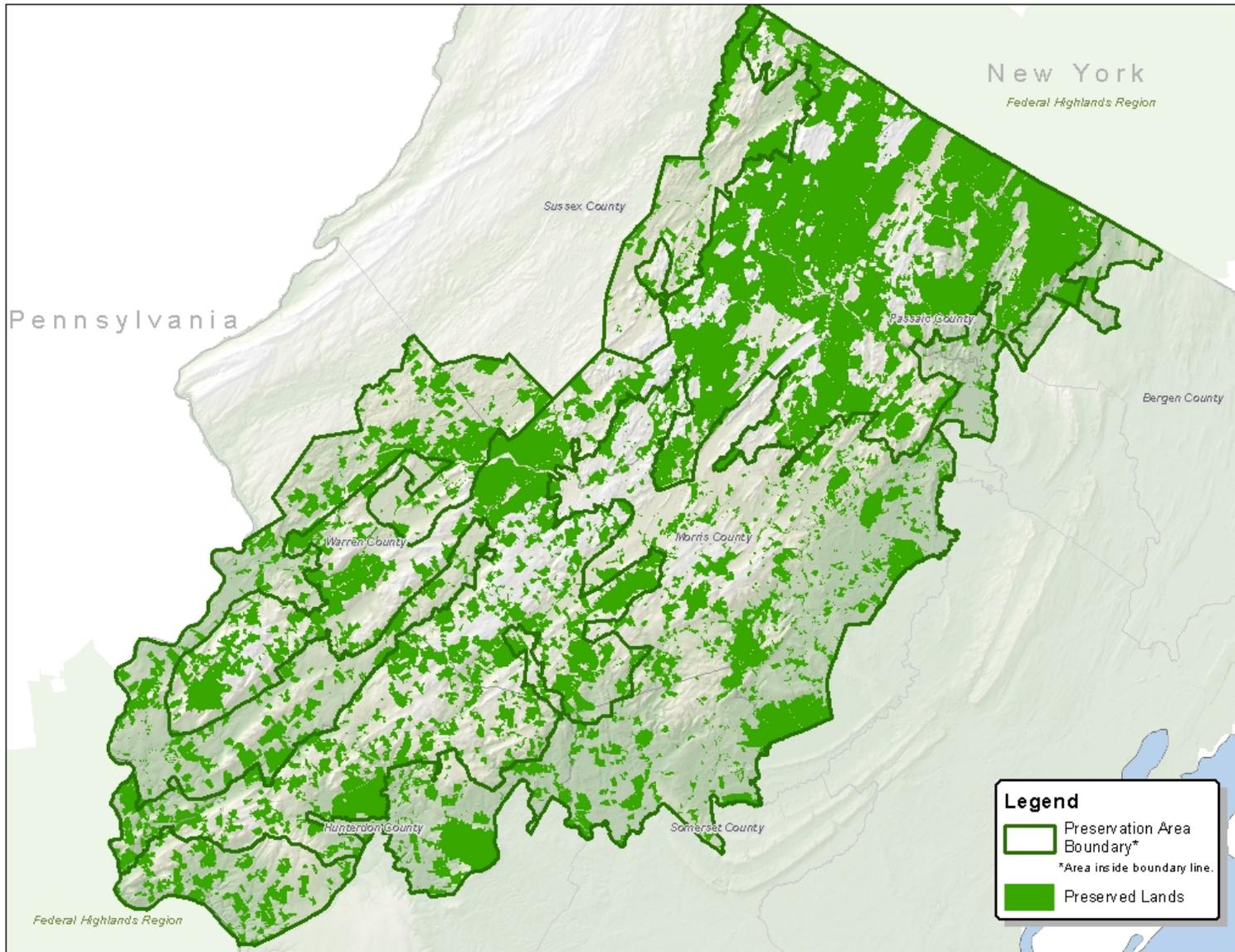


Figure 10: Total Preserved Lands within the Highlands Region





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