

**HIGHLANDS WATER PROTECTION AND PLANNING COUNCIL
SUMMARY OF THE PUBLIC AVAILABILITY SESSION - SEPTEMBER 14, 2006**

At 10:15 pm on September 14, 2006, immediately following the meeting of the Highlands Water Protection and Planning Council, Chairman John Weingart convened a public availability session. Joining him were Council members Debbie Pasquarelli, Tim Dillingham, Mimi Letts, and Tracy Carluccio. Also present were several members of the Council staff including Tom Borden and Patty Sly. About twenty members of the public were present including eight who offered comments which are summarized below.

Julia Somers, Highlands Coalition. Ms. Somers read a quote from written comments submitted by the Coalition regarding Historic and Cultural Resources. She stated that it was a huge challenge to evaluate and protect historic resources given the limited data available and cautioned the Council that discovery of new resources would be likely. Ms. Somers also presented summarized written comments submitted by the Audubon Society regarding Significant Natural Areas, emphasizing that the identification and delineation of Significant Natural Areas in an iterative, ongoing process. Lastly, Ms. Somers spoke on behalf of the Coalition on waste water treatment urging the Council to recommend that the DEP cap pollutant loadings at current levels and not allow new sewer hook ups without updated plans and the DEP do away with annual flow averages.

Wilma Frey, New Jersey Conservation Foundation and the Highlands Coalition. Ms. Frey complimented the scenic resources discussion saying there were many good ideas. She stated that an implementation mechanism was needed and that the Council must start with a list of the most obvious resources including the existing park land, preserved farmland, wild and scenic rivers, scenic byways, reservoirs and trails. She suggested the development of an evaluation tool for people to give input and make suggestions. She recommended identifying resources that are regional in nature and developing a way to assist municipalities in identifying the non-regional resources.

Scott Olson, Byram Township. Mr. Olson commented on septic management, stating that Byram requires 3 year pumping, inspections, etc. He said it can be done with proper education and fee schedule and that the Byram program has been successful and reduced septic failures.

Monique Purcell, Department of Agriculture. Ms. Purcell referred to Council discussion of the 600 foot buffer imposed by the Pinelands Commission and wanted to be sure the Council was aware that the buffer was adopted for only a limited part of the Pinelands National Reserve in the Toms River area and was based upon a two-year study. She also addressed the issue of clustering stating that clustering with the 80% set aside is very valuable for continuing support for farming and is a central tenet of the Pinelands Plan.

Sue Buck, Oxford. Ms. Buck stated that she is in agreement with a lot of what previous commenters have said, but is disappointed that there appears to be very little in the way of new data. She is concerned that the Plan won't identify TDR receiving areas and that if it is left to the municipalities, it won't happen. Without this level of detail the TDR program won't be viable. At best, she said, the TDR program is still 2 years out which is too long to wait. The lack of information makes it impossible to identify potential receiving zones.

Helen Heinrich, New Jersey Farm Bureau. Ms. Heinrich had process questions asking when to submit comments and on which drafts (she was encouraged by Mr. Weingart to submit comments on current drafts) and suggesting that maps be displayed during the meetings to assist the public if She said she was impressed with how careful the Council has been to use established databases and cautioned that it is risky to add to these lists. She recommended setting up a process for additions and modifications. Regarding economic indicators, she expressed concern that the Council was using the Pinelands model because the Pinelands does not separate data in towns that are split in and out the region. This skews the data and subsequent interpretations. She recommends the Council include an agriculture indicator and one or two additional broad economic indicators such as retail sales or corporate earnings.

David Shope, Long Valley. Mr. Shope opposes the idea of a nominating process for historic areas as an infringement of property owner rights, absent a full blown inquiry with notification to the property owner and the potential for civil penalties against the nominator. Regarding economic indicators, he suggested the need to measure subtraction of net worth and devaluation of property. Mr. Shope requested an accounting of the realty transfer money allocated to the Highlands. He stated that the agriculture viability numbers do not bode well and should be based on pre-Act values. He suggested the public hearings be structured to allow property owners one minute per preservation acre of land owned. Lastly, he suggested that the Council members and staff explain any use of acronyms so that members of the public will understand, for example, what is being said when phrases like “TMDL*” are used. (*total maximum daily load)

Hank Klumpp, Tewksbury. Mr. Klumpp praised the Council members for their time and dedication. He was disappointed that the Governor had not taken questions and comments from the members of the public at the meeting and criticized the Council for adding this “public availability” session to its workshop meetings rather than continuing the comment periods that were provided during the Council’s previous meetings. He criticized the GSPT as offering just pennies on the dollar and stated that the Governor should have taken comments from the public. He also urged the Council to hold more meetings, like this one, in the evening. He stated that the public comment after draft release should be 6 months. He stated that in the last 2 years there have been no private farm sales and now they must wait another 2 years; four years is simply too long. The Legislature passed the bill with the intent to do no harm, but that has not been the case.

There being no further comment from the public, the meeting adjourned at 10:45 p.m.