



NEW JERSEY HIGHLANDS COALITION

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March 30, 2012

Re: Comments on the draft State Strategic Plan (New Jersey State Development and Redevelopment Plan)

The New Jersey Highlands Coalition is the leading advocacy group for the preservation of the water and other natural and cultural resources of the New Jersey Highlands region. The Coalition represents 67 member organizations and 450 individual members throughout the State. We are keenly aware of the value that the Highlands provides for all of New Jersey; from the abundance of clean, inexpensive drinking water that not only 5.4 million residents depend upon, but also the industry sectors whose New Jersey location is keyed to the availability of this resource; to the outdoor recreational economy that depends upon the same conditions that ensure the Highlands water supply; to the high quality of life in the Highlands, also a beneficiary of these same conditions and an important contributor to the State's overall economic vitality; to the distinct regional identity and rich history that confers a vibrant patch in the New Jersey quilt, burnishing New Jersey's sometimes hapless national and international image.

As such, New Jersey's Highlands growth and preservation goals have been provided with a regional planning authority to balance out of recognition that these goals are delicate and crucial. The Highlands Water Protection and Planning Council and the comprehensive planning guide that the Council drafted in an exhaustive public partnership, is now moving forward in its next phase—the extensive public process of implementation.

Whether thoughtlessly or intentionally, the draft State Strategic Plan does not harmonize with the regional planning initiatives in the Highlands. This troubles us because if the planning effort underway in the Highlands is to succeed, it needs support from the State and not be at cross purposes.

In New Jersey, water is a public trust resource. The State is entrusted to manage and protect this resource. And unlike many other natural resources, water is also a commodity. It is also renewable, but only if the State takes the necessary steps to protect the resource. Nowhere in the State Strategic Plan, which provides the direction for land use policy making and implementation throughout the State and among all of its agencies, is any particular value or recognition given to water.

The Highlands Regional Master Plan, which is intended to protect one-half of the State's water resources, is not conferred any status, nor any acknowledgment made to uphold or support its goals. The State Planning Act specifically provides, however, that the State Planning Commission rely on the adopted plans and regulations of the statutorily established regions, the Pinelands, Highlands, and Meadowlands (52:18A-206). The State Strategic Plan must affirm its support for the Highlands Council and the Highlands Regional Master Plan, along with the plans and commissions of the other State planning regions.

The State Planning Act also affirms the vital importance of protecting the State's natural resources. The State Strategic Plan fails to reflect this intent of the Act.

Inadequate understanding of the value and importance of water and other natural resources is demonstrated in "Goal 8: Preservation and Enhancement of Critical State Resources".

"Preservation", the term used in the draft Plan, is less active and forceful than "protection". In New Jersey, the most densely populated State in the country, the conflicts between preservation and development are over the remaining acres in the first State that will likely achieve full build out. It is not astonishing that these conflicts—in town halls, county seats, in lobbying efforts at the State House, in the Governor's office—are intense. It is also apparent who is winning the war in the Christie–Guadagno administration, and it is not those who understand the long term value, and the long term commitment required in protecting New Jersey's natural resources.

The Plan, in Goal 8, discusses the economic value of ecosystem services:

"Ecosystem services represent the most notable economic benefit of the State's preservation programs. These services include drinking water protection, flood hazard mitigation, and water body quality protection. Economic values connected with these services – from averted costs of drinking water treatment; flood damage and emergency services; flood reduction and stormwater management engineering projects; and damages to tourism and commercial fishing – have been conservatively estimated to save the State hundreds of millions of dollars each year."

In 1998 the American Farm Institute conducted a survey of 5 communities in New Jersey to determine the relative costs in community services that agricultural, residential and open space lands generate, backing up claims that were made since the 1980s that the ratable chase was illusory. The State Strategic Plan alludes to these well established findings as "recent studies", in its "eureka" moment that:

"Contrary to conventional wisdom, research has shown that preservation achieves these benefits with minimal or no opportunity cost in the form of lost property taxes. The neutral or positive tax impacts of preservation hold true not only for farmland easements, where the owner continues to own the land and pay property taxes, but also for publicly purchased open space lands."

The State Strategic Plan objectives for reaching its goals for the preservation and enhancement of critical state resources are through preservation and through an effective transfer of development program. But it makes no commitment to such programs. In this economic climate, or in any for that matter, it is unreasonable to suggest that the State could possibly purchase enough land to ensure that its water resources are protected? Probably not. Even if the State could afford such an aggressive purchase program, would it be enough? The Plan fails to go so far to answer either of these questions.

By the Highlands Act, the State uses land use regulation as a method to protect some, but not all, of the State's water resources. Most likely, any successful program will depend upon a combination of land use regulation, continued preservation purchases, and a commitment to succeeding with transfers of development rights programs.

The Christie-Guadagno administration has demonstrated contempt for the Highlands Act by nominating anti-Highlands Act individuals to the Highlands Council and by the Governor's orchestration of the recent firing of the Highlands Council Executive Director. In the draft State Strategic Plan, in which the

Christie-Guadagno administration calls attention to itself, thereby limiting the embrace of a statewide vision to the confines of a partisan decree.

The draft Plan succeeds when it points to the benefits of State open space preservation programs and vagaries of any preservation effort if the funding keeps running out. But the Plan stops short when it only suggests that a permanent funding mechanism “should” be put in place. A stable source of funding “must” be put in place. If the State is serious in its vision, it also must work to harmonize with the established and legislated regional planning initiatives, including the Highlands.

Sincerely,

A handwritten signature in blue ink on a black background. The signature is cursive and appears to read "Ethel Dwyer".

Senior Policy Analyst