

# Despite pressures to develop, open space is being preserved

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THE RECORD

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**The Highlands, a land of many uses.**

In 2004, the New Jersey Highlands Water Protection and Planning Act became law, setting in motion an ambitious effort to protect the primary water supply for 5.4 million residents of northern and central New Jersey and a number of the state's major industries.

Because of this commitment, the state places significant value on Highlands lands. It is aggressively pursuing programs to purchase land from willing sellers, or to purchase development rights.

However, some Highlands landowners have convinced themselves that the state cannot afford to buy their land. But do the facts bear them out?

Land may be preserved when a property owner seeks to sell it to the state, county, municipality or non-profit conservation organization (usually some combination of these). Recent research of Green Acres records shows that since the act's passage in August 2004, Green Acres funding has been used to buy 7,194 acres in the Highlands. That's an impressive achievement in less than six years.



But the numbers provided by the State Agricultural Development Committee's farmland preservation program are even more striking. Since August 2004, 211 farms, or 14,673 acres, have been preserved forever in the Highlands. Do the addition: This means that 21,867 acres are permanently off the development rolls in slightly less than six years. This data supplied from the Department of Environmental Protection and SADC contradicts the widespread myth that the state is not interested, nor has the money, to preserve land in the Highlands since the act was passed.

### **Setting right prices**

Further, with passage of the two-year, \$400 million bond in November, landowners in the Highlands can continue to participate in these programs. The numbers in the Highlands suggest that this is a program that the state is clearly doing right.

Thanks to recent action by the Legislature, owners wishing to sell to the state have been able to take advantage of two appraisals, the first using pre-act municipal zoning and the second, post-act values. This dual appraisal method has been extended until June 2014. It ensures that no one who sells to the state experiences a loss in value because of passage of the act, and that willing sellers are more than fairly compensated for selling or placing development restrictions on their land.

It is important to have as many tools as possible to increase land preservation opportunities and make property owners whole. One such tool available in the Highlands is modeled on a successful program in the Pinelands. The tool allows owners, in exchange for deed-restricting their land, to receive Highlands development credits that they can sell.

For the HDC market to work, there must be voluntary receiving areas in place to accept the development being transferred out of the Highlands. In the Highlands, unlike in the Pinelands, receiving areas are not mandatory. Receiving areas can be anywhere in the state, but few towns are likely to want denser development and more children in their schools.

Yet, increasing the market for Highlands development credits is the key to a successful program. So we must create alternative new markets for credits. Suggestions include requiring purveyors of Highlands' water delivered to users outside the region to purchase HDCs, or that appropriate redevelopment projects within the Highlands require their purchase.

In its newly released report, "Changing Landscapes in the Garden State: Urban Growth and Open Space Loss in NJ 1986 thru 2007," Rowan University and the Center for Remote Sensing and Spatial Analysis at Rutgers University revealed that between 1986 and 2007, 180 square miles of upland forest were lost in New Jersey, resulting in "significant ecological implications." In the same time period, one quarter of the Garden State's farmland disappeared.

New Jersey has just completed its two most sprawling decades in history, and we now have more acres of subdivisions and shopping malls than upland forests like those in the Highlands.

The report concludes that the Highlands and Pinelands offer important glimmers of hope that sprawl might be slowed, and that our water supplies might be protected. Land preservation will play a huge role in meeting these goals by maintaining the quality of our water supply while adequately compensating landowners for providing this service.

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