



Highlands Lookout

www.njhighlandscoalition.org

Newsletter of the New Jersey Highlands Coalition

Winter 2013

Message from the Executive Director

Many things had to come together and conspire to make the Highlands Festival the extraordinary event it was. Whew, what a relief! And what fun!! Even the weather cooperated, providing two days of that brilliant September sunshine (well, except for Saturday evening's rain—which didn't appear to faze Marco Benevento's all-weather-dancing fans!). The clearly ringing insight we gained from the experience told us to go ahead and plan the 2nd Annual Highlands Festival at Waterloo. And so we have begun. Lisa Kelly is back on-board coordinating, and with a much earlier head start than she had last time. We have invested considerable time and attention debriefing with key participants and partners in this year's Festival so that next year's festival will be even better. And we have a date, so please mark your calendars now; September 20 and 21, 2014. Watch for announcements and please consider ways that you can be

involved.

Whatever we do as a coalition, whether hosting a festival, lobbying in Trenton, commenting at the Highlands Council, advocating with you in your town, even keeping you informed with a newsletter, we must count on, and I must ask for your support. Today we have both a challenge and an opportunity whose success is entirely up to you. We have received two challenge grants—from the Victoria Foundation and the Fund for New Jersey—totaling \$30,000—but only if we can satisfy the condition of our raising \$30,000 in new funding by the end of the year. This is a wonderful opportunity for the Coalition, of course, and it significantly adds to the

effectiveness of every additional dollar of your giving—which will go directly towards our work in protecting the public trust resources of the Highlands. Can I count on you?

Warmest regards and have a wonderful holiday season,

Julia Gonzalez 



Waterfall, Clinton Brook. West Milford

State House News

Elliott Ruga, editor

It is very quiet at the moment. The 2012-2013 Legislative Session is about to come to an end with very few lame ducks to make dramatic last stabs at legislative legacy making. Trenton is gearing down for the holidays. If any shoe is to drop anytime soon it will be in early January during the Governor's State of the State Address.

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The Governor owes us an articulated policy on State funding for open space, farmland and historic preservation, which was a campaign promise of his first campaign. He owes us a State Development and Redevelopment Plan, which his administration dumbed-

down from the cumulative work of prior administrations. It's been over two years since his Office for Planning Advocacy released its draft State Strategic Plan, and following a series of hearings

statewide, the State Planning Commission has gone dormant, unable to adopt a State Plan that is nothing more than a 42-page mission statement.

Dormancy appears to have overtaken the Highlands Council too. The

municipal conformance process in the Planning Area has halted. Since Eileen Swan was fired in April, 2012, only one municipality with land in the Planning Area has conformed with the Regional

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State House News *cont'd*

Master Plan—Randolph, with its *four* Center Designations—even though several towns were in the pipeline.

In July, the NJ Supreme Court upheld the Appellate Division's ruling that Governor Christie could not shutter the Council on Affordable Housing and it reaffirmed the lower court's demand that the administration come up with a plan to implement municipal affordable housing obligations within five months. The Administration has barely yawned in response.

Enforcement of environmental regulations at NJDEP has slowed. Aside from hearsay—we often hear stories of reported violations that are not investigated—we spoke with a compliance officer at NJDEP about evidence of unauthorized land disturbances in the Preservation Area. We were told that unless the activities were egregious in scope and scale the Department would not pursue.

The combination of agency torpor and lingering unanswered questions about open space funding have created a state of inertia that is at odds with a Governor whose finely honed image is of an energetic warrior. I suspect these agencies will get clear marching orders very soon, and we will get answers about open space funding too. However, it most certainly won't be what we want to hear if it's consistent with the Administration-backed flouting of environmental regulations that have flexed the rules by way of the Permit Extension and Economic Opportunity acts and NJDEP's new Waiver Provision.

Elected in a landslide without even a mention of New Jersey's environment as a campaign issue, what the Governor reveals in his State of the State Address about his second term policies regarding the environmental issues will be key. I just don't know which to dread more—his addressing them or his ignoring them. [PJ](#) [HC](#)

Meet the Natural Heritage Committee

Erica Van Auken, Campaign Coordinator

Do you know about the New Jersey Highlands Coalition's Natural Heritage Committee? The Natural Heritage Committee is a standing committee of the Board of Trustees, tasked with informing Coalition policy related to natural heritage issues in the Highlands.

The Committee is chaired by a member of the Board of Trustees; the rest of the Committee is composed of experts representing some of the Coalition's affiliate members. These experts include biologists, foresters, botanists, hunters, anglers and others. When a topic is discussed and additional expertise is needed, the committee will invite an outside authority to participate in meeting discussions. Invited experts do not vote on policy decisions but they help inform the Committee in their decision-making.

The Committee meets regularly to discuss issues that impact the Highlands' natural environment. The meetings may include site visits to view projects or specific natural features or resources of the Highlands region. The Committee often engages experts that represent the various interests that are active in the Highlands. At a recent meeting, for instance, a senior biologist from the NJDEP Division of Fish &



Clinton Brook, West Milford

Wildlife gave a presentation on deer management. The purpose of all of this is to keep the Committee, and thus the Coalition, informed and up-to-date on our significant natural heritage in the Highlands.

It is possible you've heard about some of the topics the Committee has discussed over the past year. Perhaps the most notable subject is Forest Stewardship. As many may know, the concept of Forest Stewardship in the Highlands and elsewhere—and not just forest harvesting—has been debated for many years. The Committee thought it would be in everyone's best interest to hammer out an agreement on acceptable forest stewardship practices within the Highlands. The Natural Heritage Committee debated the topic for more than a year, culminating in a hard won consensus and a White Paper to inform decisions on forestry projects in the Highlands.

The White Paper serves as a catalyst for cooperation among those interested in the Highlands' forests. In fact, the White Paper helped Senator Bob Smith (D-17) in drafting the 2013 Forest Stewardship Bill, S1085.

(ed. note: link to White Paper from the "Forest Stewardship Position Paper" button on the left-side column of links on the homepage of the Coalition's website).

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Clinton Brook, West Milford

Natural Heritage *cont'd*

Senator Smith's bill included language to require certification from the internationally-recognized Forest Stewardship Council (FSC). Currently, the NJDEP manages state-owned lands according to its own standards. FSC standards are more comprehensive, they require public stakeholder input, and they ensure that logging, if it can occur at all, must only be utilized if it promotes forest health. Unfortunately, Governor Christie conditionally vetoed S1085, removing the requirement for FSC guidelines. Without that inclusion,

S1085 lost the support of many environmental and conservation groups – including the Highlands Coalition and many of its member organizations.

The Committee continues to meet to discuss the complex natural resource and related political issues of the Highlands region. Increasingly, the Committee is being seen as the credible and respected think tank on the Highlands' natural heritage. 



Passaic River, Jockey Hollow, Harding Township

Editors note: All photographs in this issue are by Board member Dwight Hiscano. See the original, full size color images and much more at Dwight's new gallery on Mt. Kemble Ave (rt. 202) in Harding Twp, or at www.dwighthiscano.com

Getting Highlands Property Values Right

George Stafford, Outreach Director

Those who oppose the 2004 Highlands Water Protection and Planning Act have from the very beginning claimed that the Act and its "restrictive" regulations had been an economic disaster for Highlands property owners and communities. Every Highlands Council meeting features a parade of protestors claiming to have lost huge sums of money because the Act prevents them from disposing of their property as they please. The claim has been made on the record that the Act has robbed "hundreds of thousands of Highlands residents of *billions* (my italic) of dollars of equity."


In response to this claim, I, George Stafford, the Highlands Coalition's Outreach Director and a former Morris County Tax Commissioner, made a study of real estate values in the Highlands since the passage of the Act in 2004. Using data from each of the Highlands' seven counties, I compiled the changes in property evaluations over the period of 2006 to 2012. Choosing Mercer County as a control, I found the same pattern in both areas. Mercer, while smaller than the Highlands region, has a similar physical and demographic make-up

Both areas have a similar mix of rural, primarily agricultural boroughs; larger, well-to-do suburban townships; and densely populated cities.

The pattern of changing real estate values in both areas followed the same course. In the Highlands, immediately after passage of the Act, property values went up considerably. It was the same in Mercer. In fact, due to the national real estate bubble, it was the same nearly everywhere. Growth in real estate values continued trending upward until 2008. Again, the pattern was alike in the Highlands, in Mercer and in the nation. After 2008 and the Financial Crisis, values at first flattened and then dropped sharply. Once again, the pattern was repeated in Mercer as it did nationwide. All of these numbers were compiled from documents known as the Abstract of Ratables.

In short, the study comparing property values in the Highlands with values outside of the Highlands found that the Act had no negative impact on overall values within the Highlands. This is not to say that there are not isolated individual cases where Highlands regulations caused hardship. The Act itself recognizes that possibility and

provides mechanisms to remediate such hardships. It should be noted that there are numerous factors that influence real property values including local zoning, utility and other easements, protected natural resources, etc. Additionally, ever-fluid market factors, such as increasing energy and infrastructure costs and the current trend toward re-urbanization, influence rural land values in the Highlands.

Overall the Coalition's study of property values clearly demonstrates that the Highlands Act had no substantial negative impact on property values in the Highlands as a region. The study also indicates that while the economic potential of some raw land properties may be limited by Highlands Act regulations, the limiting effects of local, federal and other state regulations and market forces are much greater. Further, by limiting growth and preserving the rural/suburban character of the region, Highlands Act regulations may indeed enhance the value of existing developed properties. Lastly, the study proves that claims of massive financial losses by huge numbers of Highlands landowners is simply false. 



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Winter 2013 Newsletter

Your water
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Your water
Your future

The New Jersey Highlands Coalition is a nonprofit organization made up of groups and individuals committed to a common goal of helping protect, enhance and restore the New Jersey Highlands.

You can help.

Please return your membership contribution to:

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Membership Contribution:

\$1,000 \$500 \$100 \$50 \$30 Other _____

(Your contribution is tax deductible and may be eligible for a matching contribution by the company where you work. Please make checks payable to: New Jersey Highlands Coalition.)

Or make your donation on line at www.njhighlandscoalition.org

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(Your email will allow us to inform you of upcoming events.)

Yes! I am interested in volunteering for the Coalition.