



Highlands critic offers some good ideas

By JULIA SOMERS • July 31, 2010

Deborah Post of Chester Township, a Highlands landowner who actively campaigns against the Highlands Act, recently wrote a column for your newspaper that I am surprised to find I partially agree with.

She made some constructive recommendations to expand opportunities for Highlands Preservation Area property owners to sell development rights to their land. Of the Highlands' 800,000-plus acres, approximately half are in the more rigorously protected Preservation Area, more than 45 percent of which is already permanently preserved.

However, it is well documented that much more land must be protected if we are to preserve the water supply that 64 percent of the state's population depends on. A "tool box" of options to help Preservation Area property owners identify funding to preserve their land has been created by the Act and by the Highlands Council.

Using one tool, a property owner can seek to sell his land to the state, county, municipality, a nonprofit conservation organization (or some combination of these). Since the Act's passage in 2004, several thousand Highlands acres, including farmland, have been permanently preserved and with passage of the \$400 million bond act last November, landowners in the Highlands can continue to participate in this program.

Thanks to recent action by the New Jersey Legislature, owners wishing to sell to the state can again take advantage of two appraisals, one reflecting pre-Act zoning and the other post-Act values. This dual appraisal method has been extended until June 2014.

Another tool allows owners, in exchange for deed-restricting their land, to receive Highlands Development Credits (HDCs) from the Highlands Development Credit Bank. However, The HDC Bank is less than a year old and it will take more time before a true market value of HDC's can be determined.

Post made a couple of constructive suggestions to increase the market for Highlands Development Credits. For example, she suggests requiring that purveyors of Highlands' water delivered to users outside the region purchase HDCs. Here at the New Jersey Highlands Coalition, we believe another opportunity exists for injecting value into HDC's by requiring the execution of a certain number of HDC's for appropriate redevelopment projects in the Highlands.

New Jersey appears to be heading rapidly into a drought. Much remains to be done to protect the Highlands' water supply. In light of its huge responsibility to keep this water supply flowing, the council has proven itself unique among state agencies — client-friendly, responsive, consistent, and hard-working, while operating on a shoe-string budget.

The Highlands Council is where the responsibility to guide resource protection and growth should remain if the full benefits of the Highlands Act are to be realized by all those who live in the Highlands or who rely on its water.

Julia Somers is executive director of the New Jersey Highlands Coalition.