



# Highlands Lookout

www.njhighlandscoalition.org

Newsletter of the New Jersey Highlands Coalition

Fall/Winter 2018

## Message from the Executive Director

Is it “Happy Days are Here Again!” with the election of Phil Murphy as New Jersey’s 56th Governor? If the Murphy Administration lives up to what candidate Murphy represented to our Policy Committee last December, we will have a Governor who understands the values inherent in the Highlands’ natural and cultural resources and the wisdom to protect them from being cashed in for short term temporary gains.

Murphy spent over an hour with us, at first listening to a well rehearsed

presentation of our concerns, followed by a discussion of his environmental agenda, and then by a robust, moderated Q&A. It was apparent to us that he came to us well prepared and familiar with many of our concerns. He understood the damage the Christie Administration had done by appointing anti-Highlands activists to the Highlands Council and he said he would work with us to recast the make up of the Council. He also understood the threats posed by additional pipeline construction in the Highlands.

Our underlying challenge is that over time, development pressure in the Highlands only increases. Those interests, well-heeled, will always dog a Governor. We are optimistic that



*Policy Committee Chair Bill Kibler listens as now Governor-Elect Phil Murphy discusses his environmental agenda with the NJ Highlands Coalition Policy Committee*

Governor Murphy will not only see that resisting those pressures are in the best interest of New Jersey, but that he will also govern accordingly.

Warmly,

*Julia Somers* 



*Candidate Phil Murphy and Julia Somers at last December’s Policy Committee meeting*

## Policy Update *Elliott Ruga, Policy Director*

A very significant court ruling may have far ranging consequences if we can succeed in establishing a precedent.

In our appeal of DEP’s approval of a wastewater discharge permit for a not-yet-proposed office park development on the Bellemead property in Tewksbury, the Appellate Court remanded the permit approval back to DEP for failing to follow the statutory requirement of consulting with the Highlands Council. The Court additionally stated that “The DEP cannot issue a permit for the planning area if the permit is incompatible with the goals of the RMP.”

We have always understood the voluntary nature of Planning Area conformance to mean that municipalities in the Planning Area are free to decide

whether or not to align their land use and zoning ordinances with the natural resource protective standards of the Highlands Regional Master Plan (RMP). But to what standards must DEP hold its permit decisions? What set of standards should apply for a project proposed in the Planning Area of a non-conforming municipality? Should the project be held to the same standards as the rest of the State, as if the project were located outside of the legislated Highlands region? Or should DEP condition its permits to be consistent with the RMP regardless of the municipality’s conformance status?

DEP’s own Highlands Rules at N.J.A.C. 7:38-1.1 (g) et seq. state that “For all decisions in or affecting the planning area or the preservation

*There is yet another way for you to express your commitment to the mission of New Jersey Highlands Coalition through a planned gift. Once you have provided for loved ones in your will, you may want to include a gift of money, stock or property to the New Jersey Highlands Coalition. Your gift will be a lasting tribute to your concern for protecting, restoring and enhancing the New Jersey Highlands’ resources, while guaranteeing the organization’s long-term future. For further information on how to include the New Jersey Highlands Coalition in your charitable giving plans, please contact Julia Somers at 973-588-7190.*

## Policy Update *cont'd*

area, the Department shall give great consideration and weight to the RMP,” and that “For the planning area, when consistent with its statutory and regulatory authority, the Department shall not issue any approval, authorization or permit that the Department determines, in consultation with the Highlands Council, to be incompatible with the resource protection goals in the RMP.” Note that the rule language makes no distinction between conforming and non-conforming municipalities. And similarly, in Bellemead, the Appellate Court made no such distinction either when it ruled, “The DEP cannot issue a permit for the planning area if the permit is incompatible with the goals of the RMP.”

The DEP under the Christie administration has not consistently held non-conforming municipalities to the higher standards of the RMP in permitting projects in the Planning Area. In fact, in the Appellate Court’s ruling in Bellemead, the primary reason the Court gave for its remand was that DEP failed to consult with the Highlands Council for the Council’s recommendation of consistency with the RMP.

We are consulting with the Eastern Environmental Law Center—which represented the Coalition and co-appellants in the Bellemead appeal—on how best to leverage the Court’s ruling as a precedent. For example, some municipalities have withdrawn from conformance because certain favored projects would not be allowed under the RMP. But if they knew the projects would not get State permit approval for not being consistent with the RMP, perhaps they would continue with conformance. And most importantly, inconsistent, inappropriate projects would not be built! 

## Hopped Up on the Highlands!

*Lauren Swern, Development Director*

In conjunction with our SAVE H2O campaign ([saveh2onj.org](http://saveh2onj.org)), the Coalition has strengthened its partnership with craft brewers by hosting a series of successful pub crawls. These events emphasize the connection between clean and abundant Highlands water with high quality, good tasting, New Jersey craft beer, to help promote water conservation and protection in the Highlands.

Our 2017 *Hopped Up Highlands Scavenger Hunt Pub Crawls* in: Hackettstown (April 22 – Earth Day); Boonton (September 1 – in conjunction with Boonton Main Street’s First Friday celebrations); and Morristown (October, Friday the 13th), were huge successes due to our sponsors, supporters, participants, and our incredible volunteers.

In all, we were able to raise over \$9,000. A total of three hundred and fifty people joined in sampling craft beers and various pub fare at fifteen different participating venues. Participants competed for awards by answering clues, scavenging for images and posting them to Instagram under the hashtag #hoppedupnj, and completed various challenges at the

designated locations. Participants and sponsors, including craft beer brewers and enthusiasts signed *The Highlands Clean Water Pledge Banner*, a pledge to help protect beer’s main ingredient: water—now with over a thousand signatures! It’s so simple: You can’t have great tasting beer without naturally clean water!

Of the ninety-nine member organizations that make up the NJ Highlands Coalition, seven are craft beer brewers, including Angry Erik Brewing, Bolero Snort Brewery, Harvest Moon Brewery, Krogh’s Restaurant & Brew Pub, Man Skirt Brewing, Ramstein, and River Horse Brewing, as well as the New Jersey Brewers Association. When you are in the mood for a finely crafted New Jersey beer, remember to patronize your fellow Coalition members! 



*First Place winner at the Boonton Pub Crawl*

## Annual Meeting Awards *Elliott Ruga*

We have not yet run out of different, enchanting, Highlands venues to host our Annual Meeting, and this year’s, at the Green Pond Community House, was no exception—on the banks of a magnificent and crystal clear Highlands glacial lake, in the heart of a traditional Highlands Lake Community.

Before awards were presented, Ramapough Lunape Turtle Clan Chief, Vincent Mann, blessed the meeting with a prayer. We then had a talk on the

management of Highlands lakes by the President of the NJ Coalition of Lake Communities, Ernest W. Hofer. Then, Highlands Council Executive Director Margaret Nordstrom, in what has become an Annual Meeting tradition, gave a talk on the Council’s upcoming challenges.

New Jersey Conservation Foundation colleagues recollected poignant occasions from Wilma Frey’s almost three decades long, dogged determination to protect the Highlands

# Annual Meeting Awards *cont'd*



*Ramapough Lunape Turtle Clan Chief Vincent Mann offers a blessing to open Annual Meeting*

as a lead-in to awarding Wilma with our highest honor, the Capstone Award, in recognition of Wilma's thirty years of advocacy for the protection of Highlands natural and cultural resources.

The Vision & Leadership Award was presented to officials and professionals who have championed the protection of Highlands resources: Hawke Pointe Golf Club founder and managing partner, Richard Cotton, for the environmentally sensitive design of the course and his continuing generosity to environmental advocates, including the NJ Highlands Coalition; Aaron Kleinbaum, Executive Director of the Eastern Environmental Law Center, for his ongoing, valuable, legal support; Califon Mayor Charlie Daniel and Chester Borough Mayor Janet



*Sue Dorwood, Katherine Evans and Silvia Solaun accept the Wilma Frey Volunteer Award on behalf of Friends of Sparta Mountain*

Hoven, for leading their municipalities towards Highlands conformance; and Henry Patterson, on his retirement as Executive Director of the New Jersey Water Supply Authority, and for his deft management of two of NJ's largest reservoirs, Spruce Run and Round Valley.

The Wilma Frey Volunteer Award went to Sue Dorwood, Katherine Evans and Silvia Solaun, from Friends of Sparta Mountain. We particularly



*Wilma Frey holds her Capstone Award, given by Coalition Executive Director Julia Somers (r.). Standing with Wilma are NJCF colleagues Alison Mitchell (l.) and Michele Byers (r.)*

wish them well as their organization takes on Statewide forest issues as they re-emerge as New Jersey Forest Watch. We additionally awarded a very active coalition of grass roots advocacy groups located in Tewksbury, who were key in helping us to prevail in the Bellemead litigation. They were represented by George Cassa, of the Alliance for Historic Hamlets, and Robin Love, of RANPI.

Groups were also on hand to receive checks as recipients of our 2017 Small Grants Awards. See caption at upper right for those organizations on hand to accept Small Grants.



*On hand to receive Small Grant awards were Highlands Nature Friends, Rockaway Borough Conservation Alliance, Ramapough Conservancy, Friends of the Musconetcong, Coalition Against Pilgrim Pipeline, and the Tewksbury Coalition*



*Policy Director Elliott Ruga presents the Wilma Frey Volunteer Award to George Cassa and Robin Love, representing the coalition of grassroots groups in Tewksbury*



*2017 Vision & Leadership Award winners (front, left to right): NJWSA Executive Director Henry Patterson (ret'd); Hawk Pointe Golf Club founder and managing partner, Richard Cotton; Chester Borough Mayor Janet Hoven; Califon Mayor Charlie Daniel; Eastern Environmental Law Center Executive Director Aaron Kleinbaum. Presenters (rear, left to right): Julia Somers, Bill Kibler, Ben Spinnelli, George Stafford.*



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## Fall/Winter 2018 Newsletter



[www.njhighlandscoalition.org](http://www.njhighlandscoalition.org)

Your water  
Your future

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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:

New Jersey Highlands Coalition  
508 Main Street  
Boonton, NJ 07005  
Tel: 973.588.7190  
[www.njhighlandscoalition.org](http://www.njhighlandscoalition.org)

## Won't You Join Us?

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](http://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.