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JOHN R. WEINGART
Chairman

EILEEN SWAN
Executive Director

MEETING AGENDA
Thursday, February 28, 2008 - 10:00 a.m.

1. CALL TO ORDER
2. ROLL CALL
3. OPEN PUBLIC MEETINGS ACT
4. PLEDGE OF ALLEGIANCE
5. APPROVAL OF MINUTES – January 17, 2008
6. CHAIRMAN'S REPORT (and Council Member Reports)
7. EXECUTIVE DIRECTOR'S REPORT
 - a. Status of Public Comments and Next Steps
 - b. Status of Redevelopment Waiver Process
8. COMMITTEE REPORTS
 - a. Personnel Committee – Chairman Weingart
 - b. Audit Evaluation Committee - Council Member Carluccio
 - c. Natural Resources Committee - Council Member Dillingham
9. CONSIDERATION OF RESOLUTION - *Establishment of a Highlands Plan Conformance Grant Program* - (voting matter with public comment)
10. CONSIDERATION OF RESOLUTION - *Amended Contract with Vertices, LLC* - (voting matter with public comment)
11. PUBLIC COMMENTS
12. EXECUTIVE SESSION (if deemed necessary)
13. ADJOURN

**NEW JERSEY HIGHLANDS WATER PROTECTION
AND PLANNING COUNCIL
MINUTES OF THE MEETING OF FEBRUARY 28, 2008**

- PRESENT**)
- JOHN WEINGART) CHAIRMAN
-)
- KURT ALSTED) COUNCIL MEMBERS
- TRACY CARLUCCIO)
- MIMI LETTS)
- DEBBIE PASQUARELLI)
- JACK SCHRIER)
- TAHESHA WAY)
-)
-)
- VIA TELECONFERENCE**)
- JANICE KOVACH)
- TIM DILLINGHAM)
- ERIK PETERSON)
-)
- ABSENT**)
- ELIZABETH CALABRESE)
- BILL COGGER)
- GLEN VETRANO)
- SCOTT WHITENACK)

CALL TO ORDER

The Chairman of the Council, John Weingart, called the 62nd meeting of the New Jersey Highlands Water Protection and Planning Council to order at 10:12 am.

ROLL CALL

The members introduced themselves.

OPEN PUBLIC MEETINGS ACT

Chairman Weingart announced that the meeting was called in accordance with the Open Public meetings Act, N.J.S.A. 10:4-6 and that the Highlands Council had sent written notice of the time, date, and location of this meeting to pertinent newspapers or circulation throughout the State and posted on the Highlands Council website.

PLEDGE OF ALLEGIANCE was then recited.

APPROVAL OF MINUTES OF JANUARY 17, 2008

Ms. Letts introduced a motion to approve the minutes of January 17, 2008 and Ms. Carluccio seconded it. All present and on the telephone voted to APPROVE.

CHAIRMAN'S REPORT

Chairman Weingart mentioned that the materials for the meeting were directly outside the meeting room. He extended the condolences of the Council to Council member Whitenack on the death of his brother.

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Mr. Peterson left the conference call.

Mr. Weingart continued his report announcing that today marked the conclusion of public comment on the Final Draft RMP. He reported that there had been approximately 150 comments received to date and that one commenter had sent in 150 pages of comments. He also noted that all comments postmarked with February 28, 2008 would be accepted. Mr. Weingart reported that there had been 3 public hearings since the last Council meeting and that the audio tapes of the meetings were available on the Council website.

He went on to mention the Governor's budget address and noted that there were some implications for the Highlands Council. First, the \$12 million in the Governor's proposed budget for the Highlands Council grants program was still available, but that the operating budget for next year had not been mentioned. He also discussed the Governor's announcement that three state agencies – Departments of Agriculture, Commerce, and of Personnel, would be phased out and that the phasing out of the Department of Agriculture would have implications for the Highlands Council's activities. He has asked the staff to work on an analysis of all the places in the Highlands Act where interaction with the Department of Agriculture appear and give the Council a report on the interests of the Council that will need to be protected.

Chairman Weingart read an excerpt from a letter from Bedminster Township indicating the township's interest in participating in the Plan Conformance process and the associated grant process that will be considered today.

He announced that the next Council meeting will be March 6th at 4 pm when the range of public comments will be reviewed along with a schedule for the review of comments, several WQMP applications, and a consideration of comments on proposed COAH rules. He also mentioned that additional information had been received on the Trump WQMP application. He noted that there will probably need to be additional Council meetings this spring to consider the WQMP procedures and applications and asked Council members to bring their calendars to the March 6th meeting.

Chairman Weingart asked if there were any reports from Council members.

Mr. Schrier stated that he had received 25 letters of public comment at his office and there was a range of substantive comments to rhetorical comments and reiterated that he did not believe it was appropriate for public comments to include personal attacks.

Mr. Alstede commented on the proposed budget item regarding the Department of Agriculture and provided documents for Council members. He provided a draft resolution from on the Highlands from the State Agricultural Convention and an analysis and rationale for keeping the Department of Agriculture. He noted that in the Highlands Act that the Department of Agriculture was mentioned 10 times and agriculture as an industry was mentioned 33 times. In the Final draft RMP, he mentioned that agriculture as an industry was mentioned 179 times and the Department of Agriculture was mentioned 31 times.

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Mr. Alstede also commented that he believed that there was an advocacy role from the Department of Agriculture to the industry and asked the Council to take action after research had been completed. He also noted that he had shared his concerns with Council member Cogger and brought a sample resolution supporting the restoration of funding for the Department of Agriculture that might be used by municipalities in demonstrating their support.

EXECUTIVE DIRECTOR'S REPORT

Ms. Swan reiterated that the public comment period closes today and that those comments that are date marked today would be included as official public comments. She noted that in 2006 the comments were categorized into categories and that approach will be followed again. She did not commit to a date, but did note that a data base had been created and minutes and notes were taken as well as the audio recording at the public hearings. She noted that there will be a public comment response document prepared.

She continued by highlighting some of the specific areas that have been raised during the public comment period and work that Council staff had already begun to examine:

Cluster Development pollutant loadings – There is work underway to provide more detail and clarity for the goals, policies and objectives relating to cluster development to ensure that they apply appropriately across the various parts of the RMP and to address concerns raised regarding the potential for clusters on septic systems in agricultural areas to increase pollutant loadings unacceptably and also to avoid the “leap frogging” effect by municipal planning through conformance to determine where cluster should be placed and that the clusters would be together.

Confidential Lists of Priority Parcels for Agricultural and Open Space Preservation – Ms. Swan discussed the requirement to develop confidential lists of priority parcels and that these lists would be ready when the Council decides on adoption. She wanted to confirm and ask for direction that the methodology would be discussed with the Council, but that the list would be kept confidential and would only be available to key staff. Chairman Weingart confirmed that the plan would not have a block and lot list. Ms. Swan noted that the Highlands Act mandated a confidential list. Mr. Schrier asked about why the confidentiality is important and Ms. Swan noted that the negotiation process with SADC and Green Acres and a willing landowner required confidentiality. Mr. Schrier noted that this is the same process that a municipality or county would follow in open space preservation.

Highlands Build out Model

She reviewed that the Smart Growth provisions of the Act which require an analysis based upon the findings of the resource assessment. Ms. Swan noted that there is a requirement for Plan Endorsement for a build-out analysis and that the staff is working on it and she expects to have a draft for the Council review in April. Ms. Letts asked if the analysis is looking beyond the zoning. Ms. Swan reviewed that the limiting factors are examined, e. g. septic yield is a limiting factor. She continued discussing zoning, plan and its impacts, and conformance with preservation and planning. Ms. Letts asked about environmental

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constraints. Ms. Swan responded that the DEP rules are examined for Preservation Area and that for the Planning Area the limiting factors would be what would determine build out and thus all information is looked at to figure out the limiting factor.

Technical Reports

Ms. Swan continued describing the ongoing work refining policies to address comments. Where the plan changes, then the technical reports will be updated.

Extension of Sewers in the Preservation Area

Council was clear to staff in the release of the final draft that the Act provisions were upheld in the plan. She noted that Planning and Preservation area language in the plan regarding extension of sewers must be lifted directly from the Act to be clear as directed by Council.

Right to Farm

Right to Farm language is mandatory for all conforming municipalities but language will be repeated as necessary to respond to comments received.

Ms. Swan left the discussion of Impervious Surfaces for later in her report.

Creation of receiving zones for TDR

Ms. Swan's report included the fact that there had been many comments received on mapping for potential TDR zones. She described the mapping as only showing potential and that the actual GIS analysis was a four step one where the fourth step is where infrastructure capacity is shown for TDR. She noted that if redevelopment is appropriate in a community, it would be beneficial to use TDR. The process is voluntary and if a municipality is interested then it is the municipality's interest that begins the process of resource assessment and infrastructure analysis which must be consistent with GPOs of RMP. The mapping is the beginning of that feasibility study and does not show actual receiving areas.

Ms. Swan also reviewed the two days of dedicated work with Charlie Siemon (who has nationwide experience on TDR) and has been working with Jeff LeJava who is the architect of the program on our staff. Other attendees were representatives from the Office of Smart Growth, John Stokes from the Pinelands Commission, Susan Craft from SADC, and Ralph Siegel from Garden State Preservation Trust. Chair Weingart and the Chair Whitenack of the TDR committee also attended some of the session. The second day other groups participated from the NJ Highlands Coalition, the Farm Bureau, Integra, and Environmental Federation. The goal of the session was to simplify the TDR program and discuss the creation of the Highlands TDR bank. There will also be another TDR Committee meeting to discuss these issues.

COAH

Ms. Swan summarized the work that was progressing. The goal is to have a draft MOU ready in April for the Council to review. A comment letter on COAH's proposed rules will be ready for the Council by next meeting.

Chairman Weingart asked to move on to the voting items #9 and #10.

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**CONSIDERATION OF RESOLUTION –Establishment of a Highlands Plan
Conformance Grant Program**

Ms. Swan presented the topic as two plan conformance grants. The 1st is an initial assessment grant program for municipalities with land in the Preservation Area to assist them with \$15,000 per municipality to review their documents – master plan, environmental ordinances to get ready for conformance. The amount is \$850,000. It would be used to determine where they are with their documentation, prepare a short report, and conformance check list. It is not meant to be an in depth study. Also, the process of updates could begin, when they are looking at their plans they would start on that as well.

The second part is a mini grant program. There are 83 municipalities wholly or partially in the Planning Area with 36 entirely in the area. She noted that using these funds would be for those entirely in the Planning area to have \$5,000 to examine the implications of conformance, prepare a checklist of conformance benefits and look at the map adjustments and other changes in previous information.

She reviewed the significant number of informational meetings as follows: Harding Township, Bedminster Township, Randolph Township, Hunterdon County, Sparta Township, Jefferson Township, Tewksbury Township, High Bridge Borough on the phone, Lake Hopatcong, Hopatcong, West Milford meeting with Mayor, and tour of area, Morristown and Washington Borough. She noted that the meetings are primarily conducted by herself and Tom Borden and that they were very beneficial and it was clear that many hearing municipalities wanted to start to examine the process of conformance.

Mr. Weingart outlined the two grant proposals. Ms. Swan noted that the \$200,000 entirely within the Planning Area will be used for them to make a decision as to whether to opt in.

Ms. Pasquarelli joined the meeting personally at 10:55 am.

Ms. Swan notes that the Highlands Protection Fund will include over \$20 million for grants to Highlands municipalities and Counties by the end of the year.

Ms. Letts and Ms. Pasquarelli commented that \$15,000 was probably not enough grant money. Ms. Swan noted these funds were for consideration of conformance not for conformance itself – for municipal professionals to look at the implications and advise the governing bodies.

Ms. Carluccio introduced a motion to consider this motion and Mr. Schrier seconded it.

Mr. Weingart asked if the staff had had discussions with municipalities. There was additional discussion about the amount of the grants and Mr. Borden commented that in the case of a TDR feasibility grant program that the initial amount established was \$25,000 and Clifton provided a rationale for \$40,000 that the Council approved. The idea is to provide a basis from which to start the process.

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PUBLIC COMMENT ON THE GRANTS RESOLUTION

Wilma Frey, NJCF

She commented that the differential funding might not send the right message. Her opinion was that the towns in the Planning Area need more than \$5,000 as an incentive. She advocated for the same amount for all.

John Malay, Bernards Township Committee

He spoke on behalf of a town completely in the Planning Area and commented that his staff was already looking at the process for opting in and that the motivation was not all monetary. He expressed concern about the consequences of opting in as they were beginning the process of revising their master plan. He noted that Bernards would be interested in getting grant funding.

Susan Buck, Oxford Township

She supports offering grant funding but not until after plan adoption.

There was additional discussion from the Chairman and Council members on the approach and it was suggested by Ms. Swan that the Planning Area grant would be a two step process beginning with \$5,000 and then if interested a more in the more in-depth assessment to then apply for the second grant.

The resolution was amended to a total available of \$1,500,000 to allow for this two step approach.

Mr. Schrier commented that he thought there should have been conversations with municipalities as to what the first step should cost. Mr. Weingart noted that there are professional planners on staff and Ms. Swan added that the costs are different dependant on the planning in each municipality.

Chairman Weingart asked for a roll call voted on the amended resolution.

The vote was as follows: Alstede, aye; Carluccio, aye; Dillingham, aye; Letts, aye; Pasquarelli, aye; Schrier, aye; Way, aye; Weingart, aye. The motion is APPROVED.

CONSIDERATION OF RESOLUTION – Amended Contract with Vertices, LLC.

Ms. Swan introduced the next topic by describing the use of the property search tool and that the scope of work that Vertices has developed adding an additional \$90,000 to the contract. This would allow for the additional development of the site to facilitate sharing of informational layers with municipal and county governments and the public. Also this would allow for sharing of TDR information. Mr. Weingart added that the Budget Committee had approved an amount up to \$250,000 so this addition is within that amount. Mr. Schrier introduced the motion and Mr. Alstede seconded it. There was some additional amplification of the need and uses for this scope of work. There was no public comment on this resolution. Mr. Weingart called for a roll call vote and it follows: Alstede, aye; Carluccio,

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aye; Dillingham, aye; Letts, aye; Pasquarelli, aye; Schrier, aye; Way, aye; Weingart, aye. The motion was APPROVED.

Chairman Weingart asked Ms. Swan to return to the presentation on Impervious Surface. Ms. Swan began by reviewing that comments had been received on impervious surface and how it relates to redevelopment. She used a power point to frame the discussion and introduce the method that was devised by Jim Hutzelmann.

Status Report Methodology Redevelopment Areas

Ms. Swan noted that the Highlands Act includes a goal for the RMP (for both the Preservation and Planning Areas - Section 10) “to promote brownfield remediation and redevelopment.” She continued discussing that in the RMP, the Council is required to “identify existing developed areas capable of sustaining redevelopment activities and investment.” She reviewed the various sections in the Act that allow for identification of redevelopment in the Preservation Area noting that the designation of redevelopment areas is just one step in the process and that the DEP rules and goals, policies and objectives in the Preservation Area must be maintained.

She went on to review the fact that the Act specifies that “any areas identified for possible redevelopment pursuant to this subsection shall be either a brownfield site designated by the DEP or a site at which at least 70% of the area thereof is covered with impervious surface.”

She then reviewed that the Regional Master Plan strives to accommodate regional growth and development needs primarily through the reuse and redevelopment of previously developed areas, including brownfields, grayfields, and underutilized sites. These areas generally have access to existing utility and transportation infrastructure and often are located in or near existing communities. As they have already been developed, these sites will have comparably fewer environmental constraints than undeveloped areas and the reuse of developed lands conserves natural resources and maximizes infrastructure investments. However, not all such sites are in locations conducive to redevelopment, especially where redevelopment could harm surrounding environmentally sensitive resources.

Ms. Swan commented that there is a need to consider each site individually for conformance with the Act and the RMP. She continued by reviewing the general criteria for the Council’s approval of a redevelopment site in the Preservation area as follows: the site meets impervious surface or brownfields requirements; that redevelopment will not impair any Highlands Resources; that redevelopment is consistent with resource protection and smart growth goals of the RMP; that there is sufficient water supply and wastewater capacity; and that other unique or mitigating criteria determined by Council based upon RMP policies and objectives.

She emphasized that this is a multi step process and that not all sites are appropriate and the protections must be applied in each case, as well as NJDEP rules.

She continued with a discussion of the redevelopment waiver provided for in the Act which may be allowed on a case by case basis for redevelopment in certain previously developed

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areas identified by the Highlands Council. She emphasized that the granting of the waiver shall be conditioned upon NJDEP's determination that the redevelopment meets the required protective findings "to the maximum extent possible."

Development of Procedures

She reviewed the inquiries that the Council had received seeking determination of the 70% impervious surface determination. She noted that the Natural Resources Committee had issued draft procedures in May 2007 for public comment and that the discussion in the Natural Resources Committee had been at its December 2007 meeting. Subsequent to that meeting, Council members had reviewed the material. The Natural Resources Committee issue Draft Impervious Surface methodology in February 2008 for public comment due to close on March 3rd. She noted that there was no decision necessary today as all the comments had not been received.

Simplified Analysis Method discussion continued by Ms. Swan. She first reviewed the Highlands Act definition of impervious surface as "'impervious surface means any structure, surface, or improvement that reduces or prevents absorption of stormwater into land, and includes porous paving, paver blocks, gravel, crushed stone, decks, patios, elevated structures, and other similar structures, surfaces, or improvements" She remarked that this is a two part definition. The key is reduction or prevention of absorption and the specific surfaces are examples, not always applicable.

She commented that this is a default method that is proposed and the staff believes that this is a conservative approach. She also noted that an applicant can utilize other methods including doing soil borings to judge permeability and have staff evaluate. She also emphasized that the proposed methodology is only for redevelopment and the new projects would be regulated by the creation of impervious surface.

Ms. Swan highlighted the Heath site with a slide showing the difficulty of assessing impervious cover. She emphasized that the redevelopment boundary should be based on sound planning and showing the paths and compacted areas around and between the many buildings. She discussed the two categories of impervious surfaces – hardscape that is typically buildings, parking lots, sidewalks, patios and other paved or covered surfaces; and other impervious areas including land area where fill, alteration or compaction of soil reduces or prevents absorption. The former is easy to delineate whereas the latter is hard to delineate. She noted that the intent to developing the default method was to have a conservative approach that is realistic given the nature of developed sites, i.e., soil compaction and use of gravel. The other consideration was that direct measurement is very expensive for an applicant and hard to confirm for the Highlands Council.

In determining the methodology, the staff reviewed the stormwater runoff effects looking at the TR-55 methodology that is used by NJDEP. Ms. Swan showed various slides that demonstrated how this proposed methodology would work to get the applicant to the designation process.

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Dr. Van Abs added that soils shown that are Class A and B and are fairly pervious and that it does not make sense to measure out the A and B soils. He noted that to recognize the compaction of the soils, they look at C and D and any soils classified stay with their original classification. He also commented that the analysis is erring on a reduced land area. Dr. Van Abs discussed the deed restriction that is placed on the land that is not redeveloped. Mr. Hutzelmann mentioned that the impervious surfaces must be hydrologically connected and adjacent to the hardscape areas, not naturally vegetated areas such as woods. He also said that the impervious surface had to be in place since 2004. Ms. Swan added that Heath owned large tracts containing forested steep slopes and they agreed to deed restrict those lands. Heath's engineer has attended previous meetings and has been working with staff since 2005. It was clarified by Ms. Swan that this default method is only for redevelopment. The calculation of land other than hardscape was limited to 1% of the runoff from the hardscape areas.

Mr. Dillingham commented that the Natural Resources Committee discussed the methodology in December, but wanted to reconsider after the end of the public comment period.

There was additional discussion raising the issue as to whether this methodology would increase the number of redevelopment sites and its implications. Mr. Borden commented that staff did not believe that this methodology would increase the number of development opportunities. Mr. Dillingham left the phone.

Discussion continued with respect to the calculations used by DEP and Ms. Carluccio mentioned that the public comment period should be extended. Ms. Swan noted that this method does not mean that an applicant could automatically go to 1%.

It was noted that the public comment notice was on the website and that there had not been a press release announcing it. It was further noted that this was the practice of the Council on previous matters. As there was not a quorum to vote on the proposed extension of public comment, Chairman Weingart asked that the matter be addressed at the upcoming March 6 council meeting. Mr. Borden clarified that the procedures will be adopted by the Council and would not be published in the New Jersey Register. He specified that under the Highlands Act the only requirement for rulemaking is for any fee schedule adopted by the Council.

Committee Reports

Personnel Committee – Chairman Weingart reported that the committee had met to discuss the vacancies on January 17, 2008.

Audit Evaluation – Chair Tracy Carluccio reported that the committee had met on January 24th and that the financial consultant had completed his review and that the Request for Proposal for an Auditor had been published and proposals are due tomorrow.

Ms. Pasquarelli asked if there had been an Executive Order issued to mandate an audit. Mr. Borden will provide her with the details.

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Natural Resources Committee – In Chair Dillingham’s absence, Chairman Weingart noted that there were two Natural Resource Committee reports in draft in the Council members’ packets. Mr. Alstede and Ms. Carluccio had no questions on the reports.

PUBLIC COMMENT

Mike Stoddard, President, Mid Atlantic Aviation Coalition

He noted that he had submitted a letter on February 19 requesting that airports be included in the draft RMP. He believes that airports are not the concern of the Council. He thanked the Council for the job they had done.

Steve Parker, Owner Somerset Airport, Bedminster

His comments were for his own airport and other airports in the Highlands Region. His airport is classified as a Protection Zone and he believes that it should be considered for revision. He asked for Existing Community Zone based on the existing infrastructure on his and other airports within the Highlands (Morristown and Hackettstown) and population density in the area. He reviewed his airport’s infrastructure and similar properties looking at the interactive map. He also submitted a CD with his comments for the public record.

Mr. Bill Levins, NJ Aviation Association

Mr. Levins spoke to the viability of airports as an economic resource for the areas and mentioned that there were actually 6 airports not 3 in the Highlands Region. He also noted that there was a medivac operation at the Somerset airport and that was a matter for public safety.

Mike Stoddard spoke briefly again to note that he had attended a meeting 50 years ago on water resources in Lake Hopatcong.

John Malay, Raritan Highlands Compact

Mr. Malay expressed his concern about the growth share numbers issued by COAH and does not believe that COAH addressed the goals of the RMP.

Monique Purcell, Department of Agriculture

She noted that the Department will be submitting formal comments on the draft RMP, but wanted to mention the importance of the clustering provisions. She believes the TDR section needs to be well developed and is critical for landowners to calculate the value of their lands as well as the funding of the TDR bank. She urged the Council to petition the legislature to provide a source of funding and asked for support in the continuation of the Department of Agriculture.

Julia Somers, NJ Highlands Coalition

Ms. Somers requested the extension of the public comment period on impervious surface methodology. She questioned whether the impervious cover becomes part of the RMP. Mr.

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Weingart reiterated that this procedure will be one of many procedures used to implement the RMP.

David Shope, Long Valley

He did not support the impervious surface approach and thought it discouraged economic development. He noted that airports were an important resource economically in comparison to ecotourism. He spoke in support of the continuation of the Department of Agriculture, noting that all states and territories had departments of agriculture and he submitted a copy of those for the public record. He also commented on the definition of impervious surface and wanted to apply for a TDR receiving zone. Mr. Weingart asked him to apply through his municipality.

Dennis Toft, Esq., Wolff & Samson

He is representing Pinnacle and noted that the material asked for had been submitted and that the project was exempt from all processes of the Highlands Council.

Helen Heinrich, NJ Farm Bureau

Her organization will be submitting public comments. She spoke in support for the continuation of the NJ Department of Agriculture as an essential department. She supported the analysis mentioned by Mr. Alstede and asked that the Council look at the budget submission with respect to land acquisition for farmers. She believes that farmers need money for land acquisition funding. She agreed with Ms. Purcell's comments on clustering and thought that additional review would be appropriate. Lastly, she noted that COAH listening to the State Planning Commission thought that the towns being charged an impact fee will not encourage developers to want to develop mixed use projects in a possible TDR receiving area.

Betsy Stagg, Oakland

She spoke in support of the staff recommendation to NJDEP with respect to Pinnacle.

David Oberlander, Flaster and Greenberg, PC

Represents Bi-County Development of Oakland, owner of Pinnacle site. He reviewed the history of the project and its various reviews both agency and judicial. He noted that this project has the endorsement of the legislature by way of its exemption process and that it is the policy of the State that this affordable housing be built. He requested that the Council not become a barrier to this project.

Susan Buck, Oxford Township

She spoke regarding if the TDR credit program was finally happening. She would like to apply for application to determine credits. She was against the Governor's message this week and asked for the Council to meet with the Governor and the Legislature. She believes that the Council's inaction in obtaining those meetings has resulted in the Governor's action with respect to the Department of Agriculture. She mentioned that Warren County was the most severely affected county as a result of the Highlands legislation. She noted that a significant number of towns in Warren County will lose state funding. She had submitted written comments.

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Wilma Frey, NJCF

Ms. Frey spoke in support of the staff report (on Pinnacle) endorsed by the Natural Resources Committee should be sent to the NJDEP. She does not support the Pinnacle project and believes that it is not a substantial contribution to affordable housing. She offered that the project was 13% affordable housing. She noted that if the project had been under COAH rules instead of a builder's remedy that the development would have had to be scrutinized for adherence to environmental sensitivity. She also asked for an extension of the public comment period for the impervious surface methodology and asked whether the legislature was looking at hardscape only. She continued with a discussion of the analysis of the various components in the methodology and wanted to have further analysis. She asked for the impact of the impervious cover to be included in the development project.

Eliot Ruga, NJ Highlands Coalition

He commented on the possible unintended consequences and loop holes created by the impervious surface methodology. He asked, for example, if golf courses and farm fields could be redevelopment sites.

The meeting was adjourned at 1:10 pm.

CERTIFICATION

I hereby certify that the foregoing is a true copy of the minutes of the meeting of the Highlands Water Protection and Planning Council.

Date: 3/28/08

Name: Paula M. Dees
Paula M. Dees, Executive Assistant

Vote on the these minutes

	<u>Yes</u>	<u>No</u>	<u>Abstain</u>	<u>Absent</u>
Councilmember Alstede	_____	_____	_____	✓
Councilmember Calabrese	_____	_____	_____	✓
Councilmember Carluccio	✓	_____	_____	_____
Councilmember Cogger	✓	_____	_____	_____
Councilmember Dillingham	_____	_____	_____	✓
Councilmember Kovach	✓	_____	_____	_____
Councilmember Letts	✓	_____	_____	_____
Councilmember Pasquarelli	_____	_____	_____	✓
Councilmember Peterson	_____	_____	_____	✓
Councilmember Schrier	✓	_____	_____	_____
Councilmember Vetrano	_____	_____	_____	✓
Councilmember Way	✓	_____	_____	_____
Councilmember Whitenack	✓	_____	_____	_____
Councilmember Weingart	✓	_____	_____	_____

TRUE COPY

PUBLIC COMMENTS SUBMITTED

1 **HIGHLANDS REGIONAL MASTER PLAN**

2 **WHEREAS**, the Highlands Act signed in August 2004 divided the 850,000-acre
3 Highlands region into two areas: a preservation area, where development would be
4 strictly regulated and a planning area, where development would be monitored; and a
5 Highlands Water Protection and Planning Council charged to prepare and implement a
6 regional master plan for the entire Highlands region; and
7

8 **WHEREAS**, with lessons learned by the agricultural community in the Pinelands, the
9 Highlands law included a significant exemption for agricultural and horticultural
10 activities and related development in the preservation area; as such, agricultural
11 development and activities in the preservation area are separate and apart from the strict
12 regulations that are imposed by the DEP upon major development in the preservation
13 area; and
14

15 **WHEREAS**, the Department of Agriculture developed and adopted rules to implement
16 the separate process for agricultural development and activities in the Highlands
17 Preservation Area; and
18

19 **WHEREAS**, farmers in the preservation area of the Highlands are greatly concerned
20 about how the strict regulations will impact the equity of their land; although land
21 acquisition and land use tools such as transfer of development rights (TDR) are key
22 strategies in the preservation area, a dedicated funding source and the actual
23 implementation of a viable TDR program remain as critical concerns; and
24

25 **WHEREAS**, in the short term, the State Agriculture Development Committee has
26 directed that an additional \$30 million in Garden State Preservation Trust funding for
27 farmland preservation made available through a 2003 public question be used exclusively
28 for the preservation of farms in the Highlands;
29

30 **WHEREAS**, efforts continue with regard to establishing a dedicated funding source for
31 farmland preservation efforts in the Highlands region; and the Department continues to
32 monitor and contribute to the policy framework and progress toward future
33 implementation of the Highlands TDR program in order to maximize program success
34 and provide equity protection for affected landowners; and
35

36 **WHEREAS**, the Department continues to provide support for the farmer member of the
37 Council and be actively involved in the Highlands Regional Master Planning process and
38 continues to be an advocate for the agricultural industry in the Highlands region; and
39

40 **WHEREAS**, based on communication with the Highlands Council and its staff
41 throughout the process, it has been our expectation that the regional master plan produced
42 would yield a sustainable and balanced Plan – balanced in terms of environmental
43 protection, economic viability and fairness to landowners, yielding a plan that includes
44 development, redevelopment and preservation.
45

1 **WHEREAS**, the Highlands Protection & Planning Council released the first draft of the
2 Regional Master Plan (RMP), Land Use Capability Map and Atlas on November 30,
3 2006 which set forth a framework for protecting the important resources of the Highlands
4 region.

5
6 **WHEREAS**, after a 6 month comment period, 6 public hearings, 3,500 public comments,
7 staffing changes, including the appointment of a new Executive Director and the hiring of
8 an outside consultant and numerous public meetings of the Highlands Council and its
9 subcommittees, the final draft of the Highlands RMP was released on November 30,
10 2007.

11
12 **WHEREAS**, the revised final draft RMP includes a more detailed mapping system called
13 the LANDS model - delineating 3 zones – Protection, Conservation and Existing
14 Community and 3 environmentally-constrained sub-zones, with the ability to represent
15 indicators, capacity and constraints at a scale of 2,500 square feet – including, water
16 availability, water supply, wastewater utility capacity and septic system yields. The
17 revised RMP also includes more specific language regarding the use and limitations of
18 clustering in the Agricultural Resource Areas, agricultural preservation priorities and
19 identifies potential TDR receiving areas, including areas with redevelopment and infill
20 potential.

21
22 **WHEREAS**, it is evident that a great deal of work went into the development of the draft
23 final plan and LANDS model. However, it is also clear that much more work and public
24 discussions remain ahead.

25
26 **WHEREAS**, comments on the draft final RMP will be received through February 28,
27 2008 and three public hearings will be held in February, 2008.

28
29 **THEREFORE, BE IT RESOLVED**, that as this planning process continues, we must
30 ensure not only that we protect the natural, agricultural and cultural resources of our
31 Highlands communities but that we do so in a way that is fair and equitable for our farm
32 families and others who are affected in the region.

33
34 **THEREFORE, BE IT RESOLVED**, that the draft final plan and LANDS model
35 mapping information should be viewed again, as the beginning, not the end, of this
36 critical regional planning process that was initiated with the passage of the Highlands
37 Water Protection and Planning Act.

38
39 **BE IT FURTHER RESOLVED**, the successful implementation of the RMP continues
40 to require a number of critical components:

- 41
42 1) A sufficient, dedicated source of funding for land and easement acquisition in the
43 Highlands region, separate and apart from whatever funding mechanism succeeds the
44 Garden State Preservation Trust, to permanently protect these lands while
45 compensating property owners. Identifying a funding source prior to the Plan's
46 adoption would reassure affected landowners that their financial interests are being

1 respected and make for a much more productive and collaborative process. We
2 strongly urge the Council to petition the Legislature to condition Plan adoption on
3 this fundamental issue being addressed.
4

5 2) A viable, private sector-driven TDR program that aids in preserving our important
6 resources while promoting growth in appropriate areas, including the
7 identification of receiving areas both within and outside of the Highlands region
8 that support the Governor's economic development initiatives and the goals of the
9 State Development & Redevelopment Plan.

10
11 3) Funding for conservation planning to implement soil, water and natural resource
12 conservation practices on our agricultural lands to ensure proper stewardship of
13 these resources into the future.
14

15 **THEREFORE, BE IT RESOLVED**, that we, the delegates of the 93rd State
16 Agricultural Convention assembled in Cherry Hill, New Jersey on February 5, 2008
17 direct the NJDA to continue to be engaged in all aspects of the Highlands RMP process,
18 continue to monitor the work of the Highlands Council and continue to be engaged in the
19 effort to identify a dedicated source of funding for farmland acquisition in the Highlands
20 region.
21

22 **BE IT FURTHER RESOLVED**, that we strongly urge the Governor, Senate President,
23 and Assembly Speaker to consider the agricultural background, knowledge and/or
24 experience of any new potential Highlands Council member, as well as their residency, to
25 ensure that farmers in the preservation area – who are most directly affected by the RMP
26 – have additional representation on the Council.

REASONS TO KEEP THE N.J. DEPARTMENT OF AGRICULTURE (NJDA)

- importance of the industry and open farmland to the state demands that it have its own state agency and cabinet member. There are 1.01 million acres of farmland in the state, which constitutes 50% of the remaining undeveloped lands (open space) and 20% of the state's total land base.
- agriculture generates millions of dollars in tax receipts from sales tax on nursery products, horse industry impacts and payroll taxes from the \$200 million worth of hired labor industry-wide. Cash receipts from farm commodities produced was \$924 million in 2006, which ultimately generates a multi-billion dollar impact to the state's economy. Agriculture pulls its own weight; it in no way is a cause of the state's budget deficit problem.
- the state has invested nearly \$1.1 billion on 163,700 acres to retire development rights on farmland since 1982, some 20% of the actively-devoted farmland. Closing the NJDA removes the natural leadership for this significant state investment in open space.
- closing the NJDA saves the state budget very little money, since most of its vital services will need to be transferred to other state agencies (during the July, 2006 shutdown of state government, some 52% of the NJDA employees were deemed "essential" and were told to report to work; the average for other state agencies is 28%). In fact, savings could be as little as \$341,000 (Div. of Administration costs per year), excluding the possibility of unforeseen costs incurred when the transfers of these "essential" offices are accomplished. From a cost/benefit basis, closing the NJDA makes no sense.
- losing the NJDA undermines the industry and the production of local fresh produce, which is so counterproductive in these days of shipping food across the country and the corresponding food safety and "carbon footprint" concerns. (Tractor trailer shipping costs from Calif.-NJ is now \$6,200 per trip!). The NJDA Markets Division supports the very popular community tailgate markets. Food trends in supermarkets now emphasize "buy local."
- closing the NJDA will be viewed by many farmers as demoralizing and "the last straw" for those who have already been skeptical about the erosion of state support for farming in recent years. A Fairleigh Dickinson Univ. poll last year showed 63% of statewide respondents associated farming with the Garden State Moniker; an earlier poll in 2004 found that 69% said it was "very important" to having farming in New Jersey. What would they think of eliminating the NJDA?

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- the farming industry strongly opposes any change or loss of the Agriculture Secretary position. This position is more than a century old! The Secretary holds a position on numerous national boards, lending prestige and a voice for New Jersey agriculture. Furthermore, the Agriculture Secretary chairs several state agencies and is generally regarded as the highest profile individual for agriculture in the state.
- as the general economy drifts further into recession, consumers are also fearing spikes in the food price inflation. Eliminating the NJDA removes a longstanding advocate for locally-grown, reasonably-priced food commodities at a most inopportune time.
- with its urban core and sprawling suburban communities, many New Jersey residents have little understanding of the basics in agriculture and its contribution to the quality of life. The NJDA has a series of experienced staffers who are readily accessible to the public and are able to easily explain this specialized industry. In many respects the Department is a model for state agency responsiveness to the average resident that sustains itself on a modest budget.
- the NJDA is home to a long list of important services to agriculture and the general public: food safety; livestock and poultry disease monitoring; commodity promotion (Jersey Fresh); plant pest control (gypsy moth, Asian longhorn beetle); soil conservation and environmental programs; pet food and livestock feed testing; emergency food distribution (food banks, soup kitchens); seed and fertilizer testing; national leader in school nutrition (637,000 school lunch participants) farmland preservation and agriculture advocacy; liaison with FDA and federal grant funding from USDA; cooperation with academic and research institutions (Rutgers, Cornell, etc.).

All done by a coordinated team of 245 employees!

#

2-26-08

**RESOLUTION OPPOSING THE ABOLISHMENT OF THE NEW JERSEY
DEPARTMENT OF AGRICULTURE**

WHEREAS, The township of _____, County of _____, State of New Jersey is a rural and agricultural community which enjoys the quality of life and economic benefits from farms and farming; and

WHEREAS, _____ Township is an active participant in farmland preservation dedicating _____ dollars over the last _____ years to preserve _____ # of farms; and

WHEREAS, the State of New Jersey is nationally recognized as the Garden State and the New Jersey Department of Agriculture supports the farming profession with essential services for plant inspection and trade, animal health and transport, inspection and promotion of “Jersey Fresh” produce and organic certification; and

WHEREAS, the NJ Department of Agriculture develops the school nutrition guidelines and operations the federal school meal programs as well as emergency food purchase and distribution linking New Jersey farmers with nutrition programs; and

WHEREAS, Governor Jon Corzine has initiated an effort to abolish the New Jersey Department Of Agriculture as a cost cutting measure, that would result in no substantial savings to the taxpayers of the state and resulting in a reduction of services to the farms, farmers and citizens of New Jersey.

NOW, THEREFORE, BE IT REOLVED, by the Township of _____, County of _____, State of New Jersey that:

The elected officials of the Township of _____, adamantly oppose any effort to abolish the New Jersey Department of Agriculture, and support critical funding of the Department’s essential programs.

Ladies and Gentlemen of the Council,

I am Steven E. Parker, Treasurer of Somerset Air Service, the family-owned company that owns and operates Somerset Airport (George Walker Field) in Bedminster NJ.

The classification of Somerset Airport property (Block 61, Lot 6 in Bedminster Twp) as "Protection Zone" by the latest draft of the Highlands Regional Master Plan (RMP) is not indicative of what is actually on the property and requires revision. The property should be classified "Existing Community" due to the existing infrastructure, the classification of similar properties and the population density of surrounding properties. Attached is a brief regarding why the Somerset Airport property needs to be reclassified as Existing Community.

Existing Infrastructure--The Somerset Airport property is 200 acres, and includes three runways, parallel taxiways, ramps, driveways (more than 1.9 million square feet), more than 18 buildings and over 170 aircraft on the property. The airport has commercial-grade electrical/telephone service. It also has a new septic system and drainage system in compliance with DEP standards. As an airport, the water usage is slight (only three lavatories in the property).

Similar Properties-- Within the Highlands Region, Morristown Airport and Hackettstown Airport are classified as "Existing Community", in recognition of the infrastructure on the property, the value of that infrastructure to the regional transportation system, and the need for future development to support that transportation system.

Morristown Airport, a considerably larger airport in a more densely populated region is classified as "Existing Community", as shown by the Highlands Council's interactive map (above). The surrounding communities, Whippany, Hanover, and the city of Morristown are Existing Community as well as the airport proper. Whereas, the open fields surrounding the airfield are classified as a Protection Zone, deliberately to show the distinction between the developed area and the community/airport infrastructure.

Hackettstown Airport, a smaller less developed airport (than Somerset Airport), is classified as existing community. Despite being located in the midst of an area labeled as "State Game Farm". Game Farm property is classified as a Conservation Zone and Conservation Environmentally Constrained Subzone. Hackettstown Airport is surrounded by the village of Beattystown and a subdivision to the east and west.

Surrounding Properties--Somerset Airport is bordered to the north by farmland and a wooded area, to the west by the Raritan River, to the south by the Snearowski farm (Somerset County-owned open space) and Bridgewater Township subdivisions to the southeast. The entire Somerset Airport property, the Snearowski farm and part of the residential lots on Airport Road are all classified as Protection Zone, while the wooded/farm fields to the north/west are classified as Conservation Zone. If Bridgewater Township was included in the Highlands Region, no doubt the area off Love Road (the continuation of Airport Road located in Bridgewater) would be classified Existing Community.

Economic Model--Somerset Airport has been operated by now three generations of my family since the 1940s. We operate in the same economic model as a family farm; however we are not protected by the Right to Farm Act. Financing improvements (a new airplane, reroof a hangar, etc.) comes by borrowing money, using our land as collateral. As the value of our land continues to erode, so does our ability to borrow and survive as a commercial entity. This classification will significantly impact that value.

Airport Regulatory Bodies--We are a public-use facility integral to interstate commerce, the New Jersey Airport System Plan and the National Transportation System. Our operations are governed by the FAA, and the New Jersey Department of Transportation Division on Aeronautics. Our land use is already heavily scrutinized by our local township (Bedminster), which has some of the toughest development restrictions in the state.

Impact on Water Resources--We understand and support the spirit of the Highlands Act. Our water resources are precious. Any airport operator wants to preserve open space surrounding their airport and we certainly do. Somerset Airport, with 3 lavatories, no irrigation, and a new "state-of-the-art" septic system has significantly less impact on these resources than residences, golf courses, and agricultural activities.

Loss of airports--"In 1950, there were 82 public use airports in the State, in 2006 there are 47 public-use facilities (45 today with the loss of Bader and Twin Pines). Historically, New Jersey has lost public-use airports to other private development at a rate of one airport every 18 to 24 months. The last new public use airport, Spitfire Aerodrome in Gloucester, was built in 1983. Since that time, 14 of New Jersey's public use airports have permanently closed." --New Jersey State Airport System Plan Page I-1

Privately Owned--Somerset Airport is privately-owned, yet a public use facility. This may sound unusual for an airport, but in NJ 60% of the public use airports are privately owned (NJSASP pg I-1). As I said earlier, ours is literally a "Mom and Pop" operation. We do not have the resources of a municipal, state or federal government, or a large corporation to fund the arduous application processes that would be required to gain permission to develop property in a protection or conservation zone. I have to believe that this process would be in addition to the local township's process and require additional public hearings, expert witnesses, additional environmental studies and attorney's fees.

Impact on redevelopment--Our airport, like many, was built in a very rural area. Open space is important for runways, instrument approaches and departure zones. It also cuts down on noise complaints. Therefore, many airports will be characterized by concentrated infrastructure surrounded by open fields or forested areas. I can see how the Highlands model would look at those open fields and forests and consider them conservation and protection zones. Only airports already choked by urban and suburban sprawl would fall into the category of Existing Community. The problem with this is that airports without these "buffers" would be encouraged to grow while the airports with "buffers" would likely wither and die. Without these smaller airports to relieve the congestion, safety at the bigger airports becomes more challenging.

How would an airport like Somerset keep making improvements if classified protection zone? Hypothetically, should bio-diesel or hydrogen fuel cell technology become common in aircraft, how would we add another fuel tank farm? Our airport already has in our master plan options for other development, and we work on those plans annually with the NJ Dept of Transportation/Division of Aeronautics and the Federal Aviation Administration for implementation. I don't see how those plans are possible under the definitions of protection and conservation zone.

Somerset Airport is listed in the 2007 NJ State Airport Systems Plan as a Core Airport. Page I-3 of the NJSASP states "the primary objective of the NJDOT Aviation program is to protect the core airport system." This plan already recommends projects for development of the runways, taxiways and lighting systems at Somerset

The NJASP projects Somerset Airport will grow by nearly 7000 flights per year over the next 12 years from it's CY 2000 (last measured) 40,700 flights annually, a nearly 17% increase. This assumes no other NJ airports close over that period (loss of other airports put even more pressure on existing airports to meet demand). How will this demand be met without development of airport infrastructure (more ramp space, more hangar space, improved runways, etc.)?

Correcting the map in the future--I am very concerned that what is depicted today in the RMP will be difficult to correct in the future. Governing bodies are continually trying to read into the original intentions of legislation and restrictions. Allowing these errors will only give them legitimacy and be fodder for future legal action.

I want to thank you for your time and very much appreciate the opportunity to address you today. If possible, I would appreciate your feedback on this issue when possible.

Steven E. Parker
Somerset Air Service
PO Box 1007
Bedminster NJ 07921

Somerset Airport Should be Classified as Existing Community

The property occupied by Somerset Airport (Bedminster Township Block 61, Lot 6) is in the "Planning Area" and classified as "Preservation Zone" under the latest (2007) draft of the Highlands Regional Master Plan. We believe this classification is inaccurate and needs to be changed to "Existing Community" due to the existing infrastructure, the classification of similar properties and the population density of surrounding properties.

According to the Highlands RMP Existing Community is characterized by "significant concentrated development" and "existing infrastructure that can support development and redevelopment". Somerset Airport has Federal and State Grants that guarantee continued land use as an airport for years to come. The property has significant infrastructure that well supports development and redevelopment consistent with that use.

Existing Infrastructure



The Somerset Airport property is 200 acres, and includes three runways, parallel taxiways, ramps, driveways (more than 1.9 million square feet), more than 18 structures, and over 170 aircraft based on the field. The property has commercial-grade electric/telephone service. It also has a new "state-of-the-art" septic system and drainage system in compliance with DEP standards. As an airport, the water usage is slight (there are only three lavatories on the property).

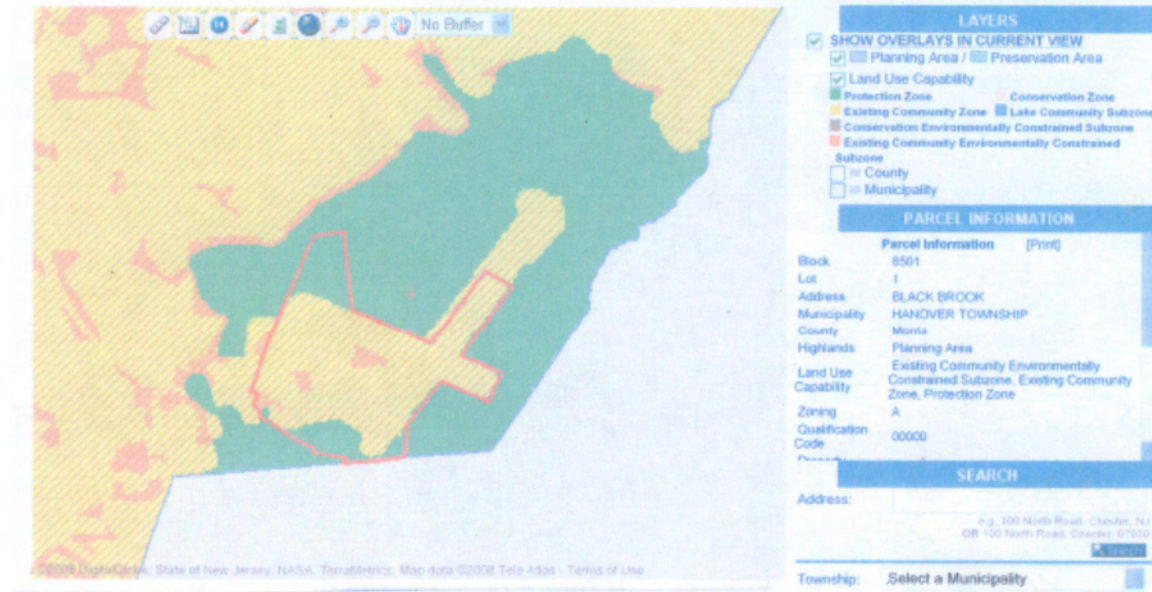
There is a greater concentration of infrastructure on Somerset Airport than in the hamlet of Pottersville, which is classified Existing Community.

Similar Properties: Other Airports

Within the Highlands Region, Morristown Airport and Hackettstown Airport are classified as "Existing Community". This recognizes the infrastructure on the property, the value of that infrastructure to the regional transportation system, and the need for future development to support that transportation system.

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Morristown Airport



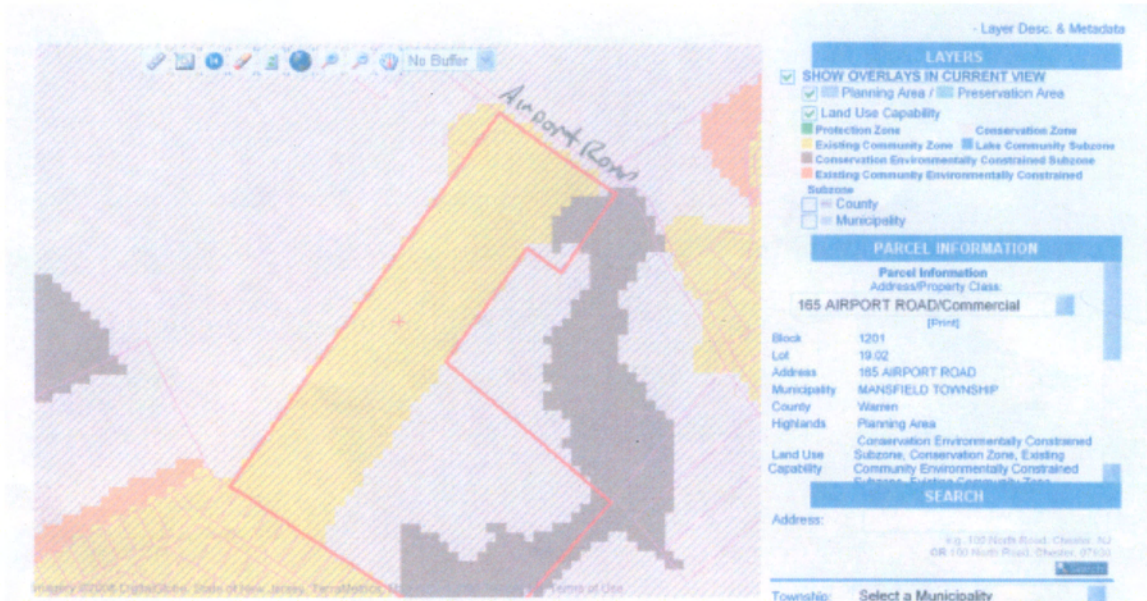
Morristown Municipal Airport (MMU)
Morristown, NJ

Morristown Airport, a considerably larger airport in a more densely populated region is classified as "Existing Community", as shown by the Highlands Council's interactive map (above). The surrounding communities, Whippany, Hanover, and the city of Morristown are Existing Community as well as the airport proper. Whereas, the open fields surrounding the airfield are classified as a "Conservation Zone", deliberately to show the distinction between the developed areas, open spaces and the community/airport infrastructure.

Picture to left is taken from NJ Division of Aeronautics Airport Directory 2003-2004

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Hackettstown Airport



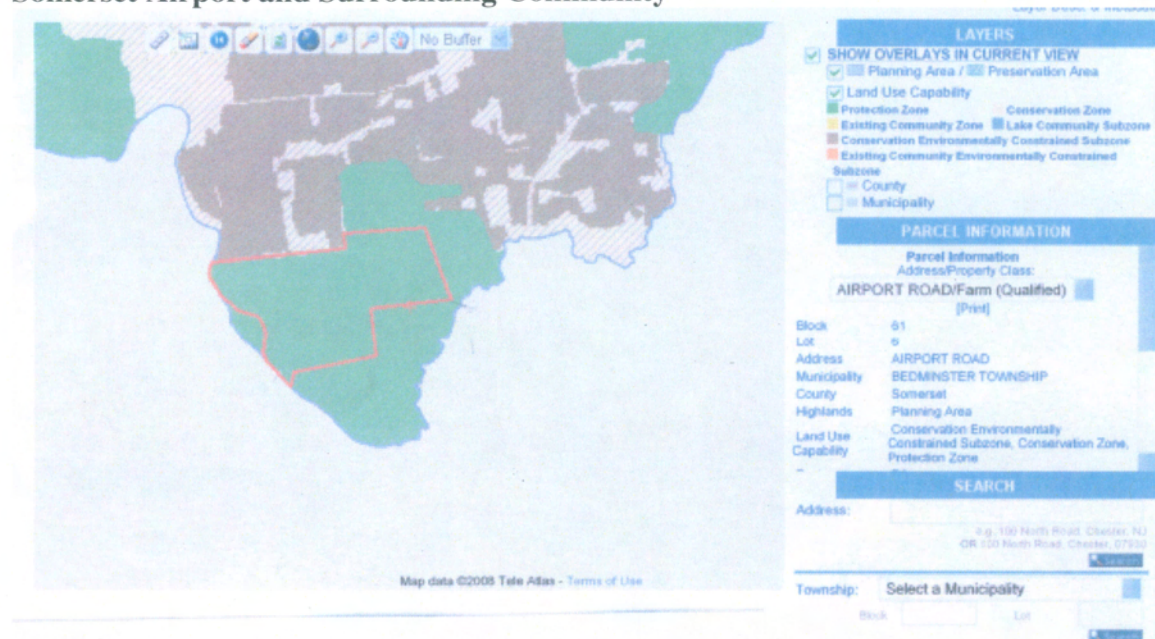
Hackettstown Airport, a smaller less developed airport (than Somerset Airport), is classified as "Existing Community" as shown by the Highlands Council's interactive map (above).

Despite being located in the midst of an area labeled as "State Game Farm". Game Farm property is classified as a "Conservation Zone" and "Conservation Environmentally Constrained Subzone". Hackettstown Airport is less than a mile northwest of Route 57 and the village of Beattystown and surrounded by subdivisions to the east and west.

Picture to left is taken from NJ Division of Aeronautics Airport Directory 2003-2004

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Somerset Airport and Surrounding Community



Somerset Airport is bordered to the north by farmland and a wooded area, to the west by the Raritan River, to the south by the Snearowski farm (Somerset County-owned open space) and Bridgewater Township subdivisions to the southeast. The entire Somerset Airport property, the Snearowski farm and part of the residential lots on Airport Road are all classified as "Protection Zone", while the wooded/farm fields to the north/west are classified as "Conservation Zone". If Bridgewater Township was included in the Highlands Region, no doubt the area off Love Road (the continuation of Airport Road located in Bridgewater) would be classified Existing Community.



Somerset Airport and nearby Bridgewater Township subdivisions

Impact

Reclassifying the Somerset Airport property will simply annotate what truly exists on the property and its impact on the region as a transportation center. Classifying a commercial property like Somerset Airport as "Protection Zone" will essentially choke any opportunity for future improvement, which will seal it's fate as a viable business. Airports in New Jersey are an endangered species, 16 (or 26%) of New Jersey's airports have closed permanently in the past 25 years; two in the past 12 months alone, Twin Pines in Pennington and historic Bader Field in Atlantic City. Airports are already regulated by the FAA and NJ Division of Transportation, their planned growth already documented via the Airport Master Plan and the NJ State Airport Systems Plan. Constraining this facility as a Protection Zone is fodder for an endless series of lawsuits wasting untold taxpayers and airport operators' dollars for years to come.

Considering the mission of the Highlands Act is to protection water resources, and airports are not great users of water (no irrigation, very little human consumption) this reclassification would be consistent with the spirit of the Act.



Submitted by
D. Shope
2.28.08
Council mtg.

Following is a listing of members of NASDA. As you will see, they are all secretaries or directors of the department of agriculture. A phone call to NASDA confirmed that all states have a department of ag, too.

[http://www.nasda.org/cms/7195/9406.aspx?nm_sortby=Last
Name&nm_sortascdesc=Ascending&layoutChange=Print](http://www.nasda.org/cms/7195/9406.aspx?nm_sortby=LastName&nm_sortascdesc=Ascending&layoutChange=Print)

Steve Peterson
Deputy Director, New Jersey Agricultural Statistics
USDA-National Agricultural Statistics Service
Voice= (609) 292-6385

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NASDA Members

The National Association of State Departments of Agriculture is comprised of the departments of agriculture in all fifty states and the territories of American Samoa, Guam, Puerto Rico, and the U.S. Virgin Islands. The commissioner, secretary, or director of each department is the designated representative of the state to participate in NASDA activities.

This directory is searchable in two ways:

- 1) Search by Last Name (Use an individual letter (A-Z) to jump to that portion of the list.)
- 2) Search by State department of agriculture (organization)

Both lists are searchable in ascending (A-Z) or decending (Z-A) order. Note that States are alphabetized by two letter postal code.

Browse by: Last Name

Filter by: A B C D E F G H I J K L M N O P Q R S T U V W X Y Z All

Records per Page: 60 Sort by: Last Name Ascending

<p>Allbee, Roger Secretary Vermont Agency of Agriculture, Food & Markets Drawer 20 116 State Street Montpelier, Vermont 05620-2901 Office Phone: 802-828-2430</p>	<p>Vermont Agency of Agriculture, Food & Markets</p>
<hr/>	
<p>Ayars, Kenneth Chief Rhode Island Division of Agriculture, DEM 235 Promenade Street Room 370 Providence, Rhode Island 02908-5767 Office Phone: 401-222-2781 x 4500</p>	<p>Rhode Island Division of Agriculture, Department of Environmental Management</p>
<hr/>	
<p>Bassler, Paul Director Guam Department of Agriculture 163 Dairy Rd. Mangilao, Guam 96913 Office Phone: 671-734-3942</p>	<p>Guam Department of Agriculture</p>
<hr/>	
<p>Bell, Richard Secretary Arkansas Agriculture Department No. 1 Natural Resources Dr. Little Rock, Arkansas 72205 Office Phone: 501-663-4851</p>	<p>Arkansas Agriculture Department</p>
<hr/>	
<p>Blackham, Leonard Commissioner Utah Department of Agriculture and Food P.O. Box 146500 Salt Lake City, Utah 84114-6500 Office Phone: 801-538-7101</p>	<p>Utah Department of Agriculture & Food</p>
<hr/>	
<p>Boggs, Robert Director Ohio Department of Agriculture 8995 East Main Street</p>	<p>Ohio Department of Agriculture</p>

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Reynoldsburg, Ohio 43068-3399

Office Phone: 614-466-2732

Bradstreet, Seth

Commissioner
Maine Department of Agriculture, Food & Rural Resources
Deering Building - AMHI Complex 28 State House Station
Augusta, Maine 04333-0028
Office Phone: 207-287-3419

Maine Department of Agriculture,
Food & Rural Resources

Bronson, Charles

Commissioner
Florida Department of Agriculture & Consumer Services
The Capitol, PL10
Tallahassee, Florida 32399-0810
Office Phone: 850-488-3022

Florida Department of Agriculture &
Consumer Services

Butler, Donald

Director
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Phoenix, Arizona 85007
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Arizona Department of Agriculture

Cardona, Salvador E. Ramirez

Secretary
Puerto Rico Department of Agriculture
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Santurce, Puerto Rico 00907
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Puerto Rico Department of
Agriculture

Coba, Katy

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Oregon Department of Agriculture

de Yong, Ron

Director
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Helena, Montana 59620-0201
Office Phone: 406-444-3144

Montana Department of Agriculture

Douglass, Gus

Commissioner
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West Virginia Department of
Agriculture

Etchepare, John

Director
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2219 Carey Avenue
Cheyenne, Wyoming 82002
Office Phone: 307-777-6569

Wyoming Department of Agriculture

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Even, William

Secretary
South Dakota Department of Agriculture
523 East Capitol
Pierre, South Dakota 57501-3118
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South Dakota Department of
Agriculture

Farmer, Richie

Commissioner
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Kentucky Department of Agriculture

Gimlin, Rick

Acting Director/Deputy Director
Nevada Department of Agriculture
350 Capitol Hill Avenue
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Nevada Department of Agriculture

Givens, Ken

Commissioner
Tennessee Department of Agriculture
Melrose Station, P.O. Box 40627
Nashville, Tennessee 37204
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Tennessee Department of Agriculture

Gonzalez, Miley

Director/Secretary
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Agriculture

Gould, Celia

Director
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Idaho State Department of
Agriculture

Gurr, Peter

Acting Director
American Samoa Dept. of Agriculture
American Samoa Government Executive Office Building, Utulei
Territory of American Samoa Pago Pago, American Samoa 96799
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American Samoa Department of
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Director
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Illinois Department of Agriculture

Havemeister, Franci

Director, Division of Agriculture
Alaska Department of Natural Resources
1800 Glenn Highway Suite 12
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Alaska Division of Agriculture,
Department of Natural Resources

Haymore, Todd

Commissioner

Virginia Department of Agriculture &
Consumer Services

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Virginia Department of Agriculture & Consumer Services

P.O. Box 1163
Richmond, Virginia 23218
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Commissioner
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New York State Department of
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Commissioner
Minnesota Department of Agriculture
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Minnesota Department of Agriculture

Ibach, Greg
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Nebraska Department of Agriculture

Irvin, Tommy
Commissioner
Georgia Department of Agriculture
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Georgia Department of Agriculture

Johnson, Roger
Commissioner
North Dakota Department of Agriculture
600 East Boulevard Ave Dept 602
Bismarck, North Dakota 58505-0020
Office Phone: 701-328-4754

North Dakota Department of
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Comments submitted at Highlands Council
Meeting on February 28, 2008, by D. Shope
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MID-ATLANTIC AVIATION COALITION INC.

PO Box 673, Long Valley, NJ 07853

908-876-1355 Fax 908-832-6927

February 19, 2008

New Jersey Highlands Council
100 North Road (Route 513)
Chester, New Jersey 07930

Ladies and Gentlemen of the Council:

Mid-Atlantic Aviation Coalition, Inc. is an advocacy organization composed of groups and individuals committed to personal aviation. MAAC represents the interests of 13,000 New Jersey pilots, balloonists, airport owners, fixed base operators and others with strong interests in aviation. Our mission is to preserve New Jersey's public use airports and to improve the safety and the efficiency of this important intermodal public transportation resource.

Airports in New Jersey are an endangered species, 16 (26%) of New Jersey's airports have closed permanently in the past 25 years - two in the past 12 months alone, Twin Pines in Pennington and historic Bader Field in Atlantic City.

The Highlands Act was proposed to protect water resources. Airports, by their nature, use far less water than any other commercial, residential, recreational or agricultural use. All airports are regulated by the State. Airport improvements are overseen by the FAA and NJ Department of Transportation and require approvals from municipal land use boards.

The restrictions imposed on airports by the latest draft of the Highlands Regional Master Plan (RMP) require further consideration and revision. At least six public use airports lie within the Preservation and Planning areas: Alexandria Field (Alexandria Twp), Morristown Airport (Morristown and Hanover Twp), Greenwood Lake (West Milford Twp), Hackettstown (Mansfield Twp), Somerset (Bedminster Twp), and Sky Manor (Alexandria Twp).

The classification of airport properties under the current RMP appears arbitrary and contrary to the State's greater interest in supporting these vital transportation links. Morristown and Hackettstown airports are classified "Existing Community" while Alexandria and Sky Manor are listed as "Conservation Zone". Somerset and Greenwood Lake Airports are classified as "Preservation Zone" which will

effectively kill any improvements required to ensure these airports survive so they can continue serving the public.

We request that you exempt all airports within the Highlands Region from the regulations imposed by the RMP. Alternatively, public use airports should be classified only as Existing Communities within Planning areas. Public use airports play far to important a role in the state's economy to be further burdened by regulation.

The vast majority of New Jersey's smaller privately owned, public use airports are open space. The meadows that abut runways and hedgerows that date from prior agricultural use provide habitat. Airports should be recognized for both their transportation benefit to the region and for their current contribution to land area presently devoted to open space.

We thank you for your consideration of this issue. Please feel free to contact me at 973-377-8955 or MAAC Vice President Robert Checchio at 732-968-6908 or at PO Box 155 Pluckemin NJ 07978. We request a formal response to these comments.

Regards,

Michael J. Stoddard
President

Cc: Hon. Jon Corzine, Governor, State of New Jersey
Hon. Nicholas Sacco, Chair N. J. Senate Transportation Committee
Hon. Nia Gill, Chair Senate Commerce Committee
Hon. Raymond Lesniak, chair, Senate Economic Growth Committee
Hon. Tony Bucco, Member, N. J. Senate
Hon. John Wisniewski, Chair Assembly Transportation Committee
Hon. Joseph Vas, Chair, Assembly Commerce Committee
Hon. Alex DeCroce, Member, N. J. Assembly
✓ Hon. Jack Schrier, Morris County Freeholder
Kris Kolorri, Commissioner of Transportation
Lisa Jackson, Comissioner, NJ Department of Environmental Protection.

This Council is charged with the protection of the resources and economic vitality of the Highlands. It has received enormous criticism from the public that it has not effectively advocated for these protections. The public repeatedly asked the Council to meet with the Governor and the legislature to seek support to achieve these goals through changes in the legislation, implementation of funding mechanisms and development of MOA's with other agencies. The Council has repeatedly refused to do this. This week, the results of that inaction should now be crystal clear to you. The Governor has recommended disbanding of the Department of Agriculture. This Department is not important to him. This is no big surprise since even the Highlands Council, who is responsible for protecting agriculture in the Highlands never bothered to communicate the importance of agriculture, farmers, or the infrastructure for farmers that the Department of Ag provides. Quite the opposite. Not only did the Highlands Council fail to communicate about these things, it produced a plan that advocates for the protection of dirt and little else.

Warren County is the county that is the most impacted by the Highlands Act. We have repeatedly asked you to obey the legislative mandate to protect and promote the economic vitality of the area. Again, not one action was taken by the Council to do this. And, again, the issue is of little importance to the Governor as a result. So, not only is Warren County struggling with the same issues as other counties across the state, it is now faced with a mind boggling loss of municipal aid. 98% of our towns - all but one town - will lose 50 - 100% of their aid. 55% of them will lose every single dime. Yes, of the taxes we pay, not one red cent will come back to the majority of the towns in Warren County. Plus, all agreements with the state for police coverage are null and void. This comes on the heels of the state refusing to pick up deer carcasses just last year. These things are a huge percentage of our budgets. Allowing an entire county to figure out how to survive with a 75% reduction in state funds and find a way to cope with the economic devastation caused by the Highlands Act could never have happened if the Highlands Council had been honest and open with their boss.

This continued fecklessness of the Council has gone beyond irresponsible and is deeply unethical. You should meet with the Governor and appropriate members of the Legislature immediately if you intend to protect the Highlands. If you don't, Warren County may end up being the financial straw that breaks NJ's back. There is nothing more for the state to take. It took half the assets of the county away with the Highlands Act. Now it is taking every single dime away from most of our townships. What happens when a government takes everything away from its citizens? We'll soon find out. But if history is any indication, insurrection and armed rebellion have been the answer.

Susan Buck
Orford

**DRAFT – FOR CONSIDERATION AT THE FEBRUARY 28, 2008
MEETING OF THE HIGHLANDS COUNCIL**

**RESOLUTION 2008-__
NEW JERSEY HIGHLANDS WATER PROTECTION AND PLANNING COUNCIL
MODIFICATION TO EXISTING VERTICES, LLC CONTRACT**

WHEREAS, the Highlands Water Protection and Planning Act (Highlands Act) has created a public body corporate and politic with corporate succession known as the Highlands Water Protection and Planning Council (Highlands Council); and

WHEREAS, Section 6.g. of the Highlands Act authorizes the Highlands Council to enter into any and all agreements or contracts, execute any and all instruments to carry out any power, duty or responsibility under the Highlands Act; and

WHEREAS, on January 19, 2006, the Highlands Council authorized the Executive Director to enter into a contract with VERTICES, LLC (“VERTICES”) to perform data management services in support of the development of the Regional Master Plan; and

WHEREAS, upon approval of the Highlands Council, this contract was modified to include the development of the Council’s Interactive GIS map application known as the Property Search Tool, which is currently available on the Council’s website; and

WHEREAS, to date, VERTICES has satisfactorily performed all work under the existing contract; and

WHEREAS, the Highlands Council wishes to amend the current contract with VERTICES to provide that VERTICES will prepare three interactive mapping applications based upon the Property Search Tool; and

WHEREAS, VERTICES will develop a Consistency Application; Highlands Development Credit Determination Application; and RMP Update Application; and

WHEREAS, each application will include one (1) year of hosting and maintenance; and

WHEREAS, VERTICES has prepared a scope of work to develop the three interactive mapping applications and provide hosting and maintenance services for a total cost of \$90,000, which scope of work and amount have been reviewed and recommended for approval by Highlands Council staff;

NOW THEREFORE, BE IT RESOLVED by the Highlands Council that the Executive Director, or her designee, is hereby authorized to enter into a contract modification with VERTICES for an amount not to exceed \$90,000.

CERTIFICATION

I hereby certify that the foregoing Resolution was adopted by the Highlands Council at its meeting held on the 28th day of February, 2008.

John Weingart, Chairman

Vote on the Approval of
this Resolution

	<u>Yes</u>	<u>No</u>	<u>Abstain</u>	<u>Absent</u>
Councilmember Alstede	_____	_____	_____	_____
Councilmember Calabrese	_____	_____	_____	_____
Councilmember Carluccio	_____	_____	_____	_____
Councilmember Cogger	_____	_____	_____	_____
Councilmember Dillingham	_____	_____	_____	_____
Councilmember Kovach	_____	_____	_____	_____
Councilmember Letts	_____	_____	_____	_____
Councilmember Pasquarelli	_____	_____	_____	_____
Councilmember Peterson	_____	_____	_____	_____
Councilmember Schrier	_____	_____	_____	_____
Councilmember Vetrano	_____	_____	_____	_____
Councilmember Way	_____	_____	_____	_____
Councilmember Weingart	_____	_____	_____	_____
Councilmember Whitenack	_____	_____	_____	_____

RESOLUTION 2008-4

NEW JERSEY HIGHLANDS WATER PROTECTION AND PLANNING COUNCIL ESTABLISHMENT OF THE INITIAL PLAN CONFORMANCE GRANT PROGRAM

WHEREAS, the Highlands Water Protection and Planning Act (Highlands Act) has created a public body corporate and politic with corporate succession known as the Highlands Water Protection and Planning Council (Highlands Council); and

WHEREAS, Section 18.b of the Highlands Act states that the Highlands Council shall make available grants and other financial and technical assistance to municipalities and counties for any revision of their master plans, development regulations, or other regulations which is designed to bring those plans, development regulations, or other regulations into conformance with the regional master plan; and

WHEREAS, the grants and other financial assistance shall pay for the reasonable expenses incurred by a municipality or county and shall be distributed according to such procedures and guidelines as may be established by the Highlands Council; and

WHEREAS, the Highlands Council shall make the grants and other financial assistance from any State, federal, or other funds that shall be appropriated or otherwise made available to it for that purpose, including monies required to be made available from the Highlands Protection Fund; and

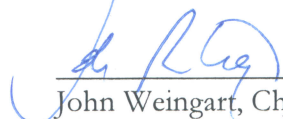
WHEREAS, Highlands Council staff has recommended the development of an Initial Assessment Grant Program in the amount of \$1,500,000 that will provide financial and technical assistance to municipalities and counties in the Highlands Region in order to assess conformance to the Regional Master Plan and also to examine the feasibility of voluntary conformance with the Regional Master Plan; and

NOW, THEREFORE, BE IT RESOLVED by the Highlands Council that:

1. The Highlands Council staff is hereby authorized to develop and implement a process for the solicitation and distribution of Initial Assessment Grants in an amount not to exceed \$1,500,000; and
2. The Budget and Finance Committee is hereby authorized to review the proposed grants awards confirming the availability of funds for payment; and
3. The Budget and Finance Committee shall report their recommendations to the Highlands Council for final grant award decisions.

CERTIFICATION

I hereby certify that the foregoing Resolution was adopted by the Highlands Council at its regular meeting held on the 28th day of February, 2008.



John Weingart, Chairman

RESOLUTION 2008-4

Vote on the Approval of this Resolution

	<u>Yes</u>	<u>No</u>	<u>Abstain</u>	<u>Absent</u>
Councilmember Alstede	✓	_____	_____	_____
Councilmember Calabrese	_____	_____	_____	✓
Councilmember Carluccio	✓	_____	_____	_____
Councilmember Cogger	_____	_____	_____	✓
Councilmember Dillingham	✓	_____	_____	_____
Councilmember Kovach	_____	_____	_____	✓
Councilmember Letts	✓	_____	_____	_____
Councilmember Pasquarelli	✓	_____	_____	_____
Councilmember Peterson	_____	_____	_____	✓
Councilmember Schrier	✓	_____	_____	_____
Councilmember Vetrano	_____	_____	_____	✓
Councilmember Way	✓	_____	_____	_____
Councilmember Whitenack	_____	_____	_____	✓
Councilmember Weingart	✓	_____	_____	_____

RESOLUTION 2008-5
NEW JERSEY HIGHLANDS WATER PROTECTION AND PLANNING COUNCIL
MODIFICATION TO EXISTING VERTICES, LLC CONTRACT

WHEREAS, the Highlands Water Protection and Planning Act (Highlands Act) has created a public body corporate and politic with corporate succession known as the Highlands Water Protection and Planning Council (Highlands Council); and

WHEREAS, Section 6.g. of the Highlands Act authorizes the Highlands Council to enter into any and all agreements or contracts, execute any and all instruments to carry out any power, duty or responsibility under the Highlands Act; and

WHEREAS, on January 19, 2006, the Highlands Council authorized the Executive Director to enter into a contract with VERTICES, LLC (“VERTICES”) to perform data management services in support of the development of the Regional Master Plan; and

WHEREAS, upon approval of the Highlands Council, this contract was modified to include the development of the Council’s Interactive GIS map application known as the Property Search Tool, which is currently available on the Council’s website; and

WHEREAS, to date, VERTICES has satisfactorily performed all work under the existing contract; and

WHEREAS, the Highlands Council wishes to amend the current contract with VERTICES to provide that VERTICES will prepare three interactive mapping applications based upon the Property Search Tool; and

WHEREAS, VERTICES will develop a Consistency Application; Highlands Development Credit Determination Application; and RMP Update Application; and

WHEREAS, each application will include one (1) year of hosting and maintenance; and

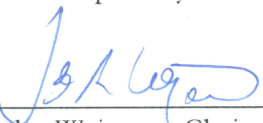
WHEREAS, VERTICES has prepared a scope of work to develop the three interactive mapping applications and provide hosting and maintenance services for a total cost of \$90,000, which scope of work and amount have been reviewed and recommended for approval by Highlands Council staff;

NOW THEREFORE, BE IT RESOLVED by the Highlands Council that the Executive Director, or her designee, is hereby authorized to enter into a contract modification with VERTICES for an amount not to exceed \$90,000.

RESOLUTION 2008-5

CERTIFICATION

I hereby certify that the foregoing Resolution was adopted by the Highlands Council at its meeting held on the 28th day of February, 2008.



John Weingart, Chairman

Vote on the Approval of this Resolution

	<u>Yes</u>	<u>No</u>	<u>Abstain</u>	<u>Absent</u>
Councilmember Alstede	<u>✓</u>	<u>_____</u>	<u>_____</u>	<u>_____</u>
Councilmember Calabrese	<u>_____</u>	<u>_____</u>	<u>_____</u>	<u>✓</u>
Councilmember Carluccio	<u>✓</u>	<u>_____</u>	<u>_____</u>	<u>_____</u>
Councilmember Cogger	<u>_____</u>	<u>_____</u>	<u>_____</u>	<u>✓</u>
Councilmember Dillingham	<u>✓</u>	<u>_____</u>	<u>_____</u>	<u>_____</u>
Councilmember Kovach	<u>_____</u>	<u>_____</u>	<u>_____</u>	<u>✓</u>
Councilmember Letts	<u>✓</u>	<u>_____</u>	<u>_____</u>	<u>_____</u>
Councilmember Pasquarelli	<u>✓</u>	<u>_____</u>	<u>_____</u>	<u>_____</u>
Councilmember Peterson	<u>_____</u>	<u>_____</u>	<u>_____</u>	<u>✓</u>
Councilmember Schrier	<u>✓</u>	<u>_____</u>	<u>_____</u>	<u>_____</u>
Councilmember Vetrano	<u>_____</u>	<u>_____</u>	<u>_____</u>	<u>✓</u>
Councilmember Way	<u>✓</u>	<u>_____</u>	<u>_____</u>	<u>_____</u>
Councilmember Whitenack	<u>_____</u>	<u>_____</u>	<u>_____</u>	<u>✓</u>
Councilmember Weingart	<u>✓</u>	<u>_____</u>	<u>_____</u>	<u>_____</u>