



CHRIS CHRISTIE
Governor

KIM GUADAGNO
Lt. Governor

State of New Jersey

Highlands Water Protection and Planning Council
100 North Road (Route 513)
Chester, New Jersey 07930-2322
(908) 879-6737
(908) 879-4205 (fax)
www.nj.gov/njhighlands



JIM RILEE
Chairman

MARGARET NORDSTROM
Executive Director

MEETING AGENDA Thursday, June 18, 2015 at 4pm

- CALL TO ORDER
- ROLL CALL
- OPEN PUBLIC MEETINGS ACT STATEMENT
- PLEDGE OF ALLEGIANCE
- APPROVAL OF MINUTES – April 16, 2015
- APPROVAL OF EXECUTIVE SESSION MINUTES – April 16, 2015
- CHAIRMAN'S REPORT (and Council Member Reports)
- EXECUTIVE DIRECTOR'S REPORT
- COMMITTEE REPORTS

LANDOWNER EQUITY & LAND PRESERVATION

- Report

REGIONAL MASTER PLAN UPDATE

- Report

ROXBURY WATER QUALITY

- Report

PLAN CONFORMANCE

- CONSIDERATION OF RESOLUTION – Petition for Plan Conformance, Township of Clinton, Hunterdon County (*voting matter with public comment*)
- EXECUTIVE SESSION
- PUBLIC COMMENTS (*to ensure ample time for all members of the public to comment, we will respectfully limit comments to three (3) minutes. Questions raised in this period may not be responded to at this time but, where feasible, will be followed up by the Council and its staff.*)
- ADJOURN

PUBLIC COMMENTS SUBMITTED AT HIGHLANDS
COUNCIL MEETING ON JUNE 18, 2015

Pilgrim Pipeline and The NJ Highlands Council

Good afternoon and thank you for this opportunity to speak. My name is Jerome Wagner. I reside at 32 Hillside Terrace in Wayne NJ, where I am a pleased consumer of North Jersey District Water Supply Commission water. I worked for 30 years in environmental protection as an engineer. I am presently employed by Food & Water Watch, focusing of opposition to the Pilgrim Pipeline. Further, I have been an active member of the group named the "Coalition to Stop Pilgrim Pipeline" for the past year. The Coalition is made up of many state-wide and community groups.

This afternoon, I am speaking on behalf of Food & Water Watch.

I'd like to focus at this time on the constituency – the make-up – of crude oil, the toxicity of one particular constituent, and potential impacts to the state's drinking water supply.

Toxic Constituency of Oil: Crude oil, as extracted from the ground, is a mixture of many components. One class of constituents which is of particular concern is "BTEX" – benzene, toluene, ethylbenzene, and xylene. These are all aromatic hydrocarbons – being based on a ring of carbon molecules. (BTEX) Industry data on Bakken crude shows that these components make up on average about 3% by weight of Bakken crude – a small but not insignificant percentage. Overall, about 0.3% of Bakken crude is benzene. (Peacock, 2010)

All BTEX compounds have been assigned safety threshold values in drinking water. These have been set by the US EPA. The "maximum contaminant level" for benzene is 0.005 mg/l – otherwise stated as 5 parts per billion. (Basic Information about Benzene in Drinking Water, 2013) 5 parts per billion is a vanishingly small value. Further, the stated "maximum contaminant level goal" is Zero – Again – Zero. This goal is set so low because of the grievous health impacts of benzene – blood diseases and cancer are known to be caused by benzene.

While BTEX compounds are only slightly soluble in water, they are soluble to concentrations which exceed federal safe drinking water criteria (relevant data is provided with this statement). That is, water in contact with pooled oil could absorb BTEX to levels unsafe for human consumption. Water polluted with BTEX would likely require active treatment in order to restore safety and potability.

Based on the scant information presently available about the Pilgrim Pipeline: A pumped release (spill) from the southbound pipe could amount to almost 6,000 gallons – in a single minute! In that spill, there would be about 70 pounds of benzene. This amount is non-trivial – in fact, it is enough to contaminate 1.7 billion gallons of water to a point where the contained benzene would render it unsafe for human consumption (see "Computations", below). Otherwise said, that is the amount of water it would take to dilute 70 pounds of benzene to concentrations below hazardous levels. Again: Almost 2 billion gallons undrinkable from a 1 minute spill. How much before the pumps are actually stopped? How much more as the pipe passively empties? Or, how much more before remediation teams are in place and active?

Pilgrim Pipeline and The NJ Highlands Council

The documented combined capacity of the Wanaque and Monksville Reservoirs is about 37 billion gallons. (North Jersey District Water Supply Commission) A spill of Bakken crude in their watershed could render that full amount undrinkable in less than 30 minutes; further, let's recognize that those 37 billion gallons represent over 200 days' supply to the contracted communities (see "Computations", below).

Such a significant risk demands extraordinary prudence in any and all related decisionmaking.

Treatment of Tainted Waters: The removal of petroleum contamination from drinking water and the environment is a complex undertaking. A sequence of unit operations ranging from gravity separation, to filtration, to stripping, to adsorption with activated carbon might be required. These might have to be constructed on a formidable scale – at formidable cost - given the magnitude of supplies that are contracted out by the North Jersey District Water Supply Commission.

Personal Experience: I'll conclude by reflecting briefly on my own experience: For 30 years, I worked at a factory in the Southern Tier of New York. During that whole 30 year period, active groundwater remediation was being practiced. In this case, the contaminants were volatile organic compounds. During that time, about 80,000 gallons of VOC's have been recovered. (New York State Department of Environmental Conservation) Untold expenses – certainly in the millions of dollars - in capital, operating expenses, legal support, consultant work, and public trust – have resulted to the corporation – all to remove just 80,000 gallons of VOC's. That remediation effort continues to this day.

In Closing: Any accidental release of oil within the watershed of the Wanaque and Monksville Reservoirs – or to aquifers which supply municipal wells - could render those crucial water resource unavailable for an extended period of time.

Thank you for your attention. Good day.

Jerome Wagner 607-348-5773

Pilgrim Pipeline and The NJ Highlands Council

Appendix

Physical Data

Component	Specific Gravity	Solubility in Water	EPA MCL¹	EPA MCLG²	Treatment³
Bakken Crude	0.70 - 1.03	--	--	--	--
Benzene	0.87	1,790 mg/l (15°C)	0.005 mg/l	0	Stripping and GAC
Ethylbenzene	0.87	150 mg/l (20°C)	0.7 mg/l	0.7 mg/l	GAC
Toluene	0.87	520 mg/l (20°C)	1.0 mg/l	1.0 mg/l	Stripping and GAC
Xylenes	0.86	~160 mg/l (25°C)	10.0 mg/l	10.0 mg/l	Stripping and GAC

"MCL" = "Maximum Concentration Limit"

"MCLG" = "Maximum Concentration Limit Goal"

"GAC" = "Granular Activated Carbon"

"Stripping" = "Packed Tower Aeration"

Sources: Wikipedia, ATSDR

^{1,2,3} (Basic Information about Benzene in Drinking Water, 2013)

Pilgrim Pipeline and The NJ Highlands Council

Computations**What is the Proposed Flowrate of Product in Each Pipe?**

Documented Flow in each of South-bound and North-bound Pipes is 200,000 barrels per day;
Assume this flow is uniform over a day's period.

$$\frac{200,000 \text{ barrels}}{\text{day}} * \frac{42 \text{ gallons}}{\text{barrel}} * \frac{1 \text{ day}}{24 \text{ hours} * 60 \frac{\text{minutes}}{\text{hr}}} = 5,833 \frac{\text{gallons}}{\text{minute}}$$

How Much Water Would 70 lbs of Benzene Contaminate to Greater than EPA's Maximum Contaminant Level of 5 ppb?

$$70 \text{ lbs Benzene} * \frac{10^9 \text{ Parts Water}}{5 \text{ Parts Benzene}} * \frac{1 \text{ gallon Water}}{8.34 \text{ lbs Water}} = 1.7 \text{ billion gallons of Water}$$

How Long Would Pumped Flow Need to Continue to Contaminate - with the Carcinogen Benzene - all The Water That the Monksville and Wanaque Reservoirs Hold When Full?

$$\frac{37 \text{ billion gallons}}{1.7 \text{ billion gallons contaminated per minute}} = 22 \text{ minutes}$$

How Many Days of Supply is Contained in 37 Billion Gallons?

$$\frac{37,000 \text{ million gallons of Water}}{173 \text{ million gallons of Water per day}} = 214 \text{ days of supply}$$

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Comments to the Highlands Council – June 18, 2015

My name is Deborah Post, harmed landowner Chester Township.

Your draft equity compensation rule abandons receiving areas and puts in unambiguous black and white what we all have always known: this Council has no intention of honoring its mandate to create a TDR program to compensate harmed landowners.

For a decade talk has included the establishment of Highlands TDR receiving zones, the critical and necessary component for any TDR program to develop a functioning and efficient marketplace. TDR stands for transfer of development rights and by definition requires development to be transferred from one space to another, the receiving zone.

This Council's purported plan does not include receiving zones. How can a TDR program not have a receiving zone? Answer: it can't.

Your plan **admits** there will be no receiving zones, admits that there will be no just compensation for the \$6 billion of lost property values, admits that the landowners should forget any expectations of compensation, and admits that this Council is satisfied to leave the landowners burned. The plan is a loud screaming admission that this Council has no intention of seriously working toward compensation of property value losses.

Your plan is nothing more than a public relations effort to create the appearance of just compensation being forthcoming when everyone on this Council knows that is a lie. This rule was designed only to spin well with the media, to sound like you are doing something, when you are not.

The rule contemplates just compensation being paid from a bank that has no money and has no reasonable expectation of ever having any money. The bank is an empty Potemkin illusion. To those who have objected to my past critique of your biased staff, the plan that compensation will be paid from an entity with no capital is stark naked proof of bad faith.

Mitigation payments are to raise the \$6 billion of compensation needed? Do you really think the Highland farmers are pea-brained fools?

The rule also contemplates this Council partnering with sub-and sister-organizations of the Highlands Coalition, the heavily financed environmental lobby who never misses a chance to insure that landowners are and remain burned. Your rule proposes that the easements be owned, monitored and enforced, not by this Council, but rather by the environmental extremists, who will be empowered to dictate to those Highlands landowners who are the victims of the largest land grab in our nation's history. Seriously? No rational landowner will sign such an easement document, so this Council will be able to argue "gee, we offered to pay them and they declined". Whoever on this Council or staff came up with that mischief may be more evil even than the drafters of the Highlands Act itself.

Public Comment - Thursday, June 17, 2015 (Lebanon Township)

My name is Joady Anderson, we own a 74 acre deciduous tree farm in Hunterdon County all in the Preservation Area. We have worked under a Woodland Management Plan more than 20 years, are a certified N.J. Tree Farm, and have Farmland Assessment.

The N.J. Highlands Water Protection and Planning Act has been in effect for almost 11 years now - I want to emphasize the words "Water Protection".

I am quoting from an article from the American Tree Farm System Magazine -

"Forests are nature's water filter, capturing contaminants before they reach rivers and streams, holding the soil in place, minimizing erosion and sediment run-off. Healthy forests give us much of the abundant clean water we depend on."

And yet, there is no dedicated funding to compensate people whose forested land has been "preserved" by this act. According to the SAAC Under the Farmland Preservation Program, in 2007 they modified their laws almost exclusively on tilled farm land. There is nothing for a deciduous tree farm.

In the Highlands Area, the transfer of development rights program was supposed to provide funding BUT, as I was told, this needs a lot of work, it is barely off the ground, and we will be long dead and gone if this is ever realized.

We were told by a Registered ^{NJ} Forester we are the "Poster Children" for the tremendous inequity and outrageous treatment of tree farmers resulting from the Highlands Act - an "honor" we do not appreciate at all.

RESOLUTION 2015-12

NEW JERSEY HIGHLANDS WATER PROTECTION AND PLANNING COUNCIL EXECUTIVE SESSION

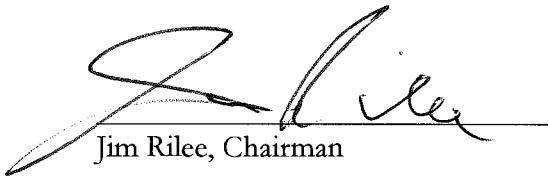
WHEREAS, the Open Public Meetings Act, N.J.S.A. 10:4-6 et seq., permits the holding of closed sessions by public bodies in certain circumstances, and the Council is of the opinion that those circumstances presently exist; and

WHEREAS, the Council is seeking legal advice concerning a contractual matter and an ongoing investigation, for which advice from counsel subject to the attorney-client privilege is required;

NOW, THEREFORE, BE IT RESOLVED, that the Council may enter into closed session at its public meeting of June 18, 2015, for that purpose. It is anticipated at this time that the nature of the closed session will be made public upon completion or resolution of the issues to be discussed, except any matter protected by the attorney-client privilege will not be disclosed.

CERTIFICATION

I hereby certify that the foregoing Resolution was adopted by the Highlands Council at its regular meeting held on the 18th day of June, 2015.



 Jim Rilee, Chairman

**Vote on the Approval of
 The Resolution**

	Motion	Second	Yes	No	Abstain	Absent
Councilmember Alstede	_____	_____	✓	_____	_____	_____
Councilmember Carluccio	_____	_____	_____	_____	_____	✓
Councilmember Dougherty	_____	_____	_____	_____	_____	✓
Councilmember Dressler	_____	_____	✓	_____	_____	_____
Councilmember Francis	_____	_____	✓	_____	_____	_____
Councilmember Holtaway	_____	_____	_____	_____	_____	✓
Councilmember James	_____	_____	✓	_____	_____	_____
Councilmember Richko	_____	✓	✓	_____	_____	_____
Councilmember Sebetich	_____	_____	✓	_____	_____	_____
Councilmember Tfank	_____	_____	_____	_____	_____	✓
Councilmember Visioli	_____	_____	✓	_____	_____	_____
Councilmember Vohden	_____	_____	✓	_____	_____	_____
Councilmember Walton	✓	_____	✓	_____	_____	_____
Chairman Rilee	_____	_____	✓	_____	_____	_____

RESOLUTION 2015-13
NEW JERSEY HIGHLANDS WATER PROTECTION AND PLANNING COUNCIL
APPROVAL OF THE PETITION FOR PLAN CONFORMANCE FOR
THE TOWNSHIP OF CLINTON, HUNTERDON COUNTY

WHEREAS, the New Jersey Highlands Region (Highlands Region) is an area of over 859,358 acres that consists of 88 municipalities in parts of seven counties – Bergen, Hunterdon, Morris, Passaic, Somerset, Sussex and Warren; and

WHEREAS, the New Jersey Legislature found that the Highlands Region is an essential source of drinking water, providing clean and plentiful drinking water for one-half of the population of the State of New Jersey, and also contains other exceptional natural resources such as clean air, contiguous forest lands, agricultural lands, wetlands, pristine watersheds, and habitat for fauna and flora, as well as sites of historic significance and recreational opportunities; and

WHEREAS, the Legislature found that the Highlands Region also provides a desirable quality of life and place where people live and work, that it is important to ensure the economic viability of Highlands communities and that residential, commercial, and industrial development, redevelopment, and economic growth in certain appropriate areas of the Highlands are also in the best interests of all the citizens of the State, providing innumerable social, cultural, and economic benefits and opportunities; and

WHEREAS, the Legislature found that the Highlands Region contains agricultural lands in active production and that these lands are important resources of the State that should be preserved, that the agricultural industry in the Region is a vital component of the economy, welfare, and cultural landscape of the Garden State and that maintenance of agricultural production and a positive agricultural business climate should be encouraged to the maximum extent possible; and

WHEREAS, the Legislature found that the pace of development in the Highlands Region has dramatically increased, that the Region, because of its proximity to rapidly expanding suburban areas, is at serious risk of being fragmented and consumed by unplanned development and that the existing land use and environmental regulation system cannot protect the water and natural resources of the Highlands against the environmental impacts of sprawl development; and

WHEREAS, deeming protection of the Highlands Region an issue of State level importance, the Legislature enacted the Highlands Water Protection and Planning Act, N.J.S.A. 13:20-1 et seq. (Highlands Act), to establish a regional approach to land use planning for the Highlands Region; and

WHEREAS, the Highlands Act delineates two areas in the Highlands Region: a Preservation Area, containing approximately 415,000 acres, and a Planning Area, containing approximately 445,000 acres; and

WHEREAS, the Legislature created a public body corporate and politic with corporate succession known as the Highlands Water Protection and Planning Council (Highlands Council) to advance a new regional approach to land use planning and to prepare a Regional Master Plan to protect and enhance the significant values of the Highlands resources throughout the entire Highlands Region; and

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NEW JERSEY HIGHLANDS WATER PROTECTION AND PLANNING COUNCIL APPROVAL OF THE PETITION FOR PLAN CONFORMANCE FOR THE TOWNSHIP OF CLINTON, HUNTERDON COUNTY

WHEREAS, the Preservation Area is an area with exceptional natural resource value that should be subject to stringent water and natural resource protection standards, policies, planning and regulation; and

WHEREAS, the Planning Area is the area outside of the Preservation Area that should likewise be part of a comprehensive planning approach that serves to protect the water and other significant resources of the entire Highlands Region while also accommodating appropriate patterns of development, redevelopment and economic growth; and

WHEREAS, the Legislature found that such a new regional approach to land use planning shall be complemented by increased standards more protective of the environment established by the New Jersey Department of Environmental Protection (NJDEP) for development in the Preservation Area of the Highlands; and

WHEREAS, the Legislature found that this comprehensive approach should be guided, in heart, mind, and spirit, by an abiding and generously given commitment to protecting the incomparable water resources and natural beauty of the New Jersey Highlands so as to preserve them intact, in trust, forever for the pleasure, enjoyment, and use of future generations while also providing every conceivable opportunity for appropriate economic growth and development to advance the quality of life of the residents of the Highlands Region and the entire State; and

WHEREAS, Sections 8 and 10 of the Highlands Act mandate that the Highlands Council prepare and adopt the Regional Master Plan with the goal of protecting and enhancing the significant values of the resources in the Highlands Region; and

WHEREAS, Section 10 of the Highlands Act establishes goals for the Regional Master Plan for both the Preservation Area and Planning Area, including to protect, restore, and enhance the quality and quantity of the waters of the Highlands, to preserve environmentally sensitive lands, to preserve lands needed for recreation and conservation, to promote brownfield remediation and redevelopment, to preserve farmland, historic sites and other historic resources, to preserve outdoor recreation opportunities, to promote water resource conservation, and to promote compatible agricultural, horticultural, recreational, and cultural uses and opportunities; and

WHEREAS, the Highlands Act establishes development goals in the Preservation Area, to prohibit or limit, to the maximum extent possible, construction or development which is incompatible with the Preservation Area; and

WHEREAS, the Highlands Act establishes development goals in the Planning Area, to encourage, consistent with the State Development and Redevelopment Plan and smart growth strategies and principles, appropriate patterns of compatible residential, commercial, and industrial development, redevelopment, and economic growth, in or adjacent to areas already utilized for such purposes, and to discourage piecemeal, scattered, and inappropriate development, in order to accommodate local and regional growth and economic development in an orderly way while protecting the Highlands environment from individual and cumulative adverse impacts; and

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WHEREAS, Sections 11 and 12 of the Highlands Act specifically require that the Regional Master Plan be comprised of (a) a Resource Assessment that seeks to determine the amount and type of human development and activity that can be sustained by the Highlands Region's ecosystem while maintaining the Region's overall ecological values; (b) a Financial Component that details the costs of implementing the Regional Master Plan, and details the sources of revenue for covering those costs; (c) a Local Participation Component that provides for the maximum feasible local government and public input; (d) a Coordination and Consistency Component that details the ways in which local, State, and federal programs and policies may be best coordinated to promote the goals, purposes, policies, and provisions of the Regional Master Plan; (e) a Transportation Component that provides a plan for transportation system preservation; (f) a Smart Growth Component that assesses opportunities for appropriate development, redevelopment, economic growth and a transfer of development rights program, and includes a Land Use Capability Map; (g) a Land Use Capability Map for the Preservation Area and a comprehensive statement of policies for the development and use of land in the Preservation Area; and (h) a statement of policies, including a preservation zone element that identifies zones within the Preservation Area where development shall not occur in order to protect water resources and environmentally sensitive lands and which shall be permanently preserved through use of a variety of tools, including but not limited to land acquisition and the transfer of development rights and minimum standards governing municipal and county master planning and development regulations; and

WHEREAS, after a careful analysis of the best available scientific and planning data and consultation with State, federal and local agencies pursuant to the Highlands Act, the Highlands Council adopted Resolution 2008-27 approving the Regional Master Plan on July 17, 2008 and, pursuant to the Highlands Act requirement for gubernatorial review, the Regional Master Plan thereafter became effective on September 8, 2008; and

WHEREAS, the Highlands Act creates a bifurcated system for municipal conformance with the Regional Master Plan – mandatory Plan Conformance for any portion of a municipality located wholly or partially in the Preservation Area and voluntary Plan Conformance for the municipalities with lands wholly in the Planning Area or for any portion of a municipality lying within the Planning Area; and

WHEREAS, Section 14 of the Highlands Act expressly requires mandatory Plan Conformance where municipalities, located wholly or partially in the Preservation Area, must revise and conform their local master plan and development regulations, as they relate to development and use of land in the Preservation Area, with the goals, requirements and provisions of the Regional Master Plan within 15 months of adoption thereof, or December 8, 2009; and

WHEREAS, Section 15 of the Highlands Act provides for voluntary Plan Conformance where any municipality located wholly or partially in the Planning Area may voluntarily revise and conform their local master plans and development regulations, as they relate to the development and use of land in the Planning Area, with the goals, requirements and provisions of the Regional Master Plan at any time; and

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NEW JERSEY HIGHLANDS WATER PROTECTION AND PLANNING COUNCIL APPROVAL OF THE PETITION FOR PLAN CONFORMANCE FOR THE TOWNSHIP OF CLINTON, HUNTERDON COUNTY

WHEREAS, pursuant to Sections 14 and 15 of the Highlands Act, the Highlands Council shall approve, reject, or approve with conditions the revised plan and development regulations, as it deems appropriate, after public hearing, within 60 days after the date of submission thereof; and

WHEREAS, the Highlands Act provides that an approval of a Petition for Plan Conformance entitles the conforming municipality with specific benefits including: planning grants, technical assistance, state aid, priority for projects, tax stabilization funds, a strong presumption of validity and extraordinary deference in the event of legal challenge, and legal representation; and

WHEREAS, the Highlands Council approval of Resolution 2008-27 adopting the Regional Master Plan included the adoption of the Highlands Plan Conformance Guidelines that outlines the procedures, schedule, planning assistance, and benefits available for the submission of a Petition for Plan Conformance; and

WHEREAS, the Plan Conformance Guidelines provides a process for Basic Plan Conformance requiring the submission of plans and regulations that are immediately necessary to ensure protection of the Highlands resources and resource areas with more complex tasks to be completed in accordance with an Implementation Plan and Schedule as a condition of Plan Conformance; and

WHEREAS, Section 18 of the Highlands Act obligates the Highlands Council to establish a grant funding program to reimburse municipalities for reasonable expenses associated with Plan Conformance; and

WHEREAS, on December 18, 2008, the Highlands Council approved Resolution 2008-73 to provide grant funding for the Highlands municipalities to cover the reasonable expenses associated with revisions to master plans, development regulations or other regulations to conform them to the Regional Master Plan; and

WHEREAS, under Resolution 2008-73, the Highlands Council authorized the Executive Director to develop and implement a process for the solicitation and distribution of the Plan Conformance Grants in a total amount not to exceed \$7.5 million and up to \$100,000 allocation for each individual municipality for Basic Plan Conformance; and

WHEREAS, the Bylaws of the Highlands Council authorizes the Executive Director, as chief administrative officer, to approve contracts and issue payments up to \$25,000; and

WHEREAS, as directed, the Executive Director developed the Plan Conformance Grant Program, a program that splits Plan Conformance into the following seven steps or modules for administering the authorized grant funding: (1) and (2) Highlands municipal build-out analysis and report; (3) housing element and fair share plan; (4) Highlands environmental resource inventory; (5) master plan Highlands element; (6) Highlands Area land use ordinance; and (7) municipal Petition for Plan Conformance; and

WHEREAS, Clinton Township is located entirely within the Highlands Region, and contains approximately 639 acres in the Preservation Area and 21,054 acres in the Planning Area; and

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NEW JERSEY HIGHLANDS WATER PROTECTION AND PLANNING COUNCIL APPROVAL OF THE PETITION FOR PLAN CONFORMANCE FOR THE TOWNSHIP OF CLINTON, HUNTERDON COUNTY

WHEREAS, on December 8, 2009, Clinton Township submitted a Petition for Plan Conformance including a resolution for all lands lying in the Preservation Area and the Planning Area; and

WHEREAS, on February 8, 2010, the Executive Director deemed the Petition for Plan Conformance administratively complete, and on February 18, 2010, posted the Petition documents on the Highlands Council website and thereafter commenced staff review of the Petition for consistency with the Regional Master Plan; and

WHEREAS, on March 8, 2012, the Executive Director provided Clinton Township with a Draft Consistency Review and Recommendations Report, which provides the staff's assessment of the Petition for Plan Conformance, the level of conformance with the Regional Master Plan, and recommendations for any further actions necessary for Plan Conformance; and

WHEREAS, the Executive Director provided Clinton Township with a deliberative municipal response period allowing Clinton Township to review and respond to the Draft Consistency Review and Recommendations Report; and

WHEREAS, on May 19, 2015, the Executive Director completed the Final Draft Consistency Review and Recommendations Report, and posted a Public Notice, the Final Draft Consistency Review and Recommendations Report, and the complete Petition documents on the Highlands Council website for a public review and comment period with written comments due on or before June 3, 2015; and

WHEREAS, the Highlands Implementation Plan and Schedule includes a detailed accounting of the existing Plan Conformance Grants and the allocation of additional grant funding in order to address the Highlands Act requirements for Plan Conformance funding; and

WHEREAS, on June 10, 2015, the Executive Director posted the Final Consistency Review and Recommendations Report and Highlands Implementation Plan and Schedule on the Highlands Council website which addressed issues raised during the public comment period; and

WHEREAS, on June 18, 2015, the Highlands Council held a public hearing on Clinton Township's Petition for Plan Conformance and provided an opportunity for public comment; and

WHEREAS, the Highlands Council accepts the recommendation of the Executive Director as stated in the Final Consistency Review and Recommendations Report; and

WHEREAS, according to the Highlands Act and the Plan Conformance Guidelines, Clinton Township's compliance with an approved Final Consistency Review and Recommendations Report, the Highlands Implementation Plan and Schedule, the Highlands Plan Conformance Guidelines and the Highlands Act shall maintain Clinton Township's status as conforming to the Regional Master Plan and all statutory benefits associated with Plan Conformance; and

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WHEREAS, the Plan Conformance Guidelines recognize that conformance in the Planning Area is voluntary under the Highlands Act and provide that the period of an approval of a Petition for Plan Conformance shall be for a period of no more than six (6) years, or until six (6) months after the completion of a reexamination by Clinton Township of its master plan and development regulations as required by the Municipal Land Use Law, or until one (1) year after the Highlands Council adopts its six-year reexamination of the Regional Master Plan, whichever time period is the shorter; the six (6) month and one (1) year periods provided herein allowing time for the submittal and processing of petitions for a re-examination of Plan Conformance before the Highlands Council; and

WHEREAS, the Plan Conformance Guidelines provide that no amendment to any master plan or development regulations applicable to the development and use of land in Clinton Township shall be effective until Clinton Township has submitted such amendment to the Highlands Council and such amendment has been found by the Council to be in conformance with the Regional Master Plan, or the Executive Director has notified Clinton Township that such amendment does not affect the Highlands Council's prior finding of Plan Conformance; and

WHEREAS, the Plan Conformance Guidelines provide that following the receipt of any amendment to Clinton Township's master plan or development regulations, the Executive Director is required to determine whether or not the amendment raises a substantive issue with respect to the conformance of the municipal master plan or development regulations with the Regional Master Plan, and

WHEREAS, the Plan Conformance Guidelines provide that if the Executive Director determines no such substantive issue is raised with respect to an amendment, the Executive Director shall certify such fact and notify the Clerk of Clinton Township and the Highlands Council, and shall provide notice on the Highlands Council website, and such amendment shall thereupon take effect in accordance with its terms and applicable law; and

WHEREAS, the Plan Conformance Guidelines provide that if the Executive Director determines that an amendment raises a substantive issue with respect to the conformance of the municipal master plan or development regulations to the Regional Master Plan, the amended municipal master plan or development regulations shall be reviewed in accordance with the Plan Conformance Guidelines; and

WHEREAS, pursuant to N.J.S.A. 13:20-5.j, no action authorized by the Highlands Council shall have force or effect until ten (10) days, Saturdays, Sundays and public holidays excepted, after a copy of the minutes of the meeting of the Council has been delivered to the Governor for review, unless prior to expiration of the review period the Governor shall approve same, in which case the action shall become effective upon such approval.

NOW, THEREFORE, BE IT RESOLVED that the Highlands Council hereby approves Clinton Township's Petition for Plan Conformance with conditions as set forth in the Final Consistency Review and Recommendations Report and the Highlands Implementation Plan and Schedule; and

RESOLUTION 2015-13
NEW JERSEY HIGHLANDS WATER PROTECTION AND PLANNING COUNCIL
APPROVAL OF THE PETITION FOR PLAN CONFORMANCE FOR
THE TOWNSHIP OF CLINTON, HUNTERDON COUNTY

BE IT FURTHER RESOLVED, that the Highlands Council hereby approves the Township of Clinton's Highlands Implementation Plan and Schedule including the reallocation of the existing Plan Conformance Grant and the allocation of additional grant funding to pay for the reasonable expenses incurred to complete the Plan Conformance conditions; and

BE IT FURTHER RESOLVED, that the Executive Director is authorized to make any amendments and publicly release the Final Consistency Review and Recommendations Report, Highlands Implementation Plan and Schedule, and amend the Plan Conformance Grant Agreement consistent with direction from the Highlands Council, to properly effectuate the intent of the Council and thereafter execute the Report and Schedule on behalf of the Council; and

BE IT FURTHER RESOLVED, that Clinton Township is hereby entitled to the statutory benefits associated with Plan Conformance as detailed in the Highlands Act, the Regional Master Plan and the Plan Conformance Guidelines, so long as Clinton Township remains in conformance with the Regional Master Plan and to the extent such funds are made available by the State; and

BE IT FURTHER RESOLVED, the Executive Director is authorized, consistent with direction from the Council, to oversee and monitor Clinton Township's compliance with this Resolution and to take any and all action necessary in coordination with the Highlands Council.

CERTIFICATION

I hereby certify that the foregoing Resolution was adopted by the Highlands Council at its regular meeting held on the 18th day of June, 2015.


Jim Rilee, Chairman

RESOLUTION 2015-13
NEW JERSEY HIGHLANDS WATER PROTECTION AND PLANNING COUNCIL
APPROVAL OF THE PETITION FOR PLAN CONFORMANCE FOR
THE TOWNSHIP OF CLINTON, HUNTERDON COUNTY

Vote on the Approval of The Resolution	Motion	Second	Yes	No	Abstain	Absent
Councilmember Alstede	_____	_____	_____	✓	_____	_____
Councilmember Carluccio	_____	_____	✓	_____	_____	_____
Councilmember Dougherty	_____	_____	✓	_____	_____	_____
Councilmember Dressler	_____	_____	✓	_____	_____	_____
Councilmember Francis	_____	✓	✓	_____	_____	_____
Councilmember Holtaway	_____	_____	_____	_____	_____	✓
Councilmember James	✓	_____	✓	_____	_____	_____
Councilmember Richko	_____	_____	✓	_____	_____	_____
Councilmember Sebetich	_____	_____	✓	_____	_____	_____
Councilmember Tfank	_____	_____	_____	_____	_____	✓
Councilmember Visioli	_____	_____	✓	_____	_____	_____
Councilmember Vohden	_____	_____	_____	✓	_____	_____
Councilmember Walton	_____	_____	_____	✓	_____	_____
Chairman Rilee	_____	_____	✓	_____	_____	_____



New Jersey Highlands Council

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Clinton Township

Clinton Township in Hunterdon County has 643 acres in the Preservation Area and 21,064 acres in the Planning Area of the Highlands Region. The municipality submitted a Petition for Plan Conformance for both areas, which was approved by the Highlands Council on June 18, 2015. This page contains links to documents related to the Township's conformance with the Highlands Regional Master Plan.

Note: For faster downloads, right-click on a file and select "Save Link As..."/"Save Target As..." to save to your computer.

Approved Petition for Plan Conformance

Clinton Township's Petition for Plan Conformance was approved by the Highlands Council on June 18, 2015.

Council Approved Documents

- All documents listed below as one compressed file: (to be posted)
- Individual files: (to be posted)

Materials from Public Hearing

- [Resolution](#) (pdf)
- [Presentation](#) (pdf)
- [Press Release](#) (pdf)

*** PETITION ARCHIVE ***

**PLEASE NOTE: The documents provided on this page include a complete history of the municipality's Petition for Plan Conformance. The most current versions of Plan Conformance documents are at the top of the page, with prior drafts included below. Documents below this line are included for reference only and should be considered ARCHIVED material.

Final Posting Prior to Public Hearing

The documents below include all edits made prior to Highlands Council consideration of Clinton Township's Petition for Plan Conformance.

- All documents listed below as one compressed file: [Clinton Township - Final Posting Prior to Public Hearing](#) (1.02 MB zip)
- Individual files:
 - [Final Consistency Review & Recommendations Report](#) (299 KB pdf)
 - [Public Comments/Highlands Council Responses](#) (183 KB pdf)
 - [Highlands Implementation Plan & Schedule](#) (619 KB pdf)
 - See additional Petition materials below.

Petition Posting for Public Comment

A public comment period was held from May 19 through June 3, 2015 and announced by [public notice](#). Comments received and Highlands Council responses are included in the Comment/Response document in the section above. The following documents constitute the municipality's final submission to the Highlands Council and include the Final Draft Consistency Review and Recommendations Report prepared by Highlands Council staff for Highlands Council consideration of the full Petition.

- All documents listed below as one compressed file: [Clinton Township Petition Posting for Public Comment](#) (66.2 MB zip)
- Individual files:
 - [Final Draft Consistency Review and Recommendations Report](#) (268 KB pdf)
 - [Highlands Implementation Plan and Schedule](#) (196 KB pdf)
 - [Highlands Environmental Resource Inventory](#) (357 KB pdf)
 - [Highlands Environmental Resource Inventory Exhibits](#) (10.4 MB pdf)
 - [Highlands Master Plan Element](#) (491 KB pdf)
 - [Highlands Master Plan Element Exhibits](#) (8.98 MB pdf)
 - [Highlands Land Use Ordinance](#) (646 KB pdf)
 - [Highlands Land Use Ordinance Exhibits](#) (11.1 MB pdf)
 - [Clinton Township Draft Housing Element and Fair Share Plan](#) (15.1 MB pdf)

Administratively Complete Petition for Plan Conformance

The following documents comprise all required components of the municipal Petition for Plan Conformance, which was deemed administratively complete by the Highlands Council on February 8, 2010. As part of the township's Petition, Clinton Township also requested Regional Master Plan updates and Map Adjustments and specific responses were provided.

- [Administrative Completeness Letter \(2/8/10\)](#) (5.3 MB pdf)
- [RMP Update and Map Adjustment Request Response Letter \(3/15/10\)](#) (1.6 MB pdf)

Petition

- All documents listed below as one compressed file: [Clinton Township Administratively Complete Petition for Plan Conformance](#) (69 MB zip)
- Individual files:
 - [Petition Cover Letter](#) (91 KB pdf)

- [Petition Submittal Checklist](#) (89 KB pdf)
- [Preservation Area Resolution](#) (182 KB pdf)
- [Planning Area Resolution](#) (210 KB pdf)
- [Record of Public Involvement](#) (1.2 MB pdf)
- [Current List of Planning/Regulatory Documents](#) (97 KB pdf)
- Modules 1 and 2: See **Highlands Municipal Build-Out Report** below
- Module 3:
 - [Affordable Housing Summary](#) (177 KB pdf)
 - [Prior Round Sites Consistency Reports](#) (58 MB pdf)
- [Module 4 Highlands FRI](#) (8.2 MB pdf)
- [Module 5 Master Plan Highlands Element](#) (4.7 MB pdf)
- [Module 6 Highlands Land Use Ordinance](#) (1.6 MB pdf)
- Module 7:
 - [Municipal Self-Assessment Report](#) (209 KB pdf)
 - [Municipal Self-Assessment Checklist](#) (140 KB pdf)
 - [Implementation Plan and Schedule](#) (175 KB pdf)
- [RMP Updates](#) (43 KB pdf)

Supporting Documents

- Municipal Resolution: [Notice of Intent](#)
- Municipal Resolution: [COAH extension](#)
- [Highlands Municipal Build-Out Report](#) (pdf)
 - [Supporting files](#) (40 MB zip)





Highlands Council Meeting

Thursday, June 18, 2015



Highlands Council Meeting

Thursday, June 18, 2015

Clinton Township Petition for Plan Conformance



Payne Road



Round Valley Reservoir

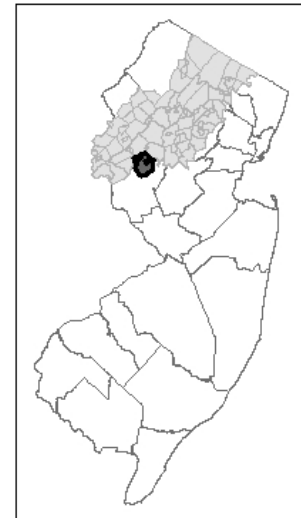
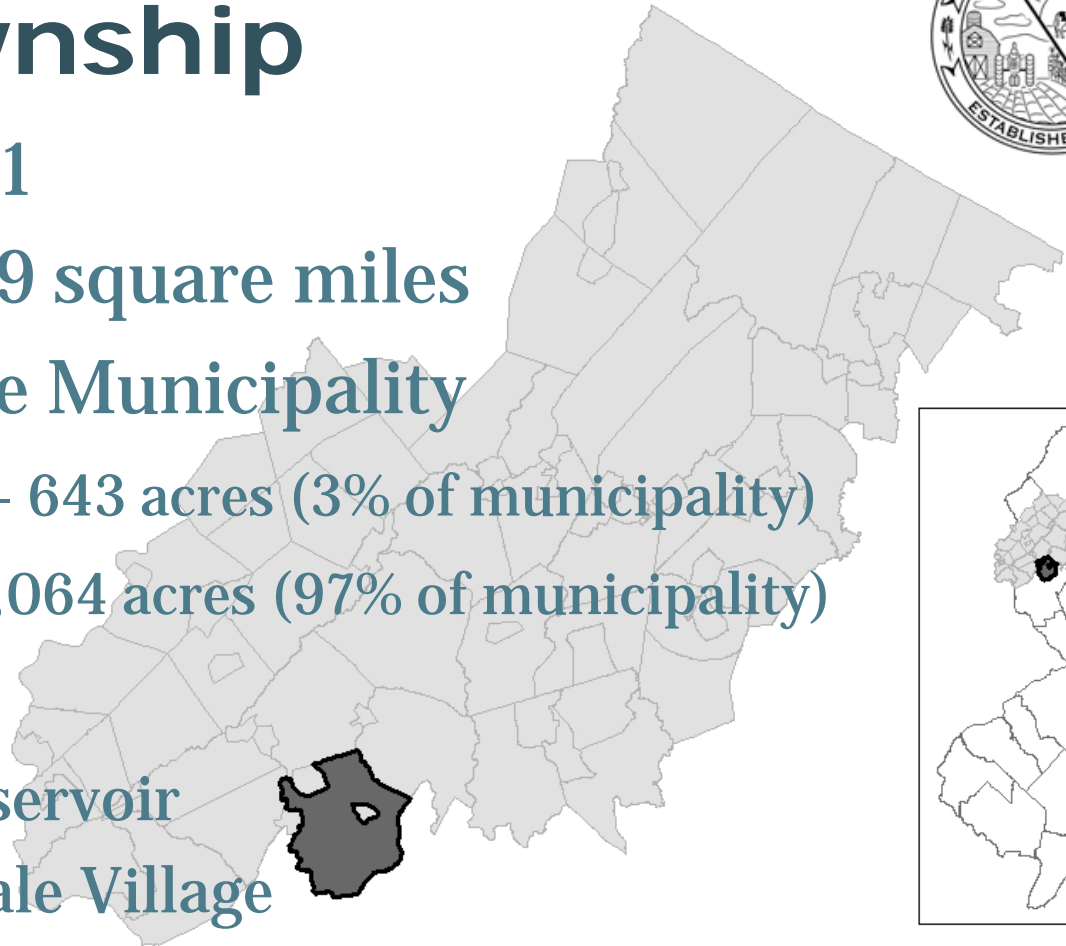


Annandale

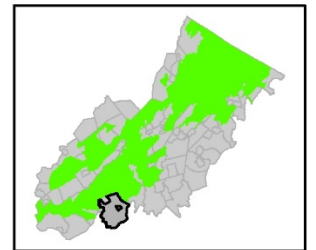
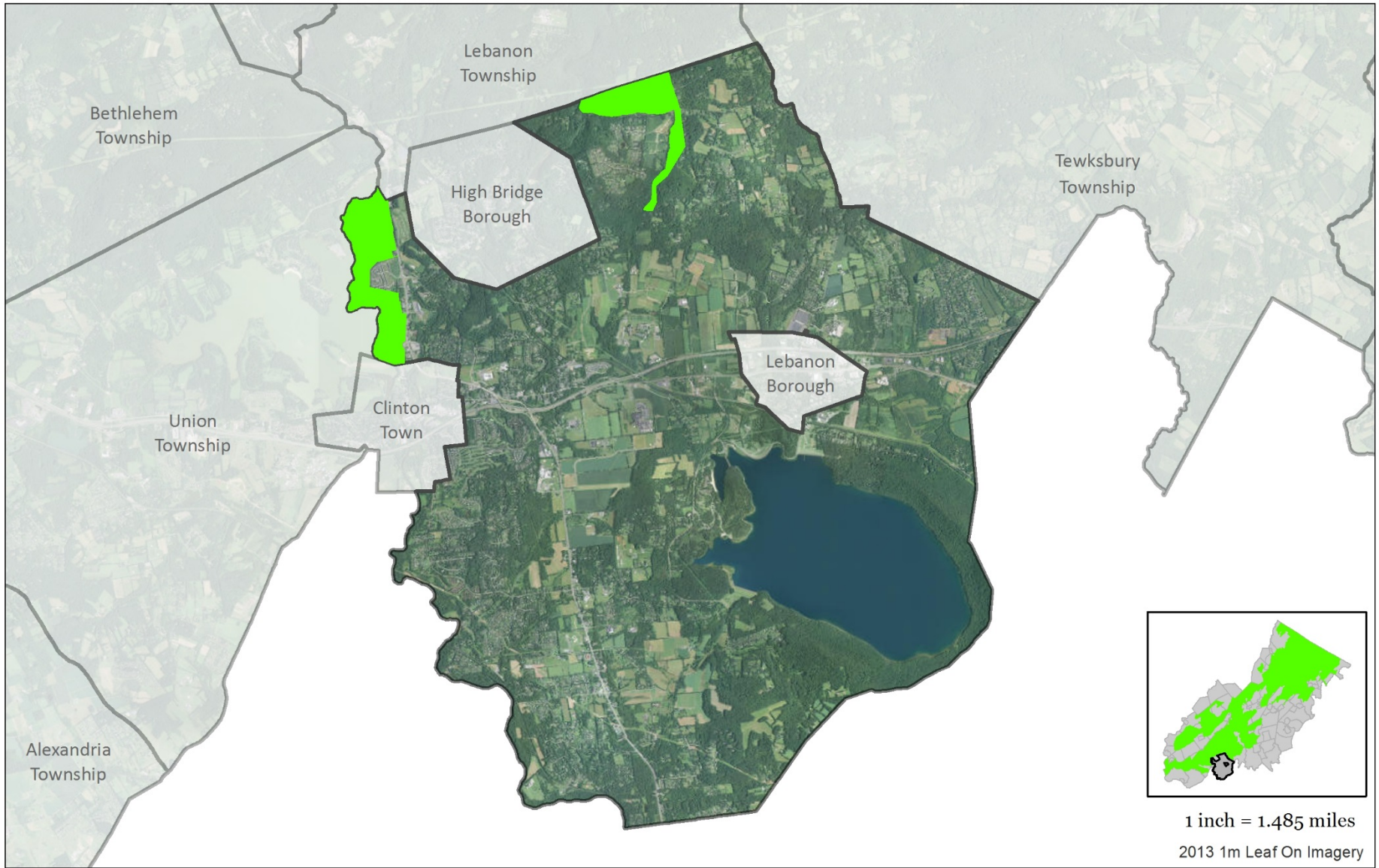


Clinton Township

- Incorporated 1841
- 21,706 acres/ 33.9 square miles
- Petition for Entire Municipality
 - Preservation Area - 643 acres (3% of municipality)
 - Planning Area - 21,064 acres (97% of municipality)
- Notable features
 - Round Valley Reservoir
 - Historic Annandale Village
 - Significant Agricultural lands
 - Bisected by Rt. 78 and 22





Clinton Township: Preservation Area



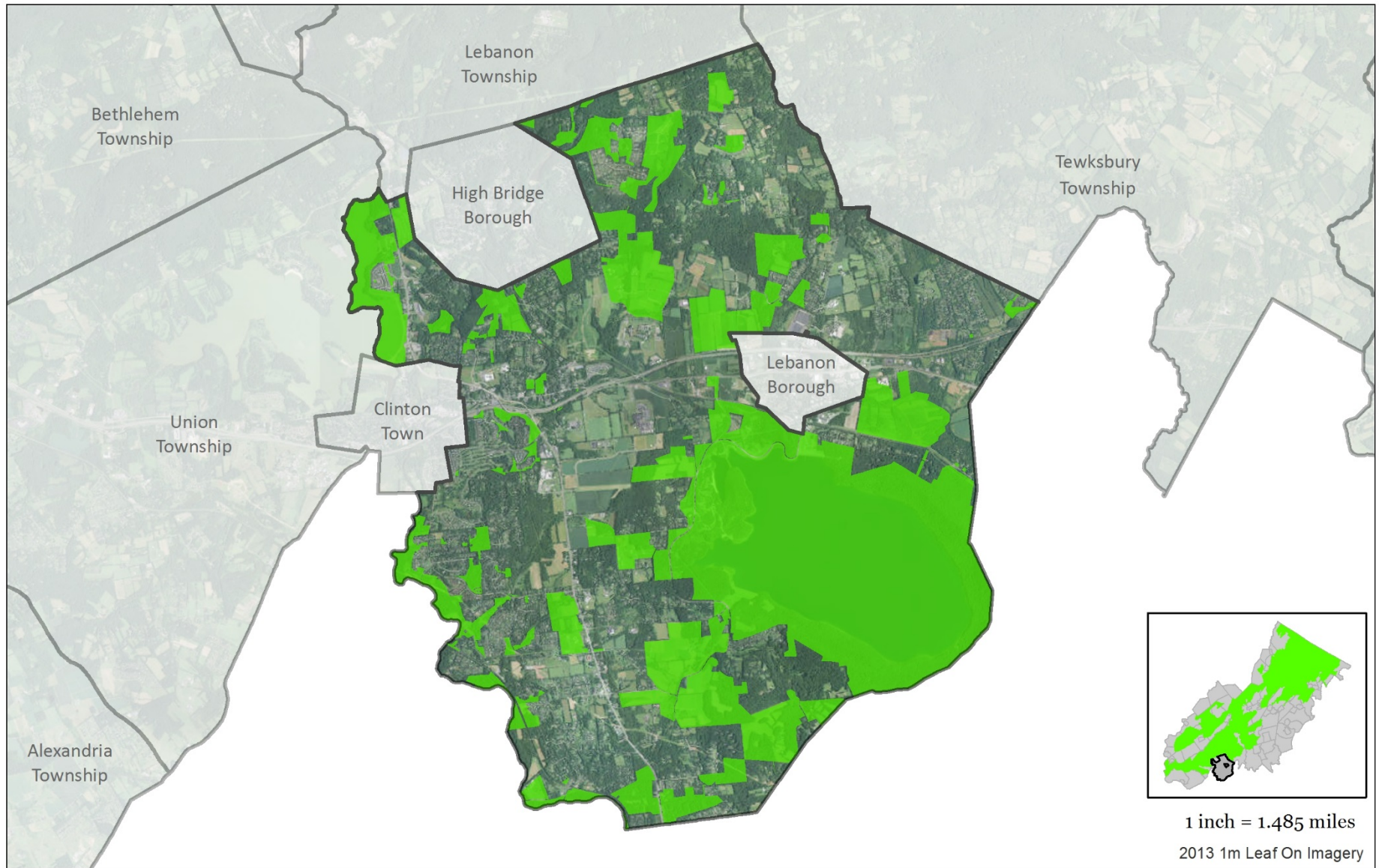
1 inch = 1.485 miles
2013 1m Leaf On Imagery

Legend



-  Preservation Area
-  Municipal Boundaries



Clinton Township: Preserved Lands

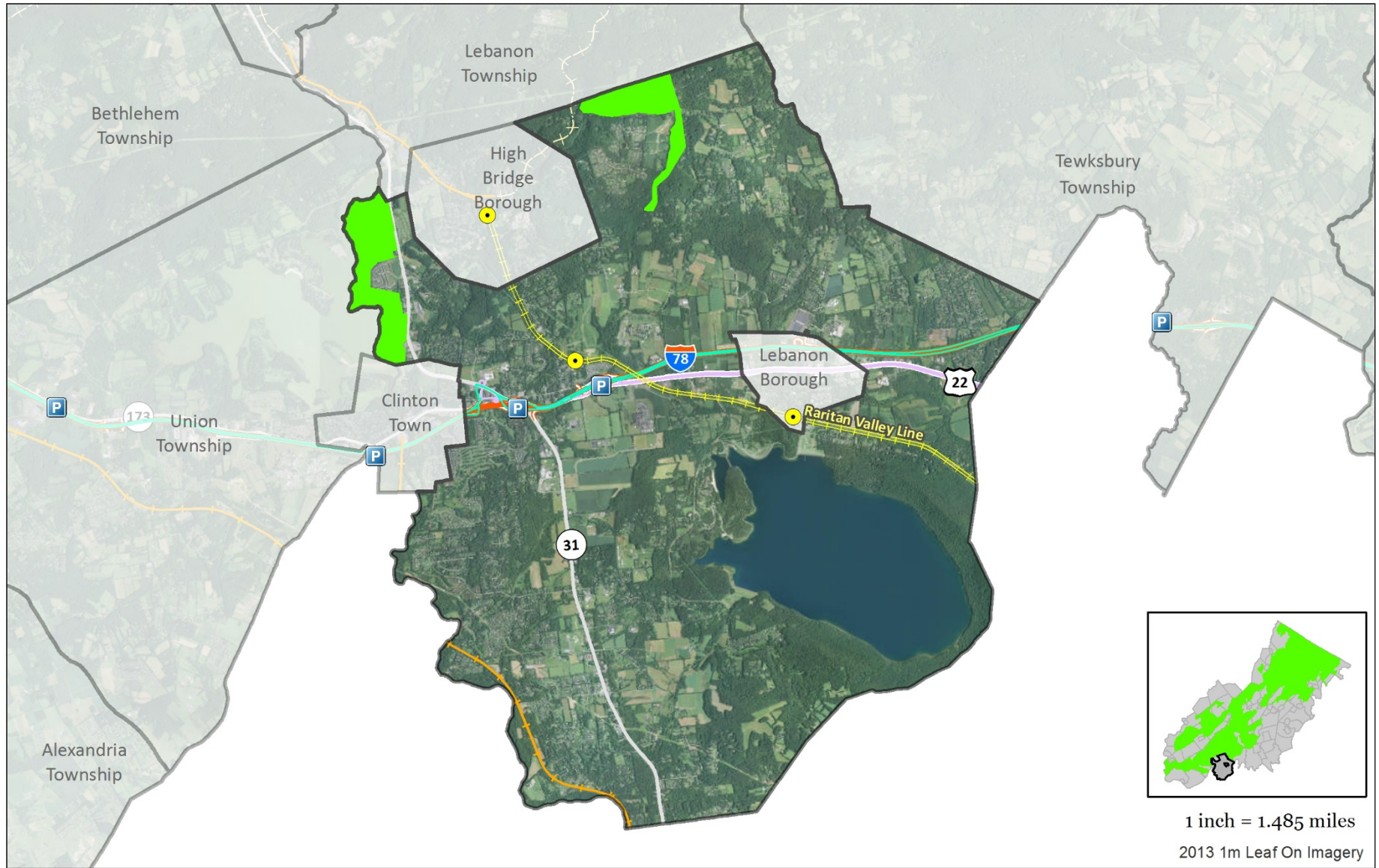


Legend

-  Municipal Boundaries
-  Preserved Lands



Clinton Township: Highlands Transit Network

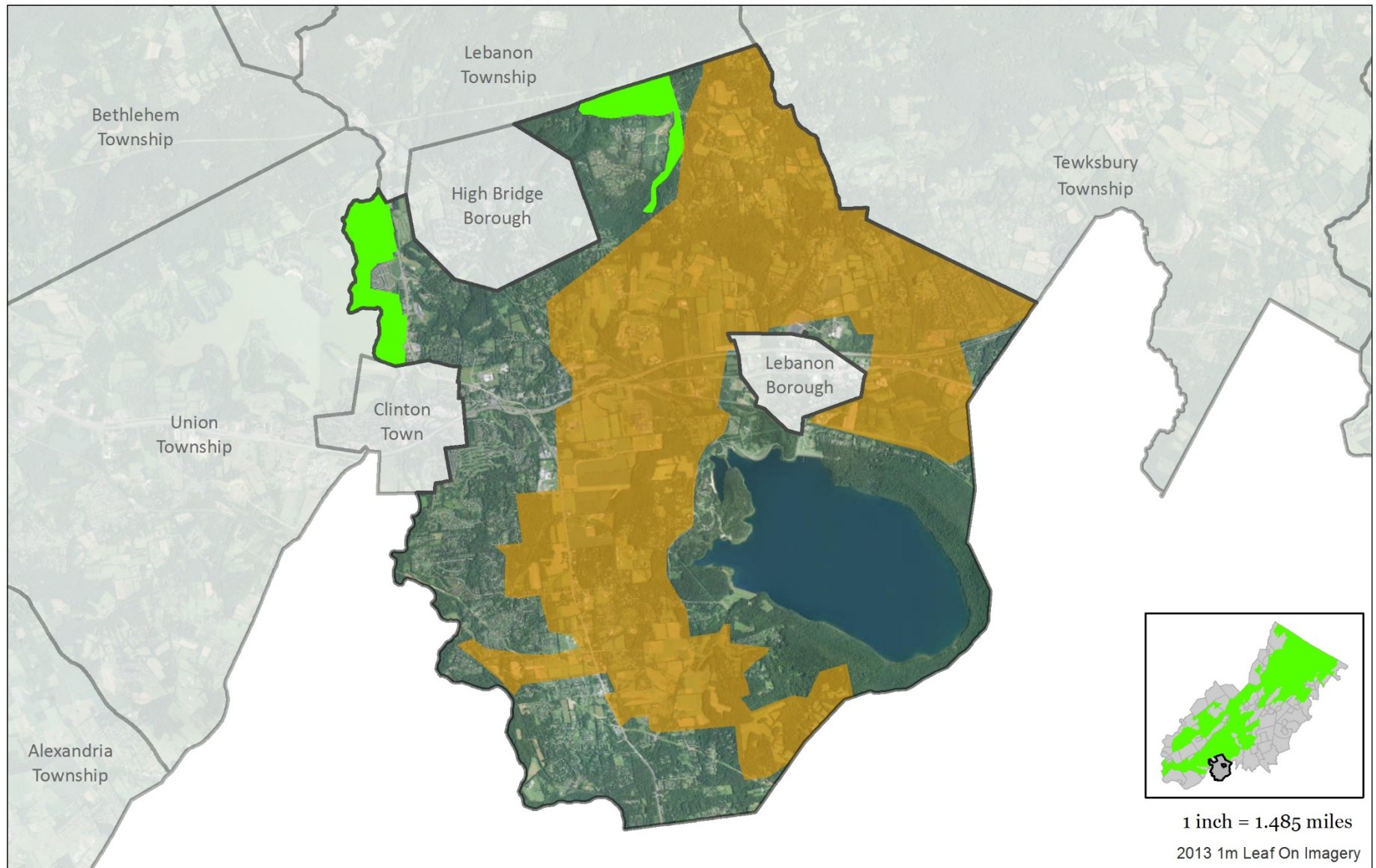


Legend

- | | | | |
|----------------------|----------------|-------------------|------------------------|
| Municipal Boundaries | Park and Rides | Rail - NJ Transit | Bus Lines - Private |
| Preservation Area | Rail Stations | Rail - Freight | Bus Lines - NJ Transit |
| | | Rail - Abandoned | |



Clinton Township: Agricultural Resource Area



Legend

-  Municipal Boundaries
-  Preservation Area
-  Agricultural Resource Area





Public Comment Summary

- Public Comment Period: May 19 – June 3, 2015
- Four comments received
 - William Honachefsky Jr., Resident, Clinton Twp.
 - Helen Heinrich, New Jersey Farm Bureau
 - Erica Van Auken, NJ Highlands Coalition
 - Wilma Frey, NJ Conservation Foundation
- Revised Final documents, including responses to comments, were posted to the Highlands Council website: June 10, 2015



Implementation Funding

- Implementation Plan & Schedule includes funding to address:
 - Highlands Center Designation Study
 - Sustainable Economic Development
 - Agriculture Retention/Farmland Preservation
 - Stream Corridor Protection/Restoration
 - Stormwater Management
 - Wastewater Management



Staff Recommendation:

Approve w/conditions

- Adoption of approved:
 - Planning Area Petition Ordinance
 - Checklist Ordinance
 - Highlands ERI
 - Master Plan Highlands Element
 - Highlands Land Use Ordinance (to replace interim Checklist Ordinance)
 - Housing Element and Fair Share Plan
 - Wastewater Management Plan
- Adherence to Implementation Plan & Schedule



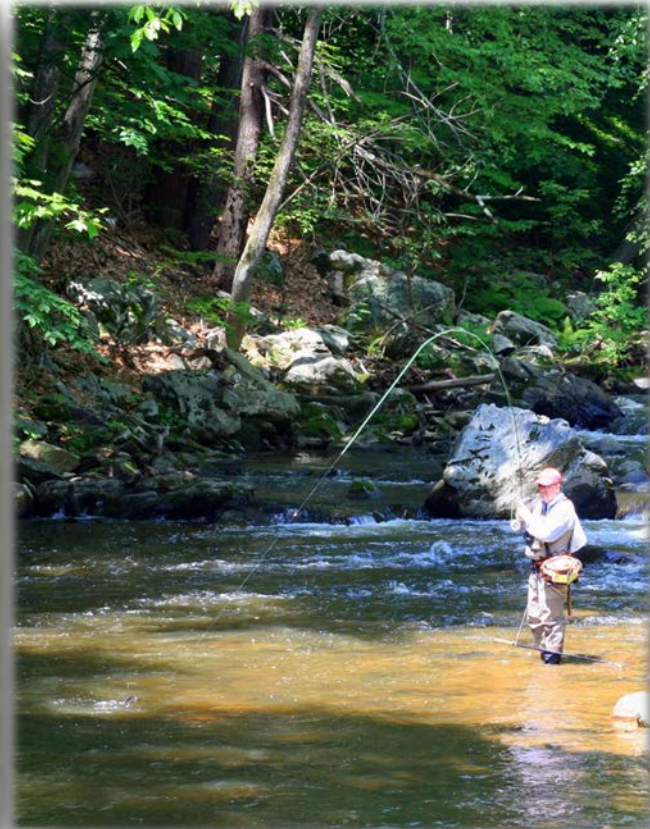
Clinton Township Petition for Plan Conformance



Annandale



Bray's Hill Preserve



South Branch Raritan River



Highlands Council Meeting

Thursday, June 18, 2015



CHRIS CHRISTIE
Governor

KIM GUADAGNO
Lt. Governor

State of New Jersey

Highlands Water Protection and Planning Council
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JIM RILEE
Chairman

MARGARET NORDSTROM
Executive Director

MEMORANDUM

To: Landowner Equity and Land Preservation Committee
From: Margaret Nordstrom, Executive Director
Subject: Committee Meeting Minutes – April 30, 2015
Date: May 12, 2014

A Landowner Equity and Land Preservation Committee meeting was held on Thursday, April 30, 2015 at the Highlands Council office in Chester. Committee Members present: Committee Chair Walton, Committee Members Dressler, Francis and Visioli.

Staff Members present: Margaret Nordstrom, Chris Danis, James Humphries, Kim Ball Kaiser, and Annette Tagliareni.

Also present: Michael Collins, Assistant Counsel, Governor's Authorities Unit; and Matthew Kelly, DAG.

Committee Chair Walton opened the meeting at 3:06pm.

Landowner Equity and Land Preservation Program Update

Mr. Humphries gave a summary of the Landowner Equity and Land Preservation Program (the Program) adoption process:

- After Council reviewed and considered a final draft of the Program which was vetted through the committee, on January 22, 2015, the Highlands Council authorized the Executive Director to initiate the rulemaking process in connection with the Program and to keep the Council advised and informed as to the status and progress of the promulgation of the Program.
- On March 6, 2015, the final draft of the Program was sent to Office of Administrative Law (OAL) for an informal review. Comments were sent back to Highlands Council staff on

March 31, 2015. OAL's comments were primarily not substantive and staff addressed them with modifications to the document.

- Staff is waiting for further comments from Highlands counties after which the Program will contemporaneously be sent to the GAU and the DAG for review.
- After GAU and DAG reviews, the final Program will be ready for Council's approval to be promulgated as a rule under APA.
- A notice of proposal will be submitted to OAL for publication in a NJ Register issue pursuant to an annual submission schedule issued by OAL. After the notice is published in the NJ Register, the Council must accept written comments for at least 60 days. If a public hearing is held, which the Council anticipates, the comment period must extend to at least the hearing date.
- When an agency adopts a proposed rule, by resolution in the Highlands Council's instance, a notice of adoption and Certificate of Proposal, Adoption and Promulgation which summarizes public comments and Council response, is submitted to the OAL. Changes on adoption can be made if they do not substantially enlarge or curtail the Program. The notice of adoption cannot be filed until the end of the comment period.

Committee Chair Walton suggested that Highlands Council staff provide an update on the Program to the Bank board.

Water Fee Update

Ms. Danis gave an update on a proposed approach for evaluating a potential water fee and indicated that there are three components being used to collect data. Highlands Council staff hopes to have the updated data by end of summer/early fall for the following:

- Update Highlands Water Resources Technical Report information which was based on 2003 water use data. The New Jersey Geological Survey (NJGS) NJWater database has updated information to 2011.
- Working with NJDEP, NJGS to update the April 2004 Technical Memorandum that evaluated who are Highlands water users in the state.
- NJDEP and Rutgers are conducting a statewide evaluation of public water utility use and determining water use trends until 2040. The Highlands Council staff serves on the technical advisory committee for that project.

The Committee adjourned at 3:27pm.



CHRIS CHRISTIE
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JIM RILEE
Chairman

MARGARET NORDSTROM
Executive Director

MEMORANDUM

To: RMP Update Committee

From: Margaret Nordstrom, Executive Director

Subject: Record of RMP Update Committee Meeting of April 8, 2015

Date: April 23, 2015

The RMP Update Committee met on Wednesday, April 8, 2015 at the Highlands Council office in Chester. Committee Members present: Council Chair Rilee (via phone), Committee Chair Alstede, Member Vohden, and Member Sebetich.

Highlands Council Staff Members present: Margaret Nordstrom, Chris Danis, Judy Thornton, Corey Piasecki, Jim Hutzemann, Carole Ann Diction, and Annette Tagliareni.

Also present via phone: Tyler Yingling, Assistant Counsel, Governor's Authorities Unit, and Matthew Kelly, Deputy Attorney General.

Committee Chair Alstede called the meeting to order at 1:06pm.

The following topics were discussed:

Technical Advisory Committee (TACs) Status/Draft Indicators

Corey Piasecki reported that Highlands Council staff continues to work on developing the ten TACs and all associated materials that are needed for TAC meetings. Staff is currently working with the consultant to provide the draft indicators based on major topic areas identified in the RMP and input received via public comment (including stakeholder meetings). Once the draft list of indicators is finalized, the TACs will review and comment on each, for completeness, relevancy, and accuracy. A comprehensive set of draft indicators is taking longer than anticipated for a few reasons: first, we extended the comment period as a result of requests from members of the public. In addition, we are taking extra time to ensure a comprehensive review of technical reports and public comments in the context of potential indicators. Therefore, the timeline for convening the TACs has been pushed to early fall to avoid scheduling these meetings during the heart of the summer vacation season. At the request of Committee Chair Alstede, staff will prepare an amended

timeline inclusive of this change to demonstrate the progress we have achieved thus far and our anticipated efforts moving forward.

Corey Piasecki shared with committee members a template document that will be used by the TACs to help guide indicator review.

Member Vohden asked if the indicators came from the stakeholder meetings. Mr. Piasecki responded that stakeholder meetings have been the source of some, but not all of the indicators.

Regional Economic Evaluation Report

Mr. Piasecki reported that the Fiscal Impact Assessment (FIA) is progressing. The next component of the FIA, the Demographic and Real Estate Analysis, will be presented to the committee in a June/July timeframe. Highlands Council staff requested building permit information from the Department of Community Affairs and this information will be sent directly to PlaceWorks for analysis.

Public Comment Web Portal

The public comment web portal will be closing on April 30th and will conclude the first public comment period of the Regional Master Plan Monitoring Program. Once the portal closes, staff will complete a thorough review of the comments and prepare responses. The next public comment period will open after the Council has reviewed and released the draft Monitoring Program Recommendation Report (MPRR) and Fiscal Impact Assessment. Additionally, three public outreach workshops focused on the MPRR will be held in the fall after the first meeting of the TACs.

Report out to Council:

Committee Chair Alstede will report out to the full Council at its April 16th meeting. Council will also receive at that time the TAC Briefing Book and the draft Regional Economic Evaluation Report representing the first component of the Fiscal Impact Assessment of the Highlands Region.

The next committee meeting is scheduled on May 13, 2015 at 1:00pm.

The meeting was adjourned at 1:51pm.



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JIM RILEE
Chairman

MARGARET NORDSTROM
Executive Director

MEMORANDUM

To: RMP Update Committee
From: Margaret Nordstrom, Executive Director
Subject: Record of RMP Update Committee Meeting of May 13, 2015
Date: June 1, 2015

The RMP Update Committee met on Wednesday, May 13, 2015 at the Highlands Council office in Chester. Committee Members present: Committee Chair Alstede and Member Vohden.

Highlands Council Staff Members present: Margaret Nordstrom, Chris Danis, Judy Thornton, Corey Piasecki, Jim Hutzelmann, Carole Ann Diction, and Annette Tagliareni.

Also present via phone: Matthew Kelly, Deputy Attorney General and Chairman Rilee

Committee Chair Alstede called the meeting to order at 1:08pm.

The following topics were discussed:

Committee/Council Agenda Scheduling

Corey Piasecki reported that the next component of the Fiscal Impact Assessment (FIA), the Demographic and Real Estate Analysis, will be presented to the committee at the June 17th committee meeting, and to Council at its July 16th meeting. The presentation will be made public after the Council meeting. The Regional Economic Evaluation report is in draft form and will remain confidential and non-public until the remaining components of the FIA are complete.

Monitoring Program Recommendation Report (MPRR)

Indicators

Highlands Council staff has received and reviewed a set of draft indicators with supporting information provided by RPA. Staff prepared comments and recommendations on the indicators and associated goals, policies, programs, etc., and selected five from each category to be used by

RPA in developing sample indicator documents for the Technical Advisory Committees (TACs). The RMP Update Committee will review and decide on a final draft indicator list to present to the TACs. The TACs will review these indicators for completeness and sufficiency of the proposed data sources, and provide recommendations for the final list of indicators.

Committee Chair Alstede asked if the TAC memberships have been identified. The final draft of the TACs' memberships will be provided to the committee for review in July.

Science and Research Agenda

Council staff provided a handout to the committee related to the RMP Research Program from the 2008 RMP. The handout listed each of the science and research agenda items from the RMP along with a current status. A similar agenda will be included as part of the final MPRR. Some items may be unnecessary and new ones may be added. This agenda will be provided to Council and prioritized with budgets in mind (once it is vetted through the committee). This science and research agenda will be presented for consideration by the TACs at their 2nd meeting.

Public Comment Web Portal

The public comment web portal closed on April 30th. Highlands Council staff will:

- Categorize comments into groups;
- Review comments; and
- Prepare responses.

Mr. Piasecki reviewed with the committee the format of the comments and responses from development of the 2008 RMP on the Highlands Council website, including how the public can access and search for comments. The structure of that information illustrates how the comments and responses related to the Monitoring Program will be handled. Mr. Piasecki explained that the format and access will be similar.

The next public comment period will open after the Council has reviewed and released the draft Monitoring Program Recommendation Report (MPRR) and Fiscal Impact Assessment.

Report out to Council:

Committee Chair Alstede will report out to the full Council at its June 18th meeting.

The committee will meet again on June 17th and July 8th, 2015 at 1:00pm.

The meeting was adjourned at 2:02pm.



CHRIS CHRISTIE
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JIM RILEE
Chairman

MARGARET NORDSTROM
Executive Director

MEMORANDUM

To: Roxbury Water Quality Committee
From: Margaret Nordstrom, Executive Director
Subject: Committee Meeting Minutes – April 30, 2015
Date: June 11, 2015

A Roxbury Water Quality Committee meeting was held on Thursday, May 1, 2015 at the Highlands Council office in Chester. Committee Members present: Committee Chair Dressler, Committee Members Francis and Richko.

Visiting Attendees from NJDEP: Robert Hayton, Senior Project Manager, Publicly Funded Response Element, Bureau of Site Management; Patricia Gardner, Director, Division of Water Monitoring & Standards; and Leslie J. McGeorge, Administrator, Freshwater & Biological Monitoring, Division of Water Monitoring & Standards.

Staff Members present: Margaret Nordstrom, Chris Danis, Chris Ross, and Annette Tagliareni.

Also present: Michael Collins, Assistant Counsel, Governor's Authorities Unit, and Matt Kelly, DAG.

Committee Chair Dressler opened the meeting at 1:48pm.

Highlands Council

Committee Chair Dressler reported that this committee was formed by the Highland Water Protection and Planning Council (the Council) to gather as much information/data as possible regarding water quality. The committee asked NJDEP representatives to attend this meeting to begin the information gathering process.

NJDEP Data Presentation

Robert Hayton, NJDEP, provided an overall history of the Fenimore landfill. Approximately 60 acres were utilized as a sanitary landfill from the early 1950s through 1979. Ownership of the landfill has changed several times since 1981 and the property is currently owned by Strategic Environmental Partners, L.L.C (SEP). Starting in 2012, SEP began accepting construction debris as a way to cap the site but it began emitting hydrogen sulfide odors that affected nearby neighborhoods. The NJDEP seized control of the property in June 2013, at which point SEP had filled approximately 19 acres of the landfill. NJDEP Commissioner Martin issued an order to have these 19 acres sealed with a concrete-like vapor barrier. Mr. Hayton provided ground water data to the committee.

Committee Member Richko commented that the Council on October 13, 2011, approved a Highlands Redevelopment Area Designation to permit solar panel use on the Fenimore site under the condition that the landfill be properly closed and capped by the NJDEP. Committee Member Richko added that the Council over the past several months has received many complaints even though remediation is under the purview of the NJDEP.

Patricia Gardner and Leslie J. McGeorge of the NJDEP provided Ambient Macroinvertebrate Network (AMNET) data that is maintained by the Bureau of Freshwater and Biologic Monitoring. Ms. Gardner added that the bureau's responsibility is to look at the health of the watersheds in the state. Ms. Gardner provided data to the committee on the chemical and biological monitoring in Drakes Brook/Ledgewood Brook watershed.

Member Richko added that the data provided by NJDEP is good baseline data. The committee asked if new data may be collected. NJDEP representatives present at the meeting will bring this request back to the Department.

Plan Conformance

Chris Danis, Director of Planning & Science, commented that the Council does not collect data, however, we do empower those that do collect data and use that data for our stakeholders. Ms. Danis also spoke about Highlands Plan Conformance Stream Corridor protection study and plan to evaluate existing water quality and habitat conditions and the means by which these functions may be improved in the future. The Council has guidelines posted on our website for Stream Corridor protection. Roxbury Township has \$35,000 in grant funding available for a municipal-wide study. Ms. Nordstrom added that the scope of work for this study can be a joint effort between the Highlands Council, NJDEP, and Roxbury Township.

Next Meeting

The next committee meeting is scheduled for Thursday, May 21, 2015 at 3:00pm. Representatives from Roxbury Township will be invited to this meeting.

The committee adjourned at 3:00pm.



CHRIS CHRISTIE
Governor

KIM GUADAGNO
Lt. Governor

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JIM RILEE
Chairman

MARGARET NORDSTROM
Executive Director

MEMORANDUM

To: Roxbury Water Quality Committee
From: Margaret Nordstrom, Executive Director
Subject: Committee Meeting Minutes – May 21, 2015
Date: June 11, 2015

A Roxbury Water Quality Committee meeting was held on Thursday, May 21, 2015 at the Highlands Council office in Chester. Committee Members present: Committee Chair Dressler, Committee Members Francis and Richko via phone.

Visiting Attendees from Roxbury Township: Mark A. Caputo, H.O., Director of Health & Code Enforcement; and Richard A. Blood, CPWM, Director of Public Works.

Staff Members present: Margaret Nordstrom, Chris Danis, Chris Ross, and Annette Tagliareni.

Also present: Michael Collins, Assistant Counsel, Governor's Authorities Unit, and Matt Kelly, DAG via phone.

Committee Chair Dressler opened the meeting at 3:04pm.

Highlands Council

Committee Chair Dressler reported that this committee was formed by the Highlands Water Protection and Planning Council (the Council) to gather as much information/data as possible regarding water quality conditions in Roxbury Township. NJDEP representatives attended the committee's meeting on April 30th to begin the process and provide relevant ground water and surface water quality data. Committee Chair Dressler added that the committee was interested in what water quality data Roxbury Township has collected and to discuss Highlands grant funding available to the Township for the possible collection and analysis of additional stream corridor information/data.

Roxbury Township

Mr. Blood provided an overview of a report prepared by the Township's consultant, Maser Consulting, which included an analysis of the ground water quality data collected by the NJDEP on April 1, 2015. Mr. Blood reported that the Maser Consulting report has been sent to NJDEP.

Mr. Caputo provided data to the committee from an April 1, 2015, New Jersey Department of Health report.

Committee Chair Dressler asked how many residential wells were tested and if Roxbury Township can provide additional testing of the residential wells to see if there are any changes in the water quality.

Plan Conformance

Ms. Ross, Roxbury Township's Highlands' liaison, stated that the Township has \$35,000 in grant funding available for a municipal-wide Stream Corridor Protection/Restoration Study. Ms. Nordstrom added that the first thing needed is an agreed upon scope of work, timeline, and budget.

Ms. Nordstrom noted that at Highlands Council staff's monthly coordination meeting with NJDEP staff on May 29th Highlands staff will discuss the committee's mission and on-going data collection activities.

Member Richko left the meeting at 3:39pm.

Next Meeting

The next committee meeting is scheduled for Thursday, June 11, 2015 at 2:00pm. Bill Kibler, Director of Policy for the Raritan Headwaters Association will be invited to this meeting.

The committee adjourned at 3:00pm.