



December 15, 2010

The Honorable Chris Christie
Governor, State of New Jersey
PO Box 001
Trenton, NJ 08625

Dear Governor Christie:

As organizations committed to ensuring a sustainable future for New Jersey through sound land use planning, we urge you to carefully consider the nominations you make to the Highlands Council. **Success in the Highlands – for communities, landowners, residents, businesses and water users -- depends upon a balanced set of Highlands Council members who bring commitment, expertise and diverse perspectives to advancing the goals of the Highlands Water Protection and Planning Act.**

The Highlands Water Protection and Planning Act can improve the quality of life for residents of the Highlands' region and all New Jerseyans, if properly implemented. Ten years ago, the Highlands region was suffering from the effects of sprawl development, both environmentally and economically. Since passage of the Highlands Act, the Highlands Council has worked diligently to adopt a regional vision for growth and preservation and to help communities align their master plans and zoning ordinances. Byram Township, the first municipality to achieve conformance, exemplified the benefits of careful planning with its provisions for walkable neighborhoods and protected lands.

This process is now in jeopardy, because the Highlands Council may soon have members that not only lack the qualifications to ensure effective implementation of the goals of the Highlands Act, but are actively opposed to its success. **We urge you to repropose a full slate of nominees to the Highlands Council that meets the intent, spirit and legal requirements of the Act,** according to the statutory requirements:

- Elected Officials: Each of the seven counties in the region should be represented. There should be five elected municipal officials and three elected county officials.
- Political balance: Of the elected officials, no more than four should be of the same political party.
- Expertise, knowledge and experience: Seven residents of the state should be appointed to “public seats” who have “to the maximum extent practicable expertise, knowledge or experience in water quality protection, natural resources protection, environmental protection, agriculture, forestry, land use or economic development.” (Given the large number of seats for elected officials, the public seats should not be filled with additional elected officials.)
- Diversity of viewpoints: The public members should represent a diversity of viewpoints: “at least four shall be property owners, business owners or farmers in the Highlands Region or residents or nonresidents of the region who benefit from or consume its water.”

Protecting natural and economic resources in the Highlands region is an ambitious and complex task. Both the Highlands Act and the Highlands Regional Master Plan will likely need sensible amendments and modified implementation strategies over time. Nominees should have a track record of working with others to address complex situations with practical, common sense solutions.

In particular, we believe the Council should more aggressively pursue planning techniques that can shift development from conservation areas to places where growth is desired, which have the added benefit of addressing landowner equity. These tools include clustering on noncontiguous lots, municipal Transfer of Development Rights (TDR) programs that shift growth within a town, and a regional TDR program that relocates growth to voluntary areas in other towns. We are currently working to improve these tools through statutory and regulatory changes.

A balanced set of committed Highlands Council nominations that meets the spirit and the letter of the Highlands Act is essential to building a legacy of clean water and sustainable communities for our children and grandchildren.

If you would like to discuss this matter further, please contact Pete Kasabach at 609-393-0008, x104 or pkasabach@njfuture.org or Chris Sturm, 609-393-000x, 114 or csturm@njfuture.org.

Thank you for your consideration.

Sincerely,

Dianne Brake, President, PlanSmartNJ
Robert Freudenberg, Director, Regional Plan Association/New Jersey Chapter
Peter Kasabach, Executive Director, New Jersey Future
Charles Latini, President, American Planning Association/New Jersey Chapter

Cc:

Richard Bagger, Chief of Staff
Michele Brown, Appointments Secretary
Commissioner Bob Martin, Department of Environmental Protection