

**DRAFT FOR CONSIDERATION BY THE HIGHLANDS COUNCIL
AT THE MAY 22, 2008 COUNCIL MEETING**

Subpart e. Land Preservation and Stewardship

Public and private investment in land preservation over the years has preserved nearly a third of the Highlands Region.. Maintaining the land in a natural condition is necessary to preserve and enhance ecosystem integrity and to protect drinking water supplies. The Highlands Act contemplates preservation of additional open space resources in order to protect and enhance ecosystem function, protect drinking water resources, and provide for passive and active recreational lands. In order to accomplish these purposes, the case for preservation and stewardship must be addressed by the Highlands Council including identifying and maintaining an inventory of open space and preserved lands, coordinating and implementing strategies for land preservation and stewardship among preservation partners, and ensuring that sufficient financial, institutional, and innovative resources are available for land preservation and stewardship.

Open space preservation currently occurs through compensation to landowners through fee simple or easement acquisition, donations and bequests. However, it will also occur, under the Highlands Development Credit program, through sale of such credits. Agriculture and forestry are also a vital component of the preserved landscape and the Goals, Policies, and Objectives specifically addressing these issues are outlined in Agricultural Resources, and Highlands Forest Resources. The Land Preservation and Stewardship Goals, Policies, and Objectives address land preservation in the Highlands Region holistically.

GOAL 1H	PROTECTION OF CRITICAL RESOURCES THROUGH LAND PRESERVATION AND STEWARDSHIP OF OPEN SPACE THROUGHOUT THE HIGHLANDS REGION.
Policy 1H1	To identify and maintain an inventory of private and public open space land holdings and conservation easements in the Highlands Region.
Objective 1H1a	Create a coordinated and continually updated open space database that includes preserved lands and land stewardship activities by municipal, county, state and federal agencies, non-profit organizations and individuals.
Policy 1H2	To serve as a regional clearinghouse for information regarding preservation programs and funding sources for land acquisition, restoration and enhancement; technical assistance; and long-term stewardship of preserved lands, for public and private organizations in order to maximize land preservation efforts in the Highlands Region..
Objective 1H2a	Promote the coordination by appropriate federal, state, county, and municipal land preservation agencies for the purpose of coordinating open space acquisition activities under new or existing programs, including identification of high priority lands for preservation, land stewardship initiatives, and funding needs.
Objective 1H2b	Creation of a landowner assistance program to provide technical assistance and guidance with regard to land preservation options and the Highlands Development Credit Program to owners of land which should not be developed in order to protect water resources and environmentally sensitive resources.
Objective 1H2c (New)	Implement or support implementation of new, innovative, and alternative methods and programs of land preservation that are deemed most appropriate for the Highlands Region.

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Policy 1H3	To develop and maintain a confidential inventory of open space lands and farmland within Conservation Priority Areas and Agricultural Priority Areas which should be preserved.
Objective 1H3a	Include, within the confidential inventory, those lands which are 5 and 10 year priorities for land acquisition in the Highlands Region in order to determine the cost of implementing the RMP.
Objective 1H3b	Coordination of Highlands Region priority open space preservation and land stewardship activities with the NJDEP Green Acres Program and the State Agriculture Development Committee with regard to land acquisition and preservation priorities in the Highlands Region.
Objective 1H3c	Coordination with NJDEP regarding the review of applications for Green Acres diversions for consistency with the RMP.
Policy 1H4	<p>To advocate for the establishment of dedicated sources of funding for the preservation and stewardship of open space lands in the Highlands Region including but not limited to:</p> <ol style="list-style-type: none">1. Dedicated sources of State revenue to be used for open space preservation in the Highlands Region, such as coordination with the NJDEP Green Acres Program for re-authorization of the Garden State Preservation Trust Fund, including a dedicated fund for the anticipated land acquisition needs of the Highlands Region, and enactment of a water user fee.2. Dedicated sources of State revenue for a reserve fund to capitalize the Highlands Development Credit Bank.3. An on-going program to secure significant federal funding in support of land acquisition and stewardship efforts in the Highlands Region including, but not limited to, additional appropriations under the Federal Highlands Conservation Act.4. An on-going program to seek funding for land acquisition and stewardship from unique sources of funding such as gifts, endowments and donations and federal and state court-imposed fines for natural resource damages.5. A dedicated source of revenue for the preservation and land stewardship of open space through a surcharge on public water supply system rates for any system that directly or indirectly relies on Highlands water resources for more than 5 percent of their annual needs.6. A Highlands Conservation Trust to secure monies from alternate sources of funding to assist in land acquisition and stewardship.
Policy 1H5	To encourage municipalities and counties to establish and fund local open space acquisition and land stewardship programs or to expand existing open space and land stewardship programs.
Policy 1H6	To support legislation to extend the dual appraisal methodology used by the Garden State Preservation Trust for lands in the Highlands Region beyond the June 30, 2009 expiration date to a minimum of five years beyond adoption of the RMP.
Policy 1H7	To identify and designate a Special Environmental Zone in 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 fee simple acquisition, easement

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	acquisition, transfer of development rights programs, and development regulations.
Objective 1H7a	Create and maintain a Special Environmental Zone based upon RMP Conservation Priority Area rank and indicators designed to identify lands with the highest water resource and environmental integrity.
Objective 1H7b	Adoption and enforcement of development regulations which prohibit the development of those portions of a parcel of land which are located within a Special Environmental Zone.
Objective 1H7c	To require through Plan Conformance, local development review, Highlands Project Review, and NJDEP review under N.J.A.C. 7:38 that development shall not occur within a Special Environmental Zone. In any Special Environmental Zone, any exemption or waiver issued under the Highlands Act shall be conditioned upon a determination that the State or local government unit has exhausted all means for the permanent preservation of these lands through use of preservation tools including, but not limited to, fee simple acquisition, easement acquisition, and transfer of development rights.
Objective 1H7d	Preparation and delivery of documents to appropriate land preservation/acquisition agencies identifying parcels of land wholly or partially within a Special Environmental Zone.
Objective 1H7e	Implementation of the Highlands Development Credit Program as a means of permanently preserving land in a Special Environmental Zone.
GOAL 1I	CONFORMING MUNICIPALITIES AND COUNTIES INCLUDE OPEN SPACE PRESERVATION AND LAND STEWARDSHIP PROGRAMS IN THEIR MASTER PLANS AND DEVELOPMENT REGULATIONS.
Policy 1I1	To require conforming municipalities and counties to include an open space preservation and land stewardship element in their master plans.
Policy 1I2	To require conforming municipalities and counties to: identify and delineate existing preserved open space, including fee simple and easements; maintain a current Recreation and Open Space Inventory (ROSI) where required by the Green Acres Program; and identify lands subject to land stewardship programs in their master plans and provide that information to the Highlands Council.
Policy 1I3	To require conforming municipalities and counties to require conservation or land stewardship easements, enforceable by the Highlands Council and at least one of the following: the appropriate municipality, the County Agriculture Development Board, the State Agriculture Development Committee, or Green Acres, as a condition of development approval for lands within parcels proposed for development that are identified for preservation on a proposed site plan or subdivision plat.
GOAL 1J	PRESERVATION OF FORESTS IN PRIVATE OWNERSHIP THROUGH CREATION OF A FOREST PRESERVATION EASEMENT PROGRAM.
Policy 1J1	To promote the creation of a Forest Preservation Easement Program for the Highlands Region, eligible for use through the State Agricultural Development Committee or the Green Acres Program.
Objective 1J1a	Achieve maximum preservation of working forests through the Forest Preservation Easement Program.

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