

**DRAFT FOR CONSIDERATION BY THE HIGHLANDS COUNCIL  
AT THE JUNE 12, 2008 COUNCIL MEETING**

**Forest Resource Management and Sustainability**

**Issue Overview**

The Highlands Region contains some of the most important forests in the state. These forests are vitally important to every element of the Highlands Region, including the natural and the built environment. Forests provide essential ecosystem functions, including the recharge of aquifers that supply Highlands Region wells and surface water filtration, both of which are important to protecting essential drinking water supplies for the Highlands Region and for the state as a whole. Forests protect stream water quality, supporting wild trout and healthy aquatic communities. Forests sequester atmospheric carbon and contribute to combating global warming. Forests serve as habitat for plants and animals, and as forests constitute a majority of the Region's critical habitat, are critically important to the maintenance of biodiversity in one of the most populous states in the nation. Highlands forests offer important recreational resources and contribute to the Region's unique scenic value. In addition, when managed for sustainable use, forests can be as source of renewable wood products. Forests are a defining visible and functional feature of the Highlands Region and constitute a majority of critical habitat in the Region.

The Regional Master Plan acknowledges the Highlands Act exemption under N.J.S.A. 13:20-28.a(7) for activity conducted in accordance with an approved woodland management plan, pursuant to section 3 of P.L.1964, c.48 (C.54:4-23.3) or the normal harvesting of forest products in accordance with a Forest Management Plan approved by the State Forester. Beyond exempt forestry activities, the Highlands Act mandates that the Regional Master Plan provide for the protection of the Region's forests.

Current forest management practices, incentives and regulations are evaluated that will support the continuation and enhancement of science based management of the forest resource for long term societal benefits for future generations. Despite being the most densely populated state in the nation, forests cover 45% of New Jersey's land mass and 54% of the total of land area (approximately 464,200 acres) of the Highlands Region.

**Program Summary**

This program seeks to balance the need to protect the forest resource, biodiversity and water resources with the economic use and continued sustainable management of forests while promoting active stewardship to provide/optimize the multiple benefits and services forests provide including clean air, clean water, soil protection, recreation, wildlife habitat and forest products. The foundation has been set for continued scientific management and long term sustainability of the forest resource in the Highlands Area.

A forest is far more than trees. It is a complex ecosystem – ever changing and defined by the interactions of living organisms and the surrounding environment. A native, healthy and diverse forest cover is the preferred land use to protect water quality and quantity. The multiple benefits and values provided by these forests are realized by society as a whole while the individual landowners are responsible for the care and stewardship of this resource.

DRAFT FOR CONSIDERATION BY THE HIGHLANDS COUNCIL  
AT THE JUNE 12, 2008 COUNCIL MEETING

**RMP Policies and  
Objectives  
Addressed**

**Policy 1A2.** To limit human development in the Forest Resource Area in the Preservation Area in order to protect and enhance forest resources, forest ecosystem integrity, critical habitat, and the quantity and quality of water resources.

**Objective 1A2c.** To prohibit through local development review and Highlands Project Review the deforestation of lands within the Forest Resource Area of the Preservation Area for human development except where authorized as an exemption by the Highlands Act, or is an agricultural or horticultural development as defined at N.J.S.A. 13:20-31 and meets the requirement of that provision of the Highlands Act, or if qualifying as a major Highlands Development, the project must, at a minimum, be in conformance with the NJDEP Preservation Area Rules at N.J.A.C. 7:38-3.9.

**Objective 1B1a.** Implementation of resource management programs to encourage sustainable forest management, restoration and stewardship practices on public and private lands, including ecological and watershed protection measures such as those provided through New Jersey Forest Stewardship Program.

**Objective 1B1b.** Implementation of programs which encourage owners and operators of farmland with woodlots to obtain approved Forest Management Plans or Forest Stewardship Plans that conform to the protection standards of this Plan.

**Objective 1B1c.** Implementation of programs which encourage the inclusion of appropriate rare, threatened, and endangered wildlife and habitat protection and enhancement, and appropriate wildlife and invasive species management techniques in Forest Management Plans or in New Jersey Forest Stewardship Program's Forest Stewardship Plans adopted by any federal, state, county or municipal government entity.

**Objective 1B1e.** To encourage private lands management of forests for non-commodity benefits (e.g., wildlife habitat, water quality, recreation) or traditional commodities (e.g., timber and wood products) in accordance with the New Jersey Forest Stewardship Program's Forest Stewardship Plan.

**Policy 1B2.** To limit through local development review and Highlands Project Review human development of forests to low impact residential development in the Protection Zone and the Conservation Zone in the Planning Area.

**Objective 1B2a.** Implementation through Plan Conformance of regulations which limit permissible uses within forested lands in High and Moderate Integrity Forest Subwatersheds of the Planning Area to 1) maintenance of pre-existing uses, 2) the removal of woody vegetation from forested lands subject to an approved Forest Management Plan, 3) forest stewardship practices in accordance with a New Jersey Forest Stewardship Program's Forest Stewardship Plan, or 4) low impact residential development that utilizes low impact development best management practices and an approved forest mitigation plan.

**Objective 1B2b.** Implementation of regulations through Plan Conformance which allow for redevelopment of previously developed areas and for other compatible uses that minimize losses to forested lands within Low Integrity

**DRAFT FOR CONSIDERATION BY THE HIGHLANDS COUNCIL  
AT THE JUNE 12, 2008 COUNCIL MEETING**

Forest Subwatersheds in accordance with an approved forest mitigation plan or low impact development best management practices.

**Policy 1B3.** To limit through local development review and Highlands Project Review deforestation in the Forest Resource Area and forested lands within High Integrity Forest Subwatersheds within the Existing Community Zone to maximum extent practicable.

**Objective 1B3a.** Implementation through Plan Conformance of regulations which limit the clearing of trees in conjunction with human development to circumstances where the clearing will not diminish the integrity of forest resources.

**Objective 1B3b.** Implementation of resource management programs to avoid loss of forests such as low impact development best management practices and mitigation and/or restoration.

**Policy 1B5.** To ensure that forest resources are protected on a site specific basis during local development review and Highlands Project Review.

**Policy 1B6.** To encourage conformance with standards and criteria for sustainable forestry activities in order to conserve and enhance the Forest Resource Areas and forested lands within High Integrity Forest Subwatersheds within the Highlands Region.

**Policy 1B8.** To encourage the development of forest management strategies and programs that improve the ecological health, water resource benefits and scenic quality of Highlands forests.

**Policy 1C1.** To require that conforming municipalities and counties address the protection of forested portions of Forest Resource Areas and High Integrity Forest Subwatersheds in their master plans and development regulations.

**Objective 1C1a.** Maintain forest cover to the maximum extent possible in the Highlands Region in the natural as well as the built environment.

**Policy 1C2.** To provide technical guidelines and procedures to assist municipalities and counties in the development of forest protection and mitigation and community forestry plans for inclusion in municipal and county master plans and development regulations.

**Objective 1C2a.** Provide technical guidelines and procedures for development and implementation of low impact development best management practices to protect, enhance and restore forest resources.

**Objective 1C2b.** Provide guidelines for the development of community forestry plans by municipalities for inclusion in municipal master plans.

**Objective 1C2c.** Provide a model municipal tree ordinance for municipalities that allows active forest management with a Forest Management Plan approved by the State Forester.

**Objective 1C2d.** Support [incentives and funding opportunities](#) and provide criteria for demonstrating and maintaining intrinsic forest values and societal benefits.

**DRAFT FOR CONSIDERATION BY THE HIGHLANDS COUNCIL  
AT THE JUNE 12, 2008 COUNCIL MEETING**

**Forest Sustainability**

**Objective 1C2e.** Provide technical guidelines establishing forest clearing thresholds and mitigation requirements for inclusion in municipal development regulations.

**Policy 1C3.** To require that conforming municipalities adopt a tree clearing ordinance consistent with an approved community forestry plan under the New Jersey Forest Service Community Forestry Program as part of the municipal master plan and local development regulations.

**Objective 1C3a.** Standardize municipal tree protection ordinances throughout the Highlands Region to the extent feasible.

For long term sustainability of the forest resource in the Highlands there must be proactive management of deer populations, non-native invasive species and reductions in the rate of forest fragmentation.

- Criteria and indicators are needed to measure the sustainability of the forest resource. Data need to be collected to assess long term sustainability.
- Incentives must be developed for invasive species control and management of White tailed deer populations.
- Low impact development principles must be adopted to prevent further fragmentation of forest habitats.

Valuation methods are needed for carbon sequestration, invasive species control, and management activities tied to forest health improvement and the intrinsic societal values of forests including water quality protection.

**Provide a Model  
Municipal Tree  
Ordinance**

A model tree protection ordinance that provides protection of the water resource, maintain forest cover and regulate forest loss associated with land use change, while exempting forest management activities conducted, under a forest management plan approved by the State Forester and in conformance with New Jersey's Best Management Practices, will be provided by the Highlands Council. This ordinance will provide consistency in municipal regulation across the Region. The following standards should apply:

- Municipalities should adopt an ordinance which meets the intent of the Highlands RMP as far as exempting forest management activities conducted under a forest management plan approved by the State Forester.
- Ordinances should be consistent, to the extent possible, to provide equal protection of the resource throughout the Region.
- Ordinances should include methods to protect trees and forest cover during construction.

**Provide Guidance for  
Community Forestry  
Plans for Highlands  
Municipalities**

Community Forestry Plans are used to maintain and improve forest cover in developed areas. Increased urban forest cover will improve storm water retention, water quality, air quality, community character and quality of life for residents of Highlands communities. They will be encouraged for municipalities during Plan Conformance. Grants are currently available from the New Jersey Forest Service to fund a portion of costs for these Plans.

Many Highlands municipalities are operating under tree deficits where they are removing more trees than are planted. In many communities the Community

**DRAFT FOR CONSIDERATION BY THE HIGHLANDS COUNCIL  
AT THE JUNE 12, 2008 COUNCIL MEETING**

**Provide Guidance for  
Forest Conservation  
and Mitigation Plans**

Forest resource is nearing the end of its life expectancy and replacement trees have not been planted in advance in anticipation of mass loss of the resource. Community Forestry Plans are adopted as components of Municipal Master Plans and address portions of these plans.

Forest Conservation and Mitigation Plan guidance would be provided by the Highlands Council and distributed to all municipalities for use in the site plan review process.

- Forest Conservation Plans would be completed to protect existing trees on development and redevelopment sites to maintain the maximum forest cover long term.
- Forest Mitigation Plans would be developed for all areas from which forests are cleared resulting in an alteration in land use (deforestation). Mitigation banks (planting focus areas) can be designated by municipalities and monitored by the Council. If a developer clears one acre of forest they can replant an acre of similar forest on-site, in the proximate area or within the HUC14 subwatershed, or contribute financially to a municipal or regional mitigation bank from which municipalities can apply to implement planting projects designated in Community Forestry Plans. Preference should be given to reforestation sites that will increase the size of core forests.

**Provide Guidance for  
Forest Stewardship  
Plans for Preserved  
Lands**

Guidance for Forest Stewardship Plans should be provided for and their use encouraged for all preserved lands or for private lands within the Highlands. Preserved lands include non-profit, municipal, county and State owned lands. Stewardship of the lands will provide and optimize the multiple benefits and services forests provide including clean air, clean water, soil protection, recreation, wildlife habitat and forest products. A partial cost-share reimbursement is available for non-profits through the New Jersey Forest Service Forest Stewardship Program. Additional funding sources for implementation should be developed including grants. Active management on preserved lands could reinvigorate the local forest product markets and create a critical mass for forest products industries to repopulate the Region.