

CHAPTER IV. GOALS, POLICIES, AND OBJECTIVES

Part 1. Natural Resources

The natural resources of the Highlands Region join to create a landscape that supports endangered species, scenic vistas, agriculture, small towns, manufacturing and the water supplies for New Jersey’s largest metropolitan areas. Forest, waterways, critical habitats for both plants and animals, and agricultural soils are affected by and intermixed with steep slopes, limestone valleys and lake areas. In turn, these features have encouraged and shaped the prehistoric and historic pattern of human activity and settlements. Only in the last 50 years have the historic patterns been overcome by suburban patterns of development facilitated by new road systems and new zoning techniques that emphasize large lots rather than compact forms of growth. The Highlands Act was created largely to protect the Region’s natural resources and the water supplies that depend upon them. The Highlands Regional Master Plan (Plan or RMP) is a critical component of this protection effort.

Subpart a. Highlands Forest Resources

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 surface water filtration, which is important to protecting essential drinking water supplies for the Highlands Region and for the state as a whole. Forests serve as habitat for plants and animals and are critically important to the maintenance of biodiversity in one of the most populous states in the nation. 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 and constitute a majority of critical habitat in the Region.

The Regional Master Plan acknowledges activities exempted through an approved woodland management plan and the normal harvesting of forest materials in accordance with a Forest Management Plan approved by the State Forester under N.J.S.A. 13:20-28.a(7). Beyond exempt forestry activities, the Highlands Act mandates that the Regional Master Plan provide for the protection of the Region’s forests.

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| GOAL 1A | PROTECTION OF LARGE AREAS OF CONTIGUOUS FORESTED LANDS OF THE HIGHLANDS REGION TO THE MAXIMUM EXTENT POSSIBLE. |
| Policy 1A1 | To meet the goal for the Preservation Area to “preserve extensive and, to the maximum extent possible, contiguous areas of land in its natural state,” and to “protect the natural, scenic, and other resources of the Highlands Region, including but not limited to contiguous forests.” |
| Policy 1A2 | To limit human development in the Forest Resource Area in the Preservation Area in order to protect and enhance forest resources, critical habitat and the quantity and quality of water resources. |
| Objective 1A2a | Density mapping of the Region’s contiguous forested lands as the Forest Resource Area. |
| Objective 1A2b | Implementation of regulations through Plan Conformance which limit permissible uses within the Forest Resource Area to maintenance of pre-existing uses and restoration of impaired forest areas; relief from strict adherence to these standards shall be permitted only upon approval of a forest mitigation plan. |
| 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. |

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| Objective 1A2d | To prohibit through local development review and Highlands Project Review the expansion of public water supply systems or public wastewater collection and treatment systems or community-based on-site wastewater facilities into the Forest Resource Area except as shown to be necessary for and is approved by the Highlands Council to support clustered development (see Objectives 2K3d and 2K3f) that cannot feasibly be located outside the Forest Resource Area or the forested portion of the Forest Resource Area, to serve a designated Highlands Redevelopment Area, to address a documented threat to public health and safety where no alternative is feasible, or to provide for minimum practical use in the absence of any alternative through issuance of a waiver by NJDEP or the Highlands Council, and will maximize the protection of forest. |
| Policy 1A3 | To promote the priority use of available funding to acquire forested lands within the Forest Resource Area. |
| Policy 1A4 | To assign land within the Forest Resource Area a high priority for fee simple and easement acquisition. |
| Policy 1A5 | To prohibit through local development review and Highlands Project Review forest clear-cutting within the Forest Resource Area except in accordance with a Forest Management Plan approved by the State Forester. |

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| GOAL 1B | PROTECTION AND ENHANCEMENT OF FORESTS IN THE HIGHLANDS REGION |
| Policy 1B1 | To establish and implement resource management programs to encourage sustainable forest management, restoration and stewardship practices on public and private lands in the Forest Resource Areas within the Protection Zone and the Conservation Zone in the Planning Area. |
| 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. |
| Objective 1B1b | Implementation of programs which encourage owners and operators of farmland with woodlots to obtain approved Forest Management Plans that conform to the protection standards of this Plan. |
| Objective 1B1c | Implementation of programs which encourage the inclusion of appropriate wildlife and invasive species management techniques in Forest Management Plans adopted by any federal, state, county or municipal government entity. |
| Objective 1B1d | Implementation of programs which encourage the application of agro-forestry practices and techniques within cultivated farmland located within both the Agriculture Resource Area and Forest Resource Area. |
| Policy 1B2 | To limit through local development review and Highlands Project Review human development of forests to very 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 to maintenance of pre-existing uses and permit minimal removal of woody vegetation from forested lands, subject to an approved Forest Management Plan or development that utilizes low impact development best management practices and an approved forest mitigation plan. |

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| 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 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 1B4 | To encourage the restoration of forest resources through forest management and stewardship practices. |
| Policy 1B5 | To ensure that forest resources are protected on a site specific basis during local development review and Highlands Project Review. |
| Objective 1B5a | Applications for local development review and Highlands Project Review require identification of any forest area on and adjacent to a site in accordance with the Highlands Council's Alternate Method for Identifying Upland Forest Areas in the Highlands Region. |
| Policy 1B6 | To establish 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. |
| Objective 1B6a | Forestry activities will be allowed within a Forest Resource Area or forested lands within a High Integrity Forest Subwatershed only in compliance with an approved Forest Management Plan. |
| Policy 1B7 | To prohibit clear-cutting of forest lands except pursuant to an approved Forest Management Plan to the extent necessary to promote native forest regeneration, early successional wildlife habitat, or to remove invasive species. |
| GOAL 1C | CONFORMING MUNICIPALITIES AND COUNTIES INCLUDE FOREST PROTECTION PROGRAMS IN THEIR MASTER PLANS AND DEVELOPMENT REGULATIONS. |
| 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 develop technical guidelines and procedures to assist municipalities and counties in the development of forest mitigation and community forestry plans for inclusion in municipal and county master plans and development regulations. |
| Objective 1C2a | Technical guidelines and procedures for development and implementation of low impact development best management practices to protect, enhance and restore forest resources. |

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| Objective 1C2b | Guidelines for the development of community forestry plans by municipalities for inclusion in municipal master plans. |
| Objective 1C2c | A model municipal tree ordinance for municipalities that allows active forest management with approved Forest Management Plans. |
| Objective 1C2d | Criteria for demonstrating intrinsic forest values and societal benefits that could be used to issue a Farmland Assessment Tax Credit. |
| Objective 1C2e | Technical guidelines establishing forest clearing thresholds 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 tree protection ordinances throughout the Highlands Region to the extent feasible. |

Subpart b. Highlands Open Waters and Riparian Areas

Highlands Open Waters and their associated riparian areas are a primary focus of the Highlands Act and must be protected, enhanced and restored to ensure achievement of the Act’s goals for water quality, water supply and ecological sustainability. The Highlands Regional Master Plan focuses on four areas of action to address the need to protect, restore and enhance Highlands Open Waters and Riparian Areas:

- Identify and inventory each type of resource area;
- Evaluate the integrity of each type of resource area;
- Establish resource protection measures; and
- Establish programs to promote consistent standards for the protection, restoration and acquisition of important waters and riparian areas of the Highlands Region.

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| GOAL 1D | PROTECTION, RESTORATION, AND ENHANCEMENT OF HIGHLANDS OPEN WATERS AND RIPARIAN AREAS. |
| Policy 1D1 | <p>To establish and maintain an inventory of Highlands Open Waters and their integrity.</p> <p>“Highlands Waters” shall include all Highlands Open Waters that are located within the Preservation Area.</p> <p>“Special Waters” shall include all Highlands Open Waters other than “Highlands Waters:” (1) that are designated Category One (C1); (2) that are upstream of, within the same HUC14 subwatershed, and hydrologically interconnected with C1 or Highlands Waters; or (3) that are those Highlands Open Waters within a National Wildlife Refuge or a designated Wild and Scenic River.</p> <p>“Exceptional waters” shall include all Highlands Open Waters other than Highlands Waters or Special Waters that drain to a FW1 waterway or include habitat for water/wetland dependent rare, threatened, or endangered species. In addition, this will include any other waters (which are not considered Highlands Waters or Special Waters) that are upstream of and within the same HUC14 subwatershed and hydrologically connected.</p> <p>“Intermediate Waters” shall include all Highlands Open Waters that are not Highlands Waters, Special Waters or Exceptional Waters.</p> |

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| Objective 1D1a | The Watershed Resource Value of Highlands subwatersheds shall be established through an analysis of the relative amount of developed lands, habitat quality for threatened and endangered wildlife species, total forest and core forest in each HUC14 subwatershed. |
| Policy 1D2 | To establish and maintain an inventory of Highlands Riparian Areas and their integrity. |
| Objective 1D2a | Highlands Riparian Areas shall consist of the floodprone areas, wetlands, hydric and alluvial soils and wildlife passage corridors that are associated with Highlands Open Waters. |
| Objective 1D2b | The integrity value of Highlands Riparian Areas shall be based upon the relative amount of impervious cover, agricultural land use, density of road crossings of streams, vegetative condition, and habitat for wetland/water dependent threatened and endangered wildlife species of riparian areas, within each HUC14 subwatershed. |
| Policy 1D3 | To periodically review and update, as necessary, the Watershed Resource Value and Riparian Area Integrity Values, including more stringent protection buffer requirements whenever HUC14 subwatersheds of lower value are restored to a higher value. |
| Policy 1D4 | Highlands Open Waters shall include a protection buffer of 300 feet from the edge of the Highlands Open Water feature. All development shall comply with buffer standards which provide for the protection of Highlands Open Waters reviewed on a site-specific basis during local development review and Highlands Project Review. |
| Objective 1D4a | Require that all applications for approval through local development review and Highlands Project Review include the identification and mapping of Highlands Open Waters. |
| Objective 1D4b | Preservation Area buffers for Highlands Open Waters shall comply with the Highlands Preservation Area rules at N.J.A.C. 7:38. |
| Objective 1D4c | Planning Area buffers for Highlands Open Waters shall avoid further impairment and encourage opportunities to restore ecological integrity where appropriate. |
| Objective 1D4d | Exceptions may be made to the 300-foot Highlands Open Water buffer in the Planning Area in the following circumstances, where the applicant further demonstrates that the exception will not cause measurable degradation to the quality and ecological integrity of Highlands Open Waters. Specifically, (1) Exceptional Waters within a HUC14 subwatershed that exhibit a Low Resource Value Watershed integrity value and a Low Integrity Riparian Area integrity may have a 150-foot protection area buffer from each edge of the Highlands Open Waters feature; and (2) Intermediate Waters within a HUC14 subwatershed that exhibit a Low Resource Value Watershed and a Low Integrity Riparian Area may have a 75-foot protection area buffer from each edge of the Highlands Open Waters feature. These exceptions will apply only where NJDEP requirements for riparian zones pursuant to the Stormwater Management Rules (N.J.A.C. 7:8) or the Flood Hazard Area Control Act Rules (N.J.A.C. 7:13) are not more stringent. |
| Objective 1D4e | Prohibit modifications to Highlands Open Waters protection buffers other than in Objective 1D4d, except as necessary to protect public health and safety, or to provide for minimum practical use in the absence of any alternative. |
| Objective 1D4f | Implement a Stream Corridor Protection/Restoration plan and Low Impact Development Best Management Practices for any development activity proposed within a Highlands Open Water buffer. |

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| Objective 1D4g | Require that development within the Highlands Open Water buffer of any HUC14 subwatershed with a Regional Stormwater Plan adopted pursuant to N.J.A.C. 7:8 (Stormwater Management Rules) conforms to any applicable requirements for any approval through local development review and Highlands Project Review. |
| Objective 1D4h | The Highlands Council may require on a case-by-case basis an expansion of the 300-foot buffer to protect the habitat of a water or wetlands-dependant rare, threatened or endangered species, to the minimum expansion necessary to achieve protection of that species. |
| Policy 1D5 | Protect the integrity of the Riparian Areas through the application of RMP standards during local development review and Highlands Project Review. |
| Objective 1D5a | Require that all applications for approval through local development review and Highlands Project Review include the identification and mapping of Highlands Riparian Areas, including those identified by the Highlands Council and by site-specific analysis. |
| Objective 1D5b | Limit alterations to existing natural vegetation or increases in impervious area within High and Moderate Integrity Riparian Areas to the minimum extent feasible in areas beyond the Highlands Open Water buffer requirements; protect the water quality of adjacent Highlands Open Water; and maintain or restore habitat value of the Riparian Area. |
| Objective 1D5c | Implement Low Impact Development Best Management Practices for any development activity proposed within a Riparian Area, which minimize both alterations of natural vegetation and increases in impervious area, and provide for mitigation through restoration of impaired Riparian Areas in the same HUC14 subwatershed. |
| Objective 1D5d | Require that development within Riparian Areas of any HUC14 subwatershed with a Regional Stormwater Plan adopted pursuant to N.J.A.C. 7:8 (Stormwater Management Rules) conform to any applicable requirements for any site plan approval. |
| Policy 1D6 | All development in a Protection Zone and Conservation Zone shall comply with standards to protect and enhance Highlands Open Waters and Riparian Areas through local development review and Highlands Project Review. |
| Objective 1D6a | Restrict new land uses or the alteration of existing land uses that would alter or be detrimental to the water quality and habitat value of a Highlands Open Water or a Riparian Area. |
| Objective 1D6b | Prohibit modifications to Highlands Open Water buffer requirements or Riparian Areas, except as necessary to protect public health and safety, or to provide for minimum practical use in the absence of any alternative. |
| Objective 1D6c | Require, where land disturbance is otherwise permitted, that low impact development best management practices are followed to minimize any potential for habitat or water quality impairment. |
| Objective 1D6d | Require identification and implementation of opportunities where the restoration and enhancement of previously impaired Highlands Open Waters or Riparian Areas are feasible and appropriate as mitigation to any allowable modification to Highlands Open Water or Riparian Area protection buffer requirements. |
| Policy 1D7 | All development in an Existing Community Zone shall comply with standards which will protect and enhance Highlands Open Waters and Riparian Areas. |
| Objective 1D7a | Restrict the impact of new land uses or the alteration of existing land uses that would be detrimental to the water quality and habitat value of a Highlands Open Water or a Riparian Area. |

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| Objective 1D7b | Require, where land disturbance is otherwise permitted, that low impact development best management practices are followed to minimize any potential for habitat or water quality impairment. |
| Objective 1D7c | Require identification and implementation of opportunities where the restoration and enhancement of previously impaired Highlands Open Waters or Riparian Areas are feasible and appropriate as mitigation to any allowable modification to Highlands Open Water or Riparian Area protection buffer requirements. |
| Policy 1D8 | To establish priorities for preservation and restoration of Highlands Open Waters and Riparian Areas. |
| Objective 1D8a | Assign high priority to land acquisition and development restrictions for lands within both High Resource Value Watersheds and High Integrity Riparian Areas. |
| Objective 1D8b | Identify opportunities for and implement Highlands Open Waters and Riparian Area restoration practices on public and private lands that give priority to ecological and watershed protection measures. |

Subpart c. Steep Slopes

Steep slopes within the Highlands Region play an important ecological, recreational, scenic and functional role. Areas of steep slope provide popular recreational opportunities including hiking, climbing and wildlife observation. Ridgelines, hillsides and steep slopes provide scenic views and vistas, which contribute to the rural character of the Highlands Region and help to define the landscape. Disturbance of areas containing steep slopes can trigger erosion and sedimentation, resulting in the loss of topsoil. It can also result in the disturbance of habitats, degradation of surface water quality, silting of wetlands, and alteration of drainage patterns. These processes, when severe, can also result in land slumping and landslides that can damage both developed property and ecosystems. The identification and classification of steep slopes is important in order to effectively manage critical natural resources in the Highlands Region.

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| GOAL 1E | PROTECTION AND ENHANCEMENT OF THE NATURAL, SCENIC, AND OTHER RESOURCES OF THE HIGHLANDS REGION BY PROTECTION OF STEEP SLOPES FROM INAPPROPRIATE DEVELOPMENT AND DISTURBANCE |
| Policy 1E1 | A mapped inventory of steep slope areas in the Highlands Region showing slopes that are a minimum of 5,000 square feet and: a) 10% or greater, but less than 15%, b) 15% or greater , but less than 20%, and c) 20% and greater. |
| Objective 1E1a | A mapped inventory of steep slope areas in the Highlands Region showing slopes that are a minimum of 5,000 square feet and: a) 10% or greater, but less than 15%, b) 15% or greater , but less than 20%, and c) 20% and greater. |
| Objective 1E1b | Periodic updates and refinements to the Steep Slope Protection Area. |
| Objective 1E1c | Apply LiDAR to develop a 2-foot interval contour topographic map as a basis for refining the identification of Steep Slope Protection Areas. |
| Policy 1E2 | All lands with slopes of 20% or greater and lands within Riparian Areas with slopes of 10% and greater shall be considered as Severely Constrained Slopes. |
| Policy 1E3 | All lands other than Riparian Areas with a slope 15% or greater, but less than 20% and are forested lands shall be considered Moderately Constrained Slopes. |
| Policy 1E4 | All lands other than Riparian Areas with a slope 15% or greater, but less than 20% and are non-forested lands with one or more of the following characteristics shall be |

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| | considered Constrained Slopes: a) highly susceptible to erosion; b) shallow depth to bedrock; or c) a Soil Capability Class indicative of wet or stony soils. |
| Policy 1E5 | All lands other than Riparian Areas with a slope of 15% or greater, but less than 20%, are non-forested lands, are not highly susceptible to erosion, and do not have a shallow depth to bedrock or a Soil Capability Class indicative of wet or stony soils shall be considered Limited Constrained Slopes. |
| Policy 1E6 | To require that applications for approval through local development review and Highlands Project Review include topographic information identifying the location of any Steep Slope Protection Areas located on the parcel proposed for development. |
| Policy 1E7 | To require that applications for approval through local development review and Highlands Project Review involving parcels of land with slopes of 10% or greater include identification of forested lands, areas which are highly susceptible to erosion, depth to bedrock and Soil Capability Classes. |
| Policy 1E8 | To prohibit through local development review and Highlands Project Review land disturbance within areas which are Severely Constrained Slopes and Moderately Constrained Slopes. |
| Policy 1E9 | To require through local development review and Highlands Project Review the use of low impact best development practices for any land disturbance or human development within areas which are Constrained or Limited Constrained Slopes. |
| Policy 1E10 | To require that conforming municipalities and counties include steep slope protection provisions in master plans and development regulations. |
| Policy 1E11 | To provide technical guidelines and assistance in support of Plan Conformance activities. |

Subpart d. Critical Habitat

Biodiversity is the variety of plant species, animal species, and all other organisms found in a particular environment and is a critical indicator of ecological viability. The protection of habitats that are critical to maintaining biodiversity contributes to the protection of rare, threatened, or endangered plant and animal species of the Highlands Region. There are three categories of Critical Habitat Areas in the Highlands Region: 1) Critical Wildlife Habitat (habitat for rare, threatened or endangered species); 2) Significant Natural Areas (regionally significant ecological communities); and 3) Vernal Pools (confined, ephemeral wet depressions that support distinctive, and often endangered, species that are specially adapted to periodic extremes in water pool levels). Critical Wildlife Habitat and Significant Natural Areas are designated based on the presence of species of concern. Vernal pools are certified by the NJDEP, and to protect and promote the biodiversity of Vernal Pools the Highlands Council has determined that a terrestrial habitat protection buffer of 1,000 feet around Vernal Pools will generally address the habitat requirements of vernal pool-breeding wildlife. In each case, a mechanism exists by which the critical habitat area may be modified based on site-specific circumstances.

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| GOAL 1F | PROTECTION AND ENHANCEMENT OF CRITICAL WILDLIFE HABITATS, SIGNIFICANT NATURAL AREAS, AND VERNAL POOLS. |
| Policy 1F1 | To prohibit through Plan Conformance, local development review and Highlands Project Review the direct impact of new human development or expansion or increased intensity of existing development within Critical Wildlife Habitats, Significant Natural Areas, or within 1,000 feet of Vernal Pools. |
| Policy 1F2 | To assign land within Critical Wildlife Habitats, Significant Natural Areas, and within 1,000 feet of Vernal Pools a high priority for fee simple and/or easement acquisition. |

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| Policy 1F3 | To promote the restoration and enhancement of impaired lands in Critical Wildlife Habitats, Significant Natural Areas, or within 1,000 feet of Vernal Pools. |
| Policy 1F4 | To establish a program for habitat conservation and management including minimum standards and criteria for the protection, enhancement, and restoration of lands within Critical Wildlife Habitats, Significant Natural Areas, and within 1,000 feet of Vernal Pools. |
| Objective 1F4a | Implementation of performance standards through local development review and Highlands Project Review requiring all development to employ low impact development best management practices and avoid disturbance of a critical habitat feature whenever possible and to promote avoidance and minimize impact when disturbance is unavoidable. |
| Objective 1F4b | Implementation of performance standards which require the mitigation of disturbed critical habitat. |
| Objective 1F4c | Implementation of performance standards for the enhancement or restoration of historically disturbed critical habitat. |
| Objective 1F4d | Establishment of a Highlands Council-approved Habitat Conservation and Management Plan. |
| Policy 1F5 | To require that applications for any local development review and Highlands Project Review for lands within Critical Wildlife Habitats, Significant Natural Areas, or within 1,000 feet of Vernal Pools be subject to minimum standards and criteria outlined in the Habitat Conservation and Management Plan. |
| Objective 1F5a | Prohibit alteration or disturbance of Critical Wildlife Habitat, Significant Natural Areas, and within 1,000 feet of Vernal Pools, except as necessary to protect public health and safety, or to provide for minimum practical use of in the absence of any alternative. |
| Objective 1F5b | Require that any disturbance to a critical habitat feature include mitigation for all adverse modification and provide for no net loss of habitat value. |
| Objective 1F5c | Require conformance with any applicable Council-approved Habitat Conservation and Management Plan. |
| Objective 1F5d | <p>A Vernal Pools buffer may be modified, decreasing vernal pool protection buffers, to the minimum decrease feasible, if an applicant can demonstrate, to the satisfaction of the Highlands Council in coordination with NJDEP's Endangered and Nongame Species Program, that:</p> <ul style="list-style-type: none"> • In an undisturbed wetland, the existing vernal pool-breeding wildlife require a smaller protective buffer; • Existing land uses present a human, natural or development barrier to the migration or viability of vernal pool-breeding wildlife; or • There is a need to protect public health and safety, or to provide for minimum practical use with required mitigation, (including a habitat protection buffer in addition to mitigation), in the absence of any alternative through issuance of a waiver by NJDEP or the Highlands Council. |
| Objective 1F5e | <p>A Critical Wildlife Habitat area or Significant Natural Area delineation may be modified if an applicant can demonstrate, to the satisfaction of the Highlands Council in coordination with NJDEP's Endangered and Nongame Species Program or Natural Heritage Program, that:</p> <ul style="list-style-type: none"> • The nature of the site is such that it does not provide habitat for species of concern; |

- The species of concern are not present on the site during any critical part of their life cycle, nor depend upon the site for food, shelter or breeding;
- Existing land uses present a human, natural or development barrier to the use of the site by species of concern; or

There is a need to protect public health and safety, or to provide for minimum practical use with required mitigation, (including a habitat protection buffer in addition to mitigation), in the absence of any alternative through issuance of a waiver by NJDEP or the Highlands Council.

Policy 1F6 To prohibit through local development review and Highlands Project Review the indirect impact of any human development activity which would result in damage or destruction of habitat for rare, threatened, or endangered species of animal or plant.

Objective 1F6a Prohibit the indirect impact of any activity that that is off-site, adjacent to, or within critical habitat that would result in the destruction or adverse modification of habitat for any rare, threatened, or endangered species of animal or plant.

Policy 1F7 To establish standards and procedures for the identification of lands where it is necessary that Critical Wildlife Areas, Significant Natural Areas, or Vernal Pool buffers be expanded in order to protect an individual species or ecological community in the event that it is determined that a larger area is required to protect the functional integrity of the habitat.

Policy 1F8 To establish standards and criteria for the identification of critical habitat features.

GOAL 1G INCLUSION OF CRITICAL HABITAT AREA MANAGEMENT PROGRAMS IN THE MASTER PLANS AND DEVELOPMENT REGULATIONS FOR CONFORMING MUNICIPALITIES AND COUNTIES.

Policy 1G1 To require that conforming municipalities and counties identify Critical Habitat Areas and management programs in their master plans and development regulations.

Policy 1G2 To require that conforming municipalities and counties include approved Habitat Conservation and Management Plans in master plans and development regulations.

Subpart e. Land Preservation and Stewardship

Public and private investment in land preservation over the years has protected nearly a third of the Highlands Region as perpetual open space. Maintaining the land in a natural condition is necessary to preserve 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 preserve natural and recreational lands. As a result, preservation of open space provides compensation to landowners through fee simple or easement acquisition.

GOAL 1H PROTECTION OF CRITICAL RESOURCES THROUGH PRESERVING 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 preservation data base of preserved lands and land stewardship activities by municipal, county, state and federal agencies, non-profit organizations and individuals.

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| Policy 1H2 | To serve as a regional clearinghouse for information regarding funding sources for land acquisition, restoration and enhancement, and long-term stewardship of open space lands in the Highlands Region. |
| Policy 1H3 | To provide assistance to land acquisition efforts of public and private organizations in order to maximize land preservation efforts in the Highlands Region. |
| Objective 1H3a | Creation of a 5 and 10 year priority list for lands which should be acquired in the Highlands Region. |
| Objective 1H3b | Creation of an open space preservation and land stewardship technical assistance program. |
| Policy 1H4 | To identify and maintain an inventory of lands within Conservation Priority Areas which should be preserved as open space. |
| Objective 1H4a | Creation of a current list of lands which are 5 and 10 year priorities for land acquisition in the Highlands Region. |
| Policy 1H5 | To promote the establishment of dedicated sources of funding for the preservation of open space lands in the Highlands Region. |
| Objective 1H5a | Establishment of 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. |
| Objective 1H5b | Establishment of dedicated sources of State revenue for a reserve fund to capitalize the Highlands Development Credit Bank. |
| Objective 1H5c | Establishment of 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. |
| Objective 1H5d | Establishment of 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. |
| Objective 1H5e | Establishment of 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. |
| Policy 1H6 | To promote the acquisition and protection of open space resources within the Highlands Region under existing local and State open space preservation and land stewardship programs. |
| Objective 1H6a | 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 1H6b | Coordination with NJDEP regarding the review of applications for Green Acres diversions for consistency with the RMP. |
| Policy 1H7 | To promote the creation of a Highlands Water Protection and Planning Trust Fund to secure monies from alternate sources of funding to assist in land acquisition and stewardship. |

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| Policy 1H8 | 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 1H9 | 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 1H10 | To promote and facilitate the formation of an interagency working group comprised of representatives of appropriate federal, state and county agencies for the purpose of coordinating open space acquisition activities, including identification of high priority lands for preservation, land stewardship initiatives, and funding needs. |
| Policy 1H11 | To identify and designate one or more Special Environmental Areas in the Preservation Area and Planning Area where development should not occur in order to protect water resources and environmentally sensitive lands while recognizing the need to provide just compensation to the owners of those lands, when appropriate, through fee simple acquisition, easement acquisition, transfer of development rights programs or other means or strategies. |
| Objective 1H11a | Identification and designation of Special Environmental Areas which should not be developed in order to protect water resources and environmentally sensitive lands based upon RMP Conservation Priority Area rank and the potential to protect water supply reservoirs and other critical water features, create large contiguous areas of environmentally sensitive lands, create habitat corridors, and connect to existing preserved open space. Existing land use patterns shall be considered to minimize conflicts between the designation of Special Environmental Areas and ongoing land uses. |
| Objective 1H11b | Establishment of a process and criteria for Planning Area municipalities to petition the Highlands Council for designation of a Special Environmental Area within the municipality not otherwise identified and designated by the Highlands Council. |
| Objective 1H11c | Adoption and enforcement of innovative development regulations which prohibit the development of those portions of a parcel of land which are located within a Special Environmental Area which should not be developed in order to protect water resources and environmentally sensitive lands and provide for the permanent preservation of such land areas. |
| Objective 1H11d | Establishment of a confidential process and criteria for listing any parcel or portions of a parcel of land located within a Special Environmental Area which should be protected through fee or easement acquisition by appropriate land preservation/acquisition agencies. |
| Objective 1H11e | Preparation and delivery of confidential documents to appropriate land preservation/acquisition agencies identifying parcels of land wholly within Special Environmental Areas, which should be protected through fee or easement acquisition based upon the size of the parcel, the intensity of critical areas within the parcel, and the ability of the parcel to interconnect preserved forested land, critical habitats or regionally significant scenic landscapes. |
| Objective 1H11f | Implementation of the Highlands Development Credit Program as a means of permanently preserving land in Special Environmental Areas. |
| Objective 1H11g | Creation of a landowner assistance program to provide owners of land which should not be developed in order to protect water resources and environmentally sensitive lands with technical assistance and guidance with regard to land preservation options |

and the Highlands Development Credit Program.

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| 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, and maintain a current Recreation and Open Space Inventory (ROSI), and 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 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. |

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| 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, which would be eligible for use through the State Agricultural Development Committee and the Green Acres Program. |
| Objective 1J1a | Achieve maximum preservation of working forests through the Forest Preservation Easement Program, including public access on lands preserved through the Green Acres Program. |

Subpart f. Carbonate Rock (Karst) Topography

Karst is a type of land surface, or topography, that is formed at the surface of carbonate rock formations (such as limestone and dolomite) when water dissolves the rock over time. This process causes surface depressions and the development of such features as sinkholes, sinking streams, enlarged bedrock fractures, caves, and underground streams. Sinking streams range in size from intermittent streams to perennial rivers. They may sink through a segment of the stream bed or through a discrete opening such as a fracture or cave entrance, and then reappear further downstream. Sinkholes function as funnels, directing surface water runoff into karst aquifers with little or no attenuation of any transported contaminants. Stormwater basins, septic system leaching fields and sewers may also contribute contaminants directly to ground water through karst features. Soils in sinkhole bottoms may be thin or non-existent. In addition to ground water concerns, communities in karst areas must contend with safety concerns as sinkholes can have damaging effects to large manmade objects. The Highlands Region has several large areas with carbonate rock formations, usually located in river valleys such as the Musconetcong, South Branch of the Raritan and Lamington. Karst features exist in some – but not all – of these areas.

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| GOAL 1K | PROTECTION OF GROUND WATER QUALITY AND PUBLIC SAFETY REGARDING KARST FEATURES IN THE HIGHLANDS |
| Policy 1K1 | To map areas of the Highlands Region that are underlain by carbonate rocks to define a Carbonate Rock Area. |

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| Policy 1K2 | To identify and delineate through local development review and Highlands Project Review land areas that drain surface water into the Carbonate Rock Area, as changes in the quantity, quality and rate of discharge of surface water runoff from upslope lands can impair ground water resources in the Carbonate Rock Area. |
| Policy 1K3 | To establish and maintain an inventory of karst features in the Highlands Region. |
| Policy 1K4 | To ensure through Plan Conformance that municipalities in, or draining to, the Carbonate Rock Area protect public health and safety and the quality of ground waters from inappropriate land uses and pollutant discharges. |
| Objective 1K4a | Identification of critical requirements for development review ordinances to be adopted by municipalities, and for county development review procedures regarding roads and stormwater systems at a minimum, with technical guidance. |
| Objective 1K4b | Applications for site plan or subdivision approval will include a multi-phased geotechnical site investigation (e.g., test borings, test pits, etc.) to locate any potential karst features and potential hazards to public health and safety, structures and ground water quality. |
| Objective 1K4c | Local development reviews and Highlands Project Reviews and requirements shall ensure that all potential hazards to public health and safety, structures and ground water quality are fully addressed and mitigated in the construction plans and subsequent approval process, with the maximum emphasis on nonstructural measures, including, but not limited to, avoidance of modifications to the karst features. |
| Objective 1K4d | Public works projects, including but not limited to water supply, sewerage, stormwater and transportation facilities, shall be constructed and maintained such that the potential for damage from karst features and the contamination of ground water are avoided. |

Subpart g. Lake Management

The management of lands surrounding lakes is an important issue for the Highlands Region. Overdeveloped, damaged and poorly managed shoreland areas can result in the degradation of water quality, harm the lake ecosystem, decrease natural aesthetic values, and cause an overall loss of property values for lake communities. Lakes can be harmed by pollutant sources in the watershed area draining to them. Polluted lakes can, in turn, damage downstream streams and rivers. Most existing lake communities are fully built out, predate modern environmental protection requirements, and have limited potential for major land use changes. Some have sewer systems, but many rely on septic systems (or even cesspools) on inadequately sized lots, where direct contamination of the lakes is possible. Past NJDEP studies indicate that nearly every public lake (privately-owned lakes were not evaluated) is experiencing unacceptable contamination, often including excessive bacteria and nutrients. In addition, many lake communities have been evolving from summer communities to year-round communities, and many are experiencing greatly intensified land uses as the original buildings are torn down and replaced by much larger structures. Addressing land uses within lake communities allows for potential opportunities to improve community value, to protect natural resources and enhance and restore the quality of lake environments in the Region, and in some cases, to allow for in-fill development where appropriate.

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| GOAL 1L | PROTECTION OF HIGHLANDS REGION LAKES FROM THE IMPACTS OF PRESENT AND FUTURE DEVELOPMENT |
| Policy 1L1 | To establish tiers of lake management appropriate to management strategies that help protect lake water quality and community value from the impacts of present and future development. |

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| <p>Objective 1L1a</p> | <p>Lake management programs shall use the following management tiers around Highlands Region lakes of greater than 10 acres in size:</p> <ul style="list-style-type: none"> • A shoreland protection tier consisting of an area measured 300-foot perpendicular from the shoreline of the lake; • A water quality management tier consisting of an area measured 1,000-foot perpendicular from the shoreline of the lake, but outside of the shoreland protection tier; • A scenic resources tier consisting of an area measured 300 to 1,000-foot perpendicular from the shoreline of the lake, scaled based upon the view distance from the opposite shoreline, and determined through the size and layout of the lake, with wider portions of lakes having longer view distances; and • A lake watershed tier consisting of the entire land area draining to the lake, through the evaluation of drainage areas using LiDAR topographic analyses or other topographic data where LiDAR data are not available. |
| <p>Policy 1L2</p> | <p>To establish and implement management strategies to help protect lake water quality and ecosystem values from the impacts of present and future development for all lakes.</p> |
| <p>Objective 1L2a</p> | <p>Implementation of standards through local development review and Highlands Project Review regarding lake ecosystem and water quality in the shoreland protection tier to address direct and proximate impacts upon the lake, including but not limited to shoreline modification and development (including limits to the hardscaping of shorelines using bulkheads, rip-rap and walls), docks, piers, boathouses, dredging, vegetation removal, and increased impervious cover. Pollutant discharges shall also be addressed, including the potential for contamination from septic systems, cesspools and other wastewater management systems within the tier that are failing or are inadequately designed and constructed. As such systems fail, landowners should be required to provide upgraded treatment to minimize pollutant movement to the lake.</p> |
| <p>Objective 1L2b</p> | <p>Implementation of standards through local development review and Highlands Project Review regarding land use compatibility and water quality in the water quality management tier, to prevent or minimize continuous pollutant sources that can contribute pollutants overland or through ground water to the lake from greater distances than the shoreland protection tier.</p> |
| <p>Objective 1L2c</p> | <p>Implementation of standards through local development review and Highlands Project Review regarding the protection of visual and scenic resources in the scenic resources tier, including but limited to requirements for vegetative screening of buildings, building height limitations, and limits on tree and understory removal for reasons other than public health and safety or as the minimum necessary to make reasonable use of the designated building envelope for the parcel proposed for development.</p> |
| <p>Objective 1L2d</p> | <p>Implementation of lake restoration plans to restore, protect and, where possible, enhance lake water quality through management of pollutant sources in the lake watershed tier, including but not limited to the development, adoption and implementation of TMDLs by NJDEP pursuant to the Water Quality Management Planning Rules, N.J.A.C. 7:15.</p> |
| <p>Policy 1L3</p> | <p>To require that conforming municipalities adopt and implement for all lakes the standards applicable to the shoreland protection and water quality management tiers; the standards applicable to the scenic resources tier shall be adopted and implemented for all public lakes (i.e., with shorelines that are not entirely privately-held and managed through a lake association), and for privately-held lakes to the extent feasible under law, recognizing the existence of previously approved lake community development plans.</p> |

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| Objective 1L3a | Shoreland protection and water quality management tier requirements shall apply to all new development, regardless of lake ownership. |
| Objective 1L3b | Scenic resource tier requirements shall apply to all lakes with public access and to lakes with no public access that are not entirely managed by a single homeowner or lake community association. For lakes that are privately-held and managed by a single homeowner or lake community association, the scenic resource tier requirements shall be voluntary. |
| Policy 1L4 | To require that conforming municipalities develop and adopt lake restoration plans, with sufficient input from lake community residents and landowners, for each of the municipality's developed lakes that has been identified as water quality impaired, to include watershed delineation, description of point and nonpoint sources of pollution in the watershed, lake monitoring schedules, existing and proposed in-lake management techniques, and recommended watershed best management practices. TMDLs adopted by the NJDEP to address known pollution problems may be used as lake restoration plans. For lakes that are privately-held and managed by a single homeowners or lake community association, the municipality may require that the association share in or assume the costs of developing such plans. |
| Objective 1L4a | Provide Lake Management Plan guidance to municipalities that includes watershed delineation mapping methodology, point and nonpoint source pollution references, example lake monitoring schedule with monitoring goals and methods, existing successful in-lake management techniques, and best management practices. |
| Objective 1L4b | Septic systems and cesspools on small lots in close proximity to lakes shall be replaced with upgraded individual treatment systems, communal septic systems or community-based wastewater systems wherever feasible and cost-effective. Community-based systems should not provide for additional land development capacity except for exempt lots within that existing lake community that are not environmentally constrained, or for areas that are otherwise permitted to have wastewater service under the goals, policies and objectives in Part 2, Subpart d, Sustainable Development and Water Resources. |

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| GOAL 1M | PROTECT THE UNIQUE CHARACTER OF HIGHLANDS LAKE COMMUNITIES |
| Policy 1M1 | To provide guidance regarding evaluation of and standards for lake character and aesthetics that shall be adopted by municipal ordinance for application to public lakes, or that may be voluntarily adopted by privately-owned lake communities within their by-laws and regulations. |
| Policy 1M2 | To encourage increased public access to publicly-owned lakes, within the lake's carrying capacity and while maintaining the lake character. |
| Policy 1M3 | To discourage or control teardowns that result in altered lake community character, and to encourage community-supported limitations in lot coverage and building height for new construction. |
| Policy 1M4 | To establish and implement performance and development standards through local development review and Highlands Project Review for shoreline uses which achieve compatibility among shoreline activities and nearby neighborhoods. |
| Policy 1M5 | To encourage municipalities to utilize recreational sites as opportunities to educate the public regarding the ecological value of lake environs. |

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| Policy 1M6 | To encourage municipalities to explore appropriate means to provide public recreation at the shoreline and on the water while ensuring retention of opportunities for passive recreation (e.g., natural areas, open space). |
| GOAL 1N | MAINTAIN PUBLIC AND PRIVATE LAKES, OR RESTORE LAKE BEDS AND DOWNSTREAM AREAS WHEN LAKES ARE DRAINED |
| Policy 1N1 | To develop innovative financing and administrative mechanisms for the maintenance and operation of public and private dams and lakes, where those dams and lakes provide a continuing public or private purpose. |
| Policy 1N2 | To restore appropriate habitats in the lake beds and to prevent, mitigate or restore downstream habitats from damages due to lake drainage, when dams are allowed to fail or are deliberately breached or removed. |

Part 2. Water Resources and Water Utilities

A fundamental purpose of the Highlands Act is to protect water supplies for human use and ecological sustainability both within and outside of the Highlands Region. The Highlands Regional Master Plan addresses five fundamental issues with regard to water resources in the Highlands Region:

- The availability of water resources for human and ecological use;
- The protection of water resource availability;
- The protection, restoration, and enhancement of water quality;
- The management of land development patterns and densities to ensure that the carrying capacity of water resources are not exceeded; and
- The cost-effective and efficient provision and use of water utility capacity in a manner that ensures compatibility with the carrying capacity of water resources.

Subpart a. Water Resources Availability

The Highlands Regional Master Plan provides a method for identifying the quantity of available water resources in the Highlands Region, which is used to identify areas where water resources are or are not sufficient to support existing human and ecological uses, and to support future uses. Where sufficient water availability exists, the method fairly allocates available water resources among future human uses as shown in the Land Use Capability Zone Map.

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| GOAL 2A | PROTECTION OF THE VALUE OF THE HIGHLANDS REGION AS AN “ESSENTIAL SOURCE OF DRINKING WATER, PROVIDING CLEAN AND PLENTIFUL DRINKING WATER FOR ONE-HALF OF THE STATE’S POPULATION” (HIGHLANDS ACT, SECTION 2), ALONG WITH THE ECOLOGICAL VALUES OF CLEAN WATER, THROUGH THE PROTECTION, ENHANCEMENT AND RESTORATION OF WATER RESOURCES QUANTITY, FLOW CHARACTERISTICS AND QUALITY AS FUNDAMENTAL TO ENSURING THAT THERE ARE ADEQUATE WATER SUPPLIES TO SUPPORT THESE NEEDS. |
| Policy 2A1 | To identify and periodically update net water availability and water deficits as a factor in the Land Use Capability Water Availability Map. |
| Policy 2A2 | To ensure that increasing water demands do not exceed Net Water Availability or exacerbate existing deficits of subwatersheds. Net Water Availability is affected at a subwatershed level by location and extent of Land Use Capability Map Zone Map and |

its status as Current Deficit Area or Existing Constrained Area.

GOAL 2B **PROTECTION, RESTORATION AND ENHANCEMENT OF WATER QUALITY AND QUANTITY OF SURFACE AND GROUND WATERS (SECTIONS 10.B(1) AND 10.C(1)), AND TO DETERMINE “THE AMOUNT AND TYPE OF HUMAN DEVELOPMENT AND ACTIVITY WHICH THE ECOSYSTEM OF THE HIGHLANDS REGION CAN SUSTAIN WHILE STILL MAINTAINING THE OVERALL ECOLOGICAL VALUES THEREOF, WITH SPECIAL REFERENCE TO SURFACE AND GROUND WATER QUALITY AND SUPPLY...” (SECTION 11.A.(1)(A)).**

Policy 2B1 To track and consider water availability in local development review and Highlands Project Review.

Policy 2B2 To estimate Net Water Availability on a subwatershed basis.

Objective 2B2a Establish Ground Water Availability thresholds for application to HUC14 subwatersheds based on the Land Use Capability Zone Map, and as modified by status as an Existing Constrained Area. Ground Water Availability Thresholds shall be determined by multiplying Ground Water Capacity by specified percentages that are related to the nature of the environmental resources and conservation objectives of the Plan for each Zone.

| Ground Water Availability Thresholds As Percentage Of Ground Water Capacity | | |
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| Land Use Capability Zone | Standard Threshold | Existing Constrained Area* |
| Protection Zone | 5% | 5% |
| Conservation Zone | 5% non-agricultural 10% agricultural | 5% + 2003 Depletive & Consumptive Use (up to Standard Threshold) |
| Existing Community Zone | 20% | 5% + 2003 Depletive & Consumptive Use (up to Standard Threshold) |

*Within HUC14 Subwatershed upstream of a Current Deficit Area

Objective 2B2b Estimate Net Water Availability by subtracting from Ground Water Availability an estimate of maximum monthly consumptive and depletive ground water and surface water use (other than from reservoir storage or other supply with a NJDEP approved safe yield) for that HUC14 subwatershed.

Objective 2B2c Adjust Net Water Availability to account for the return of wastewater discharging within the HUC14 subwatershed from which the water originated, or as appropriate within another HUC14 subwatershed.

Objective 2B2d Identify Current Deficit Areas where the Net Water Availability is less than zero.

Objective 2B2e Identify Existing Constrained Areas as HUC14 subwatersheds that are upstream of and contributing flow to a Current Deficit Area.

Policy 2B3 To ensure through Plan Conformance that the use of Net Water Availability within each subwatershed supports Smart Growth principles to the maximum extent possible.

Objective 2B3a Water utilities that rely for their water sources on a HUC14 subwatershed that have a positive Net Water Availability for potable supplies shall be given priority for public

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| | community water systems serving the Existing Community Zone, based on the development capacity for that Zone. |
| Objective 2B3b | The remaining Net Water Availability shall be available to the remaining Protection Zone and the Conservation Zones based on the applicable threshold, relative area and development capacity for each Zone, and for agricultural uses in the Conservation Zone. |
| Policy 2B4 | To require through Plan Conformance the development and implementation of Water Management Plans to address any Current Deficit Areas or subwatershed that could become deficit areas based on projected development and water uses, to ensure sustainable water supply, water resource and ecological values. |
| Objective 2B4a | Water Management Plans shall include provisions to reduce consumptive and depletive uses of ground and surface waters as necessary to reduce or prevent deficits in Net Water Availability; or to ensure continued stream flows to downstream Current Deficit Areas from Existing Constrained Areas, to the extent practicable within each zone. |
| Objective 2B4b | Proposed increases in water use, including consumptive or depletive water uses, within a Current Deficit Area or an area where the proposed increase would cause the HUC14 subwatershed to become a Current Deficit Area shall provide mitigation equal to 125% of the proposed new consumptive or depletive water uses within the same HUC14 subwatershed through: a permanent reduction of existing consumptive and depletive water uses; ground water recharge in excess of the requirements of N.J.A.C. 7:8 (Stormwater Management Rules); or other permanent means. |
| Objective 2B4c | All water users within a Current Deficit Area or Existing Constrained Area shall seek funding and opportunities to prevent exacerbation of and help reduce or eliminate existing deficits to ensure sustainable water supply, water resource and ecological values, emphasizing techniques including, but not limited to water reuse, recycling and conservation. |
| Policy 2B5 | To conditionally provide water availability within Current Deficit Area. |
| Objective 2B5a | A Current Deficit Area subwatershed that is primarily within the Existing Community Zone shall be assigned a Conditional Net Water Availability of 2 percent of Ground Water Capacity, based on the Low Flow Margin Method, conditioned upon prior implementation or commitment for implementation of the 125% mitigation requirement in Objective 2B4b. |
| Objective 2B5b | A Current Deficit Area subwatershed that is primarily within the Protection Zone or Conservation Zone shall be assigned a Conditional Net Water Availability of 1 percent of Ground Water Capacity, based on the Low Flow Margin Method, conditioned upon prior implementation or commitment for implementation of the 125% mitigation requirement in Objective 2B4b. |
| Policy 2B6 | To require, through local development review and Highlands Project Review, the use of water conservation, recycling and reuse methods (where appropriate) and devices for any redevelopment or development activity, including renovations to existing residential, institutional, commercial or industrial buildings, to minimize consumptive water use tailored to meet the resource protection and other goals for each Zone and considering subwatershed-specific conditions and Net Water Availability status. |
| Policy 2B7 | To require through Highlands Project Review that Wastewater Management Plans or amendments demonstrate that the proposed service area will not directly or indirectly cause or contribute to, or could help mitigate, a Net Water Availability deficit. |

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| Policy 2B8 | To apply standards in the Protection Zone designed to maintain the integrity of aquatic ecosystems, recognizing the regional significance of these resources. Consumptive and depletive water uses and associated land uses shall be stringently limited. |
| Objective 2B8a | Restrict consumptive and depletive uses of ground and surface waters by HUC14 subwatershed to no more than 5 percent of Ground Water Capacity. |
| Objective 2B8b | Prevent net increases in consumptive and depletive water uses in Current Water Deficit Areas to prevent exacerbation of and help reduce or eliminate the deficit to ensure sustainable water supply, water resource and ecological values, emphasizing techniques including, but not limited to water reuse, recycling and conservation. |
| Objective 2B8c | Limit consumptive and depletive water uses in Existing Constrained Areas to 5 percent of the Ground Water Capacity to ensure continued stream flows to downstream Current Deficit Areas, emphasizing techniques including, but not limited to water reuse, recycling and conservation. |
| Objective 2B8d | Give highest priority for the use of Net Water Availability to Highlands Redevelopment Areas and Receiving Zones as designated by the Highlands Council. |
| Objective 2B8e | Ensure, through NJDEP Water Allocation regulations, that any new or increased water allocation permits do not result in significant reductions in safe yields for any water supply facility with an existing water allocation permit and NJDEP-approved safe yield. |
| Policy 2B9 | To apply standards in the Conservation Zone which recognize that significant ecological resources exist in these areas and protect these resources. Agricultural water uses will also occur in these areas along with limited, low density development and appropriate redevelopment. There is value to reserving significant amounts of net water availability for agricultural operations that employ water quality protection, conservation, reuse, and recycling best management practices, and to provide specific Ground Water Availability targets to agricultural and non-agricultural water uses, to minimize the potential for conflict between these uses. |
| Objective 2B9a | Limit consumptive and depletive uses of ground and surface waters for agricultural purposes to no more than 10 percent of Ground Water Capacity, and for non-agricultural purposes to no more than 5 percent of Ground Water Capacity, based on the Low Flow Margin Method. |
| Objective 2B9b | Prevent net increases in consumptive and depletive water uses in Current Water Deficit Areas to prevent exacerbation of and help reduce or eliminate the deficit to ensure sustainable water supply, water resource and ecological values, emphasizing techniques including, but not limited to water reuse, recycling and conservation. |
| Objective 2B9c | Limit consumptive and depletive water uses in Existing Constrained Areas to the 2003 consumptive and depletive water use plus 5 percent of the Ground Water Capacity (up to the standard thresholds in Objective 2B9a) to ensure continued stream flows to downstream Current Deficit Areas, emphasizing techniques including, but not limited to, water reuse, recycling and conservation. |
| Objective 2B9d | Give highest priority for the use of Net Water Availability for agricultural and related water uses to those using best management practices for irrigation and other activities, and to designated Receiving Zones. |
| Objective 2B9e | Give highest priority for the use of Net Water Availability for non-agricultural water uses to clustered or compact development, Highlands Redevelopment Areas as designated by the Highlands Council, and designated Receiving Zones that result in the preservation of agricultural and environmentally sensitive lands. |

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| Objective 2B9f | Ensure, through NJDEP Water Allocation regulations, that any new or increased water allocation permits do not result in significant reductions in safe yields for any water supply facility with an existing water allocation permit and NJDEP-approved safe yield. |
| Policy 2B10 | To apply standards within the Existing Community Zone to provide for the protection of water supply, water resources and ecological values of the Region. |
| Objective 2B10a | Limit consumptive and depletive uses of ground and surface waters to no more than 20 percent of Ground Water Capacity, based on the Low Flow Margin Method. |
| Objective 2B10b | Prevent net increases in consumptive and depletive water uses in Current Water Deficit Areas to prevent exacerbation of and help reduce or eliminate the deficit, emphasizing techniques including, but not limited to, water reuse, recycling and conservation. |
| Objective 2B10c | Limit consumptive and depletive water uses in Existing Constrained Areas to the 2003 consumptive and depletive water use plus 5 percent of the Ground Water Capacity (up to the standard thresholds in Objective 2B10a) to ensure continued stream flows to downstream Current Deficit Areas, emphasizing techniques including, but not limited to, water reuse, recycling and conservation. |
| Objective 2B10d | Give highest priority allocation of remaining Net Available Water to areas that can accommodate designated Receiving Zones. |
| Objective 2B10e | Establish and implement best management practices for recreational, landscape irrigation and other practices through applicable State and federal programs. |
| Objective 2B10f | Allow water resource transfers between subwatersheds only when there is no other viable alternative and where such transfers would demonstrably not result in impairment of resources in any subwatershed. Potential effects on upstream and downstream subwatersheds should be included in any such evaluation. |
| Objective 2B10g | Establish and implement mandatory stormwater reuse for recreational and other non-agricultural irrigation, as well as other non-potable water purposes to minimize both the volume of stormwater discharges and water withdrawals for these purposes. |
| Objective 2B10h | Ensure, through NJDEP Water Allocation regulations, that any new or increased water allocation permits do not result in significant reductions in safe yields for any water supply facility with an existing water allocation permit and NJDEP-approved safe yield. |

Subpart b. Protection of Water Resources Quantity

The Highlands Regional Master Plan focuses on a variety of measures to protect the replenishment of water resources in the Highlands Region through ground water recharge and other means, to ensure the maintenance of aquatic ecosystems and human water uses.

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| GOAL 2C | REFINEMENT OF WATER AVAILABILITY METHODS AND ESTIMATES. |
| Policy 2C1 | To improve estimates of Net Water Availability over time, including testing, development and adoption of ecologically-based assessment techniques to evaluate the high and low flow needs of streams necessary to maintain the health of aquatic ecosystems, and the relationship between ground water recharge, ecological flow needs, consumptive water uses and estimates of water availability for both ground and surface water resources. |
| Policy 2C2 | To evaluate potable water supply reservoir safe yield and passing flow requirements and examine the effects of upstream consumptive and depletive water uses on safe yields |

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| | and of passing flows on Highlands Open Waters and recommend regulatory changes to NJDEP as appropriate. |
| Policy 2C3 | To develop a more refined Hydrologic Unit Map using Light Detection and Ranging (LiDAR) technology and high resolution digital elevation modeling to support more detailed geographic estimates of water availability. |
| Policy 2C4 | To develop more refined estimates of the effects on Net Water Availability regarding the exportation and importation of water and wastewater. |
| GOAL 2D | MAINTENANCE OF HYDROLOGIC INTEGRITY THROUGH THE PROTECTION OF GROUND WATER RECHARGE. |
| Policy 2D1 | To map and maintain an inventory of ground water recharge potential for the Highlands Region. |
| Policy 2D2 | To delineate Prime Ground Water Recharge Areas as those lands within a HUC14 subwatershed that have the highest recharge volumes as of the most recent land use/land cover data available, relative to other land areas, and in the aggregate provide 40 percent of total ground water recharge during drought conditions. |
| Policy 2D3 | To protect the quantity and quality of Prime Ground Water Recharge Areas. |
| Objective 2D3a | Implement, through local development review and Highlands Project Review, low impact development or other best management practices to minimize the need for engineered recharge methods for the purpose of complying with N.J.A.C. 7:8 (Stormwater Management Rules). |
| Objective 2D3b | Restrict through local development review and Highlands Project Review development activities and other activities which result in a reduction in ground water recharge volumes or will contribute to or result in water quality degradation within Prime Ground Water Recharge Areas. |
| Policy 2D4 | To prohibit uses of land within a Prime Ground Water Recharge Area that may reduce recharge volumes or other uses that may impair water quality within or draining to a Prime Ground Water Recharge Area. |
| Objective 2D4a | Implement a requirement through local development review and Highlands Project Review that any development activity in a Prime Ground Water Recharge Area demonstrate that an equivalent of 125% of pre-existing recharge volumes of the site will be provided for within the same subwatershed, or by other means as determined by the Highlands Council. |
| Policy 2D5 | To apply standards within the Protection Zone through local development review and Highlands Project Review to protect, restore and enhance the functionality and the water resource value of Prime Ground Water Recharge Areas. |
| Objective 2D5a | Prohibit the creation of impervious surfaces and other surfaces that significantly impede recharge within a Prime Ground Water Recharge Area, and restrict other land uses that may degrade water quality within or draining to a Prime Ground Water Recharge Area. |
| Objective 2D5b | Allow for modifications to Prime Ground Water Recharge Area protection requirements, such as increases in impervious cover or loss of forest or other natural land cover, only upon demonstration that any relief from protection requirements will not impair or reduce ground water recharge quality or volumes and are necessary to protect public health and safety, or to provide for minimum practical use in the absence |

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| | of any alternative. |
| Policy 2D6 | To apply standards within the Conservation Zone through local development review and Highlands Project Review to protect, restore and enhance the functionality and the water resource value of Prime Ground Water Recharge Areas. |
| Objective 2D6a | Discourage and restrict the creation of impervious surfaces and other surfaces that significantly impede recharge within a Prime Ground Water Recharge Area, or other uses that may degrade water quality within or draining to a Prime Ground Water Recharge Area. |
| Objective 2D6b | Allow for modifications to Prime Ground Water Recharge Area protection requirements, such as increases in impervious cover or loss of forest or other natural land cover only upon demonstration that any relief from protection requirements will not impair or reduce ground water recharge quality or volumes, and are necessary to protect public health and safety, or to provide for minimum practical use in the absence of any alternative. |
| Policy 2D7 | To apply standards within the Existing Community Zone through local development review and Highlands Project Review to provide for the protection of ground water recharge areas. |
| Objective 2D7a | Achieve a net improvement in ground water recharge volume and maintenance of water quality through compliance with any related provisions of an adopted regional stormwater plan. |
| Objective 2D7b | Achieve a net improvement in ground water volume and maintenance of water quality through redevelopment, enhanced infiltration, pretreatment or other means where feasible. |
| Policy 2D8 | To implement resource protection standards to provide for the protection of ground water recharge areas on a site-specific basis during local development review and Highlands Project Review. |
| Objective 2D8a | Establishment of minimum site design guidelines and permissible uses within a Prime Ground Water Recharge Area. |
| Objective 2D8b | Increases in pre-existing impervious area shall not be permitted if they will contravene an applicable management, low impact design standard, or other best management practice. |
| Objective 2D8c | Identify and implement opportunities for the restoration or enhancement of impaired Prime Ground Water Recharge Areas through the retrofit or rehabilitation of stormwater recharge facilities, land management improvements, reforestation, etc. |
| Objective 2D8d | Implement programs for Prime Ground Water Recharge Areas which encourage redevelopment of previously developed areas and allow for other compatible uses that improve recharge area productivity or water quality. |
| Objective 2D8e | Require conformance with applicable components of regional stormwater management plans, where applicable, as a mandatory requirement for any site plan application. |
| Policy 2D9 | To develop technical guidelines and procedures for low impact development, engineering and other appropriate best management practices to protect, restore and enhance Prime Ground Water Recharge Areas. |
| Policy 2D10 | To identify land use categories or other activities that pose sufficient risk of contamination and that should not be allowed within Prime Ground Water Recharge Areas. |

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| Policy 2D11 | To develop model municipal development regulations and master plan elements for the protection of Prime Ground Water Recharge Areas, through mechanisms that both complement and supplement the provisions of N.J.A.C. 7:8 (Stormwater Management Rules). |
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| GOAL 2E | IMPROVEMENT OF GROUND WATER RECHARGE THROUGH REGIONAL MANAGEMENT EFFORTS. |
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| Policy 2E1 | To develop regional stormwater plans to promote regional protection, restoration and enhancement of ground water recharge volume and quality where specific watersheds are at risk in the absence of regional analysis and enhanced standards (see N.J.A.C. 7:8, Stormwater Management Rules). |
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| Policy 2E2 | To coordinate programs, funding and activities among public and private entities to encourage regional ground water recharge protection, restoration and enhancement activities consistent with the Plan. |
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Subpart c. Water Quality

The Highlands Regional Master Plan focuses on a variety of measures to protect, enhance and restore as necessary the quality of water resources in the Highlands Region to ensure that human and ecological water uses have water quality appropriate to those uses, and that human water uses do not alter water quality in unacceptable ways.

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| GOAL 2F | ASSESSMENT AND RESTORATION OF SURFACE AND GROUND WATER QUALITY OF THE HIGHLANDS REGION. |
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| Policy 2F1 | To identify surface and ground water resources currently impaired or at risk of impairment, and in need of protection, restoration or enhancement. |
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| Policy 2F2 | To coordinate with NJDEP regarding a unified water quality assessment and the development and implementation of Total Maximum Daily Loads, where necessary, for all surface waters within the Highlands Region. |
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| Policy 2F3 | To coordinate with NJDEP regarding a unified ground water quality assessment, monitoring and attainment program. |
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| Policy 2F4 | To coordinate with NJDEP regarding efforts to monitor areas of known contamination to ground water resources within the Highlands Region and activities to remediate and restore water quality. |
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| Policy 2F5 | To coordinate with NJDEP and other agencies to identify impairments and implement improved regulatory actions and management practices that will also support the water quality goals of the Highlands Act. |
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| Policy 2F6 | To remediate the pollutant sources associated with existing or historic land uses in conjunction with redevelopment. |
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| GOAL 2G | PROTECTION, RESTORATION AND ENHANCEMENT OF THE WATER QUALITY OF THE HIGHLANDS REGION. |
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| Policy 2G1 | To evaluate locations and density of development which are sustainable in conjunction with the use of best management practices applicable to these various water resource |
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| | needs and support the protection and management of critical lands for water quality purposes. |
| Policy 2G2 | To reduce or avoid water quality impacts using requirements for water quality protection measures for new land uses through local development review and Highlands Project Review. |
| Policy 2G3 | To adopt and implement water quality protections through Plan Conformance, local development review and Highlands Project Review. |
| Objective 2G3a | Prohibit land uses that would increase pollutant loadings to waters for which TMDLs have been adopted by NJDEP unless in compliance with the relevant TMDL. |
| Objective 2G3b | Ensure that new land uses draining to a stream designated as impaired but lacking a TMDL (i.e., Sublist 5) avoid increased pollutant loadings for the parameter or parameters for which a TMDL is required. |
| Objective 2G3c | Wastewater Management Plans or amendments shall demonstrate that the proposed service area will not directly or indirectly support development that would be in violation of an adopted TMDL. |
| Policy 2G4 | To determine where water quality improvements are necessary or beneficial for the improvement of water availability, develop watershed-based plans to achieve such improvements such as restoration techniques including disconnection and reduction of existing impervious surfaces, develop implementation mechanisms, and implement these plans. |
| Policy 2G5 | To adopt and implement storm water management controls through Plan Conformance, local development review and Highlands Project Review. |
| Objective 2G5a | Require recharge of clean stormwater rather than contaminated stormwater wherever feasible to meet stormwater management requirements, and to pretreat contaminated stormwater wherever its recharge is required. |
| Objective 2G5b | Require low impact development and other best management practices standards for stormwater management to minimize the discharge of stormwater-entrained pollutants to ground and surface waters. |
| Objective 2G5c | Implement agricultural best management practices for water conservation, water reuse, nutrient and pesticide application, animal waste management, environmental restoration, pollution assessment and prevention, and irrigation efficiency in farm operations for the protection of ground and surface water quality. |
| Policy 2G6 | To establish minimum criteria for municipal water quality management programs. |
| Objective 2G6a | Develop technical guidelines and procedures for low impact development and best management practices to protect ground and surface water quality. |
| Objective 2G6b | Develop model municipal development regulations for the protection of ground and surface water quality. |
| Objective 2G6c | Require conforming municipal and county master plans and development regulations to incorporate relevant TMDLs, additional water quality protection measures and wellhead protection for public water supply wells and nitrate standards as development standards. |
| Policy 2G7 | To promote the implementation of low impact development standards and best management practices to protect the quality of ground and surface water quality. |
| Policy 2G8 | To develop an educational program to further the understanding of the importance of |

water quality and methods of protecting water resources in the Highlands.

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| GOAL 2H | LIMITATION OF THE TYPE AND AMOUNT OF HUMAN DEVELOPMENT IN THE WELLHEAD PROTECTION AREAS OF PUBLIC WATER SUPPLY WELLS. |
| Policy 2H1 | To identify Wellhead Protection Areas for public community and public noncommunity nontransient water supply wells in or affecting the Highlands Region. |
| Objective 2H1a | Coordinate with NJDEP to establish and maintain an inventory of Wellhead Protection Areas in or affecting the Highlands Region. |
| Objective 2H1b | Identify land uses within the Wellhead Protection Areas that have a significant potential for contributing pollutants of concern to ground water. |
| Objective 2H1c | Each Wellhead Protection Area shall include three tiers. The time of travel for ground water to the well in Tier 1 shall be up to 2 years; Tier 2 shall be up to 5 years; and Tier 3 shall be up to 12 years. Each tier shall include the area of each smaller tier within it. |
| Policy 2H2 | To develop and implement, through Plan Conformance, local development review and Highlands Project Review, resource protection measures to protect and enhance ground water and water supply resources within Wellhead Protection Areas consistent with the source water assessments for each water supply source. |
| Objective 2H2a | Prohibit land uses that have a significant potential to result in the discharge of pathogens (including but not limited to septic systems and engineered stormwater infiltration from surfaces with significant potential for contact with pathogenic contaminants) to ground water or to the land surface within a designated Tier 1 Wellhead Protection Area, such that they may degrade or contribute to the degradation of ground water quality. |
| Objective 2H2b | Prohibit land uses that have a significant potential to result in the discharge of persistent organic chemicals sources (including but not limited to existing discharges of industrial or other non-sanitary wastewater effluent) to ground water or to the land surface within a designated Tier 2 Wellhead Protection Area, such that they may degrade or contribute to the degradation of ground water quality. |
| Objective 2H2c | Require that land uses that have a significant potential to result in major discharges of pollutants to ground water or to the land surface (including but not limited to non-sanitary wastewater effluent and any major sources of potential discharges such as spills and leaks), such that they may degrade ground water quality within a designated Tier 3 Wellhead Protection Area, shall incorporate ongoing management of toxic chemical sources and prohibition of unregulated discharges, so that the potential for ground water contamination is minimized and the opportunity for discharge discovery and control is maximized. |
| Policy 2H3 | To develop educational materials to further the understanding of the importance of Wellhead Protection Areas to protect ground water supply. |
| Policy 2H4 | To prepare design standards in order to encourage appropriate conservation-based design. |
| Objective 2H4a | Require site specific and municipal stormwater management plans to address wellhead protection requirements. |
| Objective 2H4b | Encourage stormwater reuse for non-agricultural irrigation and other non-potable water purposes to minimize the volume of stormwater discharges (other than from clean sources) within a Tier 1 or Tier 2 Wellhead Protection Area. |

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| Objective 2H4c | Develop technical guidelines and procedures for the identification of potable sources at risk and protection of Wellhead Protection Areas for public water supply wells in the Highlands Region. |
| Objective 2H4d | Develop technical guidelines and procedures for wellhead protection best management practices to protect ground water quality. |
| Policy 2H5 | To require that conforming municipalities revise master plans and development regulations to address wellhead protection requirements. |
| Objective 2H5a | Develop model master plan elements and land development regulations for Wellhead Protection Areas. |
| Objective 2H5b | Restrict development activities that pose threats to the water quality of public water supply wells. |
| Objective 2H5c | Ensure that development activities and existing land use activities implement best management practices to protect the quality of ground water within Wellhead Protection Areas. |
| Objective 2H5d | Amend Wastewater Management Plans for conforming municipalities and counties to ensure that any activity associated with the proposed service area will not adversely affect a Wellhead Protection Area. |

Subpart d. Sustainable Development and Water Resources

The Highlands Regional Master Plan includes a variety of measures to ensure that future development is at densities necessary to remain within the carrying capacity of water resources for both quality and quantity, and to ensure that water supply and wastewater utility capacities are made available in ways that provide maximum regional benefit within the constraints of water availability and water quality protection, and are used in ways that provide cost-effective and efficient service.

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| GOAL 2I | LIMITATION OF THE EXPANSION OF WATER AND WASTEWATER INFRASTRUCTURE IN THE PRESERVATION AREA. |
| Policy 2I1 | To ensure compliance with the statutory revocation of designated sewer service areas unless the wastewater collection systems had been installed by August 10, 2004, and unless extensions are warranted to address documented threats to public health and safety or are exempt from the Highlands Act. |
| Policy 2I2 | To identify water and wastewater infrastructure necessary for appropriate and environmentally-sensitive redevelopment of Highlands Redevelopment Areas in the Preservation Area. |
| GOAL 2J | ALL EXISTING AND FUTURE DEVELOPMENT IN THE HIGHLANDS REGION THAT USE PUBLIC WATER SUPPLY SYSTEMS ARE SERVED BY ADEQUATE AND APPROPRIATE INFRASTRUCTURE. |
| Policy 2J1 | To establish and maintain an inventory of Highlands Public Community Water System infrastructure, including developed parcels with current connections to existing utility service areas. |
| Objective 2J1a | The development and maintenance of an inventory of Existing Areas Served. |
| Objective 2J1b | The development and maintenance of an inventory of the service areas and capacity of |

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| | Highlands Public Community Water Supply Systems. |
| Objective 2J1c | The development of an estimate of Available Water Supply Capacity for each Highlands Public Community Water Supply System. |
| Objective 2J1d | The identification of remaining available water supply system capacity to support regional growth opportunities within the Highlands Region. |
| Policy 2J2 | To ensure, through Plan Conformance and Highlands Project Review, that the service areas, water allocation permits and bulk water purchases of Highlands Public Community Water Systems shall be limited such that the maximum monthly demand shall not exceed or contribute to an exceedance of the water availability of its source waters. |
| Policy 2J3 | To identify potential opportunities for public water systems where domestic water supplies have been documented as a threat to public health due to source contamination. |
| Policy 2J4 | To minimize, through Plan Conformance, local development review and Highlands Project Review, the extension of public water supply systems within the Protection Zone and the Conservation Zone for the protection of water resources. |
| Objective 2J4a | Prohibit new, expanded or extended public water systems unless they are shown to be necessary for and are approved by the Highlands Council to address documented threat to public health and safety where no alternative is feasible, to serve a designated Highlands Redevelopment Area, or cluster development, or to provide for minimum practical use in the absence of any alternative through issuance of a waiver by NJDEP or the Highlands Council, and will maximize the protection of sensitive environmental resources. |
| Objective 2J4b | Accommodate compact development served by existing or proposed public water systems only where such development is within or immediately adjacent to an existing service area and provides for the clustering or aggregation of development that will preserve at least 80 percent of the project area in perpetuity for environmental protection or agriculture purposes and the development impacts are otherwise consistent with the goals and requirements of the Plan. Where agricultural purposes are involved, increased impervious surfaces of greater than 3% but less than 9% of the agricultural lands requires the approval of a Farm Conservation Plan from the USDA Natural Resource Conservation Service and impervious surfaces of 9% or greater requires the approval of a Resource Management System Plan from the USDA Natural Resource Conservation Service. |
| Objective 2J4c | All development in areas which are not served by public water systems shall be at a density which can be supported by on-site domestic wells. |
| Policy 2J5 | To allocate available water supply in the Existing Community Zone to provide for the maximum direct and indirect protection of water resources in the Highlands Region. |
| Objective 2J5a | The highest priority for the allocation of available utility capacity in Existing Community Zones shall be given to areas of regional growth opportunities that constitute designated Receiving Zones. |
| Objective 2J5b | Develop a comprehensive data base of water utilities that are dependent on Current Water Availability Deficit Areas or Existing Water Availability Constrained Areas as a source of water, with estimates of the extent to which service area demands and water allocation permits may exceed available water. |
| Objective 2J5c | Limit future water system demand and/or reducing existing demand by water systems that are dependent on Current Water Availability Deficit Areas or Existing Water |

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| | Availability Constrained Areas as a source of water. |
| Objective 2J5d | Limit future water system demands to levels that will not cause a Current Water Availability Deficit where one does not currently exist. |
| Policy 2J6 | To prohibit, through local development review and Highlands Project Review, new or increased water resource transfers between subwatersheds unless it is demonstrated that no other option exists to meet public health, safety and welfare objectives and where such transfers do not result in impairment of resources in the subwatershed from which water is proposed to be transferred. |
| Policy 2J7 | To encourage water recycling/reuse measures, such as domestic and institutional gray water systems, where appropriate, to minimize water use in existing land uses. |
| Policy 2J8 | To require water resource management for all development in the Highlands Region, through local development review and Highlands Project Review. |
| Objective 2J8a | Require the maximum feasible water conservation and recycling for any redevelopment or development activity, including renovations to existing single family residences and commercial/industrial buildings. |
| Objective 2J8b | Require consideration of and the cost-effective use of recycled or re-used water rather than potable public water for non-potable purposes such as fountains, nonessential uses such as golf courses, certain recreational, commercial, or agricultural uses. |
| Objective 2J8c | Require that new residential development served by public community water systems be at a minimum density of 1/2 acre per dwelling unit for the developed part of the site (i.e., not including wetlands, open water buffers, recreational space), to ensure cost-effective utility service. |
| Objective 2J8c | Require that new non-residential development served by public wastewater collection and treatment systems be designed to target a floor area ratio (FAR) of 0.84 for the developed part of the site (i.e., not including wetlands, open water buffers, recreational space) to the maximum extent feasible, as a means to maximize parking and employment efficiency and compact development. |
| Policy 2J9 | To ensure continued refinement and development of the Regional Master Plan. |
| Objective 2J9a | Implement a coordinated program with NJDEP to track ground water and surface water withdrawals and water allocations within the Highlands Region to maintain current estimates of net utility capacity and to fill critical missing data gaps. |
| Objective 2J9b | Coordinate with NJDEP, water purveyors and water utilities to ensure that service areas and franchise areas are supplied by and consistent with sustainable yields from their designated sources. |
| Objective 2J9c | Determine where water quality improvements are necessary or beneficial for the improvement of Net Water Availability or protection of existing drinking water supplies, develop watershed-based plans to achieve such improvements, and develop mechanisms to implement these plans |
| GOAL 2K | ALL EXISTING AND FUTURE DEVELOPMENT IN THE HIGHLANDS REGION THAT USE PUBLIC WASTEWATER TREATMENT SYSTEMS ARE SERVED BY ADEQUATE AND APPROPRIATE INFRASTRUCTURE. |
| Policy 2K1 | To establish and maintain an inventory of Highlands public wastewater management infrastructure, including developed parcels with current connections to existing utility service areas. |

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| Objective 2K1a | The development and maintenance of an inventory of Existing Areas Served. |
| Objective 2K1b | The development and maintenance of an inventory of the service areas and capacity of Highlands Domestic Sewerage Facilities. |
| Objective 2K1c | The development of an estimated Available Wastewater Treatment Capacity for each Highlands Domestic Sewer Facility. |
| Objective 2K1d | The identification of remaining available wastewater treatment capacity to support regional growth opportunities within the Highlands Region. |
| Policy 2K2 | To base projected demand for appropriate economic revitalization and opportunities for designated Receiving Zones within Existing Areas Served on existing maximum three month demands plus an estimate of redevelopment needs based on either Highlands Council regional analyses or more detailed local analyses, to assess whether there is adequate treatment capacity to encourage redevelopment. |
| Policy 2K3 | To provide new growth and development in the Protection Zone and the Conservation Zone with adequate and appropriate wastewater treatment through Plan Conformance, local development review and Highlands Project Review. |
| Objective 2K3a | Allocate any available sewer system capacity to address documented threats to public health from failing septic systems on a priority basis. |
| Objective 2K3b | Prohibit new, expanded, or extended wastewater collection or treatment outside of Existing Areas Served unless they are shown to be necessary for and are approved by the Highlands Council to address documented threat to public health and safety where no alternative is feasible, to serve a Highlands Redevelopment Area, or cluster development, or to provide for minimum practical use in the absence of any alternative through issuance of a waiver by NJDEP or the Highlands Council, and will maximize the protection of sensitive environmental resources. |
| Objective 2K3c | Expansion of wastewater service shall be permitted in areas where there is a demonstrated threat to public health caused by a pattern of documented failing septic systems located within Existing Areas Served, or adjacent to Existing Areas Served where the failing septic systems cannot reasonably be addressed through rehabilitation or replacement of the existing septic system. |
| Objective 2K3d | Permit cluster development served by existing or expanded wastewater collection and treatment systems in an Agricultural Resource Area only where such development is within or immediately adjacent to an Existing Areas Served and adequate provision is made for the preservation of at least 80 percent of the project area in perpetuity for environmental protection or agricultural purposes and provided that the proposed development is otherwise consistent with the goals and requirements of the Plan. Where agricultural purposes are involved, increased impervious surfaces of greater than 3% but less than 9% of the agricultural lands requires the approval of a Farm Conservation Plan from the USDA Natural Resource Conservation Service and impervious surfaces of 9% or greater requires the approval of a Resource Management System Plan from the USDA Natural Resource Conservation Service. |
| Objective 2K3e | Ensure that new growth and development that is not served by public wastewater collection and treatment systems is limited to densities suitable for on-site wastewater treatment. |
| Objective 2K3f | Cluster development utilizing community-based on-site treatment facilities shall be permitted: (1) where such development is not within an Existing Area Served or adjacent to an Existing Area Served with available capacity, (2) where the system is designed and has capacity only for the cluster development, (3) where the system does |

not create the potential for future expansion into areas that are not the subject of cluster developments immediately adjacent to the initial cluster served, (4) where adequate provision is made for the preservation of at least 80 percent of the project area in perpetuity for environmental protection or agriculture purposes, (5) where agricultural purposes are involved, increased impervious surfaces of greater than 3% but less than 9% of the agricultural lands requires the approval of a Farm Conservation Plan from the USDA Natural Resource Conservation Service and impervious surfaces of 9% or greater requires the approval of a Resource Management System Plan from the USDA Natural Resource Conservation Service , and (6) provided that the proposed development is otherwise consistent with the goals and requirements of the Plan.

Policy 2K4

To provide new growth and development in the Existing Community Zone with adequate and appropriate wastewater treatment, through Plan Conformance, local development review and Highlands Project Review.

Objective 2K4a

The highest priority for allocation of excess or additional wastewater treatment capacity is to areas where there are clusters of failed septic systems that are located within or adjacent to Existing Areas Served.

Objective 2K4b

The second highest priority for the allocation of excess or additional wastewater treatment capacity is to regional growth and redevelopment areas that can serve as designated Receiving Zones.

Objective 2K4c

Allow the expansion or creation of wastewater collection systems beyond Existing Areas Served to serve lands which are appropriate for infill or redevelopment, or to serve areas if they are shown to be necessary for and are approved by the Highlands Council to address a documented threat to public health and safety where no alternative is feasible, to serve cluster development, or to provide for minimum practical use in the absence of any alternative through issuance of a waiver by NJDEP or the Highlands Council, and will maximize the protection of sensitive environmental resources.

Policy 2K5

To provide adequate, appropriate, efficient and cost-effective wastewater management to all development in the Highlands Region, through Plan Conformance, local development review and Highlands Project Review.

Objective 2K5a

Allow community-based on-site treatment facilities for those areas located outside Existing Areas Served that are shown to be necessary for and are approved by the Highlands Council to address a documented threat to public health and safety due to failing septic systems; these facilities shall only serve existing wastewater and shall not include infrastructure to support future growth.

Objective 2K5b

Prohibit the construction of sewer lines within Tier 1 of Well Head Protection Areas that may result in seepage of untreated sewage into ground water supplies.

Objective 2K5c

Prohibit expansion of a public wastewater collection and treatment systems and community on-site treatment facilities within the Preservation Area except as provided by the Highlands Act and within Open Water buffer areas, Riparian Areas, the forested portion of the Forest Resource Area, agricultural lands of Agricultural Resource Areas, Steep Slopes, and Critical Habitat Areas unless they are shown to be necessary for and are approved by the Highlands Council to address documented threat to public health and safety where no alternative is feasible, cluster development (see Objectives 2K3d and 2K3f), Highlands Redevelopment Areas, or to provide for minimum practical use in the absence of any alternative through issuance of a waiver by NJDEP or the Highlands Council, and will maximize the protection of these sensitive environmental resources.

Objective 2K5d

Require the use of recycled or re-used water wherever possible including aesthetic

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| | purposes and non-potable purposes such as fountains, golf courses, and other recreational, commercial or agricultural uses. |
| Objective 2K5e | Existing wastewater collection and treatments systems which are non-compliant with state water quality standards for wastewater treatment and effluent discharge shall be prohibited from collecting and treating additional wastewater until the treatment systems are fully compliant with State permit requirements. |
| Objective 2K5f | Wastewater Management Plan or amendments thereto, or to an Areawide Water Quality Management Plan, shall be consistent with requirements of this Plan. |
| Policy 2K6 | To ensure the efficiency and cost-effectiveness of public wastewater collection and treatment systems, through Plan Conformance, local development review and Highlands Project Review. |
| Objective 2K6a | Require that new residential development served by public wastewater collection and treatment systems be at a minimum density of 1/2 acre per dwelling unit for the developed part of the site (i.e., not including wetlands, open water buffers, and recreational space) to ensure cost-effective utility service. |
| Objective 2K6b | Require that new non-residential development served by public wastewater collection and treatment systems be designed to target a floor area ratio (FAR) of 0.84 for the developed part of the site (i.e., not including wetlands, open water buffers, recreational space) to the maximum extent feasible, as a means to maximize parking and employment efficiency and compact development. |
| GOAL 2L | ENSURE THAT ON-SITE WASTEWATER SYSTEM DISCHARGES DO NOT EXCEED THE NATURAL CAPACITY OF GROUND WATER TO ATTENUATE LOADINGS, EXACERBATE EXISTING NITRATE IMPAIRMENT, OR CONTRIBUTE TO POTENTIAL NITRATE IMPAIRMENT FOR SUBWATERSHEDS OF THE HIGHLANDS REGION. |
| Policy 2L1 | To use nitrate concentrations in ground water as an indicator of water quality, and to use nitrate dilution modeling as the primary method for assessing the carrying capacity of lands for development that relies on septic systems for wastewater treatment. |
| Objective 2L1a | Determine background median concentrations of nitrate in ground water by HUC14 subwatershed. |
| Objective 2L1b | Identify the factors affecting the suitability of densities for development that relies on septic systems for wastewater treatment. |
| Objective 2L1c | Develop appropriate protection measures to minimize contamination of ground water from septic systems. |
| Objective 2L1d | Develop drought ground water recharge estimates by HUC14 subwatershed for use in the NJDEP nitrate dilution model. |
| Policy 2L2 | To use the median background nitrate concentrations in ground water in the Highlands Region as a basis for establishing on-site wastewater treatment densities through Plan Conformance, local development review and Highlands Project Review. |
| Objective 2L2a | Use the median concentrations of nitrate in ground water for Planning Area HUC14 subwatersheds where the Protection Zone is predominant as the nitrate target for new development reliant on septic systems within the Protection Zone. The median is 0.72 mg/L. |
| Objective 2L2b | Use the median concentrations of nitrate in ground water for Planning Area HUC14 |

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| | subwatersheds where the Conservation Zone is predominant as the nitrate target for new development reliant on septic systems within the Conservation Zone. The median is 1.87 mg/L. |
| Objective 2L2c | Use the NJDEP Highlands Preservation Area rules and nitrate thresholds for the Preservation Area. |
| Objective 2L2d | Use a nitrate target of 2 mg/L for the Existing Community Zone within Planning Area, on a project-by-project basis, where new development will rely on septic systems. |
| Objective 2L2e | New residential development using septic systems where lot-size averaging, clustering or open space subdivision design techniques are employed shall have a gross density (for all parcels involved in the development proposal) based on the nitrate dilution target appropriate for the LUCM Zone, but with the density for the developed portion of the site based on a nitrate dilution target not to exceed 10 mg/L or any more stringent requirement as required by N.J.A.C. 7:15. |
| Objective 2L2f | Carrying capacity shall be documented through the Land Use Capability Septic System Yield Map as the number of allowable septic systems per Conservation and Protection Zone for each HUC14 subwatershed, taking into account the nitrate target, the HUC14 subwatershed drought ground water recharge, and the acreage that is privately owned, undeveloped or underdeveloped, and not preserved. |
| Objective 2L2g | <p>Municipalities may choose to include preserved lands in the analysis of septic system yields for the Conservation and Protection Zone as an alternative to the approach in Objective 2L2f if allowed by NJDEP pursuant to the Water Quality Management Planning Rules at N.J.A.C. 7:15 and where: (1) the municipality demonstrates that including the septic system yields from the preserved lands results in a development density and pattern that is not greater than that allowed by existing zoning and is compatible with the pattern of development associated with the affected Zone; and (2) the municipality implements or causes to be implemented (by development applicants benefiting from the increased septic system yields either directly or through contribution to an implementation fund) agricultural management practices that will reduce nitrate loadings to the same HUC14 subwatershed by:</p> <ul style="list-style-type: none"> • at least the same amount as the estimated septic system loadings from the additional density where the HUC14 subwatershed median nitrate concentration is lower than the relevant Conservation or Protection Zone median concentration, or • at least equal to double the estimated septic system loadings from the additional density where the HUC14 subwatershed median nitrate concentration is higher than the relevant Conservation or Protection Zone median concentration. |
| Objective 2L2h | New residential development utilizing septic systems shall be designed in a manner that minimizes the risk of well contamination due to the flow of septic system plumes within or between developed lots, addressing general ground water flow patterns, major fracture systems and other appropriate geological, geophysical and hydrogeological issues. |
| Policy 2L3 | To prepare and maintain an inventory of areas where existing ground water or surface water quality is impaired to such a degree that any increase in nitrate concentration would have an adverse impact on water quality. |
| Policy 2L4 | To establish methods for restoration of ground water quality for subwatersheds where existing ground water is impaired on a subwatershed by subwatershed basis. |
| Policy 2L5 | To establish minimum standards for the placement, design, monitoring and maintenance of septic systems necessary to protect, restore, and enhance ground water |

quality.

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| GOAL 2M | REFINEMENT AND IMPROVEMENT OF THE GROUND WATER RESOURCE MANAGEMENT ELEMENT. |
| Policy 2M1 | To monitor and assess nitrate-related impacts to water resources within the Highlands Region. |
| Policy 2M2 | To develop appropriate and innovative resource management programs to protect, restore, and enhance subwatersheds where existing ground water quality is impaired. |
| Objective 2M2a | Identify innovative technologies that may be appropriate for the design, installation, and maintenance of on-site wastewater treatment systems to minimize impairment to ground water or surface water quality due to elevated nitrate concentrations and other pollutant loads from septic systems provided the systems meet the minimum standards of N.J.A.C 7:9A. |

Part 3. Agricultural Resources

Agriculture is an important part of the essential character of the Highlands Region’s culture, landscape and economy. It provides important economic benefits to the Highlands Region in the form of agricultural production and agro tourism, provides food to area residents using less energy than would be required to import produce from other regions and helps maintain the Highland’s rural character.

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| GOAL 3A | PROTECTION AND ENHANCEMENT OF THE AGRICULTURAL RESOURCES OF THE HIGHLANDS REGION. |
| Policy 3A1 | To create, maintain, and inventory agricultural lands which are used for agricultural purposes or which are undeveloped and contain soils which are highly suitable for agricultural use. |
| Policy 3A2 | To maintain an inventory of farmland assessed lands in the Highlands Region. |
| Policy 3A3 | To consider Prime, Statewide Importance, Unique, and Locally Important soils as Important Farmland Soils which are critical agricultural resources of the Highlands Region. |
| Policy 3A4 | To delineate Agricultural Resource Areas in the Highlands Region as those areas of concentrated agriculture, using Important Farmland Soils as a critical factor. |
| Policy 3A5 | To promote farmland preservation within the Agricultural Resource Areas and accord priority to the preservation of agricultural lands within Agricultural Priority Areas, through fee simple acquisition, easement acquisition, Transfer of Development Rights and other agricultural land conservation techniques. |
| Policy 3A6 | To ensure through Plan Conformance, local development review and Highlands Project Review that land uses within an Agricultural Resource Area minimize conflict with or support sustainable agriculture, or are compatible with cluster development that preserves agricultural lands, and support the resource protection requirements of the RMP. |
| Objective 3A6a | Implementation of regulations which limit non-agricultural uses within an Agricultural Resource Area to those uses that support the preservation of farmland, the continued viability of the agricultural industry, or are compatible with cluster development that preserves agricultural lands, and support the resource protection requirements of the |

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| Policy 3A7 | To permit through local development review and Highlands Project Review limited development, including family and farm worker housing in Agricultural Resource Areas which are accessory to and/or supportive of sustainable agriculture, subject to compliance with the resource management programs of the RMP. |
| Objective 3A7a | Implementation of regulations which allow for construction of ancillary structures and housing for family and farm workers that are necessary to support farm operations, upon a demonstration that the proposed development is consistent with the resource protection goals of the RMP. |
| Policy 3A8 | To encourage the use of agro-forestry best management practices and techniques on cultivated farmland located within both the Agricultural Resource Area and the Forest Resource Area. |
| Policy 3A9 | To implement programs which encourage owners and operators of farmland with woodlots within Agricultural Resource Areas to prepare and implement approved Forest Management Plans that conform to the resource protection standards of this Plan. |
| Objective 3A9a | Coordinate with the State Forester to provide guidance for the development of Forest Management Plans that improve maintenance of ecosystem and water resource values of the Highlands Region. |
| Policy 3A10 | To establish and implement resource management programs which protect agricultural resources during local development review and Highlands Project Review and approval. |
| Objective 3A10a | Implement regulations which ensure non-agricultural land development within an Agricultural Resource Area protects and enhances agricultural production, protects important farmland soils, and meets other natural resource management and protection requirements. |
| Objective 3A10b | Implement regulations which provide that all non-agricultural development which is proposed in an Agricultural Resource Area comply with open space design requirements to avoid conflicts between such development and agricultural activities and protect farmland and sensitive environmental resources. |
| Objective 3A10c | Implement regulations which require mandatory clustering for residential development in an Agricultural Resource Area with adequate provision for the preservation of at least 80 percent of the project area in perpetuity for environmental protection or agriculture purposes provided that the proposed development is otherwise consistent with the goals and requirements of the Plan. Where agricultural purposes are involved, increased impervious surfaces of greater than 3% but less than 9% of the agricultural lands requires the approval of a Farm Conservation Plan from the USDA Natural Resource Conservation Service and impervious surfaces of 9% or greater requires the approval of a Resource Management System Plan from the USDA Natural Resource Conservation Service. |
| Objective 3A10d | Implementation of regulations which require that all land preserved as farmland or natural resource area as a result of clustering be subject to a conservation easement enforceable by the appropriate municipality and the Highlands Council. |
| Policy 3A11 | To require agricultural activities in the Preservation Area which involve additional agricultural impervious surfaces of greater than 3% but less than 9%, to prepare and obtain approval for a Farm Conservation Plan from the USDA Natural Resource Conservation Service, and to encourage such plans for similar agricultural development in the Planning Area. |

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| Policy 3A12 | To require agricultural activities in the Preservation Area which involve additional agricultural impervious surfaces of 9% or greater to prepare and obtain approval of a Resource Management System Plan from the USDA Natural Resource Conservation Service, and to encourage such plans for similar agricultural development in the Planning Area. |
| Policy 3A13 | To advocate for the amendment of the Farmland Assessment Act to permit the inclusion of credits for the control of invasive species, white-tailed deer reduction programs, and the water value of well-managed agricultural lands. |
| Policy 3A14 | To work with the State Agriculture Development Committee and the Garden State Preservation Trust to establish incentives for any landowner in the Highlands Region seeking to preserve land under the farmland preservation program that would be provided in exchange for the landowner agreeing to permanently restrict the amount of impervious surface and agricultural impervious cover on the farm to a maximum of five percent of the total land area of the farm. |

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| GOAL 3B | PROTECTION AND ENHANCEMENT OF AGRICULTURAL VIABILITY WITHIN THE HIGHLANDS REGION. |
| Policy 3B1 | To encourage private and public owners of lands within an Agricultural Resource Area to lease open lands to farmers and/or to manage open space lands in a manner which is compatible with adjoining agricultural uses. |
| Policy 3B2 | To promote research and study, and support proposals to enhance the long-term viability of the agriculture industry in the Highlands Region through innovative programs with regard to health care, banking practices, housing and labor. |
| Policy 3B3 | To seek additional funding from any and all state and federal funding programs for agriculture within the Highlands Region. |
| Policy 3B4 | To coordinate with other municipal, county, State and federal agencies to ensure to the maximum extent practicable that other agency programs are coordinated with the resource protection requirements of the Highlands RMP. |
| Policy 3B5 | To promote and enhance innovative agricultural practices including direct marketing, farmers markets, road side stands, agro-tourism and community supported agriculture. |

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| GOAL 3C | MINIMIZE CONSTRUCTION OF NON-AGRICULTURAL DEVELOPMENT-INDUCING WATER AND WASTEWATER INFRASTRUCTURE IN AGRICULTURAL RESOURCE AREAS. |
| Policy 3C1 | To prohibit through Plan Conformance, local development review and Highlands Project Review the development of additional water and wastewater infrastructure in a Agricultural Resource Area within the Protection Zone and the Preservation Area, unless they are shown to be necessary for and are approved by the Highlands Council to address documented threat to public health and safety where no alternative is feasible, to serve a Highlands Redevelopment Area or mandatory cluster development, or to provide for minimum practical use in the absence of any alternative through issuance of a waiver by NJDEP or the Highlands Council, and will maximize the protection of agricultural lands within the Agricultural Resource Area. |
| Policy 3C2 | To prohibit through Plan Conformance, local development review and Highlands Project Review the development of additional water and wastewater infrastructure in a Agricultural Resource Area in a Conservation Zone, unless they are shown to be |

necessary for and are approved by the Highlands Council to address documented threat to public health and safety where no alternative is feasible, to serve a Highlands Redevelopment Area or mandatory cluster development, or to provide for minimum practical use in the absence of any alternative through issuance of a waiver by NJDEP or the Highlands Council, and will maximize the protection of agricultural lands within the Agricultural Resource Area.

GOAL 3D PROTECTION AND ENHANCEMENT OF SURFACE AND GROUND WATER QUALITY IN AGRICULTURAL RESOURCE AREAS.

- Policy 3D1** To promote the use of appropriate alternative and innovative wastewater treatment systems to provide enhanced protection of surface and ground water quality in Agricultural Resource Areas of the Conservation Zone.
- Policy 3D2** To promote efforts to increase Integrated Pest Management and Integrated Crop Management programs and other innovative management techniques that reduce pesticide and fertilizer use in conjunction with agricultural activities.
- Policy 3D3** To identify subwatersheds with elevated nitrate levels, develop management plans for enhancing water quality, and implementing those plans in ways that enhance agricultural viability wherever feasible.

GOAL 3E CONFORMING MUNICIPALITIES AND COUNTIES INCLUDE FARMLAND PRESERVATION PLAN ELEMENTS IN THEIR MASTER PLANS AND DEVELOPMENT REGULATIONS.

- Policy 3E1** To prepare technical guidelines for the preparation of a Farmland Preservation Plan Element for inclusion in municipal and county master plans and development regulations.
- Policy 3E2** To require conforming municipalities and counties to include a Farmland Preservation Plan Element consistent with the RMP in municipal and county master plans and development regulations.
- Policy 3E3** To require conforming municipalities and counties to incorporate Right to Farm provisions in their master plans and development regulations.

Part 4. Historic, Cultural, Archaeological and Scenic Resources

The Highlands Region contains important historic, cultural, archaeological and scenic resources and the Highlands Act includes goals for their protection. These resources provide the public with an understanding of how the land and the people of the Highlands Region have changed over time. They also are important for fostering an appreciation for the events that contributed to the development of the towns, villages, and cities of the Highlands Region.

Historic resources include buildings, structures, districts, areas or sites which are significant to the history or culture of a place or time and connect communities with their pasts. Cultural resources include sites, artifacts or materials which relate to the people and how they live or lived. Cultural resources also reflect the way in which a community currently lives and the values which are important to it. Scenic resources are sites, landscapes and vistas that are remarkable or distinctive because of geology, topography, vegetation, history, culture or use of land. In the Highlands Region, topography forming ridgelines and mountainsides, panoramic views, streams and rivers, forests, agricultural landscapes and leafy suburbs are important scenic resources. The Highlands Council has assembled a Historic and Cultural Resource Inventory and a Scenic Resources Inventory.

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| GOAL 4A | PROTECTION AND PRESERVATION OF THE HISTORIC, CULTURAL AND ARCHAEOLOGICAL RESOURCES OF THE HIGHLANDS REGION. |
| Policy 4A1 | To maintain and periodically update the Highlands Region Historic and Cultural Resources Inventory. |
| Objective 4A1a | Encourage municipalities and counties to include a historic, cultural and archaeological survey(s) as part of the Historic Preservation Plan element of their master plans. |
| Policy 4A2 | To provide a process whereby resources may be nominated, considered and included in the Highlands Historic and Cultural Resources Inventory. |
| Policy 4A3 | To ensure through local development review and Highlands Project Review that human development does not adversely affect the character or value of resources which are listed on the Highlands Historic and Cultural Resource Inventory to the maximum extent practicable. |
| Policy 4A4 | To require that the impact of proposed human development on the historic and cultural resources of the Highlands Region be addressed during local development review and Highlands Project Review and approval. |
| Objective 4A4a | All applications for site plan or subdivision approval shall include identification of any cultural, historic or archaeological resources in the Highlands Region which are listed on the Highlands Historic and Cultural Resource Inventory and may be affected by the proposed development. |
| Objective 4A4b | All development which affects identified cultural, historic or archaeological resources shall comply with minimum standards for the preservation of the affected resources. |
| Policy 4A5 | To use the Secretary of the Interior's Standards for the Treatment of Historic Properties as the standard for municipal historic and cultural preservation review and include, at a minimum, the preservation and re-use of historic structures. |
| Policy 4A6 | To coordinate the Highlands Council's activities with regard to the historic and cultural resources with the New Jersey Historic Trust and the State Historic Preservation Office. |
| Policy 4A7 | To promote historic and cultural heritage tourism in the Highlands Region. |
| Policy 4A8 | To encourage municipalities and counties to establish historic preservation commissions or boards to review applications for development which affect historic, cultural and archaeological resources listed on the Highlands Historic and Cultural Resources Inventory. |
| GOAL 4B | PROTECTION AND ENHANCEMENT OF THE SCENIC RESOURCES WITHIN THE HIGHLANDS REGION. |
| Policy 4B1 | To maintain and periodically update the Highlands Scenic Resources Inventory. |
| Policy 4B2 | To provide a process whereby regionally significant resources may be nominated, considered and included in the Highlands Scenic Resources Inventory. |
| Policy 4B3 | To ensure that human development does not adversely affect the character or value of resources which are listed on the Highlands Scenic Resources Inventory. |
| Policy 4B4 | To establish minimum standards to ensure that Highlands Scenic Resources are not impaired by new human development. |

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| Policy 4B5 | To require that the impact of proposed human development on the scenic resources of the Highlands Region be addressed during local development review and Highlands Project Review and approval. |
| Objective 4B5a | All development applications shall include identification of any scenic resources in the Highlands Region which are listed on the Highlands Scenic Resources Inventory and may be affected by the proposed development. |
| Objective 4B5b | All development which affects identified scenic resources shall comply with minimum standards for the preservation of the affected resources. |

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| GOAL 4C | CONFORMING MUNICIPALITIES AND COUNTIES INCLUDE MINIMUM STANDARDS FOR HISTORIC, CULTURAL, ARCHAEOLOGICAL AND SCENIC PROTECTION IN MUNICIPAL AND COUNTY MASTER PLANS AND LAND DEVELOPMENT REGULATIONS. |
| Policy 4C1 | To require that conforming municipalities and counties include a Historic, Cultural and Scenic Resource Protection Element in municipal and county master plans and development regulations and update the Historic and Cultural Resources Inventory through local development reviews. |
| Policy 4C2 | To require that conforming municipalities and counties include minimum standards for the protection and enhancement of historic, cultural and archaeological resources listed in the Highlands Historic and Cultural Resources Inventory in their development regulations. |
| Policy 4C3 | To require that conforming municipalities and counties include minimum standards for the protection and enhancement of scenic resources listed in the Highlands Scenic Inventory in their development regulations. |

Part 5. Transportation

The Highlands Regional transportation system is a complex network of roads, highways, railways and bridges which support various modes of travel, including private automobile, buses, truck, rail bicycle and walking. There are four major commuter rail lines with 24 stations on these lines which are located within the Highlands Region as well as three regional airport facilities. The Region is served by four interstate highways, eight state roads and many county and local roads. In general, most of the highways and roads within the Highlands Region operate at or above design capacity. There is limited intra-regional bus service except for extensive commuter service which is provided by NJ Transit and by private operators, particularly in Morris County and along the Route 78 and 80 corridors.

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| GOAL 5A | PROVISION OF SAFE AND REASONABLE MOBILITY TO RESIDENTS AND VISITORS TO THE HIGHLANDS REGION, WITHIN THE HIGHLANDS, AND BETWEEN THE HIGHLANDS AND DESTINATIONS OUTSIDE OF THE REGION. |
| Policy 5A1 | To ensure that the Highlands transportation system provides safe and reasonable intra-regional and inter-regional mobility. |
| Policy 5A2 | To ensure that the Highlands transportation system affords the Highlands private economic sector, including agriculture, cost-effective transportation for raw materials, products and employees. |

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| Objective 5A2a | Encourage the movement of goods from the roadway network to the freight rail network wherever possible. |
| Objective 5A2b | Evaluate opportunities to increase freight service through the reactivation of abandoned freight lines. |
| Policy 5A3 | To improve public safety through implementation of traffic calming measures in areas with high pedestrian activity. |
| Policy 5A4 | To provide for safe pedestrian connections including features such as sidewalks, proper lighting, shade trees and shelters consistent with NJDOT's Pedestrian Safety Initiative. |
| Policy 5A5 | To promote safe routes for children to travel to and from school in support of the NJDOT's Safe Routes to School Program. |

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| GOAL 5B | MAINTENANCE OF THE LEVEL OF SERVICE ON THE EXISTING HIGHLANDS ROAD SYSTEM WITHOUT THE USE OF INFRASTRUCTURE IMPROVEMENTS THAT COULD TRIGGER ADDITIONAL DEVELOPMENT IN AREAS THAT ARE NOT APPROPRIATE FOR "GROWTH INDUCING" LAND USES. |
| Policy 5B1 | To promote more efficient use of existing road capacity by appropriate means, including increased bus, van and car pool rider-ship. |
| Policy 5B2 | To require through Plan Conformance and Highlands Project Review an evaluation of potential growth inducing effects such as substantial new land use, new residents, or new employment that could occur as a result of increased capacity road improvements. |
| Policy 5B3 | To prohibit through Plan Conformance and Highlands Project Review road improvements in the Highlands Region in areas for which a Growth Inducing Study demonstrates that proposed improvements are likely to be growth-inducing for lands with limited or no capacity to support human development without an adverse impact on the Highlands ecosystem. |

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| GOAL 5C | TRANSPORTATION IMPROVEMENTS WITHIN THE HIGHLANDS REGION THAT ARE CONSISTENT WITH THE HIGHLANDS REGIONAL MASTER PLAN. |
| Policy 5C1 | To ensure, to the extent practicable, that proposed transportation improvements which are not consistent with the RMP be modified to be consistent or be re-evaluated in the context of state and regional planning goals. |
| Policy 5C2 | To coordinate with NJ DOT, NJ Transit, North Jersey Transportation Planning Authority (NJTPA), counties and municipalities with regard to transportation planning and strategies within the Highlands Region. |
| Objective 5C2a | Highlands Region transportation site development activities will reflect RMP resource protection, development and redevelopment goals. |
| Policy 5C3 | To limit road improvements through local development review and Highlands Project Review where roads are constrained by topography, forested lands or the community character of land uses fronting on the road. |
| Policy 5C4 | To support economic development by ensuring that transportation planning and improvements support regional development, redevelopment, and tourism opportunities. |

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| Objective 5C4a | Increase tourism opportunities through innovative multi-modal transportation measures and accessible transit schedules. |
| Objective 5C4b | Support regional tourism economy through enhanced street furnishings, directional signage and Highlands Region tourism information. |
| Policy 5C5 | To recognize and support the unique needs of the agricultural industry to move farm vehicles and goods along transportation corridors, and establish safe travel routes for farmers in order to ensure the safety and viability of farming as an occupation in the Highlands Region. |
| Policy 5C6 | To require conforming municipalities to adopt a Circulation Plan Element that coordinates with the land use plan and addresses smart growth principles and consistency with the RMP. |
| Policy 5C7 | To require conforming counties to adopt a transportation plan that supports local and regional land use planning that promotes connectivity, shared service opportunities and long-term transportation network needs. |
| Policy 5C8 | To evaluate the existing and proposed Residential Site Improvement Standards (RSIS) in the context of the RMP and develop recommendations for amendments to minimize environmental impacts and maximize utility efficiency from new residential developments in a context-specific manner. |

GOAL 5D A MULTI-MODAL TRANSPORTATION SYSTEM WHICH FACILITATES THE MOVEMENT OF PEOPLE AND GOODS WITHIN THE HIGHLANDS REGION WITHOUT ADVERSELY AFFECTING ECOSYSTEM INTEGRITY AND COMMUNITY CHARACTER.

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| Policy 5D1 | To promote the use of mass transit and other alternative modes of transportation within the Highlands Region. |
| Objective 5D1a | Increase the performance of the public and private bus carrier systems within the Highlands Region. |
| Objective 5D1b | Increase overall transit ridership and the use of multi-modal transportation systems for peak hour travel. |
| Objective 5D1c | Increase employer initiated transit opportunities in the Highlands Region such as shuttle bus service, van and car pool service, and smart car options. |
| Policy 5D2 | To promote transit improvements within the Highlands Region which primarily support intra-regional mobility. |
| Policy 5D3 | To promote priority for transportation improvements which primarily improve intra-regional mobility. |
| Policy 5D4 | To promote transit improvements which will increase capacity for inter-regional mobility. |
| Policy 5D5 | To encourage and promote tourism through appropriate transportation measures, accessible transit schedules, and enhanced street furnishings and information and directional signage. |

GOAL 5E MINIMIZATION OF TRAVEL DEMAND AND VEHICLE MILES OF TRAVEL

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| Policy 5E1 | To promote land use patterns that support a balance of jobs to housing as a means of |
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| | reducing average trip lengths. |
| Objective 5E1a | Development and redevelopment which provides housing and jobs in close proximity. |
| Objective 5E1b | Development and redevelopment in close proximity to rail stations and along bus routes. |
| Policy 5E2 | To promote municipal and county master plans and development regulations which facilitate the development of mixed land uses in locations that result in reduced average trip lengths, increase community and regional connectivity and support existing development patterns. |
| Policy 5E3 | To promote land use patterns which facilitate use of alternative modes of transportation including walking and the use of bicycles. |
| Policy 5E4 | To promote shared parking programs in support of mixed use development and redevelopment. |
| Objective 5E4a | Circulation plan element will require, where appropriate, a municipal and county evaluation of shared parking opportunities through a comprehensive parking study. |

Part 6. Future Land Use

The Highlands Regional Master Plan establishes a framework for future land use which guides development away from environmentally sensitive lands and agricultural lands. This framework also promotes compact development and redevelopment in or adjacent to existing developed areas where adequate public facilities are available to serve new growth and development, provided that such development and redevelopment is compatible with existing land uses and community character.

Subpart a. Regional Guidance

The Land Use Capability Map Series provides the basis for defining three major zones and three sub-zones of the Highlands Region, which are found in both the Preservation and Planning Areas. These zones are then related to a series of additional information layers, using both tabular results and maps, to help define the land use capability of the various parts of the Highlands Region. General policies are provided in this section for the zones.

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| GOAL 6A | USE THE HIGHLANDS LAND USE CAPABILITY MAP SERIES AS A FRAMEWORK FOR DETERMINING THE CHARACTER, LOCATION, AND MAGNITUDE OF NEW GROWTH AND DEVELOPMENT IN THE HIGHLANDS REGION. |
| Policy 6A1 | To use the Land Use Capability Map Series (LUCM Series) as a geographic framework for land use planning and management within the Highlands Region. |
| Objective 6A1a | A Highlands Land Use Capability Map Series based on the most current and available data. |
| Objective 6A1b | A Highlands Land Use Capability Map Series based on a defined methodology which produces replicable outputs. |
| Objective 6A1c | A Highlands Land Use Capability Zone Map identifying Protection Zones, Conservation Zones and Existing Community Zones, along with environmentally constrained sub-zones for the Conservation and Existing Community Zones and Lake Community sub-zones for the Existing Community Zone. |

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| Policy 6A2 | To develop a program for RMP Updates for all substantive components of the RMP, based upon the receipt of new, corrected or updated factual information and verification by the Highlands Council, when and where necessary to improve the accuracy of the RMP. |
| Policy 6A3 | <p>To develop a program allowing the approval of municipal and county petitions (with accompanying municipal support by resolution) for Map Adjustments to the LUCM Series and other RMP maps, other than the RMP Updates addressed in Policy 6A2. Such Map Adjustments must be supported by a demonstration that they: (1) comply with the intent of the RMP, (2) are based on municipal and county planning that results in a no net increase in land use intensity from the existing LUCM Series and RMP policies, (3) support both smart growth and resource preservation, (4) provide a no net loss of Highlands resources and resource values within the municipality or HUC14 subwatershed such that all Map Adjustment protections are equal to or exceed, on a whole, the protection provided by the existing LUCM Series and RMP policies, and (5) do not result in the change in Zone, Sub-zone or Resource Area designation of any area outside of the Map Adjustment area as an indirect result of the Map Adjustment. In any case where the Map Adjustment involves a proposed adjustment to the Highlands Land Use Capability Zone Map designation from the Protection or Conservation Zone to Existing Community Zone, the demonstration must additionally meet at least five of the following standards:</p> <ul style="list-style-type: none"> • creates a meaningful opportunity for the use of Highlands Development Credits; • reduces the net impact on Highlands natural and agricultural resources; • improves Highlands agricultural resources or agricultural viability; • eliminates substandard wastewater treatment facilities; • contributes to the elimination of net water availability deficits in HUC14 subwatersheds; • creates meaningful opportunities to provide affordable housing; • creates meaningful employment opportunities for the residents of the Highlands Region in terms of the quantity and quality of jobs; • improves the balance of housing and employment in a manner which reduces the length of home/work trips within the Highlands Region; • promotes the use of alternative modes of transportation, including transit; or • provides uses and facilities which promote eco- and/or agri-tourism. |
| GOAL 6B | GUIDE DEVELOPMENT AWAY FROM ENVIRONMENTALLY SENSITIVE AND AGRICULTURAL LANDS AND PROMOTE DEVELOPMENT AND REDEVELOPMENT IN OR ADJACENT TO EXISTING DEVELOPED LANDS. |
| Policy 6B1 | To limit through Plan Conformance, local development review and Highlands Project Review, to the maximum extent permitted by law, development and use of undeveloped lands that are critical to protect, restore, or enhance sensitive environmental resources of the Highlands Region, including but not limited to Forests, Critical Habitat, Highlands Open Waters and their buffers, Riparian Areas, Steep Slopes, Prime Ground Water Recharge Areas and Wellhead Protection Areas. |
| Objective 6B1a | Identification of lands within the Highlands Region which contain sensitive environmental resources of the Highlands Region. |
| Objective 6B1b | The Protection Zone of the Highlands Land Use Capability Zone Map shall include regionally significant environmental resources to the maximum extent feasible. |

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| Objective 6B1c | Preparation and implementation of standards and criteria governing the use and development of land in the Protection Zone. |
| Objective 6B1d | Identification of areas within the Conservation Zone and the Existing Community Zone that contain major environmentally sensitive resources and lake communities, designation of such areas as an environmentally constrained sub-zone, and preparation and implementation of standards ensuring that development capacity is directed away from such areas to the maximum extent feasible. |
| Objective 6B1e | Prevent the extension or creation of water and wastewater utility services in environmentally constrained sub-zones, unless they are shown to be necessary for and are approved by the Highlands Council to address documented threat to public health and safety where no alternative is feasible, to serve a Highlands Redevelopment Area or cluster development, or to provide for minimum practical use in the absence of any alternative through issuance of a waiver by NJDEP or the Highlands Council, and will maximize the protection of sensitive environmental resources. |
| Objective 6B1f | Preparation and implementation of standards ensuring that development protects environmentally sensitive resources in all Land Use Capability Map Zones and sub-zones. |
| Policy 6B2 | To protect and promote agriculture by protecting and enhancing lands within the Highlands Region currently or capable of being used for agricultural purposes and ensuring that lands associated with or adjacent to agricultural lands are not developed in a manner that conflicts with the ongoing agricultural uses. |
| Objective 6B2a | Identification of Agricultural Resource Areas within the Highlands Region. |
| Objective 6B2b | The Conservation Zone of the Land Use Capability Zone Map shall include regionally significant agricultural lands within the Agricultural Resource Areas of the Highlands Region. |
| Objective 6B2c | Preparation and implementation of standards and criteria governing the use and development of land in the Conservation Zone to ensure conformance with the relevant policies and objectives. |
| Policy 6B3 | To promote compatible growth opportunities that include in-fill development, adaptive re-use, redevelopment, and brownfields redevelopment in existing developed areas. |
| Objective 6B3a | Identification of existing developed areas and contaminated sites within the Highlands Region using the Developed Lands Analysis. |
| Objective 6B3b | Designation of existing previously developed areas of regional significance as the Existing Community Zone in the Highlands Land Use Capability Zone Map. |
| Objective 6B3c | Preparation and implementation of standards and criteria governing new growth and development activities in the Existing Community Zone to ensure conformance with the relevant policies and objectives. |
| Policy 6B4 | To promote land uses which create a sense of place with attractive, walkable neighborhoods that support community connectivity of developed lands and community facilities. |
| Objective 6B4a | Communities of place with a mix of uses which promote multi-purpose trips, through proximity of neighborhood retail, commercial and entertainment uses to residential land uses that create communities that are largely self-sufficient regarding daily needs. |
| Objective 6B4b | Communities of place with a pattern of development which promotes walking and biking. |

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| Policy 6B5 | To integrate public parks and green spaces into development and redevelopment projects and ensure restoration of impaired natural resources to the extent required by law, at a minimum, and where feasible to a greater extent to maximize long term value of the project. |
| Policy 6B6 | Provisions and standards relating to regional growth activities which increase the intensity of development shall be discretionary for conforming municipalities and counties. |
| Policy 6B7 | Regional growth, based on local desire, should identify opportunities to maximize land use intensity while protecting natural features and community character. |
| Objective 6B7a | Center based development initiatives should be planned within the Existing Community Zone to meet minimum density thresholds of three dwelling units per acre. Higher densities of five dwelling units and above are encouraged in areas designated as TDR Receiving Zones. Attainment of these density thresholds is discretionary, and shall be consistent with the resource and capacity goals and requirements in this plan. Centers in the Protection Zone and Conservation Zone, potentially including clustered development, shall be at densities appropriate to the zone, the community character and the use of septic systems or community wastewater systems. |
| Objective 6B7b | Development and redevelopment initiatives shall maximize land use intensity provided that it enhances the existing or adjacent community while protecting local and regional natural resources. |
| Policy 6B8 | To incorporate smart growth principles and green building design and technology in development and redevelopment initiatives. |

Subpart b. Protection Zone

The Protection Zone include lands within the Highlands Region which contain the highest quality resource value lands which are essential to maintaining and enhancing water quality and quantity and preserving ecological function. The Protection Zone includes regionally significant lands that serve to protect environmentally sensitive resources of the Highlands Region.

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| GOAL 6C | PRESERVATION OF THE LAND AND WATER RESOURCES AND ECOLOGICAL FUNCTION OF HIGHLANDS AREAS. |
| Policy 6C1 | To preserve high quality land and water resources and ecological function within the Protection Zone. |
| Policy 6C2 | To limit use and development of land in Protection Zone. |
| Policy 6C3 | To give the highest land acquisition priority to non-preserved, undeveloped lands within the Protection Zone in the Preservation Area. |
| GOAL 6D | LIMITATION OF DEVELOPMENT IN PROTECTION ZONES TO DEVELOPMENT AND REDEVELOPMENT WHICH DOES NOT ADVERSELY AFFECT THE NATURAL RESOURCES OF THE HIGHLANDS REGION ECOSYSTEM. |
| Policy 6D1 | To limit new human development in the Protection Zone to redevelopment, exempt activities, and environmentally-compatible low density new land uses, in accordance with RMP resource protection needs and water quality and quantity capacity constraints and to ensure that the impacts of development using exemptions under the Highlands |

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| | Act are considered in regional protection measures. |
| Policy 6D2 | To ensure through Plan Conformance, local development review and Highlands Project Review that any future development or redevelopment which does occur in a Protection Zone is subject to standards and criteria which protect the land and water resources of the Protection Zone from any potential adverse impact to the maximum extent possible. |
| Policy 6D3 | To encourage owners of lands which are eligible for exemptions under the Highlands Act to voluntarily offer their land for acquisition, participate in the Highlands Development Credit program, or engage in contiguous or non-contiguous clustering in cooperation with other exempt landowners, and comply with standards and criteria which protect the land and water resources of the Highlands Region from any adverse impacts. |
| Policy 6D4 | To establish voluntary programs whereby owners of land who are eligible for exemptions under the Highlands Act have an incentive to develop or use such exemptions in a manner which limits or mitigates any potential adverse impacts on the land and water resources of the Protection Zone. |

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| GOAL 6E | CONFORMING MUNICIPALITIES AND COUNTIES INCORPORATE REGIONAL AND LOCAL LAND AND WATER RESOURCE PLANNING AND MANAGEMENT PROGRAMS IN THEIR MASTER PLANS AND DEVELOPMENT REGULATIONS. |
| Policy 6E1 | To require that conforming municipalities and counties include land and water resource planning and management programs in their master plans and development regulations. |
| Policy 6E2 | To encourage conforming municipalities and counties to include voluntary programs with incentives for the development or use of Highlands Act exemptions in a manner which limits or mitigates any potential adverse impacts on the land and water resources of the Protection Zones |

Subpart c. Conservation Zone

The Conservation Zone includes lands of significant agricultural importance and associated natural resource lands which are adjacent to, or in common ownership with, land used for agricultural purposes. Development potential in the Conservation Zone is limited in location and intensity because of agricultural and natural resource protection requirements and infrastructure constraints.

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| GOAL 6F | PROTECTION AND ENHANCEMENT OF AGRICULTURAL USES AND PRESERVATION OF ASSOCIATED LAND AND WATER RESOURCES IN HIGHLANDS AREAS. |
| Policy 6F1 | To protect existing agricultural uses in the Conservation Zone from incompatible development. |
| Policy 6F2 | To promote the expansion of sustainable and economically viable agricultural activities in the Conservation Zone not constrained by existing environmentally sensitive resources. |
| Policy 6F3 | To limit through Plan Conformance, local development review and Highlands Project Review the use and development of lands within the Conservation Zone to agriculture use and development, including ancillary and support uses, redevelopment of existing |

developed areas, and environmentally-compatible low density land uses that are to the maximum extent possible achieved in compact development patterns, to be designed and developed in a manner which is compatible with the long term use of adjacent land for agricultural purposes.

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| GOAL 6G | CONFORMING MUNICIPALITIES AND COUNTIES INCORPORATE REGIONAL AND LOCAL LAND AND WATER RESOURCE PLANNING AND MANAGEMENT PROGRAMS IN THEIR MASTER PLANS AND DEVELOPMENT REGULATIONS. |
| Policy 6G1 | To require conforming municipalities and counties to incorporate land and water resource planning and management programs for the Conservation Zone which protect natural resources from the adverse impacts and support agricultural sustainability. |
| Objective 6G1a | Municipal and county master plans and development regulations that ensure that new non-agricultural development is compatible with the long term vitality of agriculture in the Conservation Zone. |
| Objective 6G1b | Municipal and county master plans and land development regulations that require clustering or lot-averaging of non-agricultural development with a minimum of 80% of the property dedicated to agriculture and natural resources protection in order to avoid adverse impacts on agricultural uses and natural resources. |
| Objective 6G1c | Municipal and county master plans and development regulations which require appropriate and potable water, wastewater disposal and transportation facilities. |
| Policy 6G2 | To require conforming municipalities and counties to include site development programs, including clustering and lot-size averaging, to protect agricultural use and development and natural resources. |

Subpart d. Existing Community Zone

The Existing Community Zone includes those areas characterized by existing development with comparatively fewer natural resource constraints than the Protection and Conservation Zones; they often are currently or more easily served with public infrastructure. The Existing Community Zone includes previously developed lands of regional significance in size, geography and infrastructure that may include areas of opportunity for future growth and development, including development and redevelopment which may involve the use of Highlands Development Credits, provided that such growth and development are consistent and compatible with existing community character, natural resource constraints and is desired by the municipality.

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| GOAL 6H | SUPPORT OF COMPACT DEVELOPMENT AND MAXIMIZATION OF WATER, WASTEWATER AND TRANSIT INFRASTRUCTURE INVESTMENTS FOR FUTURE USE OF LAND AND DEVELOPMENT WITHIN THE EXISTING COMMUNITY ZONE. |
| Policy 6H1 | To promote compatible development and redevelopment within the Existing Community Zone. |
| Policy 6H2 | To promote the restoration and redevelopment of brownfields, particularly those located in or adjacent to transportation corridors or transit stations. In cases where redevelopment is not appropriate, encourage “brownfield to greenfield” approaches. |
| Policy 6H3 | To ensure that development activities within the Existing Community Zone are subject to standards and criteria which ensure that development and redevelopment |

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| | incorporate smart growth principles and do not adversely affect natural resources. |
| Policy 6H4 | To ensure that development and redevelopment within the Existing Community Zone are served by adequate public facilities including water, wastewater treatment and transportation. |
| Policy 6H5 | To ensure that development and redevelopment in the Existing Community Zone are compatible with existing community character. |

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| GOAL 6I | PROMOTION OF MIXED USE DEVELOPMENT AND REDEVELOPMENT IN THE EXISTING COMMUNITY ZONE. |
| Policy 6I1 | To encourage new growth, where desired by the municipality, and development in the Existing Community Zone in the form of center based and mixed use development. |
| Policy 6I2 | To encourage redevelopment in the Existing Community Zone as a means to relieve development pressure from more environmentally sensitive areas. |

Subpart e. Redevelopment

Redevelopment is a planning tool that converts underutilized areas, brownfields and grayfields into new land uses through structure replacement, infill and adaptive reuse approaches. Redevelopment will help to meet the Region’s growth needs by optimizing the efficient use of previously settled areas with existing communities and available infrastructure, thus conserving natural resources and protecting drinking water. Brownfields and grayfields are two types of sites which commonly possess characteristics worthy of investigating for purposes of redevelopment. The definition of a brownfield is, “any former or current commercial or industrial site that is currently vacant or underutilized and on which there has been or there is suspected to have been, a discharge or contaminant.” Grayfields are sites usually containing industrial or commercial facilities exhibiting signs of abandonment or underutilization in areas with existing infrastructure, but without evidence or expectation of contamination. As a concept, these sites are termed “Highlands Redevelopment Areas.” In the Preservation Area, Highlands Redevelopment Areas are limited to redevelopment sites and brownfield sites as designated by the Highlands Council, which are then eligible for waivers from the NJDEP. In the Planning Area, Highlands Redevelopment Areas include redevelopment sites and brownfield sites using the Preservation Area definition, but may in addition include grayfields and underutilized areas, depending on the LUCM Zone of the area. Infill is permissible in any of the Highlands Redevelopment Areas as long as the full designated area meets the designation requirements. Highlands Redevelopment Areas may be designated for all or a portion of individual properties or collections of contiguous parcels in part or in whole.

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| GOAL 6J | ACCOMMODATION OF REGIONAL GROWTH AND DEVELOPMENT NEEDS THROUGH THE REUSE AND REDEVELOPMENT OF PREVIOUSLY DEVELOPED AREAS, INCLUDING BROWNFIELDS, GRAYFIELDS, AND UNDERUTILIZED SITES. |
| Policy 6J1 | To encourage Preservation Area redevelopment of sites with 70% or greater impervious surfaces or a brownfield in areas designated by the Highlands Council as Highlands Redevelopment Areas in accordance with N.J.A.C 7:38-6.6. |
| Policy 6J2 | To encourage redevelopment activities in the Existing Community Zone in the Planning Area on sites that meet the Preservation Area redevelopment site designation criteria, grayfields and other previously developed lands that have adequate water, wastewater, transportation capacity and are appropriate for increased land use intensity or conversion to greenfields. |

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| Policy 6J3 | To encourage redevelopment activities in the Conservation and Protection Zones in the Planning Area on sites that meet the Preservation Area Highlands Redevelopment Area designation criteria, or are grayfields, and that have adequate water, wastewater, transportation capacity and are appropriate for increased land use intensity or conversion to greenfields. |
| GOAL 6K | RESIDENTIAL, COMMERCIAL AND INDUSTRIAL DEVELOPMENT, REDEVELOPMENT AND ECONOMIC GROWTH ARE CONCENTRATED IN DEVELOPED AREAS IN LOCATIONS WITH LIMITED ENVIRONMENTAL CONSTRAINTS, ACCESS TO EXISTING UTILITY AND TRANSPORTATION INFRASTRUCTURE, AND EXISTING COMMUNITIES. |
| Policy 6K1 | To encourage redevelopment of brownfields, grayfields and other previously developed areas in a manner consistent with the goals and requirements of the Plan. |
| Objective 6K1a | Establish a Highlands Interagency Team to support and expedite redevelopment and development activities that conform to the Plan. |
| Objective 6K1b | Encourage and support the use of planning and financing tools that are available through state agencies and programs. |
| Policy 6K2 | To maintain a Developed Land Inventory to encourage opportunities for land development, redevelopment and economic growth, where appropriate. |
| Objective 6K2a | A parcel based inventory of lands in the Highlands Region that are developed, vacant (adjacent to developed), economically underutilized, oversized residential lots, and contaminated sites, to serve as a tool for identifying and marketing sites. |
| GOAL 6L | CONFORMING MUNICIPALITIES AND COUNTIES CONSIDER DEVELOPMENT, REDEVELOPMENT AND BROWNFIELDS OPPORTUNITIES IN THEIR MASTER PLANS. |
| Policy 6L1 | To require that conforming municipalities review the existing Developed Land Inventory and identify additional developed properties that are appropriate for addition to the inventory. |
| Policy 6L2 | To require that conforming municipalities utilize the Highlands Build-out Model and Fiscal Impact Analysis as tools in the identification of appropriate areas for development, redevelopment and brownfields opportunities. |
| Policy 6L3 | To require that conforming municipalities identify existing and planned community facilities and encourage shared service opportunities as part of the local Community Facility Plan element. |
| GOAL 6M | PROTECTION AND ENHANCEMENT OF HIGHLANDS RESOURCES THROUGH THE REMEDIATION OF CONTAMINATED SITES IN REGION. |
| Policy 6M1 | Encourage and support the restoration and redevelopment or open space use of contaminated areas. |
| Objective 6M1a | Any restoration of contaminated sites will be conducted in accordance with the criteria required by the NJDEP's technical requirements for site remediation (N.J.A.C. 7:26E). |
| Objective 6M1b | Coordinate with NJDEP on Highlands Brownfield designations and in support of a mechanism that facilitates remedial activities within the Highlands Region. |

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| Objective 6M1c | Evaluate mechanisms for remedial activities that apply resource protection, enhancement, and restoration approaches that allow for a minimal redevelopment footprint, encourage “brownfields to greenfields” approaches, and include green energy and building concepts. |
| Objective 6M1d | Determine if enhanced standards for remediation activities will be required to achieve both resource protection goals and remedial requirements for Highlands Resources. Enhance interagency coordination regarding the evaluation of site design and development for contaminated properties in support of RMP policies. |

Subpart f. Smart Growth

Smart growth is an approach to resource planning and management where growth and development are concentrated and organized around “centers” with compact, walk-able, bicycle-friendly land use patterns, typically including mixed-use development with a range of housing choices. It generally reflects value for long-range, regional considerations of sustainability over short-term economic benefits. Smart growth promotes land use patterns with a sense of community and place, multi-modal and alternative use of modes of transportation, a balance of employment and housing and an equitable distribution of the costs and benefits of development. It also includes the preservation and enhancement of natural and cultural resources. Finally, as an efficient and less automobile dependent pattern and form of growth, it reduces energy use, which in turn improves air quality and reduces carbon dioxide emissions linked to global warming.

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| GOAL 6N | USE OF SMART GROWTH PRINCIPLES TO GUIDE DEVELOPMENT AND REDEVELOPMENT IN THE HIGHLANDS REGION. |
| Policy 6N1 | To establish smart growth programs for use within the Highlands Region to guide and control development and redevelopment throughout the Highlands Region. |
| Objective 6N1a | Conservation development standards which protect natural resources, environmentally sensitive areas, open space and agricultural lands, and enhance community character. |
| Objective 6N1b | Local development review programs which require a site specific analysis of environmental features and constraints of the property proposed for development as a basis for determining compliance with Smart Growth requirements. |
| Objective 6N1c | Flexible local development review and Highlands Project Review programs, including reduction of minimum setbacks, modification of uniform road frontage requirements, increase in maximum permitted height or allowing non-contiguous clustering of development entitlements where necessary to mitigate or eliminate adverse impacts on Highlands natural resources. |
| Objective 6N1d | Development standards which recognize that portions of a parcel proposed for development which are not developable may be considered for the purpose of satisfying on-site passive open space requirements. |
| Objective 6N1e | Minimum requirements that all development include energy efficient features in site layouts and all structures. |
| Objective 6N1f | Minimum requirements for water conservation measures in site layout and structures, including but not limited to water efficient landscaping (including use of native and drought-tolerant plant species), rain collection systems, use of gray water, and water-efficient landscape irrigation. |
| Objective 6N1g | Strict limitation of site disturbance, clearing and grading to the minimum necessary to make reasonable use of the designated building envelope for the parcel proposed for |

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| | development. |
| Objective 6N1h | Minimum requirements for use of micro-climate conditions to maximize solar gain for winter heating and minimize solar gain during high temperature summer conditions. |
| Objective 6N1i | Minimum requirements for re-use and recycling of building materials when development involves demolition. |
| Policy 6N2 | To require municipalities to adopt low impact development standards to protect the natural hydrologic features of the land. |
| Objective 6N2a | Implementation of on-site stormwater management features that maintain, restore and enhance the pre-existing natural drainage patterns of the site. |
| Objective 6N2b | Strict limitations on the amount of impervious cover allowed on a site as a means to increase stormwater infiltration and reduce stormwater runoff. |
| Objective 6N2c | Minimum requirements for site-specific hydrologic studies during local development review and Highlands Project Review which identify the velocity, volume and pattern of water flow into, through, and off of the parcel proposed for development. |
| Objective 6N2d | Minimum requirements that stormwater management systems employ a “design with nature” approach. |
| Objective 6N2e | Minimum requirements for use of grass channels, dry swales, wet swales, infiltration basins, bio-swales and water gardens, green roofs, and other low impact approaches to attenuate and control stormwater and provide multiple environmental benefits. |
| Policy 6N3 | To require conforming municipalities and counties to incorporate programs for community and neighborhood design that support a variety of housing options for people with different income levels and different needs, mixed uses, redevelopment, adaptive re-use of historic sites and structures, and infill development in their master plans and development regulations. |

Subpart g. Housing

The Highlands Regional Master Plan seeks to address a full range of housing needs for the Region. This includes the needs to address low and moderate income ranges as well as middle and upper income housing needs. In addition, the Region should support a variety of housing types such as rental housing, multi-family housing, age-restricted housing, and supportive and special needs housing. The Highlands Regional Master Plan seeks to provide mechanisms to address the need to have a full range of variety and choice in housing opportunities in the Highlands Region.

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| GOAL 60 | MARKET-RATE AND AFFORDABLE HOUSING SUFFICIENT TO MEET THE NEEDS OF THE HIGHLANDS REGION. |
| Policy 6O1 | To establish a region-wide, comprehensive approach to addressing residential needs in the Highlands Region, serving all age groups, income levels, and mobility options. Conforming municipalities must prepare and submit a petition for substantive certification to the Council on Affordable Housing (COAH). |
| Objective 6O1a | To develop a comprehensive Highlands housing program addressing regional housing needs within the context of preserving the character and environmental integrity of the Highlands. |
| Objective 6O1b | To develop an interagency partnership with COAH in support of a conforming municipality’s substantive certification plan development and regional affordable |

housing needs.

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| Policy 6O2 | To promote center-based development approaches that recognize and address a mix of housing types including affordable housing, support mixed uses where appropriate, and implement compact development approaches in the Existing Community Zone |
| Policy 6O3 | To promote affordable housing within new residential and mixed use development, redevelopment, or adaptive reuse projects in the Existing Community Zone and where appropriate throughout the Highlands Region. |
| Policy 6O4 | To require that conforming municipalities which have not submitted a Petition for Substantive Certification to COAH prepare and submit a complete Petition for Substantive Certification. |
| Policy 6O5 | To require that conforming municipalities update the Housing Plan Element of their municipal master plan to reflect current conditions, implications of the RMP, and the informational needs related to their Petition for Substantive Certification to COAH. |

Part 7. Landowner Fairness

The Highlands Act recognizes that implementation of the Regional Master Plan, which directs and guides future development, inevitably has an impact on reasonable landowner expectations regarding future land use potential. The Act provides several mechanisms that seek to mitigate such impacts, including a transfer of development rights (TDR) program, land acquisition, exemptions, and waivers.

The Act requires the Highlands Council to establish a regional Highlands TDR program. This is intended as an equitable means of guiding human development away from sensitive lands in the Preservation Area to areas both within the Planning Area as well as outside the boundaries of the Highlands Region but within other parts of the seven Highlands counties which are suitable for more intense human development. The Act contemplates that transferable development rights will be allocated to the owners of land within the Preservation Area which should be developed not at all or at very low densities and impacts, and that voluntary TDR Receiving Zones for Highlands Development Credits will be identified. The Highlands TDR Program is required to be consistent with the State Transfer of Development Rights Act, except as otherwise expressly provided for in the Highlands Act TDR provisions. (Section 13.a)

The Highlands Regional Master Plan also recognizes the need to set priorities for acquisition or purchase of conservation easements in those lands within the Region that have the most significant resource values. To this end, the Plan includes numerous policies to address open space acquisition and farmland preservation.

The Highlands Act also includes seventeen (17) exemptions. If a project or activity falls within one of these seventeen exemptions, the project or activity is exempt from the Highlands Act, the Highlands Preservation Area rules adopted by the NJDEP, the Regional Master Plan, and any municipal master plan or development regulations that are revised to conform to the Regional Master Plan.

Tens of thousands of acres throughout the Region could potentially be developed under the exemptions based upon an analysis conduct by the Highlands Council. While the exemptions are one of the primary means for landowners to utilize their properties where development potential is limited by the Highlands Act, the exercise of these exemptions may result in further fragmentation of the Region’s ecosystems and the construction of additional impervious surface. Given this circumstance, the Regional Master Plan addresses the need to develop voluntary programs that attempt to mitigate these impacts, including programs to encourage non-contiguous clustering, intra-local government transfers of development rights and economic incentives.

In addition to the exemptions, the Act also provides NJDEP with the authority to grant waivers from its Highlands rules on a case by case basis under certain circumstances. Under this authority, NJDEP may issue waivers (1) where a project or activity is necessary in order to protect public health and safety; (2) for redevelopment in previously developed areas as identified by the Highlands Council, provided that the areas are

either a brownfield site designated by NJDEP or a site at which at least 70% of the area thereof is covered with impervious surface; or (3) necessary to avoid a taking of property without just compensation.

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| GOAL 7A | PROTECTION OF LANDS THAT HAVE LIMITED OR NO CAPACITY TO SUPPORT HUMAN DEVELOPMENT WITHOUT COMPROMISING THE ECOLOGICAL INTEGRITY OF THE HIGHLANDS REGION, THROUGH MECHANISMS INCLUDING BUT NOT LIMITED TO A REGION-WIDE TRANSFER OF DEVELOPMENT RIGHTS PROGRAM. |
| Policy 7A1 | Transferable development rights shall be used by willing municipalities to guide growth and development away from ecologically sensitive lands in the Preservation Area and towards lands within the Planning Area which have the capacity to support additional human development without compromising the ecological integrity of the Highlands Region. These rights shall also be used to guide growth towards lands outside of the Highlands Region, but within the seven Highlands counties, to willing municipalities. |
| Objective 7A1a | Creation of a region-wide Highlands TDR program as soon as practicable. |
| Objective 7A1b | Identification and implementation of any and all program elements which would promote the transfer and use of development rights. |
| Policy 7A2 | To maximize the preservation of Preservation Area properties that are not in the Existing Community Zone or Highlands Redevelopment Area, with emphasis on properties with the highest Conservation Priority scores, through acquisition or donation of fee simple and easement ownership. |
| GOAL 7B | PROVISION FOR COMPENSATION TO LANDOWNERS IN THE PRESERVATION AREA WHOSE PROPERTIES HAVE LIMITED OR NO CAPACITY TO SUPPORT ADDITIONAL DEVELOPMENT AND WHO ARE DISPROPORTIONATELY BURDENED BY THE PROVISIONS OF THE HIGHLANDS ACT THROUGH A REGION-WIDE PROGRAM OF TRANSFERABLE DEVELOPMENT RIGHTS. |
| Policy 7B1 | The Highlands TDR program shall seek to mitigate impacts of the Highlands Act and the Highlands RMP on reasonable landowner development expectations which have been disproportionately affected. |
| Policy 7B2 | The Highlands TDR program shall establish a transferable development right to be known as a “Highlands Development Credit.” |
| Policy 7B3 | All lands within the Preservation Area, except for those in the Existing Community Zone and approved Highlands Redevelopment Areas, shall be Sending Zones under the Highlands TDR Program. (At a future time, lands within the Protection Zone and Conservation Zone of the Planning Area may also serve as Sending Zones.) |
| Policy 7B4 | The Highlands TDR program shall provide for the allocation of Highlands Development Credits to landowners in the Preservation Area where reasonable future development expectations have been disproportionately limited by the provisions of the Highlands Act or implementation of the programs established by the RMP. |
| Policy 7B5 | Land in the Preservation Area located in the Existing Community Zone shall not be eligible for an allocation of Highlands Development Credits. |
| Policy 7B6 | Establish a Highlands TDR program which is sufficiently certain and predictable to allow sending zone landowners to sell Highlands Development Credits or borrow against the value of such credits. |

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| Objective 7B6a | Establishment of criteria for eligibility for an allocation of Highlands Development Credits. |
| Objective 7B6b | Creation of a process by which affected landowners can apply to the Highlands Council for an allocation of Highlands Development Credits. |
| Objective 7B6c | Establishment of a Highlands Development Credit conveyance system, including covenants and restrictions on the use of Sending Zone parcels. |
| Objective 7B6d | Creation of a tracking system for Highlands Development Credits which provides public records for the transfer and use of Highlands Development Credits. |
| Objective 7B6e | Establishment of Receiving Zones where Highland Development Credits can be used as soon as possible. |
| Objective 7B6f | Active transfer and use of Highlands Development Credits throughout the Highlands Region and the seven Highlands counties. |
| Objective 7B6g | Review and assessment of the Highlands TDR Program five (5) years after the effective date of the Highlands RMP. |
| Policy 7B7 | The determination as to whether a particular parcel of land is disproportionately limited by the provisions of the Highlands Act or implementation of the Highlands RMP shall be based upon the development potential as of August 9, 2004 based upon municipal zoning and land use regulations then in effect; State and federal environmental laws and regulations then in effect; and a determination of whether development is precluded or severely constrained by the restrictions imposed pursuant to the Highlands Act. |
| Policy 7B8 | The allocation of Highlands Development Credits to individual Sending Zone parcels shall be adjusted according to the location of the parcel within the Highlands Region, the comparative development potential of the parcel, the regional resource value of the parcel, and likelihood of the parcel's development under an exemption. |

| GOAL 7C | CREATION OF A HIGHLANDS DEVELOPMENT CREDIT BANK |
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| Policy 7C1 | A Highlands Development Credit Bank shall be created and become operational as soon as possible. |
| Policy 7C2 | The Highlands Development Credit Bank shall be authorized to serve and shall serve as a region-wide information clearinghouse. |
| Policy 7C3 | The Highlands Development Credit Bank shall be authorized to buy and sell Highlands Development Credits. |
| Policy 7C4 | The Highlands Development Credit Bank shall be authorized to serve as the official records keeper of the Highlands TDR Program, including recording and tracking all Highlands Development Credit transactions and use. |
| Policy 7C5 | The Highlands Development Credit Bank shall be authorized to enter into any agreement which promotes the transfer and use of Highlands Development Credits, provided that the substance of the agreement is not in conflict with any express provision of the Highlands Act or the State Transfer of Development Rights Act (N.J.S.A. 40:55D-137 et seq.). |
| Policy 7C6 | The Highlands Development Credit Bank should establish a program for the purchase of Highlands Development Credits as soon as possible. |

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| Policy 7C7 | To provide an opportunity for landowners who receive an allocation of Highlands Development Credits to sell their Highlands Development Credits in advance of the establishment of Receiving Zones through municipal Plan Conformance. |
| Objective 7C7a | Funding for the purchase of Highlands Development Credits prior to the establishment of Receiving Zones pursuant to municipal Plan Conformance. |
| Objective 7C7b | A purchase of Highlands Development Credits program which gives priority to landowners who can demonstrate unique and extenuating financial circumstances as a direct result of the Highlands Act. |
| Policy 7C8 | The Highlands Development Credit Bank shall monitor real estate values throughout the Highlands region and shall submit an annual report to the Highlands Council, including a recommendation with regard to the minimum value of a Highlands Development Credit. |
| Policy 7C9 | To secure sufficient capitalization for operation of the Highlands Development Credit Bank. |

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| GOAL 7D | ESTABLISHMENT OF SUFFICIENT HIGHLANDS RECEIVING ZONES TO CREATE A POSITIVE MARKET FOR TDR CREDITS |
| Policy 7D1 | Lands located within the Existing Community Zone, and Highlands Redevelopment Areas, may be designated as Receiving Zones by a Highlands municipality upon approval by the Highlands Council in conformance with the RMP. |
| Policy 7D2 | Lands located with the Conservation Zone may be designated as Receiving Zones by a Highlands municipality upon approval of the Highlands Council, provided that such Receiving Zones are consistent with the RMP and the development does not conflict with the maintenance of viable agriculture. |
| Policy 7D3 | Lands located within a Highlands County, but not within the Highlands Region may be also designated as Receiving Zones by the municipality. |
| Policy 7D4 | Highlands municipalities in the Planning Area may seek designation of Receiving Zones and participate in the Highlands TDR program without regard to whether such municipality is in conformance with the Highlands RMP. |
| Policy 7D5 | The Highlands Council shall provide technical assistance to Highlands municipalities in support of designating appropriate Receiving Zones. |
| Policy 7D6 | The Highlands Council shall provide Highlands municipalities with financial grants-in-aid for planning and feasibility studies in support of designating appropriate Receiving Zones. |
| Policy 7D7 | A Highlands municipality may limit the use of Highlands Development Credits to intra-municipal transfers in designated Receiving Zones if the Highlands Council determines that the goals, policies and objectives of the Highlands RMP will be best served by a determination of conformance, notwithstanding the limited use of Highlands Development Credits within the municipality. |

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| GOAL 7E | MAXIMIZATION OF THE TRANSFER AND USE OF HIGHLANDS DEVELOPMENT CREDITS. |
| Policy 7E1 | To develop and implement incentive mechanisms to create the highest possible demand for Highlands Development Credits. |

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| Policy 7E2 | To identify ways and means by which the highest possible value of Highlands Development Credits can be achieved. |
| Policy 7E3 | To promote the availability of capital funding for municipal infrastructure which is required to support additional human development using Highlands Development Credits. |
| Policy 7E4 | To seek and support priority allocation of available State and federal funding for Highlands municipalities which have established Receiving Zones for Highlands Development Credits. |

GOAL 7F USE OF SMART GROWTH PRINCIPLES IN THE HIGHLANDS REGION THROUGH THE HIGHLANDS TDR PROGRAM.

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| Policy 7F1 | The Highlands TDR program shall be used as a means of promoting smart growth within the Highlands Region through the use of Highlands Development Credits in areas which are suitable for additional human development on a fiscally beneficial basis in designated voluntary Receiving Zones where adequate public facilities are available or can be provided on a cost-effective basis. |
| Policy 7F2 | The Highlands TDR program shall be used as a means of promoting in-fill and community redevelopment in Existing Community Zones within the Planning Area. |
| Policy 7F3 | The Highlands Council shall seek funding in support of in-fill and community development in the Existing Community Zones within the Planning Area which involves the use of Highlands Development Credits. |
| Policy 7F4 | The Highlands Council shall not find a Highlands municipality in conformance with the Highlands RMP unless the municipal master plan and development regulations require the use of equivalent Highlands Development Credits for any locally approved increases in development or redevelopment density or intensity of use through variances or municipal ordinance modification that occur after the date of Highlands Council determination of conformance. |

GOAL 7G MITIGATION TO THE MAXIMUM EXTENT POSSIBLE OF THE IMPACTS OF EXEMPT DEVELOPMENT ON THE ECOSYSTEM INTEGRITY OF THE HIGHLANDS REGION THROUGH USE OF INNOVATIVE LAND USE PROGRAMS.

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| Policy 7G1 | To encourage municipalities with jurisdiction over lands which are entitled to an exemption under Section 30 of the Highlands Act to establish voluntary, incentive-based innovative land use programs to avoid adverse impacts on the Highlands ecosystem or the fiscal integrity of the municipality. |
| Objective 7G1a | Establish an intra-municipal transfer of development rights program for landowners whose property is entitled to an exemption under Section 30 of the Highlands Act and who voluntarily apply for and receive transferable development rights under a municipal TDR program. |
| Objective 7G1b | Establish municipal clustering programs which allow landowners whose property is entitled to an exemption under the Highlands Act, for both contiguous and non-contiguous properties, to minimize the impact of such exempted development on the ecological integrity of the Highlands Region or the fiscal integrity of the municipality. |
| Policy 7G2 | To provide an opportunity for landowners whose property is entitled to an exemption |

under the Highlands Act to voluntarily apply for and receive an allocation of Highlands Development Credits in lieu of developing on-site under the provisions of Section 30.

Part 8. Sustainable Economic Development

The long term integrity of the Highlands Region involves maintenance of the economic and fiscal vitality of the Highlands communities as well as preservation of its natural resources. It also involves economic development, particularly if it involves the sustainable use of the natural resources of the Region, such as agriculture and forestry. Economic development comes in a variety of sizes and forms and the exceptional quality of life in the Highlands Region makes some of the Existing Community Zone of the Region particularly appropriate for technology-dependent enterprises of all sizes ranging from home occupations to corporate headquarters. Economic vitality in the Highlands Region must be sustainable over time, to avoid damage to natural resources and community character. It must depend heavily on renewal and improvement of economic output without continual development of undeveloped lands.

| GOAL 8A | SUSTAINABLE ECONOMIC DEVELOPMENT IN THE HIGHLANDS REGION. |
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| Policy 8A1 | To promote appropriate, sustainable and environmentally compatible economic development throughout the Highlands Region. |
| Objective 8A1a | Establish a Highlands Economic Development Program which identifies sustainable economic development opportunities and strategies for recruiting and promoting such development in the Highlands Region. |
| Objective 8A1b | Serve as a technical resource and advocate for Highlands economic development assistance in working with municipalities, counties, regional agencies and the private sector to promote sustainable economic development in the Highlands Region on a coordinated basis. |
| Policy 8A2 | To promote economic sustainability in the Highlands Region through sound employment and wage earning opportunities across a variety of employment sectors that has a positive fiscal impact on local governments. |
| Policy 8A3 | To pursue state and federal financial assistance for sustainable economic development in the Highlands Region. |
| Policy 8A4 | To serve as a clearinghouse for economic development opportunities in the Highlands Region. |
| Objective 8A4a | Identification and marketing of Highlands Region areas including brownfield sites that may be appropriate for local and regional redevelopment initiatives. |
| Objective 8A4b | State agency coordination of economic development funding and programs that support Highlands Region development and redevelopment areas. |
| Objective 8A4c | A regional parcel-based economic support program for identifying Council and local-approved and ongoing redevelopment opportunities for enhanced growth. |
| Policy 8A5 | To conduct original research in regard to catalytic economic initiatives which would promote and support the long term economic sustainability of the Highlands Region. |
| Objective 8A5a | A long-term economic tracking program as a means to continually assess the long-term economic progress of the Region through specified economic indicators in order to establish Highlands trends. |
| Policy 8A6 | To be an active advocate for appropriate public investment in the Highlands Region through the location of public facilities and institutions in the Highlands Region. |

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| Policy 8A7 | To require an economic plan element considering all aspects of economic development and sustained economic vitality including: |
| Objective 8A7a | Develop protocols required for economic plan elements, including instruction on tracking and reporting of regional economic indicators. |
| Objective 8A7b | A comparison of the types of employment expected to be provided by the economic development to be promoted, with the characteristics of the residing labor pool in the municipality and nearby areas. |

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| GOAL 8B | PRESERVATION AND ENHANCEMENT OF AGRICULTURE IN THE HIGHLANDS REGION. |
| Policy 8B1 | To preserve and enhance the sustainable economic benefits of agricultural practices in the Highlands Region. |
| Objective 8B1a | Coordinated activities with the NJ Department of Agriculture and other entities to ensure that existing economic programs to sustain agriculture are maximized. |
| Policy 8B2 | To expand and enhance the agricultural economy in the Highlands Region. |
| Objective 8B2a | Coordinated activities with the NJ Department of Agriculture and other entities to improve opportunities for sustainable agricultural operations that improve farm incomes and the long-term viability of farming. |

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| GOAL 8C | THE EXPANSION OF TOURISM AND RECREATION WITHIN THE HIGHLANDS REGION. |
| Policy 8C1 | To promote sustainable economic development such as recreation and tourism which derive economic benefit from sustainable use of the natural resources of the Highlands Region. |
| Objective 8C1a | Identification of specific economic development initiatives which would encourage and promote eco-, agro- and heritage tourism in the Highlands Region. |
| Objective 8C1b | Evaluation of the feasibility of establishing transit-oriented tourism connections and opportunities. |
| Objective 8C1c | Evaluation of economic feasibility of alternative forms of overnight accommodations to promote recreation and tourism. |
| Policy 8C2 | To establish a certified eco-, agro- and heritage tourism program. |
| Objective 8C2a | Identification of the necessary elements of a sustainable and comprehensive tourism program for the Highlands Region. |
| Objective 8C2b | Creation of a formal tourism program for the Highlands Region. |
| Policy 8C3 | To allow small-scale overnight accommodations in the Protection Area and the Conservation Area subject to strict environmental performance standards as a part of a certified eco- or agri- tourism use or activity. |
| Objective 8C3a | Evaluation of the feasibility of alternative tourism attractions which would enhance the attractiveness of the Highlands Region as a tourism destination such as a summertime performance venue or regional bike and hike events. |

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| Policy 8C4 | To advocate for state and federal funding of recreation and tourism initiatives in the Highlands Region. |
| Policy 8C5 | To facilitate coordinated marketing of public and private tourist attractions in the Highlands Region, such as historic, cultural, scenic, and recreation sites, as well as tourism uses such as bed and breakfast inns, restaurants, bicycle rentals, and provisioners. |

GOAL 8D EXPANSION OF INNOVATIVE TECHNOLOGY AND ENTREPRENURIAL BUSINESSES INCLUDING HOME OFFICE, ENERGY EFFICIENCY AND RESOURCE CONSERVATION ENTERPRISES IN THE HIGHLANDS REGION.

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| Policy 8D1 | To ensure opportunities for home office, entrepreneurial and other small business activities in the Highlands Region. |
| Objective 8D1a | Municipal and county master plans and development regulations which permit the establishment of home occupations, small business incubator programs and innovative technologies that promote compact design, native species landscaping, low impact development, energy efficiency and resource conservation in support of comprehensive RMP goals. |

GOAL 8E ESTIMATE AND TRACK OVER TIME THE COSTS ASSOCIATED WITH PROTECTING CRITICAL RESOURCES OF THE HIGHLANDS REGION, IN TERMS OF COSTS RELATED TO PLAN IMPLEMENTATION

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| Policy 8E1 | <p>The Cash Flow Timetable shall track the revenues and costs associated with the Highlands Protection Fund, with the exception of the Pinelands Property Tax Stabilization Aid category. Four components that shall be tracked in the Cash Flow Timetable include:</p> <ul style="list-style-type: none"> • Planning Grants Program (including Incentive Planning Aid and Regional Master Plan Compliance Aid); • Highlands Property Tax Stabilization Aid; • State Aid for Local Government Units (Watershed Moratorium Offset Aid and other State Aid funding); and • Land Acquisition Tracking. |
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Part 9. Air Quality

The Highlands Act recognizes that the Highlands Region includes “exceptional natural resources such as clean air” (Section 2) and the Highlands Regional Master Plan seeks to establish mechanisms for the protection and enhancement of air quality resources for the Highlands Region that consider the interplay of air quality conditions at local, regional, interstate, and global levels.

GOAL 9A REDUCTION OF AIR POLLUTION THROUGH USE OF ALTERNATIVE AND EFFICIENT MODES OF TRANSPORTATION AND THE USE OF RENEWABLE ENERGY SOURCES.

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| Policy 9A1 | To encourage capital facility development and redevelopment that leads to attainment of the National Ambient Air Quality Standards (NAAQS). |
| Policy 9A2 | To monitor performance of major air toxic point sources that affect the Region and |

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| | promote source reduction measures to address quality concerns. |
| Policy 9A3 | To encourage land use development and redevelopment practices that promote center-based growth and mixed-use development and offer alternative modes of transportation as a means to reduce automobile dependency, vehicle miles traveled, vehicle trip length, and duration, for the reduction of local and regional air pollutants and of carbon dioxide emissions linked to global warming. |
| Policy 9A4 | To encourage and support state and federal regulatory action to reduce levels of air pollutants including but not limited to: ozone, sulfur dioxide, and fine particulate matter pollutants in the Highlands Region. |
| Policy 9A5 | To implement resource protection standards to provide for the protection of air quality on a site-specific basis during local development review and Highlands Project Review. |
| Objective 9A5a | Encourage plans for development activities to include an evaluation of auto emissions, ambient air toxics, and hazardous air pollutants. |
| Policy 9A6 | To support State and federal initiatives that will reduce air pollution in Warren County and the Region due to out-of-State power plant air pollution. |

Part 10. Local Participation

The Highlands Act calls for local participation in the Regional Master Plan and its implementation. Plan Conformance is voluntary in the Planning Area and mandatory in the Preservation Area. In both cases, municipal participation in the ongoing planning process will be critical. Coordination with and participation of other governmental and non-governmental interests will also be vital to Plan success.

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| GOAL 10A | MAXIMIZE MUNICIPAL PARTICIPATION TO ENSURE THE REGIONAL MASTER PLAN ACHIEVES ITS LONG TERM GOAL OF PROVIDING PROTECTION AND ENHANCEMENT OF THE SIGNIFICANT RESOURCES AND MAINTAINING A SUSTAINABLE ECONOMY IN THE HIGHLANDS REGION. |
| Policy 10A1 | To ensure that programs and policies are effectively coordinated to promote the purpose and provisions of the RMP, through efforts with all levels of government, including local, county, regional, State and federal agencies. |
| Policy 10A2 | To ensure sufficient local participation in the development of the RMP and on-going work of the Highlands Council. |
| Objective 10A2a | Engage stakeholder groups and individuals in public participation opportunities that provide meaningful input in the Highland Council planning process. |
| Policy 10A3 | To ensure maximum RMP Conformance by municipalities and counties to achieve the highest level of protection for all important natural systems and resources of the Highlands. |
| Objective 10A3a | Provide benefits and incentives to municipalities and counties that conform to the RMP. |
| Policy 10A4 | To monitor and track the long-term success of the RMP. |
| Objective 10A4a | Prepare a Highlands RMP Monitoring Review Report triennially to ensure that the RMP is meeting its goals. |