

## **PUBLIC COMMENTS FROM THE PUBLIC HEARING 2/11/08**

February 11, 2008  
Passaic County Community College  
6pm

*John Weingart – Introduction to Council members and introduction to the meeting:  
Bill Cogger, Tahesha Way, Glen Vetrano, and Elizabeth Calabrese*

*February 28<sup>th</sup> deadline for written comments.*

*Discussion of 7 general misconceptions that were raised at previous public hearing;*

- *Encouragement of growth in water deficit areas*
- *Encourages sewers in preservation area*
- *Doesn't implement right to farm act*
- *Existing farming practices will be stopped by the environmental standards*
- *Mandates growth and fails to protect environmentally sensitive areas in the community zone*
- *Limits all development and redevelopment opportunities*
- *Encourages the creation TDR receiving areas in sensitive areas*

*Focus of this hearing is on RMP, not Highlands Act in general that is for the legislators.  
Questions can be discussed with staff at the back tables.*

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### **Glen Van Olden – Director of the Hudson and Essex Soil Conservation Organization**

I applaud the efforts in the progress of the RMP. The NJ Soil Conservation districts have 2 functions – to implement the Soil Erosion and Sediment Control Act on substantial soil loss and to promote and assist farmers and agribusiness in gaining compliance with proper management and conservation practices. I haven't yet met a farmer that hasn't volunteered in conservation. RMP should continue to support cost sharing approaches with farmers – who are always willing to participate. There are 159 farm assessed parcels in Sussex alone. I have spoken with most of those farmers. The most common question: Can I do this on my land (in an attempt to enhance revenue and provide a better product and just to continue farming)? The most common concern is that farmers feel they cannot compete. The most distressing comment I have heard from the farmers is that Highlands Act and RMP may really hurt farm viability and is starting to cause an economic depression in local communities.

While we continue to assist farmers, I would like to state that it is paramount that the separate tract for farming be maintained, as opposed to other disturbances. We have the professional expertise from the Natural Resources Conservation Service, Soil Conservation districts, and the Rutgers Cooperative Extension in NJ - it is best to let the farm experts to gain that conservation on the farms on a volunteer effort. Thank you.

## Howard Wolfe

I thought to myself - why have citizens in favor of the environment only expressed the opinion that we shouldn't allow new construction instead of asking for regulations to preserve and enhance the water supply? No one has spoken about conserving water – let's really do something about it. Let's protect against drought, terrorism, pollution. Rather than speculate on why – I ask why haven't you? Or is this a hearing where people talk without being listened to.

I am commenting on behalf of Community Builders Assoc and the NJ Builders association. I am supplementing the comment set forth by the Community Builders Association and the NJ Builders Association. We have identified many deficiencies and find ourselves unable to cover them all at this time.

- The plan is still unfunded in regards to the taking of private property land – water is at the expense of Highlands land owners.
- There is a lack of water conservation mandates, regulations for current polluters, security mandates regarding the current supply, no recommendation for new water reservoirs, and no way to pay for any of this.
- There is nothing directed to landowners who want to do their part.
- Goals are established for the planning area - Smart growth approaches, redevelopment, economic growth in areas already utilized, and discourage scattered and inappropriate growth.
- Land use capability map with zones – which show areas of existing development and areas that can have growth; but the RMP doesn't make the determination that the few available parcels are developable – the draft RMP states that the community areas MAY have existing infrastructure that can support development and redevelopment.
- All development applications in Existing Community Zone still have to do natural resource analysis – this demonstrates that almost no property gets through the net of the council. It is the responsibility of the council to protect water resources and plan for development – the council hasn't done so and has failed in its statutory obligation.
- Must define areas that aren't environmentally constrained and plan for infrastructure – so that economic growth and development can be supported. Definitions must not be so broad as to constrain any growth.
- Community Zone has to be responsive to all of the needs of the Act. The Council can't do one at the expense of another.

### **Ron Sheay – certified forester and tree farm committee member**

- Easy to understand plan and it seems as though foresters' concerns have been recognized.
- Recognized integrity of forests and the dependence on healthy forests. To protect them sustainable management is necessary. Some of the most productive forests are in the highlands. Fragmentation adversely impacts forests and continues in the highlands. Forest management will help maintain the forests and minimize negative effects – natural and otherwise - on them. The Division of Taxation reports 99,600 acres are under the farmland assessment law in the highlands. Woodland management plans are in place for many of these (about 75%) – and approved by state foresters.
- The DEP forester must test the management and in a timely manner.
- Invasive species and deer affect regeneration. Make sure that you define deforestation – I will leave a suggestion with you on that definition
- Woodland management practice discussion – program acts as a third party certification process for sustainable forest management.

## **Betsy Kohn, Sierra Club**

- Most of our members depend on highlands for drinking
- Recognize the council and staff for all of the work to produce the RMP – despite reservation regarding plan, liked the first 3 chapters – they were an excellent resource.
- Concerns – the plan lacks the muscle to protect water – it is fundamentally weak because it doesn't reach on the ground issues of planning regionally. Too broad in terms of planning objectives and with unclear standards, it is like what you may find in a town master plans. There are no clear directives, or standards – it is a regional plan in name only. Without a clear understanding of what will be allowed and not allowed and why, many land use decisions will ultimately be made at the local level or municipally through political agendas. The scientific consideration and public welfare will be ignored at great cost – this is unacceptable.
- Plan shifts focus from protection of water and natural resources to an emphasis on economic development in the region. This is translated into ways to ease development restrictions. Issues:
  - Transfers PC to ECZ.
  - Allows development in areas previously mapped as deficit water areas.
  - 125% threshold – allowing development to proceed based on promise of recharge – this is dubious at best and according to data it can take up to 100 years for recharge and therefore is unlikely.
- Cluster development in operating farms and allowing new sewers to be built – this is a recipe for sprawl.
- Averaging of nitrates.

All of this sabotages the very purpose of creating a RMP to restore and enhance natural resources. Therefore, we request that you go back to the drawing board and give more teeth to the plan.

**Becca Glenn, Sierra Club (statewide organization)**

- We have been involved with the passage of the highlands act because we feel it is vital – but we are concerned because the plan doesn't seem to follow the goals of the act and focuses too heavily of development issues. Specific issues:
- Capacity analysis – no build out.
- No linkage between water quality and quantity – the more that is drawn, less the water quality.
- Need for highlands water in areas outside of the region and the impact to the economy and ecosystem if that water isn't available.
- Development in water deficit areas – this will be allowed with promise of recharge - considering the geology of the Highlands that may be impossible and it will be difficult to engineer solutions.
- Sewers in the preservation area – specifically in clustering initiatives.
- Septics – averaging nitrates over HUCK14s is leaving the most highly dense areas to have too high levels.
- Agency issues – as areas become sewered, the agency will continue to expand leading to further growth.

For health and economic reasons, weaknesses need to be fixed in the plan.

**Richard Malizia, Sr. – Hawthorne, NJ**

- I am expressing my opposition to the proposed plan. Many uncertainties and inspecifics; language is ambiguous and difficult to understand. Issues:
  - Development in water deficit areas.
- Lands and water ways moved to be vulnerable to growth (from Preservation Zone to Existing Community Zone – what happened)?
- When you remove water, there is less available and the quality is reduced.
- Farmers haven't lost value in their land if they are planning on farming, only if they are planning to develop. It is not a takings – it is a matter of addressing a farm as a farm.
- The towns that appear to be given home rule – what they do affects the rest of us. Not one of those communities can bring ratables – they are relying on state aid and subsidies that cost us all money, i.e. infrastructure, roads, etc. There should be shared costs that affect the entire state. There should be no home rule in the master plan.
- Clarify the plan to be more understandable, until so, there should be a moratorium on development.

It took 30 years to get the Highlands Act approved – it is time to get a good plan, not just an acceptable plan.

**Mike Herson, Sierra Club**

- I am the Highlands issue coordinator for the Sierra Club.
- Concerned that municipalities outside of region are not being counted – implications to those outside municipalities is unknown. The Highlands Council should educate all of those water users since many outside of the highlands area probably aren't fully aware. You need to think statewide.
- Out of 183 HUC14s, only 73 are surplus and not in deficiency – 110 are in deficit areas, but the RMP will allow development in these areas. There are water deficit areas outside of the Highlands Region that rely on the Highlands to maintain water. More than half of the state gets its water from the highlands.
- Development should not continue in the Highlands – the Highlands Act intended it to be more protective for all highlands water users. For instance, developers can continue development with promises of recharge. This RMP seems more interested in the economy and political interests than in resource protection.
- Expansion of sewers will not protect the water and natural resources.

**Frank Hannah – West Milford, NJ**

- Speaking as a private citizen tonight
- Been very involved in the process, read materials, heard arguments for and against the plan, etc. I have seen many changes implemented.
- No group represents Highlands' tax payers – the RMP impacts these people greatly. No data about how the implementation will cost people and municipalities. No discussion of reimbursement for those costs. Even recordkeeping will be costly.
- Septic maintenance – very expensive for municipalities. The costs for the expansion of homes and businesses are going to go up. Could minor home improvements trigger water conservation measures? Isn't clear how they will be implemented or paid for. It also isn't clear how conservation renovation will be triggered. But end users who use the highlands water are not going to be made to make water conservation renovations.
- RMP should compensate tax payers, it is impossible to implement the plan without knowing these costs. The highlands residents shouldn't shoulder the entire cost for all.

**Charles Coronato, Wykoff**

- Plan is not strong enough because the door is open for development in water deficit areas.
- The plan doesn't specify how the "promise of recharge" will be measured and followed up.
- Water deficit polices – the RMP should be more specific
- Buffers for C1 waterways and specialty waterways – buffer reductions are possible in certain areas where you can show no degradation. This should be clarified – is the buffer absolute or not?
- I do not have faith that the plan is strong enough to protect the water.

**Kathleen Caccavale – Madison, NJ**

- I applaud the concept of the plan and mission, however there are limitations to the plan.
- Money to pay for stable sources of funding at a state and federal level.
- Need for creation of innovative partnerships such as the Watershed Preservation partnership. This could help with acquisition and ongoing stewardship.
- Support programs that encourage stewardship of land since this is often overlooked.

**Priscilla Lainez – Paterson, NJ**

- Environmental educator and high school teacher.
- I am expressing opposition to RMP as it is written because:
  - I want to encourage there to be no development in the Highlands – to protect the resources.
- Implementation of laws and plans.
- Continued development will cause more water deficits.
- Must protect water sources – for safety of the public.

## **Doris Aerorson – Bearfort Road, Passiac Water Quality Advisory Committee**

- The plan violates Highlands Act by allowing development in Existing Community Zones in the Preservation Area – these areas include sensitive natural resources and protected lands. Much of the Existing Community Zone in West Milford are woods, ponds, etc.
- West Milford is entirely within a deficit area (at least 30% over water capacity). There are 3,000 more wells than can be supported, and drought conditions affect the town. Garden hoses and water bottles (with water from ponds, streams, etc) are used during droughts and the summer for flushing of toilets. Residents share water through garden hoses.
- The plan asserts that development is allowed (125% mitigation) in order support development. These mitigation approaches are not relevant in this local geology – due to clay and dense granite bedrock.
- West Milford already conserves water – we have low flow toilets. The township gave out free low flow shower heads. Many people limit flushing of their toilets as well.
- West Milford has spent much time fighting development in the area and is concerned that the RMP encourages this type of development.
- Many wells are 400 to 800 ft deep in this area with very slow flow.
- Passaic County freeholders have adopted a request to remove any Existing Community Zones in West Milford – we don't have enough water for more development.
- I will provide well data from our township.

**Arif Rahat, Greater Newark Conservancy**

- Protect our waters from harms way in any way possible. Newark depends on Highlands water – we already have so much pollution in the Newark area – if we allow development in the Highlands, waters users will have to drink polluted water. Water is an essential thing to protect. What are water users going to do if water becomes polluted? Protect water for now and the future.

**Wanda Richardson, Newark, NJ**

- Speaking on behalf of Newark residents. Most of those residents depend on Highlands' drinking water. Newark is developing new areas, pools, ball park etc. Clean water is necessary for swimming. Newark residents may not be able to afford bottled water and would be forced to drink polluted waters. Restrict development in Highlands to protect water for Newark residents. Many of us didn't hear about this meeting until the last minute – you need to come into the urban areas and educate people.

## **Tom Thompson – Ramsey, NJ**

- Introduction with information about global warming, glacial melt, locally flowers blooming. Changing weather patterns could lead to the possibility of drought in the area. Minor changes in our weather and we could be in a similar place as they are in Georgia. This is no joke – you are pondering to the greed of a few.
- Protect Highlands’ water drinkers for the greater good – it is the mandate – that has not been done.
- Quoted Jan Barry (Bergen Record) – Had an article stating that the council’s primary goal is to protect and the secondary element was to funnel in development. There is concern that the plan is throwing the problem of water back to municipalities instead of dealing with it regionally. The water problems cannot be fixed on a local basis – it needs to be dealt with on a regional basis (water management plans) RMP needs to have a vision for this.
- Quoted *Where have all the Leaders Gone* – Basically states that people should stand up and speak up about the injustice that is being done.
- Previously I had asked about the water that flows from NY state into NJ – there has not been anything done with this – has there been any progress regarding planning with NY state?

**Sandra Lainez – South Paterson, NJ**

- I am stating my position regarding development in the Highlands – I oppose development in the Highlands because of the impact that it has on the water users not just in the highlands but in the surrounding area. I would like to support your actions to protect the water. Please just do what is right.

## **John O'Hearn**

- I support Highlands Act, but the latest version of the RMP does not measure up.

Some shortcomings:

- Existing Community Zones in the Protection Zone is a concern – there are already enough exemptions to allow for development, don't need the Existing Community Zone so it should be removed.
- Concerned with the removal of the Basket of Ordinances – was to be part of the implementation regarding steep slopes, EIS, vernal pools, etc. that preservation towns would have to adopt. Where are these ordinances that conforming municipalities need to adopt?
- The general leaning towards allowing home rule and growth; this is what got us up to the current situation of sprawl.
- Greenways and corridors – these are very important and in need of special attention. They can also help set up for acquisition.

**Anita Yarossi, Ringwood, NJ**

- I am confused by RMP – the Act was set to protect resources for clean drinking water, the RMP doesn't seem to do this.

Issues:

- Mitigation of deficit areas (125%) – no monitoring or controlling of this; don't know if it will be successful. Once developed there is no going back – the resources are gone forever.
- Lake Areas that are already overdeveloped are threatened by sewers and continued development. Deficit areas have been remapped to surplus areas with no scientific basis. In the future what we could be looking at are the high costs of cleaning and purifying water. Leave the wetlands, streams, river corridors, and well head areas in the protection zone.
- Remove Existing Community Zones from Protection Area - defend water deficit areas from development and keep the water features protected. We will rob our future generations if we do not act now.

## **Robin O'Hearn – Skylands CLEAN**

- We are concerned that upper Passaic residents are not able to attend meeting due to location and timing.
- We are concerned with final draft of the RMP as it conflicts with the intent of the Act – to protect, ensure, and restore water - many of the policies, especially regarding Preservation Area fail in that regard. In the Act, we were promised protection but in the plan we got bait and switch. This is a growth plan – where are no growth zones? Why are sewers allowed to expand in Preservation Zone through loopholes? We were promised regional planning, but got a return to home rule. These issues need to be fixed prior to adoption.
- Existing Community Zones reinforce poor planning of the past.
- Water deficit areas now have conditional water availability – creative math and shotty science allows for water in areas of deficit.
- Lake Management Zones – there are no standards.
- TDR receiving areas should only be in the Planning Area – but are in the Preservation area as well.
- Many of the tough decisions have been pushed off until Conformance.
- Allowing development in preservation areas with the promise of recharging the water supply is irresponsible.
- This plan will not provide adequate protection of natural resources.
- Unfortunately, many concerns brought up at meetings have been ignored. People relied on you to uphold the mandates of the act.

## **Bill Griffin, State Board of Agriculture**

Successful implementation requires the following:

- Dedicated source of funding, separate from funding that precedes the Garden State Preservation Trust Fund – land equity is in many cases farmers' 401K plans or retirement plans. Farmers need that compensation now or as soon as possible as many farmers are 60+.
- Farmers will not be able to continue to farm if in today's world they cannot borrow based on land equity. They will not be able to keep this land in agriculture.
- Identifying a funding source prior to adoption would reassure landowners that they are being respected and would make for a more productive and collaborative process – petition the legislature to condition plan adoption on this issue.
- A private sector driven TDR – receiving areas should be identified and in these areas, growth should be mandatory, not voluntary and discretionary. Conformance should require consistency with the entire plan – not just parts. Receiving areas should be both within and outside of the highlands.
- Funding for conservation – to ensure proper stewardship of resources in the future.
- Support clustering policy that supports landowner equity and preservation.
- Support agricultural priority mapping – with 80% for continued agricultural use.
- Plan is a step in the right direction, but work remains – such as cost of implementing the plan, Transportation projects, and the type and development the area can handle. Continue working with farmers, Department of Agriculture, County Agricultural boards, NJ Farm bureau, etc. We will be providing more detailed comments.

## **George Cluff – Eden Farms Garden Center, West Milford, NJ**

- I have had a business of many years in horticulture – family farm consists of two parts of property.
- 80% retail growing and 20% wholesale (greenhouse)
- We would like to fulfill Highland's requirements – through the process we found that I needed to do Conservation Plan. My experience refers to policy #6 on pg 25. I would like to thank those who were involved in my case. I am concerned that younger farmers will not be able to afford these additional costs associated with the RMP and will seek out lands not in the highlands. My costs to this moment are estimated at over \$35,000 – and this is with being well under 3% impervious coverage. This will have a negative impact on an already struggling industry (farming). I would like to add that there was some resistance to my farmland preservation efforts – because of the idea that the Highlands Act had already preserved those farms.

## **Stan Kazanowski – RSK Development**

- Applied for a HPAA waiver – 6 months have gone by and have not heard anything. Concerned that this is an issue – waivers are expensive and time consumptive. DEP timeframe should be implemented to waivers. I don't think they actually know how to answer people.

**Kim Gaddy – Environmental Justice Organizer for the NJ Environmental Federation and Co Chair of the NJ Justice Alliance**

Concerned with the RMP as a mother of three since it is the protection of drinking water for our children – many communities rely on Highlands Water and there need to be adequate protections to ensure clean water for residents outside of the Highlands.

- Recognize constituents that are outside of the region.
- The lack of protection will affect us all. Urban communities are very concerned. We are dependent on your council to protect us. We can't exist without water.

## **Michael Henderson**

- Do not do a disservice to the historic and cultural resources – these resources need to be evaluated – the process in the RMP to evaluate these resources is not complete – they are based on incomplete lists. Look at the Historic Preservation Act (1966) and the established processes for dealing with historic and cultural resources with holistic approaches.
- The State Historic Office uses similar language. Definitions are not clear and appropriate. There needs to be enough analysis to ensure no damage to these resources.
- Definition for cultural landscape - isn't clear in implementation section but needs to be.

## **Ella Filippone – Executive Director of the Passaic River Coalition**

- We have submitted a statement on water deficit issues – considered to be the most critical issue. We can treat water and do some things to make it healthier, but only nature can provide water.
- The plan needs some simplification.
- Language needs to be clarified.
- In our statement we have created a table of groundwater capacity and uses – points out issues that many people have known already but puts it simplistically. Ramapo River watershed example given. We are overusing and overtaxing watersheds (160%, 190%). The plan needs some recommendations and then follow-through with implementation. We are suggesting that you restrict groundwater and surface water allocations so they do not exceed what is allowed. Regulate undocumented ground water withdrawal so consumptive depletion doesn't increase. Improve estimates of water availability and water usage – through additional stream gauges and small drainage basins – we need better monitoring. We recommend that within HUC 14 subwatersheds you protect and restore forests and the headwaters of the area and ensure continuing protection. To cooperate with land trust, municipalities, counties and the state and assist in the establishment of programs. To increase recharge. To reduce the consumptive depletive use. To reduce the loading of total suspended solids, etc. To maintain the green infrastructure of the highlands. To utilize the watershed protection model so critical water protection lands are protected under acquisition. To maintain historic character. To establish a decision making process whereby stateholders identified in the act are regularly consulted. To plan and develop a current flow modeling project. Let's create the changes that are necessary and not be sidetracked.

**Joanne Atlas – Ringwood, previous mayor (2006-2008)**

- I have been a strong supporter of the Highlands act, but sorry to say that over 4 years, not much has happened.
- Important issue that has gone unaddressed by the RMP– citing of gas stations – comes with great environmental risk and shouldn't be ignored; underground storage tanks are an issue – possible leakage. 3 spills in the past in Ringwood have affected wells. Current proposal in town to build a gas station 400 feet from the Wanaque reservoir. But concern that engineering issues will not be enough to address all issues. It amazes me that you have tied your own hands in regards to gas stations. I ask that you give some thought to the citing of gas stations close to water supplies.
- This project has been given a HAD from DEP.

**Bill Wolfe – NJ PEER, Public Employees for Environmental Responsibility, also had been part of the task force regarding the Highlands Act**

- Would like to respond to the press release – am requesting an additional minute (*John doesn't grant the additional time*)
- 5 provisions of the act that are not addressed in the RMP:
  - 81K Discharge to ground water – the DEP is required to amend their policies as to the plan – the plan doesn't have policies as to how these will be cleaned up – it is lacking remediation standards.
  - 80F – revisions to the criteria known as the technical regulations regarding site remediation – the Act requires that the DEP amend its regulations to be consistent with the plan but RMP does not address this.
  - 79 with underground storage.
  - 80 F again – regarding clean up and CAPs and the groundwater clean up requirements – which are currently given exceptions.
- Went into all of the DEP regulations that need to be amended with regard to the Highlands Act – there are not adequate policies in the RMP to address this. We need permanent remedies.
- Natural resource damages policies are needed. Active groundwater treatment.
- Wellhead protection areas policies are needed.
- Source water protection policies are needed.
- Capacity analysis is needed – it isn't in the plan.
- There will be a contaminated area in the Highlands – the state will come into a settlement, and the money from that settlement needs to come back to the area. There needs to be language in the plan regarding this.
- Classification Exception Area policies – ground water needs to be cleaned up, not left in the ground (as is the state policy).
- Preservation Zone policies (section 11 & 12)– minimum standards regarding this area.
- Section 11 – environmental and water resource constraints and the role of them accommodating development – the Act mandates that first should be to look to protection of environmental resources, next development – plan presents it as a balance.

## **Ross Kushner, Pequannock River Coalition**

- The ultimate goal of the RMP is to protect water resources through preservation of areas that need protection while providing sensible and sustainable development in the area. The council has treated environmentalists as annoying and extreme in their comments.
- Environmental Community has been marginalized by HC throughout the process, but environmental groups have the expertise to assist – example, water quality monitoring program, know where areas that are appropriate for development/redevelopment, as well as natural resource monitoring, etc.
- Frustrated that environmental groups have not been listened to. Eileen Swan stated that you were having productive meetings with environmental groups – productive to whom? There is a reason why environmental groups asked the governor to step it. You are trying to cover up a bad plan instead of creating a good plan. Very concerned with the press release regarding misconceptions –
  - Discussed water deficit policy – no ability to see if mitigation is successful.
  - Existing Community Zone does not mandate growth – asserts that policies are tied to development in the Existing Community Zone – example, groundwater allocations increase with being in the Existing Community Zone. Existing Community Zones aren't just overlay zones.
  - RMP encourages TDR receiving areas in sensitive areas – I assert that the plan does just that. Receiving areas include preserved areas.

Where are the misconceptions? There is truth behind those statements. There is nothing in place to follow up to see if the deficiency has changed. You need to get this plan right and to do that you need to bring in the environmentalists.

## **Warren Evanko, Glen Gardner**

- The basis of the plan is to create less of a development plan inside the sensitive zones. As a result, those properties will become less valuable
- From a state perspective- the burden of this protection will be given to the more densely populated areas. Have we looked at how else to solve the problem of development – so that the burden and tax issue will not be just on the densely populated areas. Who will ultimately fund the bill?
- And have we looked at the options of how else to solve the problem of development to be sure that the burden isn't just on the densely populated areas? Are those people aware that they are going to be responsible for funding our way of life? I think you need that answer before you put forward reduction in value globally.

## **Julia Somers, NJ Highlands Coalition**

- Thank you for conducting this hearing - the first one in four years outside the receiving areas of the Highlands.
- Getting the highlands RMP right is critical for much of northern NJ and its residents.
- My testament today will focus on RMP acknowledgment that because of the limitations of the low flow and safety methodology - the final RMP is incomplete and does not fully accomplish the goals of the act.
- Of 183 small watersheds for which you have collected data, more than 110 are short of water. That is huge.
- In 2C it is clear that you recognize that the plan will dynamic and you must continue to gather scientific information - but you need to use caution. To do otherwise is to risk economic safety of millions of NJ residents.
- The RMP should not specify water availability thresholds in excess 10% low flow margin anywhere. You should lower the currently proposed water availability threshold in existing community zone from 20 percent to 10 percent.
- Postpone currently proposed water availability thresholds in deficit HUC 14s until the council fully accomplishes policy 24B – which calls for requiring the development and implementation of water management plans to address any current deficit areas, ensure water supply, water resource, and ecological values.
- If you were to do this, it would give you the opportunity to act in a timely fashion to enact programs to protect highlands resources. You need this time.
- The Water Availability model you are using now does not estimate how much water will be available for humans without negative impacts.

Time is of the essence.

The NJHC believes northern NJ is experiencing a public health emergency because of the water shortages you have documented. In the absence of a perfect Water Availability Model, the Highlands Council has the authority and responsibility to act now. Please choose to do so.

**Christine Hepburn, Madison, NJ**

- I want to thank you for sitting here all night. I also appreciate all the work you've put into this so far...I would like to think I'm an above average citizen – although I am not a member of any environmental committees and not a highlands resident. As a volunteer, I have become very sensitive to the health of water resources.
- I really just came to stand in for first of all for my friends who are not invested directly in RMP or highlands act but want the act to do what it says it will do.
- Most highlands water users are not aware of the impacts of the details of RMP. I want to urge you to do a very hard job in making the plan stronger. If it's done right, it's going to change the way business is done in the Highlands.
- Pinelands Commission web site gives economic data from way back – there were very dire predictions but by every account economically, tax rates, property values and so on, the Pinelands is going very well.

Just put me in the camp of please make the plan stronger. I know that you can't make everyone happy but millions of us are counting on you to make a good plan and do what you are supposed to do.

## **Elliot Rugga, NJ Highlands Coalition**

- The full spectrum of impacts to the NJ Highlands Region is up for grabs. You are being pulled every which way from a variety of interests. Whether you choose to pursue the loftiest goals to avoid environmental impacts in an effort to protect them or minimize them or mitigate them or continue down away from our common interest to create a toothless plan or even collaborate with those would benefit by the disappearance of Highlands resources - the choices are yours. May you do what is right for the people of NJ and protect our supply of clean water.
- You need not judge the good guys from the bad as if it were all black and white. Indeed there are nuances and compelling stories on both sides. You will have and maintained your interest and special interests and political pressure if you were to merely follow what is plainly stated in the act.
- Allowing the extension of sewers in the preservation area is anti preservation.
- Allowing development in water deficit areas with a provision for the 125 percent mitigation is at best alchemy.
- Unclear standards for deviating from buffers will allow pollution control to be toyed with.
- In the Act, the Highlands Council was charged with “protecting the Highlands environment, from individual and cumulative adverse impacts thereof, that the maintenance of agricultural production and positive agricultural business plan should be encouraged to the maximum where possible. These should be guiding you in your protection of the water resources and natural beauty of the highlands; so as to preserve them intact, in trust, forever for the pleasure, enjoyment and usage of future generations.
- Why complicate the issues? As Councilmember Whitenack stated: This is a no-brainer. The act is straight forward. I look forward to you following the Act’s mandate to the fullest extent possible in the spirit it was written and legislated. It is a no-brainer. Thank you.

## **Mark Zakutansky – Flanders, NJ Highlands Coalition**

- I would like to remind the council that you all represent a diversity of geographic interests with the common and overarching goal to protect, restore and enhance the natural resources of the highlands region.
- Strengthen current RMP before adoption.
- Additional development in water deficit areas should be prohibited until the deficits are addressed– this akin to increasing credit card debt because you expect a bonus in the future. This is a bad policy for our precious drinking water resources.
- Clear hierarchy of natural resource protections needs to be established.
- The minimization of the impacts on natural resources and finally mitigation as a last resort if there are no alternatives.
- I now draw your attention to memo released at the table. Misconception #6 – the RMP limits all development and redevelopment - it addresses this misconception by saying that the RMP includes policies to encourage development and redevelopment in areas after addressing necessary natural resource protection and capacity limitations. I urge you to live up to this first and foremost before considering development and redevelopment opportunities in the Highlands while recognizing that this is diverse area with diverse interests. I look forward to a strengthened and improved final RMP.

*John's closing comments.*