

The following comments have been partially summarized for the purpose of providing responses. Complete comments can be found in the Appendix Document.

Comment 1: A resident of Hunterdon County requests a number of changes to specific Land Use Capability Zone (LUCZ) designations along the Route 22 corridor in Clinton Township in order to foster appropriate economic development.

Response: LUCZ designations are regional analyses based on the most recent regional data available. Individual modifications of the LUCZ at the property level are conducted under the RMP Update program and the Map Adjustment process. After adoption of the LUCZ Amendment the Highlands Council would be happy to review this process with the commenter and the Township.

Comment 2: The commenter commends the Council and its staff for updating the RMP, noting that the changes in the LUCZ Map reflect the realities of the densely populated state well. However, they express concern about the lack of insight into the policy implications of significant changes in Land Use Capability Zone designations. They highlight the loss of environmentally constrained subzone lands within existing communities, which are crucial for preserving habitat within developed areas. The commenter raises questions about the reasons behind the changes in land designation and the potential impact on development opportunities. Additionally, they question why certain areas like state parks, forests, and Green Acres land are not included in the assessment, while others like WMAs and National Wildlife Refuges are. These concerns are based on a review of the original LUCZ Technical Report underlying the 2024 update.

Response:

Standards for the Land Use Capability Zones are not changing and can be found in the RMP. The most significant implication is that for conforming municipalities, areas outside of the Existing Community Zone are prohibited to be serviced by new public community wastewater systems without a waiver being granted by the Highlands Council. Preserved Lands including state parks and forests, and Green Acres lands are included in the analysis as part of the Preserved Lands indicator, a secondary indicator for the Protection Zone (page 7). Wildlife Management Areas are a subzone of the Protection Zone.

Regarding changes to the Existing Community Zone – Environmentally Constrained Subzone, the changes can partially be attributed to the updated Wastewater Existing Area Served layer which has expanded in the last 20 years. In addition, changes to the mapping have resulted due to a process that is easier to fact check and eliminate errors. Where the previous mapping used a step by step process with a greater opportunity to introduce errors, the new version uses a scripted methodology that reduces the opportunity for errors and increases the ability to fact check the process.

Comment 3: The commentor requested the 2023 revisions to the Utility Capacity Technical Report, referenced on page 10 of the Draft 2024 Revisions to the Land Use Capability Zone (LUCZ) Map Technical Report.

Response: The language was referring to the update of the “Existing Area Served (Highlands Domestic Sewerage Facilities) +100 feet” data layer only. The complete Utility Capacity Technical Report was not updated. The language of this notation has been modified to clarify this.

Comment 4: The commenter expresses strong support for proposed amendments to the Highlands Regional Master Plan. They believe these amendments would enhance existing maps with updated information on land, water, and climate issues in New Jersey, offering communities protection against the adverse effects of large warehouse projects.

Response: The Highlands Council appreciates this comment.

Comment 5: The commenter strongly opposes the new plan, emphasizing the need to preserve woodlands in Conservation Zones without exception. They criticize the plan for seeming to prioritize development and destruction of land over conservation. They advocate for reusing already disturbed sites instead of destroying virgin land and plead for the plan to restrict further development. The commenter is distressed by the plan's apparent disregard for nature and urges for a halt to the destruction of natural habitats.

Response: The changes in the LUCZ do not change policies regarding development in the region. The RMP continues to provide protection of undeveloped lands and focuses development to existing developed areas.

Comment 6: Five commenters indicated that they found the interactive map a useful tool to better understand the LUCZ and the Highlands goals. They expressed concern about the change in the Vernal Pool Protection Areas from 1000 ft. to 300 meters.

Response: The Highlands Council appreciates the comment and will continue to update and refine the interactive mapping tool and data. Regarding the Vernal Pool buffer, the change from 1000 ft. to 300 meters results in only a reduction of 16 ft. and provides consistency with the NJ Department of Environmental Protection which is the source of the data.

Comment 7: The commenter had the following questions and comments:

The buffer around vernal pools was changed from 1,000 feet to 300 meters. 300 meters is 984 feet. Why was the buffer changed from feet to meters?

Response: The change from 1000 ft. to 300 meters was changed to provide consistency with the NJ Department of Environmental Protection which is the source of the data.

The land area in the conservation zone went from 65,409 acres in 2008 to 14,418 acres in 2020 a reduction of 23,325 acres. The land area in the Conservation Zone-Environmentally Constrained increased by 27,734 acres from 2008 to 2020. A table and map showing the changes in land areas

would be helpful in understanding the amendments to the Land Use Capability map broken down by municipality would be helpful. The layer on the interactive map does not provide this information.

Response: The Highlands Council can provide the County with this information, in addition the data layer is available for download off the Highlands Council's open data site for analysis using GIS tools.

The total acreage from 2008 to 2020 is 24,379 acres less. The explanation given is that roads and lakes greater than 10 acres in size are not assigned a designation. Does this mean that in 2008 roads and lakes greater than 10 acres in size were assigned a LUC. If so, 24,379 acres seems low if all roads and lakes of 10 acres or more are excluded. Highlands Council should provide a comparison table of the changes.

Response: The Highlands Council can provide the County with this information, in addition the data layer is available for download off the Highlands Council's open data site for analysis using GIS tools.

Comment 8: The commenter states that the Highlands Council will release revised mapping of the layer "Existing Area Served" (Highlands Domestic Sewerage Facilities) + 100 feet the week of April 1, 2024 and as such the comment period for the amendments should be extended to allow public review and comment of the revised mapping.

The commenter also states that Existing Area Served (Highlands Domestic Sewerage Facilities) + 100 feet" data layer should be accompanied by a revised version of the "Highlands Domestic Sewerage Facilities- Available Water Capacity" table included in the 2008 Technical Report.

Response: The layer in question, like all base data layers, are not themselves amendments to the RMP and thus not subject to public comment. The data layer is now available on the Council's data site. Should factual updates to any layers be identified subsequent changes to the Land Use Capability Zone Amendment this can be accomplished via the RMP Update Process (outside of the amendment process), as with all site specific and factual data updates.

Regarding the Existing Are service data layer, the Highlands Council periodically data layers outside of the RMP Amendment process and updates to technical reports as resources permit. The data layer in question was updated based on available data from the NJDEP. Updates to the full 2008 Utility Capacity Technical Report would be made as a separate RMP amendment when appropriate.