

**APPENDIX 4 - FIVE COUNTY COALITION  
RECOMMENDATIONS**



***FIVE COUNTY COALITION COMMENTS AND RECOMMENDATIONS  
TO THE NEW JERSEY HIGHLANDS TASK FORCE***

The Five County Coalition was formed in 2002 by the Boards of Chosen Freeholders of Hunterdon, Morris, Somerset, Sussex and Warren Counties. Its mission is to share information and initiatives among the five participating counties and to advance the cause of efficient and effective county government. The Coalition seeks to work closely with its constituent municipal governments in an effort to provide the highest level of service to the 1.3 million + residents of the five county region.

The Five County Coalition supports the inclusion of county and municipal government in the decision making process and the State's implementation of a stable source of funding for a payment-in-lieu-of-tax program.

The Coalition firmly believes that the key to preservation and appropriate development in this region is the involvement of County and municipal government at every level of decision making and that the State should not use the Highlands as rationale to reduce investment in much needed transportation infrastructure improvements in the region. The Coalition also believes that all smart growth initiatives, must consider landowner equity. The Coalition supports the establishment of a Statewide transfer of development rights (TDR) initiative but does not believe that the equity issue should rest solely on the implementation of TDR.

The Coalition also supports the concept of establishing a water user fee as a stable source of funding for payment –in-lieu-of tax programs within the Highlands and for providing financial assistance to local governments in the Highlands as they establish programs that protect both surface and ground water resources. Agricultural uses and private individual well users would be exempt from the water fee. Further, to insure the broadest level of public support and in an effort to simplify and consolidate regional planning processes, we strongly recommend that the findings of the Highlands Task Force be submitted to the State Planning Commission and the Five County Coalition for comment prior to review by the Governor of the State of New Jersey. We further recommend that the Highlands Task Force findings be included in the upcoming State Planning Commission cross acceptance process.

The Five County Coalition hereby submits the following policy and programmatic recommendations to the Highlands Task Force for their consideration. Each of our recommendations corresponds to one of the five stated goals of the Highlands Task Force and is intended to assist the State of New Jersey and the Highlands Task Force in achieving these goals. The recommendations are general in nature and the specific language of each would need to be reviewed in greater detail by the Highlands counties and municipalities if any are advanced to implementation.

***Highlands Task Force Goal #1:***

*Protection of water quality, drinking water supplies, wetlands, critical plants and wildlife habitat, vegetated stream corridors and contiguous forests.*

**FIVE COUNTY COALITION RECOMMENDATIONS:**

- **State shall establish mandatory conservation measures for surface water supply end users outside of the Highlands region.**
- **State shall promote use of water utility rates as financial incentive for water conservations by end users.**
- **State shall establish grant/loan programs to county/municipal governments for stormwater system upgrades within the Highlands.**
- **State shall establish program to fund local septic management programs and within areas designated by US Forest Service Report as moderate to high water quality resource value. Programs to be administered through County and municipal health agencies and may include education programs, best management practices, etc.**

***Highlands Task Force Goal #2:***

*Identification of methods to protect and preserve open space and natural resources of the Highlands region.*

**FIVE COUNTY COALITION RECOMMENDATIONS:**

- **Utilize the United States Department of Agriculture Forest Service *New York-New Jersey Highlands Regional Study: 2002 Update* to establish lands identified as having the highest water quality resource value (see map on page 72 of Highlands Study) as first priority for acquisition/preservation.**
- **Within ninety (90) days of release of the Highlands Task Force findings, State of New Jersey shall submit report of acquisition priorities to all County and municipal governments within the Highlands region.**
- **State of New Jersey shall provide notice of intent to solicit acquisition of lands outside of areas identified in County/municipal open space plans, in either fee simple or by conservation easement, within the Highlands to the chief elected official in each affected county and municipality. Notice requirement shall apply to non-profit agencies utilizing State funds for the purpose of acquiring lands in fee simple or by conservation easement within the Highlands. Affected county/municipality shall have ninety (90) days to review and comment on proposed land acquisitions. The State, in consultation with Highlands counties and municipalities shall establish a dispute resolution process to resolve disagreements regarding acquisition proposals.**
- **Acquisition values to be determined by zoning in place as of January 1, 2004.**
- **State shall report annually to county and municipal governments within the Highlands on the status of acquisition programs.**

***Highlands Task Force Goal #3:***

*Identification of methods to enhance farmland preservation and support the agriculture industry in the Highland region.*

**FIVE COUNTY COALITION RECOMMENDATIONS:**

- **State shall utilize existing programs to support farmland preservation within the Highlands. State shall consider assigning higher priority to preservation applications within the Highlands region. Final determination as to funding priorities should be made in consultation with the State Agricultural Development Committee, County Boards of Agriculture and County Agriculture Development Boards.**
- **State shall establish programs to support the agriculture industry within the Highlands. Programs to be considered should include increased promotion of agri-tourism, increased promotion/marketing of Jersey Fresh products and start up financing for value added industries. State shall assist counties and municipalities in establishing land use/zoning ordinances and best management practices that accommodate the agriculture industry. NJDEP shall consider methods of streamlining regulatory process for agriculture industry located in accordance with municipal or regional plans.**

***Highlands Task Force Goal #4:***

*Identification of methods to promote historic, cultural, scenic and recreational resource opportunities that preserve the natural features of the Highlands region.*

**FIVE COUNTY COALITION RECOMMENDATIONS:**

- **State shall utilize existing programs, including those within the State Historic Preservation Office and the State Division of Tourism to promote historic, cultural, scenic and recreational resource opportunities within the Highlands.**
- **State shall establish programs to support historic, cultural, scenic and recreational resource opportunities within the Highlands. Priority should be granted for funding the promotion of tourism activities consistent with the New Jersey State Development and Redevelopment Plan within the Highlands region.**

### ***Highlands Task Force Goal #5:***

*Provision of smart growth opportunities, including economic development and redevelopment in the Highlands region through regional planning, including coordination of transportation infrastructure investments and administrative agency activities, consistent with the State Development and Redevelopment Plan.*

### **FIVE COUNTY COALITION RECOMMENDATIONS:**

- **State shall establish payment-in-lieu-of-tax (PILOT) program for municipalities in which conservation easements or fee acquisition of water supply lands are purchased. PILOT shall be based upon the difference in value of land assessed at highest and best use as of January 1, 2004 (absent watershed moratorium discounts) and assessed value after constraint by conservation easement. State may establish tax committee consisting of representatives of Highlands municipal assessors, County tax boards and the New Jersey Division of Taxation to assist in establishing values and PILOT program. PILOT programs shall increase in accordance with a recognized regional inflation index.**
- **State shall analyze and report the financial impact of Highlands acquisitions on municipalities outside the Highlands regions but within a County with Highlands municipalities. The Coalition is concerned that municipalities outside the Highlands region but within a Highlands county will be forced to shoulder an disproportionate share of the county/regional tax burden as their equalized tax bases grow while that of the Highlands municipalities remain stagnant. Consideration should be given to raising the level of payment in lieu of taxes under the Garden State Preservation Trust program and sharing said PILOTS among municipal government, county government and local school boards. PILOTS shall increase in accordance with a recognized regional inflation index.**
- **State funds shall not be utilized to acquire lands within the Highlands in fee simple or by conservation easements, in areas designated for growth as shown on the State Plan Map (designated centers, transit villages, Planning Area 1) without the consent of the affected county, municipality and the State Planning Commission.**
- **State shall grant funding priority and permit expedition for water/wastewater systems in areas within the Highlands designated for growth by the New Jersey State Planning Commission.**
- **Existing regional agencies including County Planning Boards, County Agricultural Development Boards, County Cultural and Heritage Commissions, County Park Commissions, County 208 Water Quality Policy Advisory Committees, State Planning Commission., State Agricultural Development Committee and the State Historic Preservation Office shall be utilized to track/monitor implementation of Highlands Task Force recommendations.**
- **State shall establish specific financial and regulatory incentives for counties and municipalities within the Highlands.**