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'HIGHLANDS ACT NOT YET CAUSE FOR CELEBRATION'

Too Many Questions Still Unanswered; Too Much Still to be Done, According to New Jersey Farm Bureau

Trenton, NJ (August 10, 2005) -- "It's premature to celebrate the Highlands Act until stakeholder concerns have been satisfactorily addressed and reconciled -- and that has yet to happen," says Richard Nieuwenhuis, president of the New Jersey Farm Bureau. "The Highlands Council faces an enormous and complex land-use planning task in a very short time frame. It's a daunting task that should generate caution and respect for the stakeholders who have so much at risk in the outcome of the plan."

Landowners are contesting the validity of the Act and several towns and counties expressed opposition when the act was signed. Members of the Farm Bureau have voiced concern that Highlands preservation will mimic that in the Pinelands, which has caused years of controversy.

Dedicated Funding Source for Property Purchase

"Carefully addressing the needs of landowners to prevent loss of agriculture operations is critical to the Highlands planning success. Equity protection is of paramount importance to farmers," continues Nieuwenhuis. "Farmers and landowners in the Highlands Preservation Area are still waiting for legislative commitment of a dedicated funding source to secure the protection of equity in their land. Farm Bureau was among the first to call for a surcharge on water users that source their water from the Highlands. It makes sense to have the four million people who get their drinking water from the Highlands help pay for the protection of their water supply."

DEP Special Rule for the Highlands

The New Jersey Farm Bureau takes particular issue with the DEP-regulations on septic density standards requiring 25- and 88-acre lot designations for the Preservation Area. "Large-lot septic densities devalue property and continue to promote sprawl," says Nieuwenhuis. "The exorbitant fees associated with permits and applications will hurt landowners and commercial property owners. There are even fees associated with applications for activities that are exempt from the act."

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As farmers and homeowners apply for DEP Highlands Permits on their properties, they will face new deed restrictions and conservation easements on unused portions of their properties. The Farm Bureau feels that these regulations go far beyond the intent of the legislation, which was to develop a regional plan to balance environmental resource protection with continued economic development and growth in the Highlands.

Transfer of Development Rights

Part of striking that balance is using the tools open to the Highlands Council under the act. A critical tool is the creation of a Transfer of Development Rights (TDR) program. Done properly, TDR can shift expected growth from areas that need protection to areas in a community that can accommodate the growth. However, there has been pronounced unwillingness by some Highlands municipalities to accept the high-density growth that can help make TDR work. This is a major obstacle that the Highlands Council can address through the Regional Planning Process.

"With all the challenges the Highlands Council has yet to face in order to balance economic growth and housing needs with the desired protection of critical forest and water resources in the region, it seems a bit early for celebration," says Nieuwenhuis.

The Council's willingness to work with Farm Bureau and other stakeholders is a testament to the commitment of those involved in creating the best possible plan for the region. Farm Bureau believes that the work has only just begun. It will take participation by local government and concerned citizens if there is going to be a plan that works. Marking the passage of The Highlands Water Protection and Planning Act may sound exciting, but Farm Bureau will wait to celebrate until the promise of funding is fulfilled and the Regional Master Plan can be seen as a success.

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The New Jersey Farm Bureau is a member organization of more than 19,000 farmers and farm-related entities within the Garden State. It is the only organization solely dedicated to representing the grass-roots interests and directives of its members in educating all levels of government and the public on the farm community's policies and positions. The Farm Bureau also takes a lead in seeking out initiatives, activities and ventures to enhance the profitability of producer members and ensure the viability of agriculture in New Jersey -- *the Garden State for Good Reason -- our farms.*

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