

The Express-Times

New Jersey Highlands Council's faces expected to change in October

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By **STEPHEN J. NOVAK**

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Sam Race sat on his tractor late Friday afternoon, working his field on Hazen Oxford Road in White Township.

Across the road is another field, he said -- one within a designated area under the Highlands Act where development restrictions are mandatory.

He argued there aren't enough people on the Highlands Council -- the board appointed to oversee the act -- that understand what those restrictions mean to landowners.

"The current council never had representation from anyone who owned land in the preservation area," the White Township committeeman said. "I always felt very strongly that wasn't good representation."

That could change next month, along with much of the Highlands representation.

Well into his first year on the job, Gov. Chris Christie is still making appointments to replace holdovers on various boards, committees and other positions around the state, including the Highlands Council. Race is a potential nominee, having been recommended to the governor by state Sen. Michael Doherty, R-Warren/Hunterdon.

Highlands Council Executive Director Eileen Swan said she has been told to expect new council members named in October. Ten of the board's 15 positions are up for appointment, she said.

Doherty said he would rather see the council disbanded and the act abolished, but said the opportunity for the region's legislators to recommend potential nominees is an important chance to right some of the act's perceived wrongs.

"If the Highlands Council is not going to be done away with ... then it would be nice to get some members on the council that are a little more sympathetic to the economic issues, to the rights of property owners," the senator said. "We can make some reforms until we do get rid of it."

Years of controversy

New Jersey established the Highlands Act in 2004, seeking to protect freshwater resources in northern New Jersey by limiting development. Zoning restrictions established by the law cover a more-than-800,000-acre swath of land through seven counties, including Warren and Hunterdon. For years it has caused controversy among landowners who claim the act robbed their property of value.

The legislation quickly fell under the Christie administration's critical eye. When Christie took office, a transition report called the Highlands Council "a disaster on many levels" and recommended changes be

made.

"If the Highlands Council had its powers changed or reduced or even if it was eliminated outright, environmental protections would still be in place, enforced just as they are in every other part of the state," according to the report.

Within a month of taking office, Christie signed an executive order that required state departments to assess their various sub-commissions and recommend cuts. The Highlands Council was spared in the Department of Environmental Protection's report, which was issued the same day Christie axed 60 state boards and commissions.

Important process

The DEP's report reasoned that the council carries out the laws established under the Highlands Act, and establishes "a consolidated Highlands permitting review and approval process" for the region.

Julia Somers, executive director of the New Jersey Highlands Coalition, applauded the decision and said the Highlands Act symbolizes the importance of regional planning and resource protection.

New council members will be joining at a time when many Highlands towns are working to fit the act's guidelines and submitting plans.

"I think most people (who will be appointed) would take their time to get to know the process, get to know how we do our work," Swan said.

Race said he plans, if appointed, to simply represent a group of people he feels were lost in the process.

"I am not trying to do anything other than bring appropriate representation," he said.

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