

## **Ruga and Van Auken's letter about the Highlands Act is misleading**

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### **To the Editor:**

Eliot Ruga and Erica Van Auken's recent letter to the editor regarding the Highlands Act contains disturbingly misleading statements.

The writers refer to "unfounded claims of diminished land values." The Highlands Act mandated an 800,000-acre "no-build" zone in northwestern New Jersey, vaporizing \$6 billion of farmers' property values with the swipe of a governor's pen. The lion's share of land value in N.J. is in the right to build a home.

The writers mislead when they state that \$520 million of state dollars has been spent for preservation purchases in the Highlands since 2000. These funds were spent preserving properties that were not impacted by the Highlands Act, either prior to the act's passage for non- Highlands Preservation Area properties, historic structure preservation, or for parks. Less than \$15 million of Garden State Preservation Trust monies has been spent to preserve properties of harmed Highlands' landowners, and those funds largely went to the politically privileged.

The writers note that the Highlands TDR program has spent \$2.6 million, statistically insignificant in the \$6 billion aggregate property loss context, to purchase development rights at an average of \$8,967 per acre. The development value of a buildable acre in the Highlands is a six-figure number. The reason that the Highlands TDR program is a failure is that the state is offering less than 20 cents on the appraised dollar value of the development rights that the Highlands Act stole from landowners in a regulatory taking that violates the Fifth Amendment.

This writer is a Highlands' apple farmer who experienced a multi-million dollar loss in farmland value after the Highlands Act taking, hence her interest in the true facts of available Highlands Act "just compensation."

Mr. Ruga and Ms. Van Auken, employees of the New Jersey Highlands Coalition, are salaried environmental lobbyists.

**DEBORAH POST**  
Chester