



CHRIS CHRISTIE  
*Governor*

KIM GUADAGNO  
*Lt. Governor*

State of New Jersey  
Highlands Water Protection and Planning Council  
100 North Road (Route 513)  
Chester, New Jersey 07930-2322  
(908) 879-6737  
(908) 879-4205 (fax)  
[www.nj.gov/njhighlands](http://www.nj.gov/njhighlands)



JIM RILEE  
*Chairman*

MARGARET NORDSTROM  
*Executive Director*

## MEMORANDUM

**To:** Landowner Equity and Land Preservation Committee  
**From:** Margaret Nordstrom, Executive Director  
**Subject:** Committee Meeting Minutes – April 30, 2015  
**Date:** May 12, 2014

A Landowner Equity and Land Preservation Committee meeting was held on Thursday, April 30, 2015 at the Highlands Council office in Chester. Committee Members present: Committee Chair Walton, Committee Members Dressler, Francis and Visioli.

Staff Members present: Margaret Nordstrom, Chris Danis, James Humphries, Kim Ball Kaiser, and Annette Tagliareni.

Also present: Michael Collins, Assistant Counsel, Governor's Authorities Unit; and Matthew Kelly, DAG.

Committee Chair Walton opened the meeting at 3:06pm.

### Landowner Equity and Land Preservation Program Update

Mr. Humphries gave a summary of the Landowner Equity and Land Preservation Program (the Program) adoption process:

- After Council reviewed and considered a final draft of the Program which was vetted through the committee, on January 22, 2015, the Highlands Council authorized the Executive Director to initiate the rulemaking process in connection with the Program and to keep the Council advised and informed as to the status and progress of the promulgation of the Program.
- On March 6, 2015, the final draft of the Program was sent to Office of Administrative Law (OAL) for an informal review. Comments were sent back to Highlands Council staff on

March 31, 2015. OAL's comments were primarily not substantive and staff addressed them with modifications to the document.

- Staff is waiting for further comments from Highlands counties after which the Program will contemporaneously be sent to the GAU and the DAG for review.
- After GAU and DAG reviews, the final Program will be ready for Council's approval to be promulgated as a rule under APA.
- A notice of proposal will be submitted to OAL for publication in a NJ Register issue pursuant to an annual submission schedule issued by OAL. After the notice is published in the NJ Register, the Council must accept written comments for at least 60 days. If a public hearing is held, which the Council anticipates, the comment period must extend to at least the hearing date.
- When an agency adopts a proposed rule, by resolution in the Highlands Council's instance, a notice of adoption and Certificate of Proposal, Adoption and Promulgation which summarizes public comments and Council response, is submitted to the OAL. Changes on adoption can be made if they do not substantially enlarge or curtail the Program. The notice of adoption cannot be filed until the end of the comment period.

Committee Chair Walton suggested that Highlands Council staff provide an update on the Program to the Bank board.

#### Water Fee Update

Ms. Danis gave an update on a proposed approach for evaluating a potential water fee and indicated that there are three components being used to collect data. Highlands Council staff hopes to have the updated data by end of summer/early fall for the following:

- Update Highlands Water Resources Technical Report information which was based on 2003 water use data. The New Jersey Geological Survey (NJGS) NJWater database has updated information to 2011.
- Working with NJDEP, NJGS to update the April 2004 Technical Memorandum that evaluated who are Highlands water users in the state.
- NJDEP and Rutgers are conducting a statewide evaluation of public water utility use and determining water use trends until 2040. The Highlands Council staff serves on the technical advisory committee for that project.

*The Committee adjourned at 3:27pm.*