

Resolution No. 2007-09
Page 1 of 2

Date: December 5, 2007
Patron: John Eskilson

R E S O L U T I O N

**AUTHORIZING EXECUTION OF A MEMORANDUM OF UNDERSTANDING BETWEEN THE
HIGHLANDS WATER PROTECTION AND PLANNING COUNCIL, THE NEW JERSEY STATE
PLANNING COMMISSION, AND THE OFFICE OF SMART GROWTH**

WHEREAS, in 1986, the Legislature enacted the State Planning Act recognizing that New Jersey, the nation's most densely populated state, requires sound and integrated Statewide planning and coordination of Statewide planning with local and regional planning in order to conserve the State's natural resources, revitalize its urban centers, protect the quality of its environment, and provide needed housing and adequate public services at a reasonable cost while promoting beneficial economic growth, development and renewal; and

WHEREAS, the State Planning Act requires that the State Planning Commission (SPC) develop, adopt, and periodically revise a State Development and Redevelopment Plan (State Plan) which shall provide a coordinated, integrated and comprehensive plan for the growth, development, renewal and conservation of the State and its regions, and which shall identify areas for growth, agriculture, open space conservation and other appropriate designations to be used as a tool for assessing suitable locations for infrastructure, housing, economic growth, and conservation; and

WHEREAS, the Office of Smart Growth, as staff to the SPC, is charged with providing technical assistance and guidance to counties, municipalities and other planning entities across the State in order to implement the State Planning Act; and

WHEREAS, pursuant to the State Planning Act, the SPC developed plan endorsement as the tool to bring municipal, county and regional plans into consistency with the goals, policies and strategies of the State Plan; and

WHEREAS, in 2004, the Legislature enacted the Highlands Act recognizing that the Highlands Region is an essential source of drinking water, provides clean and plentiful drinking water for one-half of the State's population, and contains other exceptional natural resources; and

WHEREAS, the Highlands Act created the Highlands Water Protection and Planning Council (Highlands Council), a regional planning agency, to develop, adopt and periodically revise a Regional Master Plan (RMP), after consulting with the SPC and other governmental entities, with a goal of protecting and enhancing the significant values of the resources of the Highlands Region; and

DRAFT – CURRENTLY UNDER DEPUTY ATTORNEY GENERAL REVIEW

Resolution No. 2007-09
Page 2 of 2

Date: December 5, 2007
Patron: John Eskilson

WHEREAS, the Highlands Act requires that the Highlands Council submit the RMP to the SPC for plan endorsement exclusively for the Planning Area of the Highlands Region; and

WHEREAS, in order to achieve the shared goals of sound land use planning of the State Planning Commission, the Highlands Council and the Office of Smart Growth, it is mutually beneficial to enter into a Memorandum of Understanding to develop a cooperative planning process that will enable each agency to efficiently and effectively carry out their respective statutory responsibilities; and

WHEREAS, the cooperative planning process developed pursuant to this Memorandum of Understanding will advance coordinated and comprehensive planning in the State, will result in greater predictability and transparency in planning with respect to meeting the mandates of the Highlands Council and the SPC, and will benefit State agencies, counties, municipalities and the public; and

WHEREAS, the SPC has reviewed the Memorandum of Understanding and has concluded that it is consistent with the intention of the State Planning Act and the Highlands Act to promote sound land use planning and protection of resources in the respective jurisdictions.

NOW THEREFORE BE IT RESOLVED, that the SPC authorizes execution of the Memorandum of Understanding between the Highlands Council, the SPC and the Office of Smart Growth to achieve the respective legislatively mandated purposes of protecting natural resources, enhancing prudent and rational development, redevelopment and conservation policies through formulation of sound and consistent regional plans and planning criteria, and coordinating planning activities through intergovernmental coordination.

NOW THEREFORE BE IT FURTHER RESOLVED that the SPC hereby authorizes its secretary and principal executive officer, Benjamin Spinelli, to execute the Memorandum of Understanding on behalf of the SPC, the Highlands Council and the Office of Smart Growth;