
10: REGIONAL RELATIONSHIPS

A. The Highlands Water Protection and Planning Act

The Highlands Water Protection and Planning Act (Highlands Act) (N.J.S.A. 13:20-1 et seq.), which became effective in August 2004, is a law that aims to preserve open space and protect the state's greatest diversity of natural resources including the precious water resources that supply drinking water to more than half of New Jersey's population. The Highlands Act defines the geographical boundary of the Highlands Region and the Highlands Preservation and Planning Areas (see **Figure 10a**); requires the NJDEP to establish regulations in the Highlands Preservation Area; and creates a Highlands Water Protection and Planning Council, which will develop a regional master plan for the Highlands Region.

Of the 800,000 acre Highlands Region, the *Highlands Preservation Area* includes 398,000 acres that is designated as exceptional natural resource value. More than $\frac{1}{3}$ of this area is undeveloped. Proposals for "major development" on properties within the preservation area will require a NJDEP Highlands Preservation Area Approval, which will be guided by the environmental regulations within the act. An example of major development is one which disturbs 1 or more acres of land or increases impervious surface by $\frac{1}{4}$ acre or more. Improvements to existing single family dwellings, such as an addition, garage, patio, driveway, swimming pool, garden or septic system are exempt. The *Highlands Planning Area* encompasses all areas of the Highlands that are not designated as the Highlands Preservation Area. The Highlands Act does not establish any new regulations for development within the Planning Area, however, the *Regional Master Plan*, which will be adopted by the Highlands Water Protection and Planning Council, will provide for enhanced standards, transfer of development rights and smart growth in this area. The target date for public hearings and adoption of the Regional Master Plan is December 2006.

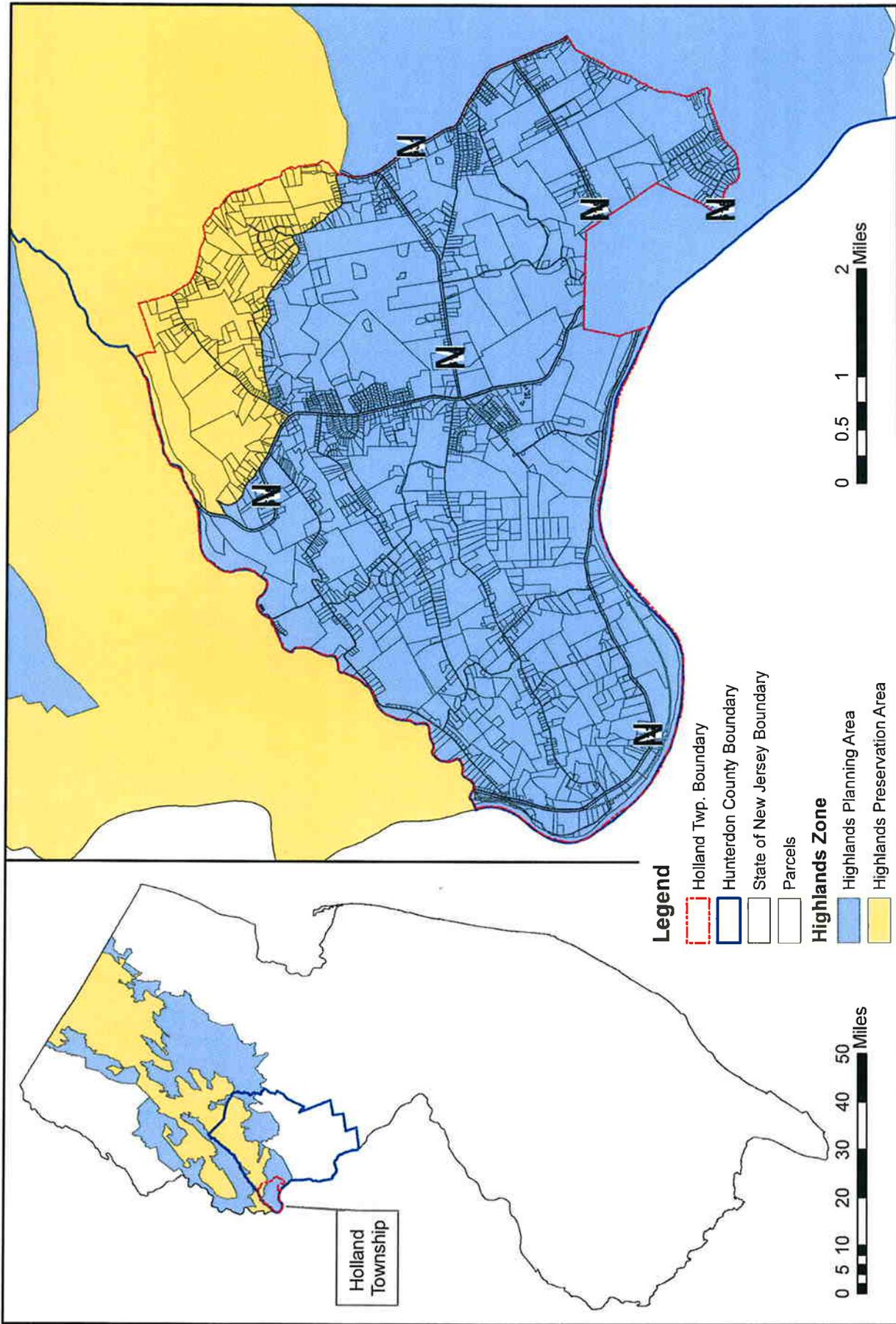
The Highlands Water Protection and Planning Council is composed of 15 members appointed by the Governor, 5 of whom must be municipal officials from the Highlands Region and 3 of whom must be county officials from the Highlands Region. The Council is responsible for carrying out the provisions of the Highlands Act.

The northern corner of Holland Township falls within the Highlands Preservation Area, while the remainder lies within the Planning Area. (NJDEP 2006; Hunterdon County Planning Board, 2006).

B. Hunterdon County Planning Board

The Hunterdon County Planning Board was established by the Board of Chosen Freeholders in 1957. The office is located at the Route 12 County Complex, Building #1. The Hunterdon County Planning Board's responsibilities are as follows:

- Prepare and adopt a master plan for the physical development of the County,
- review subdivision and site plan applications,
- encourage municipal cooperation in matters of mutual and regional concern.,
- advise the Board of Chosen Freeholders on capital budgets and expenditures, and
- maintain a file on municipal master plans and development regulations. (Hunterdon County Planning Board, 2006).



Data Sources: See Appendix B.
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Figure 10a: NJDEP Highlands Zones

Hunterdon County Planning Board reviews all land subdivisions and site plans that are located on a County road or affect County facilities. The Planning Board prepared the Hunterdon County Open Space, Farmland and Historic Preservation Trust Fund Plan, which provides the Board of Chosen Freeholders with policy guidance on the County's open space, farmland and historic preservation goals. The Planning Board is also responsible for developing other planning documents, such as the Hunterdon County Farmland Preservation Plan, Hunterdon County Park and Recreation Master Plan, and the Hunterdon County Master Plan.

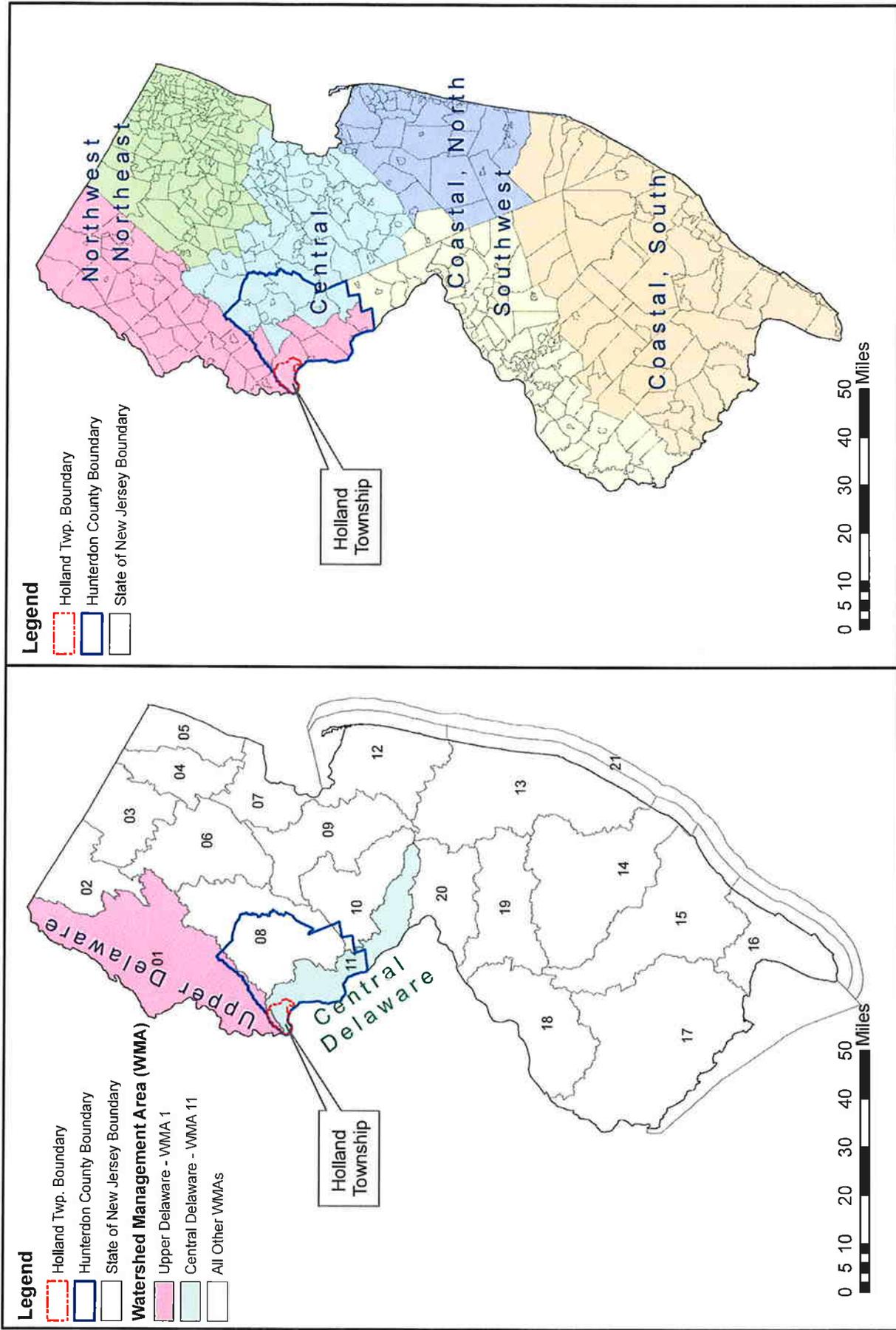
The Planning Board has written a number of publications, many of which are free or downloadable from the internet, including a Woodland Conservation Handbook (2003), Community Design Handbook (1999), Strategies for Managing Growth in Hunterdon County (1998), County Databook (demographics) (2003), and Sites of Historic Interest (1979). The Planning Board developed the *Hunterdon County Environmental Toolbox*, which consists of a series of model ordinances which municipalities may use to help manage growth and ensure environmentally sound development. Eleven model ordinances have been approved, with input and consensus by diverse interests in order to ensure they were legally sound, scientifically valid and responsive to the concerns of the diverse interest groups that would ultimately be affected by them (Hunterdon County Planning Board, 2006).

C. Watershed Management

Watershed management is the process of managing all of the water resources within the area of a watershed, rather than on a site-specific basis. A watershed management approach is based on three key components: 1) a geographic focus; 2) continuous improvement based on sound science; and 3) partnerships/stakeholder involvement.

In the Statewide Watershed Framework Document (NJDEP, 1997), the NJDEP provides a framework to move toward a more holistic, rather than site-specific, approach to most effectively protect our water resources today and well into the future. The key elements of this plan include:

- *Watershed Management Areas:* The state has been divided into 20 watershed management areas (WMA's). Holland Township is located within two separate WMA's; WMA 1, known as the "Upper Delaware Tributaries" includes that portion of Holland that is in the Musconetcong watershed, while the rest of the township is part of WMA 11, known as "Central Delaware Tributaries" (See **Figure 10b.**)
- *Strategic Monitoring:* Monitoring activities will be strategically coordinated by watershed to address various needs including water quality assessment, prioritization, watershed modeling, air deposition and evaluation.
- *Watershed-based Permitting:* NJDEP will issue permits and renewals for discharges to surface water (DSW) within the same water region so that the permits expire in the same fiscal year. Watershed-based DSW permits will be issued/renewed in five year cycles.
- *Watershed Management Plans:* NJDEP administers the Statewide **Water Quality Management (WQM)** Planning rules, N.J.A.C. 7:15 in conjunction with the Statewide WQM Plan, which together constitute the Continuing Planning Process conducted pursuant to the Water Quality Planning Act, N.J.S.A. 58:11A-1 et seq., the Water



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Figure 10b: NJDEP Watershed Management Areas and Drought Regions

Pollution Control Act, N.J.S.A. 58:10A-1 et seq., and N.J.S.A.13:1D-1 et seq., and as required by Sections 303(e) and 208 of the Federal Clean Water Act (33 U.S.C.1251 et seq.).

- According to these rules, the Commissioner of the NJDEP shall not undertake, or authorize through the issuance of a permit, any project or activity that affects water quality and conflicts with the applicable sections of adopted WQM Plans or the Statewide WQM Planning rules. The rules establish a mechanism for the determination of consistency of proposed projects or activities, and procedures for amendments.
 - NJDEP anticipated development of Watershed Management Plans for each of the 20 watershed management areas; however funding constraints have stalled this effort. Plans would include: baseline information, water resource trends and priority concerns, watershed goals and objectives, selected management strategies, including pollution trading agreements where appropriate, and implementation schedules.
- *Wastewater Management Planning:* Certain changes to a WQM Plan also require a **Wastewater Management Plan (WMP)** amendment. This document provides 20 year planning for wastewater and certain other water resource protection concerns, including, but not limited to, an evaluation of depletive and consumptive water use, detailed land use, environmental build-out and pollutant loading. All wastewater management planning agencies must prepare and submit a WMP to the NJDEP. A WMP is valid only upon its adoption by the Governor or his designee as WQM plan amendment.
- *Watershed-based Stormwater Management Planning: Stormwater Management Plans (SWMP)* are required to address regional stormwater concerns and will be integrated as elements of Water Quality Management Plans. The purpose of these plans is to reduce flooding, prevent pollution, and produce cost efficiencies through development of regional/watershed-based solutions instead of site-specific requirements.
- Two sets of stormwater rules became effective February 2, 2004. The first set of rules is known as the Phase II New Jersey Pollutant Discharge Elimination System Stormwater Regulation Program Rules (N.J.A.C 7:14A). These rules are intended to address and reduce pollutants associated with existing stormwater runoff. The permit program establishes the Statewide Basic Requirements that must be implemented to reduce nonpoint source pollutant loads, including such measures as the development of a municipal stormwater management plan, adoption and implementation of ordinances (e.g. litter control, pet waste, street sweeping and catch basin cleaning); locating discharge points and public education.
 - The second set of rules is the Stormwater Management Rules (N.J.A.C. 7:8), which describe the required components of regional and municipal stormwater management plans, and establish the stormwater management design and performance standards for proposed development. These standards include ground water recharge, runoff quality and quantity controls, and buffers for Category One streams.

- *Geographic Information Systems (GIS)*: GIS is utilized for data development, data updates and enhancements, assessment and modeling, and improved data sharing.

Holland Township has responsibility for wastewater management planning within the township. It does not currently have an approved WMP, and therefore is not in compliance with NJAC 7:15-5.23 (NJDEP Division of Watershed Management, September 2005). A draft WMP was submitted in June 2006, and is being revised in November, 2006.

D. Drought Regions (NJDEP)

NJDEP provides information about droughts according to Drought Region (see **Figure 10b**), using indicators of 90-day precipitation, 90-day stream flow, reservoir levels and ground water levels for each region. Holland Township lies within the Northwest Drought Region, which includes Sussex, Warren and the western half of Hunterdon County.

During a *drought watch*, voluntary water conservation measures are encouraged. During a *drought warning*, measures are taken to manage water supplies in order to avert a *drought emergency*. A water supply emergency results in mandatory restrictions on water use in order to curtail water demand.

E. Lower Delaware Wild & Scenic River

Segments of the Delaware River between the Delaware Water Gap and Washington Crossing were designated as part of the National Wild and Scenic River System in 2000. With this addition of about 65 miles of the Delaware, $\frac{3}{4}$ of the non-tidal Delaware River is now included in the national system.

The management area for the Lower Delaware Wild and Scenic Area extends from the river to the prominent ridgelines; within Holland Township, this is roughly the ridges above the Riegelsville-Milford Road (Route 627). Holland Township joined others in their support of the designation.

The Management Plan recommends actions to maintain and improve the Lower Delaware River, its tributaries and surrounding natural, historic and cultural resources. While each level of government retains its existing level of authority, designation requires federal agencies to make decisions compatible with the plan. A grant program (Municipal Incentive Grant program) provides federal money for projects which support the management plan goals (Lower Delaware River Wild and Scenic River Study Task Force, 1997).

The Delaware River Greenway Partnership (DRGP) is the non-profit organization which coordinates the efforts of the Lower Delaware Wild and Scenic Management Committee and is responsible for administering the Municipal Incentive Grant program. The DRGP played a leading role in securing the National Wild and Scenic River designation for the Lower Delaware River.

The mission of the DRGP is to promote the public and private stewardship of a regional corridor of natural, historic, cultural, scenic and recreational resources along the Delaware River and its tributaries, and to acknowledge the integrity of the nationally recognized Delaware River System through a public/private partnership (Brunner, 2004).

F. Musconetcong Wild & Scenic River

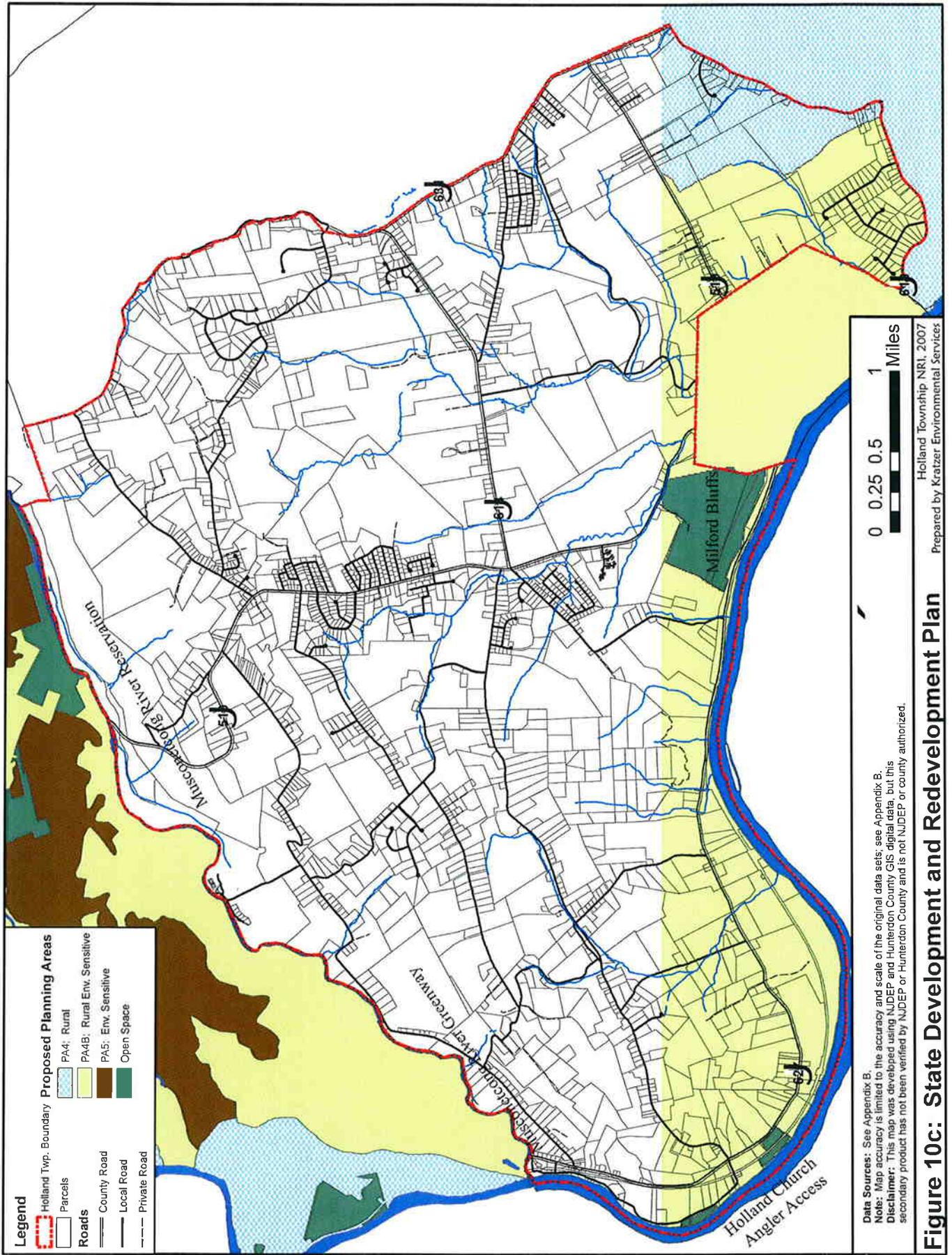
The Musconetcong River flows 42 miles southwesterly from Lake Hopatcong, forming the northern border of Holland Township for 6.2 miles before joining the Delaware River at Riegelsville. In 1997, 18 of 19 Musconetcong River municipalities petitioned the National Park Service to determine the Musconetcong's eligibility for National Wild and Scenic River designation. The Eligibility and Classification Report, completed in 1999, determined that three segments of the river, representing 28.5 river miles, are eligible for inclusion in the National Wild and Scenic Rivers System based on flow characteristics and natural and cultural resources. The Musconetcong Advisory Committee, with the assistance of the National Park Service, developed the Musconetcong River Management Plan in April 2003. Thirteen out of 14 municipalities bordering the eligible segments voted to support the management plan and the designation of the river into the National Wild and Scenic River System. The "Musconetcong Wild and Scenic Rivers Act," became law on December 22, 2006. The law designates two portions of the Musconetcong River (24.2 miles) as components of the National Wild and Scenic Rivers System. A third segment, which includes 4.3 river miles bordering Holland Township from Hughesville Mill to the Delaware River confluence was deemed eligible for a "Recreational" designation. However, since Pohatcong Township did not support the designation, this segment is not included in Wild and Scenic system at this time. Inclusion would be possible if Pohatcong passes a resolution of support in the future. (National Park Service, 2006; Musconetcong Watershed Association, 2007).

G. State Development & Redevelopment Plan

The *State Plan* is a dynamic vision of New Jersey's development and conservation patterns; it is not a regulation, but a policy guide. According to NJSA 52:18A-200(f), the purpose of the plan is to "coordinate planning activities and establish statewide planning objectives in the following areas: land use, housing, economic development, transportation, natural resource conservation, agriculture and farmland retention, recreation, urban and suburban redevelopment, historic preservation, public facilities and services, and intergovernmental coordination." Through a process called *Cross-Acceptance*, the state works with local and county governments and residents to compare their local master plans with the State Plan and to identify potential changes that could be made to achieve a greater level of consistency with statewide planning policy (NJDCA, 2005).

Most of Holland Township has been designated as PA4B, Rural Environmentally Sensitive Planning Area (see **Figure 10c**), while part of the township is designated PA4, Rural Planning Area. The goals for PA4 and 4B are to maintain the environs as large contiguous areas of farmland and other lands; revitalize cities and towns; accommodate growth in Centers; promote a viable agricultural industry; protect the character of existing stable communities; and confine programmed sewers and public water services to Centers"(State Plan, 2001). Holland contains no PA1 (Metropolitan), PA2 (Suburban), PA3 (Fringe), or PA5B (Environmentally Sensitive/Barrier Islands) Planning Areas. Holland is currently undergoing the Cross-Acceptance process.

In the land area surrounding Holland, Milford Boro is designated PA4B; Alexandria is PA4, PA4B and some park areas; while Bethlehem is PA5 and park. Pohatcong, bordering Holland in Warren County, is similarly designated as mostly PA4B, with some PA5, PA4 and parkland.



Legend

- Holland Twp. Boundary
- Proposed Planning Areas
 - PA4: Rural
 - PA4B: Rural Env. Sensitive
 - PA5: Env. Sensitive
 - Open Space
- Roads
 - County Road
 - Local Road
 - Private Road

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0 0.25 0.5 1 Miles

Figure 10c: State Development and Redevelopment Plan
 Holland Township NRI, 2007
 Prepared by Kratzer Environmental Services

References: Regional Relationships

Brunner, John. Executive Director, Delaware River Greenway Partnership. March 2004. Personal Communication

Hunterdon County Planning Board. 2006. Home Page. <http://www.co.hunterdon.nj.us/planning.htm>

Lower Delaware River Wild and Scenic River Study Task Force with assistance from the National Park Service, Northeast Field Office. 1997. Lower Delaware River Management Plan. 106 pages.

Musconetcong Watershed Association, 2007. http://www.musconetcong.org/projects/wild_and_scenic.htm

NJ Department of Community Affairs, Office of Smart Growth. 2005. New Jersey State Development and Redevelopment Plan Home Page. <http://www.nj.gov/dca/osg/index.shtml>

NJDEP Division of Watershed Management Home Page: <http://www.state.nj.us/dep/watershedmgt/index.html>

NJDEP Drought Information Home Page. 2006. <http://www.nj.gov/dep/drought/>

NJDEP Office of Environmental Planning. January 1997. Draft Statewide Watershed Management Framework Document for the State of New Jersey.

NJ State Planning Commission. March 1, 2001. New Jersey State Development and Redevelopment Plan. <http://www.nj.gov/dca/osg/plan/stateplan.shtml>

US Department of the Interior, National Park Service. Lower Delaware River Official Map and Guide.

Internet Resources: Regional Relationships

Highlands Act & Highlands Council

NJDEP Highlands Information Home Page: <http://www.state.nj.us/dep/highlands/>

Hunterdon County Planning Board

Home Page: <http://www.co.hunterdon.nj.us/planning.htm>

Watershed Management

Division of Watershed Management Home Page: <http://www.state.nj.us/dep/watershedmgt/index.htm>

Division of Watershed Management programs (Water Quality Management Plans, Wastewater Management Plans, applications, information, completeness and consistency checklists, etc.)

http://www.state.nj.us/dep/watershedmgt/water_quality_management_planning.htm

Model Stormwater Control Ordinances for Municipalities (Dec. 2003)

<http://www.state.nj.us/dep/watershedmgt/DOCS/pdfs/ModelSWOrdinance2.pdf>

Stream Buffer Conservation Zone Model Ordinances (Dec. 2003)

<http://www.state.nj.us/dep/watershedmgt/DOCS/pdfs/StreamBufferOrdinance.pdf>

Drought

NJDEP Drought Home Page: <http://www.state.nj.us/dep/drought/>

NJDEP Drought Hotline: 1-800-4-ITS-DRY or 1-800-448-7379

Outside NJ: 1-609-633-0560

Lower Delaware Wild and Scenic River

Lower Delaware River Study Report: <http://www.nps.gov/phso/sp/jrivlod2.htm>

Delaware River Basin Commission Wild and Scenic River Information:
http://www.state.nj.us/drbc/wild_scenic.htm .

Delaware River Greenway Partnership Home Page: www.delawarivergreenway.org

Musconetcong Wild and Scenic River

Musconetcong River Study Report: <http://www.nps.gov/nero/rivers/muskie.htm>

Musconetcong Watershed Association: <http://www.musconetcong.org>

State Development and Redevelopment Plan

Office of Smart Growth <http://www.nj.gov/dca/osg/index.shtml>