



NEW JERSEY HIGHLANDS COALITION

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Ms Terry Pilawski
Division of Watershed Management
Bureau of Watershed Regulation
P.O. Box 418
Trenton, NJ 08625-0418

May 12, 2008

**Re: Proposed Wastewater Management Plan
Township of Holland, Hunterdon County**

Dear Ms Pilawski:

The following comments are those of the New Jersey Highlands Coalition on the township wide Water Management Plan (WMP), as proposed by Holland Township. They provide further details to the general oral comments I made at the NJDEP hearing on this matter on April 23rd at the Holland Township Municipal Building.

1. The Office of Smart Growth (OSG) "Center" designation requests by Holland Township for the Huntington Knolls and Galloway Farms proposed developments have been denied as being inappropriately located due to several reasons: the natural resource features present at the proposed sites; the fragmentation of these resources that the extension of infrastructure would impose; and that the density of the proposed developments are not consistent with community character. These findings will be components of the Memorandum of Understanding between OSG and Holland Township which is still in "draft interagency review". It is our understanding that NJDEP is in agreement with OSG on the denial of the specific "Center" designations for both Huntington Knolls and Galloway Farms.

2. A Water Management Plan is a significant component of a municipal Master Plan and the two must be consistent. If a municipality is seeking State Plan Endorsement—and Holland Township is actively seeking Endorsement, all layers of planning must be consistent in order that a municipality moves forward. If one aspect of the planning process requires transparency, then it follows that all must. One of the necessary procedures in the Endorsement process is to conduct at least two Community Visioning sessions early on (with the identification of stakeholders, an invitation of their participation, an advisory board that includes members of the public, elected officials and a representative of OSG, and that minutes be taken and filed with OSG). No Community Visioning sessions that satisfies OSG criteria have taken place in Holland Township.

3. The deliberations which have led to the filing of a proposed WMP have been an opaque process to the citizens of Holland Township despite their several attempts to participate as stakeholders. Most egregiously, out of frustration at being shut out of the process, a Holland Township citizen, representing a group of concerned citizens, filed an OPRA request in October, 2007, for any correspondence between representatives of the Department regarding the development of the WMP. As of this date, this OPRA request has not been satisfied.

4. On January 12, 2008, the Highlands Water Protection and Planning Council passed a resolution recommending that NJDEP deny the Huntington Knolls Amendment to the Upper Delaware WQMP. The Council's recommendation should inform any future decisions by the NJDEP regarding the Huntington Knolls development with respect to water management even if couched within an area-wide WMP.

5. As a condition of adoption of the Holland Township WMP, NJDEP outlined in a letter dated May 29, 2007, that Holland adopt five ordinances intended to protect the township's natural resources and to offset the impact within the proposed new sewer service areas. Of the five required ordinances, only one, an "Environmental Assessment Ordinance and Environmental Assessment Checklist" has been adopted by the Township.

6. In a letter from NJDEP to Holland Township citizen Kenneth Grisewood, dated October 31, 2007, Mr. Baier wrote, "the Department (DEP) has determined the need to meet the Constitutional obligation to provide affordable housing outweighs the need to protect this (wood

turtle and bobolink) habitat.” Since Mr. Baier’s response, COAH has proposed changes to its *proposed* regulations that place significant emphasis on identifying natural resources and considering natural resource constraints in determining municipal affordable housing obligations. Rather than advocating for COAH and its soon to be obsolete methodology, better resource protection—more in harmony with NJDEP’s mission of resource protection, will result if NJDEP were to wait on Holland’s WMP until COAH’s regulations are adopted later this fall.

7. It is anticipated that the Highlands Council will adopt the Highlands Regional Master Plan in July of this year. Once adopted, the Council will no longer be making recommendations to DEP on WQMPs and WMP amendments, but instead will be making a finding of consistency, or inconsistency with the RMP (which will be required of all Highlands municipalities, whether in the Planning or Preservation Areas). Since Holland has not yet adopted the four remaining required municipal ordinances, and since DEP has yet to consider and respond to all of the public comments on Holland’s WMP, it would be most appropriate to defer to the Highlands Council to consider Holland’s WQMP, of which the WMP will be a component.

Thank you for the opportunity to provide comments on behalf of the New Jersey Highlands Coalition.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Elliott Ruga". The signature is stylized and cursive.

Elliott Ruga, Grassroots and Program Coordinator
New Jersey Highlands Coalition

Cc: Mike Keady, Friends of Holland Highlands
Gerald Philkill, Hatch Mott MacDonald