

Committee Meeting of

SENATE ENVIRONMENT COMMITTEE ASSEMBLY ENVIRONMENT AND SOLID WASTE COMMITTEE

SENATE BILL No. 1 and ASSEMBLY BILL No. 2635

Frelinghuysen Arboretum, Morristown, New Jersey April 12, 2004

S A M R A C E: It's a little hard to know where to start here. I was extremely impressed by the group of visitors you have this evening -- a tremendous crowd. But it seems to me to show a tremendous interest in this legislation that you're proposing. I believe everyone favors the conservation and wise management of natural resources, not only in the Highlands, but in every acre in the state. I think, having said that and having read this bill, I think we're witnessing-- And I'm going to say this not from the viewpoint of a farmer, but from the viewpoint of a person who has got experience with municipal government, who's got experience with State government, who ran a conservation program for the Department of Agriculture for 34 years, as a chief executive officer -- that we are seeing a major, bureaucratic expansion here and, I believe, a population control overkill. I think this is population control. I'm not sure what authority you have for population control. And it was said here before. The 15-member panel, appointed solely by the Governor, and the Governor has sole veto authority. You're putting a tremendous amount of power in the one place without representation. I think that's very difficult. There are so many extremes in the current legislation -- \$50,000 for somebody, per day, for somebody who inadvertently doesn't comply with the law. \$50,000 a day is the maximum. That's pretty strong. Why do you want to not have DEP comply with the Administrative Procedures Act when they put in their interim regulations? That's only for extreme emergencies, the way I read it, when we used to write rules, when I worked for the Department of Agriculture. Why do you want to allow the bypassing of the Administrative Procedures Act? I don't understand that. I believe this bill has been moving fast. I think the bill was written before the Task Force even finished its work. Because nobody could sit down and write that bill in a few days. That's a piece of work that took a lot of time. Anyway, I think there's an opportunity here for us to do things that you want to do and, perhaps, we can all support. But this legislation is not going to do it the way it's written. I just think it's too severe. What happens to the person like me on a farm, which I moved there when I was 6 years old. My father owned it. He died, left my mother the farm. Now I have the farm. It's got a value, or at least it used to -- and I'm counting on it so I can have a little time when I don't have to work for my retirement. Don't take that value away, and I think this will. Anyway, I don't support the bill, but I support an effort to do wise conservation management of not just the Highlands, but every acre in the state. Thank you.

MINUTES MARCH 9, 2005 The Warren County Board of Chosen Freeholders regular session, Belvidere, New Jersey.

Under Public Comments (Agenda Items Only), Mr. Robert Frey of Pohatcong came forward to express his support of the Board's decision to challenge the Highlands Water Protection and Planning Act along with the Hunterdon County Board. He spoke of his family having farmed in Pohatcong for over 240 years and providing food and now being forced to "provide cheap water to the cities". Nowhere in the Highlands legislation does it mention reimbursement. "Lenin and Stalin understood this," he said. Pohatcong Township's Mayor and Town Council endorse you and Hunterdon County, said Mr. Frey.

Mr. Sam Race approached to reiterate what Mr. Frey had expressed. He congratulated the Board on their attempts so far in fighting the Highlands Act, which is taking equity away from property owners. Appraisals on development value have been reduced by 80% and fee simple has decreased by about the

same amount, according to Mr. Race. He commended the Board on their forethought, saying, “We’re behind you one hundred percent.”

NJAC 7:38 NJDEP 2006 Readoption of Highlands Rules, Public Comments 2006

(Comments are grouped together if a common theme is found and then summarized. Individual commenters are identified by number, Sam Race is identified as #78)

85. COMMENT: The DEP has exceeded the authority provided by the New Jersey Legislature in the Highlands Act. The Highlands Act calls for the preservation of the Highlands area “while also providing every conceivable opportunity for appropriate economic growth and development to advance the quality of life of the residents of the region and the entire state.” The restrictive regulations run counter to this objective by making any future development in the preservation area virtually impossible, while imposing severe restrictions, hardships, penalties and fees on preservation area residents that will surely have a negative impact on their quality of life. (6, 7, 9, 10, 13, 22, 23, 28, 30, 34, 35, 43, 44, 45, 46, 56, 58, 67, 71, 74, 78, 79, 87, 96, 97, 98)

97. COMMENT: The Highlands Act and the DEP regulations impose a staggering financial burden on the minority Highland preservation area landowners, which is unmitigated by any sharing of the burden by those who may benefit from the resulting water supply. The New Jersey Legislature and DEP have exceeded the limits of due process and equal protection by creating rules that bear no legitimate relation to the purpose asserted by the statute. Many of the DEP regulations are capricious, arbitrary, irrational and unsubstantiated by good science. (6, 7, 9, 10, 13, 22, 23, 30, 36, 37, 43, 44, 45, 46, 56, 58, 67, 71, 74, 78, 79, 87, 96, 97, 98).

May 30, 2009

Mr. John Weingart, Chairman
New Jersey Highlands Council
100 North Road (Route 513)
Chester, New Jersey 07930

Re: Council Appointment

Dear Mr. Weingart:

I understand Sam Race a White Township Committee member and farmer is under consideration for appointment to the New Jersey Highlands Council. I urge you, the Highlands Council, Council's Executive staff and Governor Corzine to remove Mr. Race from further consideration. Mr. Race has publicly denounced the Highlands Water Protection and Planning Act and Highlands Council mandate on several occasions. His presence on the Council would prove to be nothing more than disruptive. I enclose a photograph of a sign that until recently was prominently displayed at Mr. Race's farm stand in White Township for several years. I believe the photograph speaks for itself.

Sincerely,

A Supporter of the Highlands Council

Enc. Photograph of Race's Farm Anti Highlands Poster

Cc: Eileen Swan, Executive Director, NJ Highlands Council w/enclosure
Governor Corzine w/enclosure
Julia Somers, Executive Director, NJ Highlands Coalition w/enclosure

