

September 22, 2003

Bradley M. Campbell, Commissioner  
New Jersey Department of Environmental Protection  
P.O. Box 402, Trenton, NJ 08625-0402

Re: Initiatives for the Sourland Mountains

Dear Commissioner Campbell:

Thank you very much for meeting with us to discuss the Sourland Mountains. We are pleased that you agree that the Sourlands are a unique and critical resource. And yet, without greater protection, they will almost certainly be lost. Because public support for protection of the Sourlands is so high, they present the perfect opportunity for the New Jersey Department of Environmental Protection (NJDEP) to showcase its efforts to control sprawl, while setting aside a precious resource for future generations. As requested, we are providing a list of potential actions to benefit the Sourlands. These fall into four categories: regulatory action, legislative action, acquisitions, and technical assistance.

## **REGULATORY ACTION**

**Designation as State Park:** The Sourland Mountains belongs at the top of any list of potential State Parks. The Sourlands provide many of central New Jersey's only opportunities for hiking, biking, riding, birding, exploration and education. State Park designation would protect the water resources and forest habitat, would provide much needed regulatory assistance to local governing bodies, and could open the door to federal funding.

**Special Resource Area:** The Sourlands merit and would benefit from recognition as a Special Resource Area (SRA). SRA would open the Sourlands to greater public and private funding and lends weight to local planning decisions.

**Groundwater Reclassification:** The sole-source aquifer beneath the Sourlands should receive a Class I groundwater classification. Since the aquifer recharges very slowly (as little as three inches per year), nitrates, coliforms, and other contaminants from septic systems are slowly rising, and will likely eventually render the aquifer non-potable. Each additional house in the Sourlands brings the residents and neighbors closer to a water supply crisis. **Not actively protecting the groundwater resource leaves no choice but to watch it happen.**

**Highest Consideration in the BIG Map:** In the Blueprint for Intelligent Growth (BIG) Map, all areas of the Sourlands should be given consistent and stringent protection.

**C-1 Designation of Streams:** The Sourlands contain headwaters for several key watersheds including the Raritan, Millstone and Delaware Rivers. They also act as a collection point for surface water recharging into the Hopewell Fault, which supplies water to several adjacent communities. In particular, the Sourlands portions of the following streams warrant

consideration for C-1 designation: Alexauken Creek, Beden's Brook, Moore's Creek, Roaring Brook, and Rock Brook. On request, we would be happy to provide further information and supporting documentation on each of these streams.

**Moratorium on Development:** Studies are underway in the Sourlands as part of the Smart Futures Grant (funded by the New Jersey Department of Community Affairs, NJDCA), including a natural resources inventory, hydrogeologic study, and build-out analysis. Preliminary results indicate that current development patterns could lead to a water crisis and are fragmenting the forest at an alarming rate. An 18-month moratorium on development would allow studies to be completed and the townships to take steps to protect the resource.

## LEGISLATIVE ACTION

**Regulate Groundwater Withdrawal Less Than 100,000 Gallons per Day:** Development in the Sourlands tends toward large single tract houses, which are currently unregulated for water withdrawal. Recent studies indicate that we may already be "mining" water in parts of the Sourlands. As with groundwater quality, not regulating groundwater withdrawal more closely will likely lead to a water crisis for residents and neighbors of the mountain.

**Revise the Farmland Assessment Program:** As currently written, the Farmland Assessment Program requires timber harvest or active farming in deep-woods habitats. But, even small clearings affect large amounts of habitat and enable the introduction of invasive species. The law should be re-written to create a tax incentive for landowners to protect mature forests. The Act should recognize the public benefit of undisturbed and uncut forest for protection of the water resource and biodiversity by allowing landowners to meet the requirements without mandatory timber harvest.

## ACQUISITIONS

**Priority in Preservation Programs:** Land acquisition in the Sourlands has gained momentum recently but is hampered by limited funding. Combining contiguous parcels is imperative to protecting the deep-woods habitat, water resources, and agricultural viability. Negotiations are under way with most key landowners and need only the funding to be completed. The establishment of a Sourlands Round Table, made up of representatives from the NJDEP Green Acres Program, the Farmland Preservation Program, local governments, and Non-profit Organizations would help streamline preservation efforts and assist landowner negotiations.

## TECHNICAL ASSISTANCE

**Modification of GSR-32:** Method GSR-32, currently used by the NJDEP to estimate ground water recharge, should be replaced with the 7Q10 or Posten Methods, which provide a more realistic estimate of the impact of development on the sole-source aquifer.

**Support Sourlands Assessment:** Additional support to the NJDEP Fish and Wildlife and Threatened and Endangered Species Programs would allow a) more mapping of vernal pools in the Sourlands and ground-truthing through the Herpetological Atlas Project, and b) assessment of the neotropical migratory birds in the Sourlands and the effects of habitat disturbance on their stability. Data gathered through these studies should be collected and made available through the NJDEP Natural Heritage Program.

**Litigation Support:** Although the townships in the Sourlands are united in their desire to protect the Sourlands, they differ in their ability to defend their efforts in court. Some have set precedent in controlling sprawl but have spent significant taxpayers' money to do so. Others do not have the resources for such defenses and too often make planning decisions based on a fear of litigation rather than on what is best for the Sourlands. NJDEP could provide additional tools on which the townships can base their decisions and/or provide legal assistance when necessary.

Last, NJDEP could assist in promoting the Transfer of Development Rights (TDR's), provide a Livable Communities Grant for further studies and education, participate in the Smart Futures Project (particularly staff from the New Jersey Endangered and Non-game Species Program), fund a habitat management plan and/or watershed management plan, and continue to promote closer coordination among all the State Agencies making decisions affecting the Sourlands.

We understand these suggestions are not easy, but they are critical. Time is of the essence if we are to protect the Sourlands. And mentioned, public support for protection of the Sourlands is very high. Here is a "Golden Opportunity" for NJDEP to control sprawl while protecting a unique and critical resource for the future. Our organizations stand ready to assist NJDEP in any way possible. Please contact any one of us if you have further questions. Thank you again for your interest and valuable time.

Very Truly Yours,

Jennifer Bryson, P.E., DEE, Trustee and Smart Futures Project Manager  
Sourlands Planning Council

George Hawkins, Executive Director  
Stony Brook-Millstone Watershed Association

Linda J. Mead, Executive Director  
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C: Jeanne Herb, Director, Policy, Planning, and Science  
Ernie Hahn, Assistant Commissioner for Land Use  
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