



February 28, 2024

Honorable Nicholas P. Scutari
President, New Jersey Senate

Honorable Anthony M. Bucco
Minority Leader, New Jersey Senate

Honorable Craig J. Coughlin
Speaker, New Jersey General Assembly

Honorable John DiMaio
Minority Leader, New Jersey General Assembly

Honorable Troy Singleton
Senator, New Jersey Senate

Honorable James Beach
Senator, New Jersey Senate

Honorable Renee Burgess
Senator, New Jersey Senate

Honorable Britnee Timberlake
Senator, New Jersey Senate

Honorable Teresa Ruiz
Senator, New Jersey Senate

Re: Legislation A4/S50 Amendment for Preservation Credits

We, the elected body of the Township of Mendham, are writing today to urge that the preservation of the environment and need for sustainable land-use planning practices be pushed to the forefront of the discussions surrounding Assembly Bill 4 and Senate Bill 50. As elected officials, we understand the pressing need for affordable housing in New Jersey. We believe these policies should be mindful of the different needs and challenges of our state's 564 municipalities and include protections of environmentally sensitive resources and wildlife habitats.

Currently, A4 and S50 lack consideration of precious environmental and naturally-occurring assets found throughout the State of New Jersey. We support the inclusion of an amendment to both bills that would implement a "Preservation Credit" System which would permit any municipal government in the State of New Jersey to inventory their most precious environmental attributes and present those assets to offset their affordable housing obligations.

Creating preservation credits presents a unique opportunity to incentivize and reward municipalities for their efforts in protecting and enhancing environmental resources. By assigning tangible value to conservation initiatives, we can encourage proactive measures that go beyond regulatory compliance and foster a balance of environmental stewardship and housing among local communities. Rather than focusing solely on subjective housing formulas, this approach recognizes the diverse array of ecosystems, habitats, and natural resources that exist within our state and their intersection with public health and safety.

Mendham Township is strategically located at the headwater of three major river basins in northern New Jersey which are the sources of potable water for over 5 million people in New Jersey: the Passaic River which drains directly into the Great Swamp National Wildlife Refuge, the Raritan River, and the Whippany River. Regionally-based environmental interest groups have focused attention on the protection of these headwater areas in the Township as important to water quality and quantity and to reducing flooding in the river basins. All of the numerous rivers and streams in the Township are currently classified by the New Jersey Department of Environmental Protection (NJDEP) as "trout production" or "trout maintenance", the highest quality classifications. The high quality of these watershed resources in the Township directly influences water quality downstream in the basins and the Refuge.

In 1995, the Ten Towns Great Swamp Watershed Management Committee conducted an extensive study that concluded that development upstream in the headwaters areas have a "substantial deleterious effect on the Great Swamp National Wildlife Refuge", and in response, Mendham Township and many of their neighboring communities developed policies to protect the water flowing into the Refuge by minimizing forest clearing in headwater areas and impervious surfaces, maintaining very low development densities, strictly controlling stormwater runoff, and making a commitment to utilize the best available technologies and enforce "Best Management Practices" according to the NJDEP standards.

As we witness and deal with the impacts of climate-change in our communities with the increasing number of erratic weather events, we stress the importance of also maintaining flood storage areas in each community to diminish flood levels and blunt the frequency of flooding downstream to prevent water quality issues and erosion of infrastructure. These considerations are entirely absent from A4 and S50, in their current forms. We urge you and your colleagues to step back and think about how this current legislation will impact New Jersey's environment, infrastructure, climate-resiliency, and overall open space.

We believe that amending the legislation to include preservation credits would assist the state and each municipality to transparently assess and rate each community's ecological importance, habitat and biodiversity, uniqueness/rarity, and environmental-societal benefits. This would balance each municipality's responsibility to provide their fair share of New Jersey's affordable

housing needs against the practical limits of development in environmentally precious and sensitive areas.

This proposed “Preservation Credit” System also has the potential to catalyze collaboration and innovation at both the local and state levels by providing municipalities with the flexibility to tailor their conservation efforts to the unique characteristics of their communities, unleash creativity and ingenuity in addressing environmental challenges and foster communities that are more climate resilient. At the same time, a standardized framework established at the state level can facilitate information sharing, best practices dissemination, and the scaling up of successful initiatives across different jurisdictions.

In conclusion, Mendham Township urges you to support the creation of a “Preservation Credit” System amendment to A4/S50 that incorporates an environmental dimension. This would result in a more holistic approach to environmental stewardship and affordable housing that not only safeguards our natural heritage but also promotes resilience, sustainability, and prosperity for all residents of our state.

Thank you for your attention to this important matter. We, the Township Committee of the Township of Mendham stand ready to support and collaborate with you in any way possible to advance this initiative for the benefit of our environment and communities across the State of New Jersey.

Sincerely,

Sarah Neibart
Mayor, Mendham Township

Lauren Spirig
Deputy Mayor, Mendham Township

Amalia Duarte
Committeewoman, Mendham Township

Nick Monaghan
Committeeman, Mendham Township

Tracey Moreen
Committeewoman, Mendham Township

Cc:

Assemblywoman Yvonne Lopez
Assemblyman Benjie E. Wimberly
Assemblywoman Verlina Reynolds-Jackson
Assemblyman William B. Sampson IV
Assemblyman Sterley S. Stanley
Assemblywoman Aura Dunn
Assemblyman Christian Barranco
Senator Carmen Amato Jr.
Senator Jon M. Bramnick
Senator John J. Burzichelli
Senator Kristin M. Corrado
Senator Nilsa I. Cruz-Perez
Senator Joseph P. Cryan
Senator Patrick J. Diegnan Jr.
Senator Vin Gopal
Senator Linda R. Greenstein
Senator Owen Henry
Senator James W. Holzapfel
Senator Gordon M. Johnson
Senator Joseph A. Lagana
Senator John F. McKeon
Senator Angela V. McKnight
Senator Paul D. Moriarty
Senator Raj Mukherji
Senator Declan J. O'Scanlon
Senator Joseph Pennacchio
Senator Vincent J. Polistina
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Senator Paul A. Sarlo
Senator Holly T. Schepisi
Senator Robert W. Singer
Senator Bob Smith
Senator Parker Space
Senator Brian P. Stack
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Senator Michael L. Testa Jr.
Senator Latham Tiver
Senator Shirley K. Turner
Senator Joseph F. Vitale
Senator Andrew Zwicker
Assemblyman John Allen
Assemblyman Reginald W. Atkins
Assemblyman Robert Auth

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Assemblyman David Bailey Jr.
Assemblyman Al Barlas
Assemblyman Brian Bergen
Assemblyman Clinton Calabrese
Assemblywoman Linda S. Carter
Assemblyman Robert Clifton
Assemblywoman Alixon Collazos-Gill
Assemblyman Herb Conaway Jr.
Assemblyman Joe Danielsen
Assemblyman Wayne P. DeAngelo
Assemblyman Christopher P. DePhillips
Assemblywoman Margie Donlon M.D.
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Assemblyman Kevin P. Egan
Assemblywoman Dawn Fantasia
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Assemblyman Roy Freiman
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Assemblywoman Garnet R. Hall
Assemblyman Dan Hutchinson
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Assemblywoman Pamela R. Lampitt
Assemblyman Julio Marengo
Assemblywoman Michele Matsikoudis
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Assemblywoman Tennille R. McCoy
Assemblyman Gregory P. McGuckin
Assemblyman Cody D. Miller
Assemblyman William F. Moen Jr.
Assemblywoman Carmen Theresa Morales
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Assemblywoman Claire S. Swift
Assemblyman Michael Torrissi Jr.
Assemblywoman Cleopatra G. Tucker
Assemblyman Chris Tully
Assemblyman Michael Venezia
Assemblyman Anthony S. Verrelli
Assemblyman Jay Webber
Mendham Alliance for Preservation and Conservation
New Jersey League of Municipalities