



# **NEW JERSEY PINELANDS COMMISSION**

## **MONTHLY MANAGEMENT REPORT**



Locally Grown Pumpkins in the Pinelands in October

**OCTOBER 2020**

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# 1 EXECUTIVE OFFICE

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## 1.1 EXECUTIVE DIRECTOR

### 1.1A COMMITTEE MEETINGS

- **Policy & Implementation Committee:** During its meeting on October 30, 2020, the Policy & Implementation Committee recommended that the Commission adopt the proposed amendments to the Comprehensive Management Plan's (CMP) septic pilot program.
- **Land Use, Climate Impacts & Sustainability (LUCIS) Committee:** The LUCIS Committee met twice in October, first on October 7, 2020 and then again on October 30, 2020. The Committee reviewed a revised draft of a Resolution To Establish the Objectives of the Pinelands Commission Relative to Climate Change in the Pinelands Area and the Responsibilities of the Commission's Land Use, Climate impacts and Sustainability Committee. The [Draft Resolution](#) establishes the basis for the Pinelands Commission's acknowledgment of the need to recognize and address the impacts of climate change on the Pinelands and New Jersey and identifies the necessary steps to be taken, including reviewing Commission policies and the CMP. Staff will also examine the day-to-day operations and management policies at the Commission facilities to identify changes needed to mitigate greenhouse gas emissions. At the request of Committee Chair Mark Lohbauer, staff will post documents and reports regarding climate initiatives throughout New Jersey on the Commission's website. It was agreed that staff would document actions taken by the Commission over time that have served to address some of the impacts of climate change, including the establishment of the Management Areas and water supply protection. After discussion, the motion to advance the resolution to the full Commission was approved, and the resolution will be presented at the next Commission meeting for a vote.

### 1.1B PINELANDS MUNICIPAL COUNCIL

- **Pinelands Municipal Council:** The Municipal Council met on October 27, 2020. A key issue discussed was Payments in Lieu of Taxes (PILOT) funding. This funding in the past provided some relief to Pinelands municipalities with preserved lands. PILOT funds were included in the FY2021 budget, but were removed due to the impact of the COVID-19 shutdown. The Council passed a resolution in support of the PILOT program and has asked for the Commission's support. Cindy Bloom-Cronin, from the New Jersey Department of Transportation (NJDOT), provided a status of the State Scenic Byway Program. Ms. Bloom-Cronin has been very supportive of the program and is now retiring. John Mikusa from NJDOT will now be the contact.

### 1.1C RULEMAKING

- **Septic System Pilot Program:** Following the conclusion of the public comment period on September 18, 2020, the staff prepared an adoption notice and draft resolution for the Policy & Implementation Committee's review. The Committee

recommended that the Commission adopt the proposed CMP amendments without change.

- **Stormwater Management:** During October, staff continued work on draft amendments to the CMP. Staff also generated and reviewed data on residential development applications completed within the past 10 years in order to quantify the impact of extending the CMP's stormwater management requirements to minor development. Additional data related to nonresidential development applications is now being generated. Finally, staff attended the October 22, 2020 virtual meeting of the New Jersey Special Assembly on Infrastructure and Natural Resources. The meeting focused on stormwater control and the reduction of non-point source pollution in State waterways.

## 1.2 LEGAL AND LEGISLATIVE AFFAIRS

### 1.2A LITIGATION (STATE; FEDERAL; OFFICE OF ADMINISTRATIVE LAW; OTHER)

#### STATE:

- **I/M/O New Jersey Pinelands Commission Resolution PC4-20-08:** Docket No. A-002499-19; On October 8, 2020, the Pinelands Preservation Alliance (PPA) filed a motion that seeks to supplement the record in this appeal with the contents of the entire record from its prior appeals involving the South Jersey Gas Company's natural gas transmission pipeline application. The Commission filed its opposition to the motion on October 19, 2020. PPA subsequently filed a motion seeking authorization to file a reply to the Commission's opposition brief on October 23, 2020.

### 1.2B LEGISLATION

- **S2605/A2785:** Directs the Board of Public Utilities (BPU) to Establish Utility-Scale Solar Energy Development Program; Modifies State's Renewable Energy Portfolio Standards. The bill includes a provision that provides that a utility-scale solar project shall not be constructed on land located within the preservation area of the Pinelands Area or on land within a designated forest area. This bill has been reported out of the Senate Energy and Environment Committee and referred to the Senate Budget and Appropriations Committee.
- **S2607/A2745:** Requires the land use plan element of a municipal master plan to include a climate change – related hazard vulnerability assessment. This bill has passed the Senate, was referred to the Assembly Environment and Solid Waste Committee and as of October 8, 2020 was reported out of Committee and is on second reading in the Assembly.
- **A4843:** Requires the New Jersey Department of Environmental Protection (NJDEP), local government units and Non-governmental Organizations (NGOs) that acquire lands for recreation and conservation purposes using Green Acres, CBT or N.J.S.A. 13:8C-1 et seq. constitutionally dedicated funds to prepare and implement forest stewardship plans for properties acquired with such funds.

- **A4844:** Provides that municipal approval is not required for forest stewardship plans. There is a provision within this bill that makes clear that although forest stewardship plans for lands in the Pinelands Area must be consistent with the requirements of the CMP, no local approval may be required.
- **A4845:** Sets minimum acreage goals and schedule for prescribed burns in the Pinelands Area and Statewide. This bill would establish an annual minimum goal for the NJDEP to ensure that prescribed burns occur on at least 50,000 acres in the Pinelands Area and 10,000 acres Statewide. The NJDEP in conjunction with other agencies, including the Pinelands Commission, is obligated to incorporate this goal into all applicable environmental and land management plans, programs and surveys and any updates to same. The bill also mandates that such prescribed burning occurs between November and March.
- **A4846:** Establishes within NJDEP the Pinelands Forest Stewardship Working Group. This is a 14 member group that includes representatives from NJDEP, the State Forester, the Chair of the Pinelands Commission and the Chair of the Pinelands Municipal Council, five members appointed by the Secretary of Agriculture, two representatives from NGOs that have demonstrated substantial work in environmental conservation or forest stewardship, two private land owners in the Pinelands Area who have development and implemented forest stewardship plans and one certified forester, and five public members (three appointed by the Governor and one each by the President of the Senate and the Speaker of the General Assembly.) The charge of this working group is to prepare and submit to the Governor and, pursuant to section 2 of 11 P.L.1991, c.164 (C.52:14-19.1), to the Legislature, a report containing the findings and recommendations of the working group, including any recommendations for legislative, regulatory, or local government action to improve coordination and cooperation between the federal, State, and local government entities and private landowners with regard to forest stewardship.

### 1.2C OPEN PUBLIC RECORDS ACT

- **Open Public Records Act (OPRA):** The Commission received a total of 12 OPRA requests in October. Of the 12 requests, three were provided responsive material; three were advised that we had no responsive material; one withdrew the request and the remaining five will be completed in November.

### 1.2 HUMAN RESOURCES

- **NJ Division of Pension and Benefits Open Enrollment:** The State Health Benefits Program Open Enrollment period was from October 1 to October 31, 2020.
- **NJECC 2020:** The NJ Employees Charitable Campaign is celebrating its 35<sup>th</sup> year. October weekly causes were posted on the Human Resources Teams page.
- **Learning Management System:** Staff has completed various courses, including the "Sexual Harassment and Abusive Conduct Prevention."

- **NJ Well:** Staff participated in the “Get Your Rest Sleep Challenge.” The NJ Well earning period concluded on October 31, 2020.

## **2 INTERAGENCY COORDINATION**

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- **Pinelands Infrastructure Trust Fund:** A meeting was held with the New Jersey Infrastructure Bank and the NJDEP to review the status of the Jackson Trails project.
- **Pine Barrens Byway:** Cultural Resource and Communications staff attended NJDOT’s Scenic Byway Virtual Workshop on October 14, 2020. The workshop provided valuable information for Byway participants on editing marketing deliverables, utilizing Byway photo libraries, and updating/maintaining individual Byway websites.

## **3 PLANNING**

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### **3.1 CONFORMANCE ACTIVITY**

	<b>Monthly Total</b>	<b>Calendar Year to Date</b>
Ordinances/Master Plans Received	15	93

**Notable Ordinances:**

- **Barneгат Township Ordinance 2020-11:** The Township drafted an ordinance amending the permitted uses within the C-N Neighborhood Commercial Zone. The ordinance would permit assisted living facilities and hotels/motels within that portion of the zone in the Regional Growth Area. Commission staff held a remote meeting with Township representatives and provided guidance and model ordinance language to ensure consistency with CMP standards for assisted living facilities. An amended ordinance is scheduled for adoption later this year.

### **3.2 CULTURAL RESOURCE ACTIVITY**

<b>Activity</b>	<b>Monthly Total</b>	<b>Calendar Year to Date</b>
Applications Reviewed	6	73
Surveys Required	1	5
Surveys Reviewed	0	7
Certificates of Appropriateness Required	0	6

### 3.3 PINELANDS DEVELOPMENT CREDIT PROGRAM

Activity	Monthly Total	Calendar Year to Date
PDCs Allocated	0.75	28.78
PDCs Severed	0.25	0.75
Acres Protected	18	50
PDCs Extinguished	0	1.50
Acres Protected	0	151
PDCs Sold	0.25	35.75
Average Sales Price per PDC	\$48,000	\$43,680
Average Sales Price per Right	\$12,000	\$10,920
PDCs Redeemed	1.00	9.00

#### Notable Activity:

- **PDC Allocations:** 0.75 PDCs were allocated to 29.50 acres in the Agricultural Production Area in Monroe Township.
- **PDC Severances:** 0.25 PDCs were severed, protecting 18 acres in the Preservation Area District in Pemberton Township.
- **PDC Sales:** 0.25 PDCs were sold in October 2020 and are expected to be used for a residential project in Medford Township.
- **PDC Redemptions:** 0.75 PDCs (3 rights) were redeemed in October 2020 for two residential projects in Egg Harbor Township. 0.25 PDCs (1 right) were redeemed for the development of a single-family dwelling on an undersized lot in the Ocean Acres section of Barnegat Township.

### 3.4 SPECIAL PROJECTS

- **Permanent Land Protection:** Staff presented its [annual update](#) on permanent land protection in the Pinelands Area at the Commission's October 9, 2020 meeting. An additional 1,076 acres were permanently protected during FY2020, including 420 acres acquired by NJDEP Green Acres, 356 acres acquired by the Ocean County Natural Lands Trust and 196 acres preserved as open space as a result of the Commission's cluster development standards. As of June 30, 2020, 51% of the Pinelands Area (479,000 acres) has been permanently protected.

- **St. Mary's in the Pines Cemetery Survey:** Utilizing the Commission's new Ground Penetrating Radar (GPR) technology, cultural resources staff conducted a survey at the 19<sup>th</sup> century St. Mary's in the Pines Catholic cemetery in Pleasant Mills, Mullica Township. With the support of Fr. Neal Dante of the Camden Diocese, the survey was carried out in an effort to identify possible burials at the site that may no longer retain visible grave markers. Thorough analysis of the data and an associated findings report are pending. In addition, a short descriptive video outlining the survey's objectives was produced onsite and posted on multiple Commission social media platforms.



**Above:** The Commission's Cultural Resource Planner used Ground Penetrating Radar technology to search for possible unmarked graves at the St. Mary's in the Pines Catholic Cemetery in Mullica Township.

### 3.5 OTHER ITEMS OF INTEREST

- **Pemberton Township:** Commission Staff have been asked to participate in two studies being funded and conducted by the Delaware Valley Planning Commission (DVRPC). The first involves the development of a Healthy Community Plan for Browns Mills, focusing on a number of health and built environment issues, including walkability, parks and open space, healthy food access and aging in place. A stakeholder meeting has been scheduled for December 10, 2020. The second study, funded through DVRPC's Transportation & Community Development Initiative (TCDI), will focus on the County Route 530-County Route 687 corridor, with a goal of better aligning zoning with market needs. The Corridor Development Study area includes the former Burlington County College campus and other county facilities.

## 4 REGULATORY PROGRAMS

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### 4.1 APPLICATION ACTIVITY

Activity	Monthly Total	Calendar Year to Date
Pre-Application Conferences	6	104
Certificates of Filing	11	148
Public Development Reports	2	27
Forestry Certificates of Filing	0	20
PDC Letters of Interpretation	1	10
Non-PDC Letters of Interpretation	0	1
MOA Consistency Determinations	2	34
Review of Agency Determinations	106	687

### 4.2 NOTABLE APPLICATIONS

- **TowerNorth Development, on behalf of the Woodland Volunteer Fire and EMS Station (App. No. 1981-0162.002):** The Commission previously issued a Certificate of Filing for a 120 foot high emergency communication tower proposed as accessory to the Woodland Volunteer Fire and EMS Station. On October 26, 2020, the Commission received a site plan approval granted by the Woodland Township Land Use Board. The Commission staff is currently reviewing that approval.
- **Insurance Auto Auctions Corp (App. No. 1987-1183.015):** On October 29, 2020, the Commission issued a letter requesting additional information to complete an application for the change of use of an existing raceway in Waterford Township to an automobile auction facility.
- **Pemberton Township (App. No. 1987-0411.010):** On October 20, 2020, the Commission received a letter on behalf of Pemberton Township regarding an application to install 8,000 linear feet of sanitary sewer main within the Fort Dix Road right-of-way in Pemberton Township. The proposed sewer main would service two existing schools located in a Pinelands Rural Development Area and would also traverse a Pinelands Rural Development Area and a Pinelands Agricultural Production Area. The installation of sanitary sewer mains within a Rural Development Area and Agricultural Production Area is only permitted if there is a document public health problem. The submitted letter provides information addressing why there is an existing public health problem on the parcel. That information is currently under review.
- **Clayton Companies (App. No. 1981-0583.014):** An application for the construction of a seven acre floating solar energy facility in an existing resource extraction pond

in Jackson Township was previously completed with the Commission. On September 17, 2020, the Commission staff issued a letter indicating that an Ocean County site plan approval for the application could take effect.

- **Lacey Natural Sand, LLC (App. No. 1980-0073.007):** A pre-application meeting was held regarding the construction of a floating solar energy facility in an existing resource extraction pond in Lacey Township.
- **Worrell (App. No. 2004-0335.004):** On October 26, 2020, the Commission issued a letter requesting additional information regarding the restoration of four Township road rights-of-way in the Chatsworth area of Woodland Township that were cleared prior to the completion of an application with the Commission.

## 5 SCIENCE

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### 5.1 ENVIRONMENTAL MONITORING

- **Water Level and Water Quality Monitoring:** In October, staff measured water levels at forest plots and ponds in the Commission network of long-term monitoring sites. Staff also measured pH and specific conductance in a network of 47 streams. Established in 2005, streams in this network are distributed throughout the Pinelands, cover a range of land use and water-quality conditions, and are used to monitor long-term changes in pH and specific conductance. Staff is also working on a draft manuscript that describes temporal trends in these two parameters.

### 5.2 LONG TERM STUDIES

- **Kingsnake Study:** Commission scientists, along with researchers at Herpetological Associates and The College of New Jersey, continue to study the ecology of the eastern kingsnake. Project collaborators are using radio telemetry to determine the activity range; upland and wetland habitat use; and timing of shedding, denning, and potentially nesting of the kingsnake, which is listed as a species of special concern. Since early 2019, radio transmitters have been surgically implanted in 28 kingsnakes. Six kingsnakes have been killed by predators, one died of unknown causes, and one is missing with perhaps a malfunctioning transmitter. Of the 20 kingsnakes currently being tracked, nine are male and 11 are female. The colder weather in October has pushed most snakes close to their dens. Eleven of the kingsnakes were found in 2020 and their dens are not yet known. It is also not known if the kingsnakes found in 2019 will hibernate in the same den they used in 2019 or choose a different den.
- **Endocrine Disruption Study:** Commission and New Jersey and West Virginia U.S. Geological Survey scientists continue to conduct a study on the potential impact of endocrine disrupting chemicals on fish and frogs in the Pinelands. The endocrine system is a collection of tissues in animals that produce hormones to regulate essential life processes, such as reproduction and development. A large group of natural and synthetic chemicals are known to disrupt endocrine function. In October, one of the U.S. Geological Survey scientists presented the preliminary results of the study at a virtual

conference held by the Academy of Natural Sciences of Drexel University. The focus of the conference was Delaware River research funded by the William Penn Foundation.

## 6 COMMUNICATIONS

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### 6.1 COMMUNICATIONS & PUBLICATIONS

- **Website Activity:** The Pinelands Commission’s website received a total of 11,710 page views in October 2020.
- **Inquiries/Correspondence:** The Communications Office received and responded to 310 inquiries from the public, including phone calls, e-mails, and media inquiries.
- **2021 Pine Barrens Byway Wall Calendar:** In October, the Communications Office edited each of the 12 monthly “grids” for the 2021 Pine Barrens Byway Wall Calendar. The Communications Office also compiled, vetted, categorized and labeled 84 high-resolution photographs that were then presented in a slideshow as part of a staff voting session. An internal group of staff sorted through the 38 photo selections that will be used in the calendar. The Communications Office then sent the photos to the graphic designer at Rowan College at Burlington County, which is printing the calendars. Calendar captions will be written in November.

### 6.2 EVENTS, OUTREACH & INTERPRETIVE PROGRAMS

- **Social Media Site Enhancements:** Staff continued to enhance the Commission’s social media pages in October 2020. Staff posted 111 photos and/or videos on the Commission’s Instagram site and 133 photos on the Commission’s Facebook page after taking lunchtime or weekend trips to the Atlantic County Park in Estell Manor, Atsion Lake, Bass River State Forest, Batsto Village, Chatsworth, the Corbin City Boat Ramp on the Tuckahoe River, the Eldora Nature Preserve, Lake Lenape Park and the Great Egg Harbor River, the Mullica River, the Peaslee Wildlife Management Area, the South River, the historic Tuckahoe Village Train Station, and Wharton State Forest. Staff also made use of the social media sites to promote Commission meetings, the



**Above:** In October 2020, staff members posted 133 photographs on the Commission’s Facebook page, including this one of the Tuckahoe Village Train Station, which was built in 1894 and is listed in the National Register of Historic Places. The building is currently home to the Historical Preservation Society of Upper Township in Cape May County.

October 9<sup>th</sup> Permanent Land Protection presentation and Commission-hosted webinars.

- **Pinelands Speaker Series Webinars:** Staff organized, promoted and hosted five webinars in October 2020. The presentations included: “Serendipity: John McPhee’s The Pine Barrens,” “The Legendary Still Family of the Pines,” “Blueberries and Cranberries: The Latest Research on the Healthy Berries Grown in the Pinelands,” “Batona Trail Virtual Hike,” and “Nocturnal Food Webs.” On October 2, 2020, staff announced that the Commission has expanded its schedule of webinars through November.

- **Staff Field Trip at Batsto:** The Communications Office organized a socially distanced, staff field trip that was held at Batsto Village on October 23, 2020. Staff hiked the 1.8-mile Blue Trail and then met up with the Wharton State Forest Superintendent, who provided details about their work. Ten staff members attended the field trip.



- **Pine Barrens Byway Support:** On October 8, 2020, Communications Office staff released the Pine Barrens Byway Story Map (aka, Interactive Trip Planner) to the public. It was promoted on the Commission’s website and social media sites, where it has been viewed thousands of times, shared dozens of times and has been very well-received. The Story Map was also shared with all Pinelands municipalities and counties, freeholders and mayors and more than 1,300 members of the public via the Commission’s News Alert e-mail system. Meanwhile, on October 14, 2020, Communications Office staff attended a six-hour training workshop with a consultant that was hired by the New Jersey Department of Transportation to create a new webpage, book and several brochures about all Byways in New Jersey, including the Pine Barrens Byway. The Commission will be responsible for maintaining and making any future changes to the new Pine Barrens Byway webpage and brochures that were created by the consultant. The workshop included detailed instructions on how to update the webpage and brochures.
- **Barnegat Bay Coordination:** On October 28, staff participated in a Barnegat Bay Partnership Communications and Education Committee meeting.

**Above:** Ten members of the Commission’s staff participated in a socially distanced field trip that included a hike of the 1.8-mile Blue Trail at Batsto Village.

- **Pinelands Short Course Planning:** On October 30, 2020, staff participated in a virtual meeting with Stockton University to discuss preparations for Pinelands Short Course events in the spring and summer of 2021.

## **7 INFORMATION SYSTEMS**

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- **Pinelands Commission Information System Upgrades:** Staff implemented enhancements and bug fixes to enable uninterrupted operation.
- **Windows 10 and Office 365 Migration:** Staff completed deployment of Windows 10 desktops to the Regulatory Programs office. Staff continued migration of local user data to OneDrive to replace local file share.
- **Permanent Land Protection (PLP) Data System:** Staff continued migration of existing PLP data into a staging database. Staff developed several automated reports to validate the staging database and demonstrate functionality of the new system under development.
- **PDC Bank:** Staff provided support for transactions and reporting for the PDC Bank.
- **Ad Hoc Reporting:** Staff generated several reports to highlight application information related to stormwater projects in support of ongoing Pinelands Commission initiatives.

## **8 BUSINESS OFFICE**

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### **8.1 FACILITIES**

- **Fire Extinguisher Inspection:** The annual fire extinguisher inspection was performed.

### **8.2 FINANCIAL MANAGEMENT**

- **Application Fees:** October Net Total: \$61,371.83; Year to Date Total: \$209,849.65.