



NEW JERSEY PINELANDS COMMISSION

MONTHLY MANAGEMENT REPORT



A fiery sunset reflecting on Atsion Lake in the New Jersey Pinelands in November

NOVEMBER 2023

1 EXECUTIVE OFFICE

1.1 EXECUTIVE DIRECTOR

1.1A COMMITTEE MEETINGS

- **Personnel & Budget (P&B) Committee:** The Committee did not meet in November.
- **Pinelands Climate Committee:** The Committee did not meet in November.
- **Policy & Implementation (P&I) Committee:** The Committee met on November 29, 2023 and reviewed a draft Memorandum of Agreement (MOA) with Pemberton Township that would permit the surfacing of existing trails in wetlands and wetlands buffers at Pemberton Lake. A public hearing on the MOA will be held in December. The Committee agreed that if there are no substantive changes after the hearing, the MOA could proceed to the full Commission meeting in January 2024 for action. The Committee then discussed a package of draft amendments to the Pinelands Comprehensive Management Plan (CMP) related to application fees, expiration of waivers, Certificates of Filing and Certificates of Completeness, allocation and use of Pinelands Development Credits, protection of the Black Run Watershed and vegetation maintenance in electric transmission rights of way. Staff will next complete and submit the full rule proposal to the Governor's office for approval.

1.1B RULEMAKING

- **Stormwater Management:** Staff finalized the Pinelands model stormwater ordinance and distributed it to Pinelands municipalities in January 2023, after tailoring the ordinance to each municipality's code. A copy of the final model ordinance was also shared with the New Jersey Department of Environmental Protection (NJDEP). As of the end of November, 47 municipalities had submitted to the Commission adopted ordinances that implement the Pinelands stormwater management regulations. Staff will continue to do outreach with the remaining Pinelands municipalities that have not adopted the Pinelands model stormwater ordinance.
- **Water Management (Kirkwood – Cohansey):** The Commission adopted the CMP amendments at its September 8, 2023 meeting. The adoption notice was submitted to the Office of Administrative Law on October 31, 2023 for publication in the New Jersey Register on December 4, 2023. The amendments will take effect on that date.
- **Rule Package #1 (Black Run, Right-of-Way Vegetation Maintenance, PDC Program, Fees):** Staff prepared a comprehensive set of draft rule amendments and reviewed them with the Policy & Implementation Committee in November. The Committee provided positive feedback and several requested clarifications on the draft proposal. Staff will continue to refine the draft rules to address Committee comments and additional minor edits before providing a full draft rule proposal to the Governor's office for review and approval.
- Commission staff met with representatives from the Plant Partnership of New Jersey to discuss potential ways of revising, expanding and periodically updating the list of plants protected under the CMP.

1.1C OPEN PUBLIC RECORDS ACT

- A total of 11 Open Public Records Act (OPRA) requests were received in November. Six were provided responsive material, one was advised there were no responsive documents, and four were advised a file review could be held.

1.1D PINELANDS MUNICIPAL COUNCIL

The Pinelands Municipal Council did not meet in November.

1.2 LEGAL AND LEGISLATIVE AFFAIRS

1.2A LEGISLATION

The Legislature resumed session in the middle of November. The Second Annual Session of the 220th Legislature will conclude at the end of December. Any pending legislation that is not adopted will need to be reintroduced in January 2024 in order to be considered by the 221st Legislature.

Pinelands Specific Legislation

Bill No.(s)	Prime Sponsor(s)	Synopsis	Current Status
A5806/S4165	Moriarty/Greenstein, Oroho	Appropriates \$48 million from constitutionally dedicated Corporate Business Tax (CBT) revenues to NJDEP for State acquisition of lands for recreation and conservation purposes, including Blue Acres projects, and Green Acres Program administrative costs.	Assembly Bill introduced and referred to Assembly Appropriations Committee. Senate Bill introduced and referred to Senate Environment and Energy Committee.
A5809	Swain	Amends list of projects eligible to receive loans for environmental infrastructure projects from NJ Infrastructure Bank for FY 2024.	Introduced and referred to Assembly Appropriations Committee
A5810	Sampson	Amends lists of environmental infrastructure projects approved for long-term funding by NJDEP under FY 2024 environmental infrastructure funding.	Introduced and referred to Assembly Appropriations Committee
A5808/S4135	Park/Beach	Appropriates \$15,564,293 from CBT revenues to the NJ Historic Trust for grants for historic preservation projects and associated administrative expenses.	Assembly Bill introduced and reported out of Assembly Appropriations Committee, Second Reading.

			Senate Bill introduced and referred to State Government, Wagering, Tourism & Historic Preservation Committee.
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Pinelands Related Legislation

<u>Bill No.(s)</u>	<u>Prime Sponsor(s)</u>	<u>Synopsis</u>	<u>Current Status</u>
A5477/S3863	Kean, Thomson/ Singer	Establishes program in NJDEP for acquisition of development easements on privately-owned woodlands.	Assembly Bill Introduced and Referred to Assembly Environment and Solid Waste Committee. Senate Bill reported from Senate Committee with Amendments, Second Reading.
A5551/S3928	McKeon/Smith, Stanfield	Authorizes State Treasurer to appoint Garden State Preservation Trust acting executive director under certain conditions.	Assembly Bill introduced and referred to Assembly Environment and Solid Waste Committee. Senate Bill reported from Senate Committee, Second Reading
A5764	Sauickie	Prohibits planting of non-native species in landscaping at State parks and forests; establishes grant program to support use of native plants at local parks and forests; appropriates \$250,000.	Introduced and referred to Assembly Agriculture and Food Security Committee
A5767	Sauickie	Provides CBT credit for construction or retrofitting of warehouses to meet certain green building standards.	Introduced and referred to Assembly Commerce and Economic Development Committee
A5768	Sauickie	Requires State Planning Commission to adopt model buffer ordinances detailing different regulatory options for siting warehouses on or near zoning district boundaries; amends Municipal Land Use Law to allow	Introduced and referred to Assembly Community Development and Affairs Committee

		updates to municipal zoning ordinances consistent with such model ordinances.	
A5769	Sauickie	Requires certain warehouses to obtain air pollution control permits from NJDEP.	Introduced and referred to Assembly Environment and Solid Waste Committee
A5770/S4186	Sauickie/ Greenstein	Requires NJDEP to evaluate cumulative impact of stormwater when reviewing applications associated with warehouses and other high-density development projects.	Assembly Bill introduced and referred to Assembly Environment and Solid Waste Committee. Senate Bill introduced and referred to Environment and Energy Committee.
A5802	Danielson, Reynolds-Jackson, Sauickie	Establishes pilot program in the Office of Planning Advocacy to reimburse municipalities for certain expenditures concerning warehouse development, including costs incurred related to master plan reexamination and zoning ordinance revisions; appropriates \$1 million.	Introduced and referred to Assembly State and Local Government Committee
A5807/S4138	Freiman/Johnson, Schepsie	Appropriates \$58 million from constitutionally dedicated CBT revenues for recreation and conservation purposes to NJDEP for State capital and park development projects	Assembly Bill introduced and referred to Assembly Appropriations Committee. Senate Bill introduced and Referred to Senate Environment and Energy Committee
S3992	Smith	Requires public utilities to develop and implement grid modernization plans; appropriates \$300 million	Introduce and referred to Senate Environment and Energy Committee

1.2B INTERGOVERNMENTAL AGREEMENTS

- Pemberton Township and the NJDEP:** This proposed Memorandum of Agreement (MOA) would authorize a deviation from CMP wetlands and wetlands buffer standards to accommodate surfacing of an existing trail at Pemberton Lake for accessibility purposes. A draft of the proposed MOA was provided to the Policy & Implementation Committee and discussed at the Committee’s November 29, 2023. A public hearing has been scheduled for December 13, 2023 at 2 p.m. to solicit public comment on the draft MOA.

- **Stafford Township:** This proposed MOA would authorize a deviation from CMP wetlands buffer standards to accommodate paving of an existing trail around Forecastle Lake for accessibility purposes. The Township delivered a presentation at the Commission’s July 14, 2023 meeting regarding the project and the need for a deviation MOA. Following the presentation, the Commission authorized the staff to begin working with Stafford Township to develop the draft MOA. At the end of October, Stafford Township’s engineer submitted a site plan and stormwater management plan for the Forecastle Lake Accessible Trail project. Staff is in the process of reviewing this new information.

1.3 HUMAN RESOURCES

- **Contract Negotiations:** A negotiation session was held on November 22, 2023. The next session is tentatively scheduled for late January 2024.
- **Recruitment:** A candidate has been selected for the Management Information Systems Specialist 3 position. Their starting date is December 4th, 2023. Interviews continue for the Environmental Technology Coordinator and Applicant Services Representative vacancies.
- **Training:** Staff attended GoToWebinars- Retro Training and Social Security Benefits for Members of PERS.
- **NJ Employees Charitable Campaign (NJECC):** The 2023/2024 NJECC virtual kickoff was held in September. This year’s campaign will run from September 2023 – December 2024.

2 INTERAGENCY COORDINATION

- **New Jersey Board of Public Utilities (NJBPU):** NJBPU staff issued its straw proposal for the dual-use solar program on November 15, 2023 and conducted a virtual stakeholder meeting on that proposal on November 29th. The deadline for written comments on the straw proposal is Wednesday, December 13, 2023. Commission staff is in the process of reviewing the straw proposal and plans to discuss same at the Climate Committee’s December 13, 2023 meeting. In addition, at NJBPU’s request, staff provided a memorandum containing information on the status of a solar facility and landfill closure project in the Pinelands Area.
- **Interagency Council on Climate Resilience (IAC):** Staff participated in the November 20, 2023 IAC meeting. The NJDEP staff updated the IAC on the status of the on-going development of the Extreme Heat Resilience Action Plan. The Plan is expected to be released in spring of 2024. Staff will also be meeting with the State’s Climate Resiliency Office in December to discuss coordination and topics of focus for the IAC for the upcoming year.
- **New Jersey Office of Public Advocacy (NJOPA) Interagency Workgroup:** Staff participated in an interagency workgroup meeting on November 9, 2023. The Executive Director of the NJOPA provided updates on the ongoing efforts to update the State Development and Redevelopment Plan. Notably, at its November meeting, the State Planning Commission adopted a revised

Cross-Acceptance Manual that will guide state, county, and municipal agencies through the Cross-Acceptance Process once a preliminary plan is adopted by the State Planning Commission, which is expected in the spring of 2024. During the meeting the workgroup was provided with a demonstration of a mapping tool, called the New Jersey State Plan Viewer, developed by Rowan University. The tool provides a wide range of geographic data to assist State, county and municipal agencies with developing or assessing proposals to amend the State Policy Map contained in the Statewide Plan as part of the cross-acceptance process. The map is available at: njmap2.com/sdrp/

- Water Supply Advisory Council (WSAC):** NJDEP presented an update on the status of the draft Statewide Water Supply Plan and projected that the final plan would be issued in early 2024. The Water Supply Plan includes data on stream low flow margins and remaining water available in Hydrologic Unit Code 11 watersheds. That data is referenced in the recently adopted Water Management standards in the CMP. The NJDEP presentation noted climate change impacts are expected to produce more variability in stream flows but may also result in greater groundwater recharge that will affect remaining water available in Pinelands watersheds. More information on the draft Water Supply Plan can be found on the NJDEP website: www.dep.nj.gov/water-supply-plan/.

3 LAND USE PROGRAMS

3.1 CONFORMANCE ACTIVITY

	Monthly Total	Calendar Year to Date
Master Plans/Ordinances Received		
Adopted	10	126
Drafted or Introduced	4	68
Total ¹	9	131
Substantial Issue Finding ²	0	6
No Substantial Issue Finding	3	102
No Issue Finding	1	20

¹The total accounts for unique master plans and ordinances received (i.e., it does not double count drafted, introduced, or adopted submissions for the same ordinance).

² Ordinances and Master Plans that are found to raise substantial issues with respect to the standards of the CMP require formal review and approval by the full Commission.

Total	4	128
Finding Letters Issued³	2	97

3.2 CULTURAL RESOURCE ACTIVITY

Activity	Monthly Total	Calendar Year to Date
Applications Reviewed	4	121
Surveys Required	1	20
Surveys Reviewed	0	15
Certificates of Appropriateness Required	0	1

Notable Activity: A ground penetrating radar (GPR) survey report was completed by Pinelands Commission staff for work that was conducted at the African Methodist Episcopal Church Cemetery in Tabernacle Township. The report has been delivered to the Tabernacle Historical Society and is publicly available upon request.

3.3 PINELANDS DEVELOPMENT CREDIT (PDC) PROGRAM

Activity	Monthly Total	Calendar Year to Date
PDCs Allocated	0.75	41.25
PDCs Severed	19.75	24.75
Acres Protected	408	556
PDCs Extinguished	0	7.35
Acres Protected	0	187.78
PDCs Sold	0	11.50
Average Sales Price per PDC	n/a	\$70,261
Average Sales Price per right	n/a	\$17,565
PDCs Redeemed	4.50	13.75

³ A single finding letter can pertain to multiple master plans/ordinances from the same municipality.

Notable Activity:

- **PDC Severances:** 19.75 PDCs (79 rights) were severed, permanently preserving 403.93 acres in the Special Agricultural Production Area and 3.71 acres in the Preservation Area District, all in Woodland Township.
- **PDC Redemptions:** 3.75 PDCs (15 rights) were redeemed in association with the development of 58 townhomes in Winslow Township's Regional Growth Area. An additional 0.75 PDCs (3 rights) were redeemed for the development of 45 single-family detached dwellings in Jackson Township's Regional Growth Area.

3.4 SPECIAL PROJECTS

- **Pinelands Conservation Fund Stewardship Monitoring:** Staff has begun visiting sites preserved through grants from the Pinelands Conservation Fund. This initiative is intended to support a future grant proposal that will allow the Commission to assist land preservation partners with ongoing stewardship demands on preserved open space.



Above: In November, members of the Commission's Land Use Programs and Communications Offices toured a property that was permanently preserved through grants from the Pinelands Conservation Fund.

4 REGULATORY PROGRAMS

4.1 APPLICATION ACTIVITY

Activity	Monthly Total	Calendar Year to Date
Pre-Application Conferences	4	47
Certificates of Filing	16	176
Public Development Reports	1	29
Forestry Certificates of Filing	0	4
PDC Letters of Interpretation	1	15
Non-PDC Letters of Interpretation	1	4
MOA Consistency Determinations	0	40
Review of Agency Determinations	56	573

4.2 NOTABLE APPLICATIONS

- **Change in Use of Former Elementary School, Bass River Township (Maple River LLC, App. No. 1989-0464.004):** The Commission staff received an email inquiry on November 8, 2023 proposing the use of the former Township Elementary School as a year-round private boarding school. The school is located in the Pinelands Village of New Gretna. The Commission staff issued a letter on November 20, 2023 indicating that, based upon the apparent determination of the Township that the proposal constituted a change in use, a development application must be completed with the Commission. The letter also addressed the process the applicant could follow if they wished to pursue a Township use variance prior to initiating an application with the Commission. On November 20, 2023, an application for the change in use was filed with the Pinelands Commission. That application is currently under review.
- **County Rt. 563 Bridge Replacement, Egg Harbor City (Atlantic County, App. No. 2019-0060.001):** An application is pending with the Commission for the proposed replacement of the County Rt. 563 bridge over Egg Harbor City Lake. The application includes proposed improvements to the existing dam over which County Rt. 563 passes across the Lake. The bridge is located in a Pinelands Forest Area. On November 2, 2023, the Commission staff met with representatives of the County to discuss an issue raised by the proposed stormwater management design for the bridge. The current stormwater management design results in an increase in the volume of stormwater being directly discharged to the Lake (wetlands). On November 28, 2023, the Commission staff provided a follow-up email to the County identifying possible approaches to address the stormwater management issue. On November 28, 2023, a meeting was also held with representatives of the County to discuss the application process for a Commission Waiver of Strict Compliance based upon a compelling public need. Such a Waiver would be required if the stormwater management issue could not be resolved. At the same

meeting, the Commission staff also offered guidance to possibly resolve the stormwater management issue raised by the proposed increase in stormwater being discharged to the Lake. On November 30, 2023, a Commission staff member conducted a site inspection to assess soil suitability conditions for the possible siting of stormwater management infiltration areas. Such infiltration areas may eliminate the increase in stormwater volume being discharged to the Lake. Based upon the results of that site inspection, the Commission staff will identify possible stormwater management approaches for the County's consideration during the week of December 4, 2023.

- **Landfill Capping and Solar Energy Facility, Pemberton Township (App. No. 2021-0112.003):** The closed municipal landfill is located on a 27.21-acre parcel in the Preservation Area District. On October 14, 2023, the Commission approved limited site disturbance on the parcel to facilitate delineation of the limits of the landfill. Two threatened and endangered (T&E) animal species have been sighted on the parcel within the limits of the approximately 17-acre landfill. On November 15, 2023, the Commission staff met with representatives of the applicant to discuss whether the approximately 17-acre landfill itself constitutes "critical habitat" for the concerned T&E animal species. The Commission's regulations would prohibit the development of a solar facility on the parcel unless it is demonstrated that the solar facility is designed to avoid irreversible, adverse impacts on habitat critical to the survival of any local population of T&E animal species. Prior to the filing of an application with the Commission for the proposed solar facility, an application will be filed with the Commission for the capping of the landfill. As part of the landfill capping application, information will be provided by the applicant addressing the T&E animal species issue. Also discussed at the meeting was the proposed use of dredge spoils in the capping of the landfill. The Commission staff advised that based upon its review of past proposals, dredge spoils typically contain contaminants. To date, it has not been demonstrated that placement of contaminated dredge spoils on a parcel can meet the CMP's groundwater quality protection standard.
- **Township Public Safety Building, Mullica Township (Mullica Township, App. No. 1991-0320.005):** On November 6, 2023, the Township Administrator requested a pre-application conference with the Commission staff to discuss the development of a new Township Public Safety Building. The Public Safety Building is proposed to be located at the existing municipal complex on the White Horse Pike. The existing municipal complex is located in the Pinelands Village of Elmwood. Based upon an apparent mold issue, the Township police department vacated their offices in the existing municipal building. By email dated November 8, 2023, the Commission staff requested information regarding the square footage of the existing municipal building, the square footage of the proposed Public Safety Building and information regarding other uses, such as the public works building, on the 1.6-acre lot. On November 21, 2023, the Township provided information including a plan depicting the size of the proposed Public Safety Building. The existing municipal building is approximately 8,500 square feet (two floors). The proposed Public Safety Building is approximately 4,200 square feet. The Township's proposal is to serve both the existing and proposed buildings with a standard onsite septic system. On November 29, 2023, the Commission staff advised the Township that the proposed Public Safety Building appeared to be feasible, but that based upon the extent of existing and proposed development on the 1.6-acre lot, it appeared necessary to convert the existing standard septic system on the lot to an onsite wastewater treatment system in order to meet CMP water quality standards. It is anticipated that the Township will shortly be filing an application with the Commission for the proposed Public Safety Building.

- Singer House, a Designated Cultural Resource, Medford Township (Applicant: Affordable Homes Group, App. No. 1987-0055.009):** On November 21, 1991, the Commission approved a Certificate of Appropriateness with specific conditions that required the preservation in place of a significant historic resource known as the Singer House. The Singer House is located in a Pinelands Regional Growth Area. On January 3, 1992, the Pinelands Commission approved a Report on an Application for Public Development for the development of the Medford Township Public Safety Building located on the same lot as the Singer House. That Commission approval reiterated the conditions of the Certificate of Appropriateness requiring the stabilization and preservation in place of the Singer House. The conditions for the stabilization and preservation in place of the Singer House have not been met. The Singer House is currently privately owned. On June 8, 2023, the Commission staff received a request from the current owner of the Singer House to meet and discuss the proposed demolition of the house. On June 28, 2023, the Commission staff met with the current owner. The current owner represented that the Singer House has deteriorated to the point where preservation in place is no longer feasible. The owner was advised at that meeting of the need to apply to the Commission for the proposed demolition of the Singer House. As part of that application, it must be demonstrated why the requirements of the November 21, 1991 Certificate of Appropriateness were not met and why the Singer House cannot be rehabilitated and preserved in place. On July 7, 2023, the Commission received an application proposing the demolition of the Singer House. By letter dated August 18, 2023, the Commission staff advised the current owner of the Singer House of the information necessary to complete an application for its demolition. The requested information included construction cost estimates that address the feasibility of renovation/rehabilitation of the Singer House for possible different proposed uses (e.g. office, residential). On October 25, 2023, a prospective buyer of the Singer House requested that the Commission staff provide guidance regarding how to proceed with an application for renovation/rehabilitation and the establishment of three affordable dwelling units in the Singer House. By email dated October 30, 2023, the Commission staff provided information to the prospective buyer regarding the extensive regulatory history of the Singer House and the regulatory requirements that the buyer must address in renovating/rehabilitating the Singer House to address its historic significance. By email dated November 14, 2023, the Commission staff received additional questions from the prospective buyers regarding the requirements to rehabilitate/renovate the Singer House. The Commission staff is reviewing the additional questions.
- Recreational Trails and Parking Areas, Evesham Township (Applicant: Evesham Township, App. No. 1993-0341.008):** By letter dated September 27, 2023, the Commission staff wrote to Evesham Township regarding the establishment of hiking trails, pedestrian structures and parking areas within the Black Run Preserve located on an approximately 703-acre parcel. The parcel is located in a Pinelands Rural Development Area. The Commission staff letter advised the Township of the need to complete an application with the Commission for the various recreational improvements that had occurred on the parcel. There are extensive wetlands on the parcel. In addition, there are known T&E animal species on the parcel. The letter also provided guidance to the Township regarding areas of the Black Run Preserve that may not be suitable for proposed trails based upon the known presence of these T&E animal species. On November 8, 2023, the Commission staff met with representatives of the Township to discuss the Commission staff's September 27, 2023 letter. The Township indicated that it would be

shortly submitting a proposed approach to address the establishment of hiking trails, pedestrian structures and parking areas within the Black Run Preserve.

- **Residential Development, Hammonton (Applicant: West End Development Associates, App. No. 1983-6280.006):** On September 27, 2023, the Commission staff issued a Certificate of Filing for this application proposing the development of 59 townhouses on a 6.43-acre parcel. The parcel is located in the Pinelands Town of Hammonton and within a redevelopment area. The Certificate of Filing noted inconsistencies related to stormwater management and permitted density, resulting in the need for redemption of 3.0 Pinelands Development Credits (PDCs). By letter dated October 13, 2023, the applicant's attorney indicated disagreement with the PDC requirement based in part on a 2011 Mount Laurel Affordable Housing Settlement Agreement between the municipality and the applicant and a Redevelopment Agreement entered into by the municipality and the applicant in 2022. By letter dated November 8, 2023, Commission staff indicated that the Commission was not a signatory to either agreement; therefore, the proposed development must be reviewed for consistency with the certified Redevelopment Plan. That Plan does not permit the use of noncontiguous lands for residential density purposes. The November 8, 2023 letter confirmed that the residential density issue cited in the Certificate of Filing could be resolved through the redemption of PDCs. The letter suggested that the applicant discuss a potential amendment to the Redevelopment Plan with Hammonton officials.
- **Lake Herbiciding, Hammonton (Applicant: Town of Hammonton, App. No. 1989-0573.006):** This application proposes the herbiciding of Hammonton Lake. The lake is located in the Pinelands Town of Hammonton. By letter dated May 22, 2023, the Commission staff advised the applicant of the potential presence of certain T&E plants species in Hammonton Lake. The Commission staff letter required the applicant to complete a T&E plant species survey to determine whether the concerned T&E plant species were present in Hammonton Lake. Alternatively, the applicant could provide information demonstrating that even if the T&E plants species were present in the Lake, the proposed herbiciding would not have an irreversible, adverse impact on any local populations of the concerned T&E plants. On September 19, 2023, the applicant submitted a T&E plant species survey. The survey confirmed the presence of two T&E plant species in Hammonton Lake. On October 9, 2023, the applicant submitted supplemental information. By letter dated October 31, 2023, the Commission staff provided guidance to the applicant and indicated that information must be submitted to the Commission demonstrating that the proposed herbiciding would not have an irreversible, adverse impact on the local populations of the two identified T&E plants. On November 22, 2023, Hammonton submitted information responding to the Commission staff's October 31, 2023 letter. The submitted information is currently under review.
- **Residential Development, Woodland Township (Applicant: Margaret and Jesse Estlow, App. No. 1992-0327.001):** A T&E species survey was completed in 2005 for this application proposing the development of 12 single-family dwellings in the Pinelands Village of Chatsworth. On December 17, 2008, the Commission staff issued a letter indicating that a Woodland Township Land Use Board preliminary and final subdivision approval and a conditional Burlington County Planning Board preliminary subdivision approval for development of the 12 single-family dwellings on a 21 acre parcel could take effect. Approximately 14 years later, the Commission received notice of a final subdivision approval for the proposed development. By letter dated May 10, 2022, the Commission staff scheduled a public hearing to review a T&E animal species

“substantial issue” raised by final subdivision approval granted by the Burlington County Planning Board for the same application on February 1, 2022 and March 29, 2022. By letter dated June 13, 2022, the Commission staff advised the applicant that since the previously completed 2005 T&E species survey, the Commission staff has records of additional T&E animal sightings for a different species in the immediate vicinity of the 21-acre parcel. The letter also advised that Commission issuance of a letter in 2008 indicating that a permit or approval may take effect does not indefinitely protect proposed development that has not occurred from addressing changes in municipal zoning or environmental standards, such as the T&E species protection standard. Since approximately 17 years have passed since the 2005 T&E species survey for this application and the Commission staff has subsequent sightings of a different T&E animal species, an updated T&E species survey was requested. The applicant disagreed with the staff’s request to complete an updated T&E animal species survey. On June 14, 2023, the Commission staff met with the applicant to further discuss the need for an updated T&E species survey. The applicant indicated that the Commission staff’s request for an updated T&E animal species survey was unreasonable. The Commission staff advised that if the applicant disagreed with the staff’s position on the application, the applicant could attend a Commission staff public hearing on the application. After the public hearing, the application would be brought before the Commission at a regularly scheduled monthly Commission meeting for a review and vote by the Commissioners. By letter dated July 10, 2023, the Commission staff advised the applicant that a public hearing could be scheduled for an earlier date if the applicant wished. By letter dated July 17, 2023, the applicant responded, asserting that the Commission staff made numerous errors in its review and handling of the application. The applicant requested that their July 17, 2023 letter be distributed to all Pinelands Commissioners. By letter dated August 16, 2023, the Commission staff issued a letter responding to the applicant’s concerns. The Commission staff provided a copy of the applicant’s July 17, 2023 letter and the Commission staff’s August 16, 2023 letter to all Commissioners. By email received on August 28, 2023 (email dated July 28, 2023), the applicant reiterated their dissatisfaction with the Commission staff’s processing of their applications and requested that the Commission’s Executive Director review the matter. By letter dated November 3, 2023, the Executive Director advised the applicant that based upon her review of the matter, the staff responded appropriately to the County approvals and rightly required that a new T&E species survey be completed.

4.3 OFF-ROAD VEHICLE EVENT APPROVALS

- **Application # 1988-0757.071**
Tri-County Sportsmen Motorcycle Club, Inc.
Approval Issued: 11/2/2023
Event Name: 2023 Dual Sport
Event Date: November 4, 2023
Municipality: Corbin City, Dennis Township, Estell Manor City, Maurice River Township, Upper Township, Woodbine Borough
Lands Utilized: Belleplain State Forest, US Silica
Route Length: 75 miles

- Application # 1982-3054.098**
Pine Barrens Adventure Camp, LLC
 Approval Issued: 11/8/2023
 Event Name: Pine Barrens 500
 Event Date: November 11 and 12, 2023
 Municipality: Barnegat Township, Bass River Township, Little Egg Harbor Township, Mullica Township, Shamong Township, Stafford Township, Tabernacle Township, Washington Township, Woodland Township
 Lands Utilized: Bass River, Penn & Wharton State Forests
 Route Length: 245 miles
- Application # 1982-3054.099**
Pine Barons Enduro Riders
 Approval Issued: 11/21/2023
 Event Name: Pine Barons Dual Sport
 Event Date: November 26, 2023
 Municipality: Mullica Township, Shamong Township, Tabernacle Township, Washington Township, Woodland Township
 Lands Utilized: Bass River, Penn & Wharton State Forests
 Route Length: 96 miles

5 SCIENCE

5.1 ENVIRONMENTAL MONITORING

- Water Level Monitoring:** In November, Communications staff measured water levels at 43 forest plots and 30 ponds in the Commission network of long-term monitoring sites. Only three of the 30 ponds contained water. This work is completed each month with assistance from the Communications Office. Science staff also downloaded water level data collected from continuous water level recorders installed in seven ponds and one forest plot.
- Rare Snake Monitoring:** Science staff continued to check on radio-tracked snakes in November. Some snakes continued to make relatively small movements, but all radio-tracked



Above: A northern pine snake basking inside a den corral. This snake was originally captured in the spring of 2021 inside a den corral and was recaptured again at the same den in November 2022. The electronic device shows the number of its PIT tag, which is used for permanent identification.

snakes appeared to have entered their winter dens by the end of November. Staff will prepare to corral any newly discovered dens that are located in more remote areas.

5.2 LONG TERM STUDIES

- **Box Turtle Study:** Staff continued to radio track box turtles in November. Like radio tracked snakes, some turtles continued to make small movements in November, but all tracked turtles appeared to have entered hibernation by the end of the month. The agreement between the Commission and New Jersey Department of Environmental Protection (NJDEP) to provide additional funding for the box turtle study has been fully executed. Using data collected in 2023, staff created activity ranges for each turtle in GIS software to determine the correspondence between clusters of tracked turtles, their activity ranges, and the location of potential areas to be burned by the New Jersey Forest Fire Service during the winter prescribed burning window.



Above: An example of the habitat for an eastern box turtle over wintering location or den. The box turtle burrowed into the partially decomposed organic layer beneath this fallen tree on the edge of an Atlantic white cedar swamp.



Above: A northern pine snake showing areas of snake fungal disease infection on its face.

- **Snake Fungal Disease Monitoring:** As part of a collaboration with Virginia Tech researchers, Science staff continued to swab Pinelands snakes for snake fungal disease. Preliminary results

for 80 snakes sampled earlier in the year indicate that about 30% of the snakes tested positive for snake fungal disease.

- **Adenovirus Study:** As part of a collaboration with Rutgers University researchers, Science staff continued to swab Pinelands snakes for adenovirus.

5.3 OTHER

- The New Jersey State Wildlife Action Plan identifies priority actions that can be implemented over the next five to ten years to address the threats facing wildlife populations and their habitats in the state. Science staff participated in the 2025 State Wildlife Action Plan revision meeting as part of a technical advisory group. The technical advisory group comprises individuals with wildlife expertise to provide advice on species of conservation need and the threats surrounding them.
- Science staff submitted a grant to the Environmental Protection Agency requesting funding to analyze the upland and wetland habitats used by eastern box turtles, establish climate change monitoring stations at long-term pond monitoring sites, direct prescribed burning to specific areas of the Pinelands, and target disadvantaged schools and community centers for educational programs.

6 COMMUNICATIONS

6.1 COMMUNICATIONS & PUBLICATIONS

- **Inquiries/Correspondence:** The Communications Office received and responded to approximately 60 inquiries from the public in November, including phone calls, e-mails, and media inquiries.
- **Website:** Commission staff made routine edits to the website in November.
- **Pinelands National Reserve Wall Calendar:** Commission staff finalized the 2024 Pinelands National Reserve wall calendar and sent the final file to Rowan College at Burlington County for printing in mid-November. Staff picked up 834 copies of the calendar on November 27th, then delivered them at Belleplain State Forest, the Batsto Visitor Center, Bass River State Forest, Brendan T. Byrne State Forest



Above: The front cover of the 2024 calendar features a monarch butterfly drinking nectar from a native sweet pepperbush plant in the Pinelands.

and the Whitesbog General Store. The calendars are being handed out free of charge at those five sites and at the Commission’s headquarters. The 2024 wall calendar will be funded by the National Park Service and features a theme of “Winged Wonders of the Pinelands.”

- **Social Media Enhancements:** In November, staff shared 116 photos and five videos on the Commission’s Instagram site and 45 tweets on X (formerly known as Twitter).



Above: The Commission shared 116 photos on Instagram in November, including this photo of an early morning sunburst at Brendan T. Byrne State Forest.

- **Pinelands-themed Merchandise:** Throughout November, staff promoted and processed sales of Pinelands-themed merchandise via the Commission’s online store and at the agency’s office. The Commission generated additional sales by offering 10% off Pinelands-themed mugs and tote bags as part of a “Black Friday” sale. All of the proceeds from sales and donations benefit the Kathleen M. Lynch-Van de Sande Fund for the Reforestation of the New Jersey Pinelands. The fund was established in memory of Ms. Lynch-van de Sande, a Pinelands Commission Environmental Specialist who died in a car accident in June 1989. It funds projects that support or promote the use of native plants in the Pinelands.
- **Annual Report:** Commission staff met in November to discuss data and information needs for the Commission’s 2023 Annual Report.

6.2 EVENTS, OUTREACH & INTERPRETIVE PROGRAMS

- **Pinelands Short Course:** In November, Commission staff finalized the lineup of presentation and the course descriptions for the 35th annual Pinelands Short Course. The event will be held at Stockton’s main campus on March 9, 2024. The event will feature 30 presentations, including 14 new programs.
- **Barnegat Bay Coordination:** A member of the Communications Office met with the Barnegat Bay Partnership Advisory Committee in November.
- **Biosphere Region Coordination:** The Communications Office provided a daylong, guided tour of the Pinelands for Cliff McCreedy, who is the Coordinator of the U.S. Biosphere Network, on November 8, 2023. Mr. McCreedy delivered a presentation on the biosphere

program during the Commission's regular meeting on November 9, 2023.

- **Pinelands Education Programs:** Commission staff delivered an educational presentation at the Stafford Library on November 9, 2023, provided a guided hiking tour of the Pine Plains for the educators, researchers, stewardship and coastal training professionals from around the country on November 15, 2023, and delivered a presentation on Pinelands flora and fauna at a school in Galloway Township on November 16, 2023.



Above: Commission staff took Cliff McCreedy, coordinator of the U.S. Biosphere Network, on a daylong tour of the Pinelands in November.

7 INFORMATION SYSTEMS

- **Pinelands Commission Information System Upgrades:** The Pinelands Commission Information System (PCIS) is the internal system of record for all applications to the Pinelands and associated transactions. Staff continued to improve the logging features of the PCIS software. In addition, staff began improvements to the online payment calculator hosted on the Pinelands Commission website. Staff participated in a meeting with members of the Executive office, Communications, and Regulatory Programs to review data being tracked and reported for the annual report. A number of short-term and long-term goals were identified to improve the report.
- **Geographic Information Systems:** Geographic Information Systems (GIS) allow the Pinelands Commission to manage, analyze, and map relevant data. Staff migrated all layers and functions to a new GIS server in preparation of retiring the old one. Staff also created a draft map layer linking applications to parcel data. Staff are evaluating new data released by the New Jersey Office of GIS to best integrate the information with internal systems.
- **Cybersecurity:** Vigilance to protect the internal networks, hardware, and data of the Pinelands Commission is critical in today's networked world. The Information Systems office participated in the monthly call hosted by the New Jersey Cybersecurity & Communications Integration Cell (NJCCIC). Security certificates were renewed for the Pinelands servers. Staff continue to monitor the network environment and summary reports produced by Zscaler and Falcon CrowdStrike.
- **Conformance Tracking/Zoning system:** Based upon requirements gathered during the project kick off meeting last month, staff completed a draft SQL Server database that will act as a

foundation for the new system and submitted to team members for review.

- **Pinelands Development Credit Bank:** The Pinelands Development Credit (PDC) Bank is the processing agency for the Pinelands Development Credit Program, one of the oldest and most successful transfer of development rights (TDR) programs in the world. The Information System staff provides ongoing operational support to the PDC Bank.
- **Permanent Land Protection (PLP) Data System:** The PLP system manages the data related to all the preserved land in the Pinelands National Reserve. Staff supported the Planning Office in maintaining PLP records.
- **Technology Enhancements:** Staff members continually evaluate emerging technologies for how they can impact or enhance the office environment. Staff continued with the phased rollout of Teams Voice, distributing an internal phone list of all Teams numbers. Staff also continued the required migration of legacy data and Oracle database to new servers. To prepare for work on Fenwick Manor, staff continued coordinating with Verizon, confirming their project to relocate network services from Fenwick to the Richard J. Sullivan building had been approved and was proceeding.

8 BUSINESS OFFICE

8.1 FINANCIAL MANAGEMENT

- **Application Fees:** November 2023, Net Total: \$87,646.66, Fiscal Year to Date Total: \$363,999.15. This is 52% of the Fiscal Year 2024 anticipated fee revenue of \$700,000. The net total includes nine online application payments totaling \$41,570.48.

8.2 FACILITIES MANAGEMENT

- Beginning on November 10, 2023, the Commission's offices experienced a telecommunications issue that brought the internet and telephone system down. The internet was fixed by Saturday, November 11th and the telephone system was brought back up on Wednesday, November 15th. The telephone system required assistance from both the telephone repair section of NJOIT and the telephone system vendor. During this time, the Commission found out that the current telephone system is no longer supported by the telephone industry. The Business Services office is researching a replacement or an alternative via Microsoft Teams Calls.
- During the month of November, Fenwick Manor experienced several facilities-related issues. On November 17th, Fenwick Manor began experiencing "brownout" electrical issues. The power surges affected not only the lighting, but the HVAC, telecommunications, and telephone system. Jersey Central Power & Light (JCP&L) was notified and dispatched a lineman to evaluate the issue. That evaluation revealed that the support structure of an electrical meter on the exterior of the building had disintegrated due to age, causing the electrical meter to short out. The support structure was made of metal and absorbed electrical current, generating heat, and sparking a flame. This resulted in a fire and safety issue. The power was turned off by JCP&L for safety reasons and all staff were temporarily relocated to the RJS building. Because the electric meter is a "campus" meter, the power to Barn and Carriage House was turned off as well. The

electrical contractor performed the needed repairs. After the support structure was replaced, JCP&L returned to inspect and reconnect the power.

- The electrical issues in Fenwick Manor also caused the heating units on the second floor of Fenwick Manor to experience transformer issues. The transformers had to be ordered and replaced, resulting in colder than normal working conditions for the staff on Monday, November 20th. The heater was fixed and running by Tuesday, November 21st.