



NEW JERSEY PINELANDS COMMISSION

MONTHLY MANAGEMENT REPORT



Native painted turtles stacking up while basking on a log in the Pinelands in March

MARCH 2024

1 EXECUTIVE OFFICE

1.1 EXECUTIVE DIRECTOR

1.1A COMMITTEE MEETINGS

- **Personnel & Budget (P&B) Committee:** During the Committee’s meeting on March 26, 2024, staff reviewed the check register and electronic disbursements and provided an update on application fee revenue to date. The Committee reviewed and approved the list of fixed assets for deletion. Finally, staff provided an update on employee actions and current recruitment efforts.
- **Pinelands Climate Committee:** The Committee did not meet in March.
- **Policy & Implementation (P&I) Committee:** The Committee did not meet in March.

1.1B RULEMAKING

- **Water Management (Kirkwood-Cohansey):** In March, staff distributed model ordinances to Pinelands municipalities implementing the December 2024 Comprehensive Management Plan (CMP) water management amendments. Pinelands municipalities have until December 4, 2024 to adopt the updated water management standards. Staff has encouraged Pinelands municipalities to adopt the ordinance as soon as possible.
- **Stormwater Management:** In March, staff prepared and distributed model ordinances to Pinelands municipalities implementing the New Jersey Department of Environmental Protection’s (NJDEP) stormwater management rule amendments. Pinelands municipalities have until July 2024 to adopt the updated ordinances.

1.1C OPEN PUBLIC RECORDS ACT

- A total of four Open Public Records Act (OPRA) requests were received in March. Two were provided responsive material, one was advised to schedule a file review and one will be responded to in April.

1.1D PINELANDS MUNICIPAL COUNCIL

The Pinelands Municipal Council did not meet in March.

1.2 LEGAL AND LEGISLATIVE AFFAIRS

1.2A LITIGATION

- **In Re Challenge of Clayton Sand Company to December 4, 2023 Amendments to N.J.A.C. 7:50-1.1 et seq., A-001476-23** – On February 26, 2024, the Attorney General’s office notified the Commission that Clayton Sand Company had filed a Notice of Appeal of the amendments to the Water Management Rules at N.J.A.C. 7:50-6.86(d)2 of the Pinelands CMP (i.e. the Kirkwood-

Cohansey rules.) The appeal challenges the rule adoption as procedurally and substantively defective.

- **In the Matter of Application #1981-1534.005, Block 6103, Lots 9 & 11, Franklin Township, Block 9301, Lots 10 & 11, Monroe Township, A-002210-23** – This is an appeal filed by an adjacent property owner challenging the Commission’s issuance of a letter of no further review for municipal zoning board approvals authorizing a floating solar array on a surface water body created by a resource extraction operation in the Rural Development Area.

1.2B LEGISLATION

Pinelands Specific Legislation

<u>Bill No.(s)</u>	<u>Prime Sponsor(s)</u>	<u>Synopsis</u>	<u>Current Status</u>
A4/S50	Lopez, Coughlin, Wimberly, Reynolds-Jackson/Singleton, Scutari	Reforms municipal responsibilities concerning provision of affordable housing; abolishes COAH; appropriates \$16 million.	Signed by the Governor 3/20/24, P.L. 2024, c. 2
S2424	Smith/McKeon	Establishes various programs in NJDEP concerning management of publicly owned forested land; appropriates \$60 million.	Reintroduced, Referred to Senate Environment and Energy Committee on 1/29/24.

Pinelands Related Legislation

<u>Bill No.(s)</u>	<u>Prime Sponsor(s)</u>	<u>Synopsis</u>	<u>Current Status</u>
A682/S699	Kean/Singer	Establishes program, in NJDEP, for acquisition of development easements on privately-owned woodlands.	Assembly Bill - Reintroduced and Referred to Assembly Environment Natural Resources and Solid Waste Committee on 1/9/24. Senate Bill - Reintroduced, Referred to Senate Environment and Energy Committee.
S257	Smith	Authorizes State Treasurer to appoint Garden State Preservation Trust acting executive director under certain conditions.	Senate Bill – Reintroduced, Referred to Senate Environment and Energy Committee

A1253/S2859	Sauickie/Greenstein	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.	Reintroduced, Referred to Assembly Environment, natural Resources and Solid Waste Committee on 1/9/24. Senate Bill – Introduced, referred to Senate Environment and Energy Committee on 3/4/24
A1219/S2979	Sauickie/Tiver	Requires NJ Clean Energy Program incentives to be made available to commercial farms	Assembly Bill – Introduced, Referred to Assembly Environment, Natural Resources and Solid Waste Committee Senate Bill – Introduced, Referred to the Senate Environment and Energy Committee
A1300	Sauickie	Provides CBT (Corporate Business Tax) credit for construction or retrofitting of warehouses to meet certain green building standards.	Reintroduced, Referred to Assembly Commerce, Economic Development and Agriculture Committee on 1/9/24.
A1301	Sauickie	Requires State Planning Commission to adopt model buffer ordinances detailing different regulatory options for siting warehouses; allows conforming updates to municipal master plans and zoning ordinances.	Reintroduced, Referred to Assembly Community Development and Women’s Affairs Committee on 1/9/24.
A1302	Sauickie	Requires certain warehouses to obtain air pollution control permits from NJDEP.	Reintroduced, Referred to Assembly Environment, Natural Resources and Solid Waste Committee on 1/9/24.

A1303/S1074	Sauickie/Greenstein	Requires NJDEP to evaluate cumulative impact of stormwater when reviewing applications associated with warehouses and other high-density development projects.	Reintroduced, and Referred to Assembly Environment, Natural Resources and Solid Waste Committee on 1/9/24. Senate Bill introduced and referred to Environment and Energy Committee on 1/9/24.
A3070/S2690	Guardian/Cruz-Perez, Corrado	Requires State entities to recycle certain materials and provide recycling bins	Assembly Bill – Introduced, Referred to Assembly Environment, Natural Resources and Solid Waste Committee on 1/9/24. Senate Bill – Introduced, Referred to Senate Environment and Energy Committee on 2/12/24.
A3645/S2425	Calabrese/McKeon, Smith	Establishes a low carbon transportation fuel standard program in DEP	Assembly Bill – Introduced, Referred to Assembly Environment, Natural Resources and Solid Waste Committee on 2/12/24. Senate Bill – Introduced, Referred to Senate Environment and Energy Committee on 1/29/24.
A3697/S2792	Spearman, Park, Simmons/Cruz-Perez, Turner	Appropriates \$500,000 from constitutionally dedicated CBT revenues and “2009 Farmland Preservation Funds” to State Agriculture Development Committee for municipal planning grants for farmland preservation purposes.	Assembly Bill – Reported out of the Assembly Appropriations Committee on 3/14/24, Second Reading.

			Senate Bill – Introduced, Referred to Senate Government, Wagering, Tourism and Historic Preservation Committee on 2/15/24.
A3698/S2793	Reynold-Jackson, Freiman, Fantasia/Cruz-Perez, Turner	Appropriates \$1.723 Million from constitutionally dedicated CBT revenues and “2009 Farmland Preservation Fund” to State Agriculture Development Committee for grants to non-profits for farmland preservation purposes	Assembly Bill – Reported out of Assembly Appropriation Committee on 3/14/24, Second Reading. Senate Bill – Introduced, Referred to Senate Environment and Energy Committee on 2/15/24.
A3784/S2455	McCoy/Bucco	Makes \$100 million in federal funds available to DEP for grants to local governments for drinking water, wastewater and stormwater infrastructure projects	Assembly Bill – Introduced, Referred to Assembly Environment, Natural Resources, and Solid Waste Committee on 2/22/24. Senate Bill – Introduced, Referred to Senate Environment and Energy Committee on 2/5/24.
A3820/S609	Fantasia/Tiver	Excludes farmland from definition of “redevelopment area” and “rehabilitation area” in local Redevelopment and Housing Law	Assembly Bill – Introduced, Referred to the Assembly Commerce, Economic Development and Agriculture Committee on 2/22/24.

			Senate Bill – Introduced, Referred to Senate Economic Growth Committee on 1/9/24.
A3831	Sauickie	Expands definition of “qualifying land” for purposes of determining where a rural microenterprise may be permitted on a preserved farm	Introduced, Referred to Assembly Commerce, Economic Development and Agriculture Committee on 2/22/24.
A3833	Sauickie	Requires the Office of Planning Advocacy to publish certain information concerning warehouses over 100,000 sq. ft. on its website	Introduced, Referred to Assembly Commerce, Economic Growth and Agriculture Committee on 2/22/24.
A3914	Katz	Permits agriculture-related events on preserved farmland	Introduced, Referred to Assembly Commerce, Economic Development and Agriculture Committee on 2/27/24.
A4117/S2857	Calabrese/Greenstein	Provides corporation business tax credit to taxpayers that develop qualified native pollinator habitat on undeveloped property	Assembly Bill – Proposed for Introduction on 4/4/24. Senate Bill – Introduced on 3/4/24, Referred to Senate Environment and Energy Committee
A4137/S1029	Calabrese/Greenstein	Prohibits sale, distribution, import, export or propagation of certain invasive species without permit from Department of Agriculture; Establishes NJ Invasive Species Council	Assembly Bill – Proposed for Introduction on 4/4/24. Senate Bill – Introduced 1/9/24, Referred to Senate

			Environment and Energy Committee
A4145/S3065	Lopez/McKeon, Smith	Excludes environmentally sensitive and flood prone lands from designation as vacant or available lands for affordable housing construction	Both Bills Proposed for Introduction in early April
S2816	Smith/McKeon	Requires electric public utilities to submit to BPU and implement electric infrastructure improvement plans	Introduced 2/22/24 and referred to Senate Environment and Energy Committee. Reported from Senate Committee on 3/4/24, Second Reading
S2827	Singleton	“Emissions Reduction Innovation Act”; authorizes gas public utilities to develop and implement plans to reduce greenhouse gas emissions	Introduced, Referred to Senate Environment and Energy Committee on 2/27/24.

1.2B INTERGOVERNMENTAL AGREEMENTS

- Pemberton Township:** This Memorandum of Agreement (MOA) between the Township and the Commission authorizes a deviation from CMP wetlands and wetlands buffer standards to accommodate surfacing of an existing trail at Pemberton Lake for accessibility purposes. The Commission approved execution of this MOA at its January 12, 2024 meeting. The MOA was subsequently signed by both parties in mid-February and posted on the Commission’s website. The Township will need to complete and submit its revegetation plans, rain garden plan, wetlands general permit and right of entry approval from NJDEP before the trail improvement project may commence. As of March 31, 2024, the Commission has not received a Freshwater Wetlands General Permit application or the other information that is required to be submitted in order for the project to commence.
- 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. In mid-March, Stafford Township submitted additional information, including an updated stormwater report, which is currently under review by the staff.
- Evesham Township:** The Township is proposing an MOA that would accommodate surfacing of an existing trail and parking improvements within wetlands and wetlands buffers in the Black

Run Preserve. Township representatives met with Chair Matos and the Executive Director on January 17, 2024 and provided an overview of their proposal. The Township made a presentation to the P&I Committee on February 23, 2024 and will do the same for the full Commission at its meeting in April.

1.3 HUMAN RESOURCES

- **Contract Negotiations:** A meeting with legal counsel and management was held on March 22, 2024. Negotiation sessions are scheduled with the Communication Workers of America Union (CWA) for April 16 and April 30.
- **Recruitment:** In March, interviews continued for two Planning Specialist vacancies. Interviews also began for a Technical Assistant in the Land Use Programs office. Recruitment efforts were put in place for the MIS Specialist vacancy in the Information Systems office.
- **Medicare Reimbursements:** Medicare Part B first quarter reimbursements were processed and submitted to Business Services.

2 INTERAGENCY COORDINATION

- **Interagency Council on Climate Resilience (IAC):** Commission staff attended the March Council meeting. NJDEP staff briefed the Council on the status of the draft Extreme Heat Resilience Action Plan. A draft of the plan was circulated to State agencies requesting comments. Commission staff reviewed the plan and provided comments to NJDEP staff on March 28, 2024. It is anticipated that a draft plan will be released for public comment in the coming weeks. Staff also attended the first meeting of the Council's Vulnerability Assessments workgroup.
- **New Jersey Office of Planning Advocacy (NJOPA) Interagency Workgroup:** Staff was unable to attend the March monthly meeting, which was to be focused on mapping protocols to be used during the forthcoming cross-acceptance process. On March 25, 2024, staff was informed that the draft preliminary plan would be presented to the State Planning Commission no earlier than its May 1st meeting.
- **New Jersey Department of Agriculture:** On February 28, 2024, Commission staff met with a representative of the Department of Agriculture to discuss how the CMP applies to agricultural development and associated activities in the Pinelands Area. In the Pinelands Area, most development undertaken exclusively for agricultural purposes does not require application to the Commission. For example, the construction of a barn and the clearing of vegetation to establish an agricultural field do not require application to the Commission. Although an application to the Commission is not required, such agricultural development must still meet the environmental and permitted use standards contained in the municipal land use ordinance and the CMP. For example, although the clearing of a field to establish a field corn agricultural use does not require application to the Commission, such clearing is prohibited in wetlands and the required buffer to wetlands. In addition, in the Pinelands Preservation Area District, agriculture is limited, for the most part, to berry agriculture. This means that although the clearing of a field

for agriculture does not require application to the Commission, clearing to establish a field corn agricultural use in the Pinelands Preservation Area District would not be a permitted use.

- Atlantic County Board of Agriculture:** At the County’s request, Commission staff will attend the April 2024 monthly meeting of the Atlantic County Board of Agriculture. The Commission staff will discuss CMP standards and application requirements for seasonal agricultural employee housing in the Pinelands Area. The discussion will include the requirements for changing the use of an existing barn utilized exclusively for agriculture to seasonal agricultural employee housing and the requirements for any new septic system required to service seasonal agricultural employee housing.

3 LAND USE PROGRAMS

3.1 CONFORMANCE ACTIVITY

	Monthly Total	Calendar Year to Date
Master Plans/Ordinances Received		
Adopted	6	16
Drafted or Introduced	8	15
Total ¹	12	22
Master Plans/Ordinances Reviewed		
Substantial Issue Finding ²	1	4
No Substantial Issue Finding	2	9
No Issue Finding	3	3
Total	6	16
Finding Letters Issued³	4	9

3.2 CULTURAL RESOURCE ACTIVITY

Activity	Monthly Total	Calendar Year to Date
Applications Reviewed	18	47

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.

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

Surveys Required	2	9
Surveys Reviewed	3	6
Certificates of Appropriateness Required	1	1

3.3 PINELANDS DEVELOPMENT CREDIT (PDC) PROGRAM

Activity	Monthly Total	Calendar Year to Date
PDCs Allocated	0	0.75
PDCs Severed	0	0.25
Acres Protected	0	11.59
PDCs Extinguished	0	0
Acres Protected	0	0
PDCs Sold	0	3.75
Average Sales Price per PDC	n/a	\$74,267
Average Sales Price per right	n/a	\$18,567
PDCs Redeemed	0	7.75

Notable Activity:

- PDC Bank Stakeholder Survey:** Since early October 2023, Commission staff have been working with a 2nd year MPA Candidate at the Fels Institution of Government at the University of Pennsylvania on a project to evaluate PDC Bank communications. As part of the project, an anonymous survey was developed to solicit feedback from various stakeholders engaged with the Pinelands Development Credit Bank. The survey was distributed via email by Commission staff on January 24, 2024, and responses were accepted for the following four weeks. Responses were received from approximately 90 different recipients and analyzed by the University of Pennsylvania student. Additional follow-up phone interviews were carried out for those respondents that volunteered to do so. Preliminary findings and recommendations were presented to staff on March 21, 2024. A finalized report is expected to be submitted to the Commission in early May.

3.4 SPECIAL PROJECTS

- Land Preservation Summit:** Invitations were sent to land preservation partners for the Commission's second annual land preservation summit. Participants will learn about planned funding rule amendments from the NJDEP Green Acres Program, about the New Jersey Conservation Blueprint from Rowan University, and about the project evaluation criteria for the

upcoming round of Pinelands Conservation Fund request for proposals.

4 REGULATORY PROGRAMS

4.1 APPLICATION ACTIVITY

Activity	Monthly Total	Calendar Year to Date
Pre-Application Conferences	11	23
Certificates of Filing	16	46
Public Development Reports	1	4
Forestry Certificates of Filing	0	1
PDC Letters of Interpretation	1	3
Non-PDC Letters of Interpretation	0	1
MOA Consistency Determinations	13	15
Review of Agency Determinations	55	153

4.2 NOTABLE APPLICATIONS

- Dam Removal, Maurice River Township (Nature Conservancy, App. No. 2002-0594.003):** A pre-application conference was held on March 19, 2024 to discuss the potential removal of the Cumberland Pond dam. At the pre-application conference, representatives of the Nature Conservancy indicated that the New Jersey Department of Transportation owned the actual Cumberland Pond dam and that the Pond itself was located on lands owned by the NJDEP. The dam and the pond are located in a Pinelands Forest Area. The Nature Conservancy indicated that they would not move forward on the proposal without the consent and agreement of both State agencies. The representatives of the Nature Conservancy further indicated that the primary purpose of the pre-application conference was to gather information regarding whether the CMP permits the removal of dams in the Pinelands Area. The Commission staff advised that generally, CMP wetlands standards would not permit the removal of an existing dam due to the associated wetland impacts, unless there is the potential for impacts to public safety. The Commission staff further indicated that a Memorandum of Agreement with a public agency would probably be required to remove a dam for which there was no public safety issue. To date, no application has been filed with the Commission proposing the removal of the Cumberland Pond dam.
- Agricultural Resource Extraction, Southampton Township (Thomas Budd, App. No. 1981-1601.011):** On March 7, 2024, the Commission staff received an email requesting a pre-application conference to discuss agricultural resource extraction (sand mining) on a parcel. The mined sand would be utilized for a cranberry agricultural operation located on a non-contiguous

parcel. The parcel subject of the agricultural resource extraction operation is located in a Pinelands Forest Area. By email dated March 27, 2024, the Commission staff advised that the proposed sand mining required completion of an application with the Commission. An application to the Commission is required because the parcel subject of the sand mining is noncontiguous to the cranberry agricultural operation. If the proposed sand mining were occurring on the same parcel as the agricultural operation and the mined sand would remain on the same parcel as the cranberry agricultural operation, no application to the Commission would be required. A pre-application conference will be scheduled shortly.

- **Communication Cable, Manchester Township and Pemberton Township (Comcast, App. No. 1990-0445.029):** On December 20, 2023, an application was filed with the Commission proposing approximately four miles of underground communications cable located primarily in the State Rt. 70 right-of-way. The communication cable is partially located in the Pinelands Preservation Area District and partially in a Military and Federal Installation Area. Approximately 2.7 miles of the proposed cable have already been installed. After an exchange of information confirming and delineating the portion of the cable that has already been installed, the Commission staff issued a letter on March 20, 2024 requesting the information necessary to complete the application. Municipal officials in Manchester and Pemberton Townships were copied on the Commission staff letter. On March 22 2024, the Commission received an email from Manchester Township requesting information regarding the matter. The email indicated that it appeared municipal review of the proposed development was also required.
- **Residential Development, Hamilton Township (Applicant: Harding Housing Associates, App. No. 1984-1087.010):** This matter involves two separate residential communities, one existing and one proposed. The parcel is located in a Pinelands Regional Growth Area. There is a disagreement between the two developers of the residential communities regarding the shared use of a stormwater management basin(s). Lot 5.01 contains 99 existing dwelling units. Lot 5.01 also contains three existing stormwater management basins and a portion of a fourth large, existing stormwater management basin. The other portion of the large, existing stormwater basin is located on adjacent vacant Lot 5.03. All four stormwater management basins have been constructed; however, none are functioning as designed. It appears that the primary problem is that the bottoms of the stormwater basins are either located in the seasonal high water table or in the water table. The owner of Lot 5.03 is proposing to develop 56 townhouse dwellings. An application was filed with the Commission to demonstrate that proposed modifications of two of the existing stormwater basins to “wet basins” would meet all stormwater standards of the Township land use ordinance and the CMP. This in turn would allow both the existing residential development on Lot 5.01 and the proposed residential development on Lot 5.03 to utilize the two concerned basins. By letter dated February 1, 2024, the Commission staff requested certain additional information stormwater management information. In response, the applicant requested a meeting. That meeting was scheduled for March 14, 2024. The requested additional stormwater management information was submitted prior to the meeting on March 8, 2024. At the meeting on March 14, 2024, the Commission staff answered numerous questions from the applicant regarding the Commission’s approval process. The Commission staff also indicated it would complete its review of the information submitted on March 8, 2024 and issue a letter providing the results of its review.
- **Road Removal, Lacey Township (New Jersey Department of Environmental Protection, App. No. 1998-0039.003):** On January 29, 2024, the Commission received an application from the

NJDEP, Division of Fish and Wildlife proposing the removal of approximately 1,600 linear feet of an existing dirt road in the Greenwood Forest Wildlife Management Area. The road is located in the Pinelands Preservation Area District. A culvert associated with the existing dirt road is serving as a “pinch point” for beavers to build a dam. The resulting upstream flooding is impacting the environmentally sensitive Webbs Mill Bog. By letter dated February 27, 2024, the Commission staff advised that the required application fee must be submitted and provided some initial guidance regarding the need to address any upstream wetland impacts that may be associated with removal of the existing dirt road and associated culvert that are functioning as a small dam. Upon receipt of the required application fee, the Commission staff will further review the submitted application. On March 4, 2024, the NJDEP requested a pre-application conference to discuss the proposed road removal. On March 12, 2024, the Commission staff conducted the pre-application conference.

- **Improvements to an Existing Agricultural Access Driveway, Pemberton Township (App. No. 1983-9180.004):** On February 7, 2024, the Commission received a report that improvements were being undertaken to an existing driveway that provides access to an agricultural operation. The parcel is located in a Pinelands Agricultural Production Area. On February 9, 2024, the NJDEP issued a violation letter to the property owner regarding the filling of wetlands on the parcel. On February 9, 2024, Pemberton Township issued an email directing the property owner to cease and desist the activities associated with the driveway improvements. On February 21, 2024, the Commission staff issued a letter to the property owner indicating that any widening of the existing driveway would be inconsistent with the wetlands protection standards contained in the Pemberton Township land use ordinance and the CMP. The February 21, 2024 Commission staff letter also indicated that although the CMP provides that improvements to an agricultural structure, including a driveway, do not require application to the Commission, the proposed driveway improvements must still meet the wetlands protection standards of the Township land use ordinance and the CMP. The February 21, 2024 Commission staff letter further indicated that in 1993 the NJDEP and the Commission entered into a Memorandum of Agreement (MOA) regarding the enforcement of the New Jersey Freshwater Wetlands Protection Act Rules in the Pinelands Area. That MOA provides that the NJDEP is primarily responsible for the investigation of alleged wetlands violations for development in the Pinelands Area that does not otherwise require application to the Commission. The February 21, 2024 letter also indicated that is the Commission staff’s understanding that fill/soil material was brought to the parcel for the purposes of improving the driveway. The Township land use ordinance and the CMP do not permit the placement of fill/soil material on a parcel that would result in the degradation of water quality. If any fill/soil material placed on the parcel contains contaminants that would degrade surface or groundwater, it must be removed from the parcel. On March 9, 2024, the NJDEP issued another Notice of Violation of the Freshwater Wetlands Protection Act, the Flood Hazard Area Control Act and the regulations implementing both Acts. The NOV requires submission of a restoration plan, including removal of any unauthorized fill. As of March 31, 2024, no response had been received from the property owner regarding the source of the fill material.
- **New Municipal Building, Tabernacle Township (Applicant: Tabernacle Township, App. No. 1993-0010.002):** On February 28, 2022, the staff conducted a pre-application conference with representatives of the Township to discuss possible sites for a new municipal complex. By letter dated March 9, 2022, the staff provided written guidance to the Township on three potential municipal complex sites. On May 1, 2023, the Commission staff conducted a pre-application

conference with representatives of the Township in anticipation of the Township's application to develop a new municipal building on a 20-acre parcel fronting on Carranza Road. The parcel is located in the Pinelands Village of Tabernacle. On January 16, 2024, the Township submitted an application for a new municipal building on that parcel. On February 9, 2024 and February 15, 2024, a revised plan and the required application fee were submitted to the Commission. By letter dated March 27, 2024, the Commission staff identified the information necessary to complete the application.

- **Demolition of Existing Municipal Building, Tabernacle Township (Applicant: Tabernacle Township, App. No. 1981-1383.008):** On February 27, 2024, the Commission staff received a request for a pre-application conference for the demolition of the existing Township municipal building. The existing municipal building is located in the Pinelands Village of Tabernacle. By email dated March 22, 2024, the Commission staff asked that the requested pre-application conference be coordinated with other municipal representatives before being scheduled.
- **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 threatened and endangered (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 identified T&E plants. On November 22, 2023, Hammonton submitted information responding to the Commission staff's October 31, 2023 letter. By letter dated December 22, 2023, the Commission staff identified the information necessary to complete the application. That letter also identified the need for either the applicant to provide additional herbiciding expertise or the Commission could require the applicant to post an escrow enabling the Commission staff to retain such expertise. On January 11, 2024 and January 12, 2024, Hammonton submitted additional information regarding the proposed herbiciding of the Lake. On January 25, 2024, the Commission staff met with members of the Town Council, the Mayor and other representatives of Hammonton to discuss the matter. The discussion focused on the proposed use of a post emergent herbicide, the method of herbicide application and how the subsurface mobility (drift/migration/dispersal) of the proposed herbicide would be controlled. The Commission staff advised the meeting attendees that the Commission staff would be further discussing the subsurface mobility of the proposed herbicide with the NJDEP staff in the Bureau of Pesticides. On February 6, 2024, Hammonton submitted a revised plan to the Commission. During the month of February 2024, the Commission staff consulted with the NJDEP Office of Natural Lands Management regarding the protection of T&E plants, the NJDEP Bureau of Pesticides regarding herbicide mobility, the Rutgers Agricultural Experiment Station, Pest Management Office Program regarding herbicide mobility and the applicant's consultant, all in an effort to assist Hammonton with developing an

herbiciding proposal that will meet the T&E plant protection standard of the CMP. As of February 29, 2024, such a plan had not been developed and the Commission staff was continuing to work with the Town. By letter dated March 7, 2024, the Commission staff identified the information that remained necessary to demonstrate that the proposed herbiciding of the lake would not result in an irreversible, adverse impact on the local populations of the identified T&E plants. Thereafter, the Director of Regulatory Programs discussed the matter with the Mayor of Hammonton. It is the Commission staff's understanding that Hammonton will be retaining the services of a lake herbiciding expert to address the question of the subsurface mobility (drift/migration/dispersal) of the proposed herbicide.

- **Singer House, Medford Township (Applicant: Affordable Homes Group, App. No. 1987-0055.005):** 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 met with the current owner of the Singer House to discuss the proposed demolition of the house. 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 information necessary to complete an application for 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. The potential buyer submitted additional questions by email dated November 14, 2023 and November 28, 2023. By letter dated December 11, 2023, the Commission staff summarized the extensive application history of the Singer House and provide guidance to the potential buyer. By email dated December 27, 2023, the potential buyer submitted additional questions and requested the opportunity to make a presentation to the Commission. By email dated January 31, 2024, the Commission staff advised that the applicant that the Singer House is a Pinelands designated historic resource and it was unclear to the Commission staff why the applicant was currently only reviewing the proposed renovation of the Singer House with the NJDEP, State Historic Preservation Office. On March 4, 2024, the Commission staff met with NJDEP, State Historic Preservation Office staff members to discuss how the Commission's cultural resource regulations apply to the proposed renovations of the

Singer House. On February 27, 2024, the Commission staff received a request from the Township to meet and discuss the requirements for the renovations of the Singer House. On March 11, 2024, a Regulatory Programs staff member conducted a telephone conference with the Township Attorney to discuss how the Commission's and the Township's cultural resource regulations apply to the proposed renovations of the Singer House.

4.3 OFF-ROAD VEHICLE EVENT APPROVALS

- **Application # 1988-0757.072**
Tri-County Sportsmen Motorcycle Club, Inc.
Approval Issued: 3/5/2024
Event Name: 2024 Greenbrier Enduro
Event Date: March 10, 2024
Municipality: Dennis Township, Maurice River Township, Upper Township
Lands Utilized: US Silica
Route Length: 52 miles

5 SCIENCE

5.1 ENVIRONMENTAL MONITORING

- **Water Level Monitoring:** In March, staff measured water levels at 43 forest plots and 30 ponds in the Commission network of long-term monitoring sites. This work is completed each month with assistance from the Communications Office. Science Office staff also downloaded water level data from data loggers that are installed in seven ponds and one forest plot. Unusually high water levels this month caused flooding of the datalogger standpipe at one of the ponds, requiring the installation of an extension to the standpipe.
- **Annual Frog and Toad Surveys:** In March, Science Office staff completed daytime wood frog surveys and nighttime frog and toad vocalization surveys at 22 ponds. These surveys are completed each spring to monitor temporal trends in calling frogs and toads in Pinelands ponds. Staff also proofed all frog and toad survey data collected during the previous year.
- **Rare Snake Monitoring:** In March, Science staff began monitoring snake corrals and collecting and processing all snakes that emerged. A total of 83 pine snakes, corn snakes, garter snakes, and black racers emerged from their hibernacula in March. Staff also surgically removed transmitters from several snakes to retire them from further radio tracking.

5.2 LONG TERM STUDIES

- **Box Turtle Study:** In early March, Science staff again checked on radio tracked box turtles at their overwinter locations to measure the depth of the turtles from the surface and to collect soil and habitat data associated with turtle hibernacula. Later in the month, staff began a regular schedule of tracking the 68 turtles in the study. Ten turtles emerged from hibernacula in late March. Staff continued to work with the New Jersey Forest Fire Service to coordinate prescribed burning where there are clusters of radio tracked turtles. Prescribed burns occurred in the vicinity of two of the radio tracked box turtles. Both turtles were hibernating at the time of the fires and, though leaf litter was burned away at the surface, the turtles had no visual wounds or marks from the fires.



Above: Aftermath of a prescribed fire that occurred in March over a hibernating box turtle. The duff layer was peeled back so staff could assess the condition of the turtle.

- **King Snake Study:** The Commission request for supplemental funding and a no-cost project extension received EPA approval. Science staff have begun data analysis.
- **Snake Fungal Disease Monitoring:** Science staff continue to collaborate with researchers at Virginia Tech to swab Pinelands snakes for snake fungal disease. All snakes collected from corralled hibernacula were swabbed for fungal disease.
- **Adenovirus Study:** Science staff continue to collaborate with Rutgers University researchers to swab Pinelands snakes for adenovirus. All snakes collected from corralled hibernacula were swabbed for adenovirus.

5.3 OTHER

- **Grant Application:** Science Office and Land Use Programs staff jointly submitted a pre-proposal grant application to the National Fish and Wildlife Foundation sponsored America's Ecosystem Restoration Initiative: America the Beautiful Challenge. This project would protect and restore wetland and upland habitats on state lands that are vital to rare plant and animal species and that have been damaged by motorized vehicles. The project would also involve collaboration

with smaller non-profit organizations and local governments to develop conservation plans to protect habitats damaged by vehicles on their lands.

6 COMMUNICATIONS

6.1 COMMUNICATIONS & PUBLICATIONS

- **Inquiries/Correspondence:**
The Communications Office received and responded to approximately 85 inquiries from the public in March, including phone calls, e-mails, and media inquiries.

- **Website:** Commission staff made routine edits to the website in March. Staff has asked the state Office of Information Technology for an estimate of costs and a service agreement to redesign the Commission’s website this year. The current site was redesigned in 2014.

- **Pinelands-themed Merchandise:**
The Commission set up and staffed a vendor table to sell Pinelands-themed merchandise during the Pinelands Short Course on March 9, 2024 and grossed \$462 in sales during 18 transactions. An additional purchase was made after the event. All proceeds from sales 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. Several attendees at



Above: The Commission set up and staffed a vending table to sell Pinelands-themed merchandise during the Pinelands Short Course on March 9, 2024, grossing more than \$460 in sales during 18 transactions.



Above: Commission staff shared 194 photos on Instagram in March 2024, including this newly captured photo of a carpenter frog in the Pinelands.

the Short Course expressed an interest in learning more about the Fund, including possible, future opportunities to receive grants to support projects that feature native plants.

- **2023 Annual Report:** The Commission adopted a resolution to approve the report during its regular meeting on March 8, 2024. ED Grogan delivered a [presentation](#) on the report, which has been posted on our website and shared with the public.



- **Social Media Enhancements:** In March, staff shared 194 photos and 15 videos on the Commission’s Instagram site and 74 tweets and retweets on X (formerly known as Twitter). Ten of the Commission’s photos were featured on other Instagram sites in March.

Above: Commission staff shared 74 tweets on X in March 2024, including this newly captured photo of an osprey fishing at a lake in the Pinelands.

6.2 EVENTS, OUTREACH & INTERPRETIVE PROGRAMS

- **Pinelands Municipal Training Session:** Staff spent much of March planning a new training session that will be held for zoning officers and all other municipal staff members who are involved with the land development process in the Pinelands. The Commission will hold the event at Stockton University’s Kramer Hall in downtown Hammonton on May 15, 2024. Staff also submitted the necessary documentation to Rutgers University, which will provide seminar attendees with three technical hours toward the renewal of their Rutgers Planning/Zoning Board Secretary, Zoning Official, and Land Use Administrator certificate(s). In late March, staff sent a “Save the Date” e-mail to a list of potential attendees, tested an interactive quizzing platform that will be used during the training and set up the online registration landing page through Constant Contact. Staff will send out the registration invitations in early April



Above: More than 500 people attended the 35th annual Pinelands Short Course on March 9, 2024.

2024.

- **Pinelands Short Course:** More than 500 people attended the 35th annual Pinelands Short Course, which was held at Stockton’s main campus on March 9, 2024. The event featured 30 presentations, including 14 new programs. Event evaluations are overwhelmingly positive, with more than 96% of survey respondents rating the event as excellent or good. Staff is currently planning the Pinelands Summer Short Course, which will be held at Kramer Hall in downtown Hammonton on June 28, 2024.
- **Education Programs:** A member of the Communications Office led a tour of the Pinelands for two new Commission staff members on March 14, 2024.

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 worked with Regulator Programs staff on improving reporting through a dashboard report that is in testing.
- **Geographic Information Systems:** Geographic Information Systems (GIS) allow the Pinelands Commission to manage, analyze, and map relevant data. Staff completed the upgrade to ArcGIS Pro and coordinated with ArcGIS sales staff to evaluate the current number of licenses and any additional licensing that may need to be purchased. Staff completed the full migration to the new ArcGIS server and is addressing any issues that arise individually before the final shutdown of the old server.
- **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). Staff participated in a statewide Active Directory inventory analysis that identified necessary upgrades to two servers in the 2025 budget year. Staff additionally worked with members of NJCCIC to prepare for the mandatory transition from GoToMyPC to Zscaler Private Access (ZPA) for staff to remotely access Pinelands Commission systems.
- **Conformance Tracking/Zoning system:** Staff worked with the Planning Office to improve the new SQL Server database that will act as a foundation for the new system through iterative steps of data evaluation and data cleansing. Staff continued to develop the new application interfaces with input from the Planning staff to provide access to the zoning data from the intranet.
- **Legacy Document Scanning:** The New Jersey Pinelands Commission was established in 1979, long before the revolutions in information systems that have taken place since then. All Commission applications and relevant documents from the earlier years were stored in paper format. The Document Scanning project was established to increase the efficiency of evaluating applications and conducting business by ensuring that all applicable documents are available electronically. Staff worked with Regulatory Programs to continue scanning documents and linking them to our PCIS system; specifically public development documents from 1998-2001.

- **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 Systems staff provides ongoing operational support to the PDC Bank. Staff developed a function to allow the editing of a PDC severance from the PC Web interface to complete the migration from the legacy desktop version of the software.
- **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 the required migration of legacy data and Oracle database to new server, working with Oracle support on hosting details. Staff provided access to our existing network hardware to the Office of Information Technology (OIT) to plan for new network installation. Staff provided support to Business Services for the purchase, installation, and configuration of a new LCD display for the Terrence D. Moore conference room.

8 BUSINESS OFFICE

8.1 Financial Management

- **Application Fees:** March 2024, Net Total: \$81,946.37, Fiscal Year to Date Total: \$708,520.01. This is 101.22% of the Fiscal Year 2024 anticipated fee revenue of \$700,000. The net total for March includes 17 online application payments totaling \$49,002.74.
- The State Auditors are on-site to begin the Fiscal Year 2022 audit. The anticipated duration of their stay is until December 2024. The FY22 Audit report is expected to be completed and released in January 2025.

8.2 FACILITIES MANAGEMENT

- The Smartboard in the TDM room has been replaced with a TCL - 98" Class S5 S-Class 4K UHD HDR LED Smart TV with Google TV.
- RJS Lobby emergency lights: Due to the age of the current "High Hat" emergency lights in the RJS lobby, replacement parts are no longer available. An exit sign/emergency light has been installed to comply with the State Fire Inspection.