



# **NEW JERSEY PINELANDS COMMISSION**

## **MONTHLY MANAGEMENT REPORT**



Native slender blue flag irises blooming in the Pinelands Commission's rain garden,  
as photographed in May

**MAY 2024**

## 1 EXECUTIVE OFFICE

---

### 1.1 EXECUTIVE DIRECTOR

#### 1.1A COMMITTEE MEETINGS

- **Personnel & Budget (P&B) Committee:** The Committee did not meet in May.
- **Pinelands Climate Committee:** The Committee did not meet in May.
- **Policy & Implementation (P&I) Committee:** During its meeting on May 31, 2024, the Committee heard presentations on the Open Public Records Act legislation, the New Jersey Department of Environmental Protection (NJDEP) model Tree Removal Ordinance, and the annual work plan for long-term economic monitoring projects funded through the National Park Service agreement.

#### 1.1B RULEMAKING

- **Water Management (Kirkwood-Cohansey):** In March, staff finalized and distributed municipal model ordinances implementing the December 2023 Pinelands Comprehensive Management Plan (CMP) water management amendments. Pinelands municipalities have until December 4, 2024 to adopt the ordinance. Staff has encouraged Pinelands municipalities to adopt the ordinance as soon as possible. As of the end of May, 11 municipalities had submitted adopted ordinances to the Commission. Staff anticipates an additional 13 ordinances will be adopted and/or submitted in the month of June.
- **Stormwater Management:** In March, staff finalized and distributed municipal model ordinances implementing the December 2023 CMP water management amendments. Pinelands municipalities have until December 4, 2024 to adopt the ordinance. As of the end of May, 11 municipalities had submitted adopted ordinances to the Commission. Staff anticipates an additional 13 ordinances will be adopted and/or submitted in the month of June.

#### 1.1C OPEN PUBLIC RECORDS ACT

- A total of 12 Open Public Records Act (OPRA) requests were received in May. Seven were provided responsive material and five will be responded to in June.

#### 1.1D PINELANDS MUNICIPAL COUNCIL

- The Pinelands Municipal Council did not meet in May.

### 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. The Statement of Items Comprising the Record has been filed with the Court and a briefing schedule established.

- **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

The Legislature is holding budget hearings to develop a State budget for Fiscal Year 2025.

### Pinelands Specific Legislation

| <u>Bill No.(s)</u> | <u>Prime Sponsor(s)</u>          | <u>Synopsis</u>                                                                                                         | <u>Current Status</u>                                                                                                                                                                                                          |
|--------------------|----------------------------------|-------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| A4162/S2424        | Calabrese, Hall<br>Smith, McKeon | Establishes various programs in NJDEP concerning management of publicly owned forested land; appropriates \$60 million. | Assembly Bill –<br>Introduced, Referred to Assembly Environment, Natural Resources, and Solid Waste Committee on 4/8/24.<br><br>Senate Bill -<br>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/<br>Singer         | Establishes program, in NJDEP, for acquisition of development easements on privately-owned woodlands. | Assembly Bill -<br>Reintroduced and Referred to Assembly Environment Natural Resources and Solid Waste Committee on 1/9/24.<br><br>Senate Bill -<br>Reintroduced,<br>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.<br><br>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 on 1/9/24.<br><br>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                                               | Reintroduced, Referred to Assembly Community Development and Women’s Affairs                                                                                                                                  |

|             |                                |                                                                                                                                                                |                                                                                                                                                                                                                       |
|-------------|--------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|             |                                | updates to municipal master plans and zoning ordinances.                                                                                                       | 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.<br><br>Senate Bill introduced and referred to Environment and Energy Committee on 1/9/24.                  |
| A2792/S1106 | Greenwald, Wimberly/Timberlake | Concerns development and use of accessory dwelling units                                                                                                       | Assembly Bill – Introduced, Referred to Assembly Housing Committee on 1/9/24<br><br>Senate Bill – Introduced, Referred to Senate Community and Urban Affairs Committee, Combined with S2347 on 2/15/24                |
| 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.<br><br>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 NJDEP                                                                                                                                                  | <p>Assembly Bill – Introduced, Referred to Assembly Environment, Natural Resources and Solid Waste Committee on 2/12/24.</p> <p>Senate Bill – Introduced, Referred to Senate Environment and Energy Committee on 1/29/24.</p> |
| 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. | <p>Assembly Bill – Reported out of the Assembly Appropriations Committee on 3/14/24, Second Reading.</p> <p>Senate Bill – Passed by Senate and Received in Assembly without Reference, Second Reading on 5/13/24</p>          |
| 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 | <p>Assembly Bill – Reported out of Assembly Appropriation Committee on 3/14/24, Second Reading.</p> <p>Senate Bill – Passed by Senate and Received in the Assembly without Reference, Second Reading on 5/13/24</p>           |
| A3784/S2455 | McCoy/Bucco                                           | Makes \$100 million in federal funds available to NJDEP for grants to local governments for drinking                                                                                                                    | Assembly Bill – Introduced, Referred to Assembly Environment, Natural                                                                                                                                                         |

|             |                 |                                                                                                                                        |                                                                                                                                                                                                                    |
|-------------|-----------------|----------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|             |                 | water, wastewater and stormwater infra-structure projects                                                                              | Resources, and Solid Waste Committee on 2/22/24.<br><br>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.<br><br>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/S3268 | Katz/Steinhardt | Permits agriculture-related events on preserved farmland                                                                               | Introduced, Referred to Assembly Commerce, Economic Development and Agriculture Committee on 2/27/24.                                                                                                              |

|             |                                      |                                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                                                                           |
|-------------|--------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|             |                                      |                                                                                                                                                                                | Senate Bill – Introduced, Referred to Senate Economic Growth Committee on 5/16/24                                                                                                                                                                                                                                                                                                         |
| A3951/S2594 | Fantasia/Bucco, Smith                | Appropriates \$28,670,924 in 2003 and 1992 bond monies for loans for dam restoration and repair projects and inland waters projects                                            | <p>Assembly Bill – Introduced, Referred to Assembly Environment, Natural Resources and Solid Waste Committee on 3/4/24</p> <p>Senate Bill – Reported from Senate Environment and Energy Committee with Amendments, Second Reading on 3/4/24, Senate Amendment (Voice), Passed by Senate and Referred to Assembly Environment, Natural Resources, and Solid Waste Committee on 5/20/24</p> |
| A4117/S2857 | Calabrese, Conway/Greenstein, Smith  | Provides corporation business tax credit to taxpayers that develop qualified native pollinator habitat on undeveloped property                                                 | <p>Assembly Bill – Proposed for Introduction on 4/4/24.</p> <p>Senate Bill – Introduced on 3/4/24, Referred to Senate Environment and Energy Committee</p>                                                                                                                                                                                                                                |
| A4137/S1029 | Calabrese, Conway, Atkins/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 –<br>Introduced 1/9/24,<br>Referred to Senate<br>Environment and<br>Energy Committee                                                                                                                                       |
| A4145/S3065 | Lopez/McKeon,<br>Smith             | Excludes environmentally sensitive<br>and flood-prone lands from<br>designation as vacant or available<br>lands for affordable housing<br>construction | Assembly Bill –<br>Introduced, Referred<br>to Assembly Housing<br>Committee on<br>4/4/24<br><br>Senate Bill –<br>Reported from<br>Senate Environment<br>and Energy<br>Committee with<br>Amendments,<br>Second Reading on<br>5/13/24    |
| A4200/S3078 | Azzariti Jr.,<br>Kanittra/Schepisi | Prohibits collecting of certain costs<br>associated with offshore wind<br>projects from ratepayers                                                     | Assembly Bill –<br>Introduced, Referred<br>to Assembly<br>Telecommunications<br>and Utilities<br>Committee on<br>5/2/24<br><br>Senate Bill –<br>Introduced, Referred<br>to Senate<br>Environment and<br>Energy Committee<br>on 4/11/24 |
| A4223/S3114 | Sampson/Cruz-<br>Perez             | Establishes certification program<br>for zoning officers and land use<br>board administrators                                                          | Assembly Bill –<br>Introduced, Referred<br>to Assembly State<br>and Local<br>Government<br>Committee on<br>5/2/24<br><br>Senate Bill –<br>Introduced, Referred<br>to Senate Community<br>and Urban Affairs                             |

|             |                                                         |                                                                                                                                         |                                                                                                                                                                                                     |
|-------------|---------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|             |                                                         |                                                                                                                                         | Committee on<br>4/15/24                                                                                                                                                                             |
| A4260       | Inganamort,<br>Kanitra, Peterson                        | Prohibits NJDEP from requiring certain municipalities to adopt ordinance that controls tree removal and replacement                     | Assembly Bill –<br>Introduced, Referred to Assembly Environment, Natural Resources and Solid Waste Committee on 5/2/24                                                                              |
| A4370/S2347 | Lopez/Singleton,<br>Timberlake                          | Concerns development of accessory dwelling units and related municipal land use regulations                                             | Assembly Bill –<br>Introduced, Referred to Assembly Housing Committee on 5/16/24<br><br>Senate Bill –<br>Reported from Senate Community and Urban Affairs Committee, Second Reading on 2/15/24      |
| A4383/S3364 | Moen/Polistina                                          | Directs NJDEP to develop motor vehicle driving maps for State Forests                                                                   | Assembly Bill –<br>Introduced, Referred to Assembly Tourism, Gaming and Arts Committee on 5/16/24<br><br>Senate Bill –<br>Introduced, Referred to Senate Environment and Energy Committee on 6/3/24 |
| A4493/S2827 | Collazos-Gill,<br>Wimberly/<br>Singleton,<br>Greenstein | “Emissions Reduction Innovation Act”; authorizes gas public utilities to develop and implement plans to reduce greenhouse gas emissions | Assembly Bill –<br>Introduced, Referred to Assembly Environment, Natural Resources and Solid Waste Committee on 6/6/24<br><br>Senate Bill -<br>Introduced, Referred to Senate                       |

|             |                               |                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|-------------|-------------------------------|-------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|             |                               |                                                                                                             | Environment and Energy Committee on 2/27/24.                                                                                                                                                                                                                                                                                                                                                                                                         |
| A4045/S2930 | Danielsen, Flynn/Sarlo. Bucco | Makes various changes to process for access to government records; appropriates \$10 million                | <p>Assembly Bill – Reported from Assembly Appropriations Committee with Amendment, Second Reading on 5/10/24, Substituted by S2930 on 5/12/24</p> <p>Senate Bill – Reported from Senate Budget and Appropriations Committee with Amendments, Second Reading on 5/9/24, Passed by Senate on 5/13/24, Received in Assembly without Reference, Second Reading; Substituted for A4054; and Passed Assembly on 5/13/24; Signed by Governor on 6/5/24.</p> |
| S2816       | Smith/McKeon                  | Requires electric public utilities to submit to BPU and implement electric infrastructure improvement plans | Reported from Senate Committee on 3/4/24, Second Reading. Senate Amendment (Voice) on 5/13/24, Passed by Senate, Received in Assembly, and Referred to the Assembly Telecommunications and Utilities Committee, 5/20/24                                                                                                                                                                                                                              |
| S3308       | Scutari                       | Requires electric public utilities to implement certain improvements                                        | Senate Bill – Introduced, Referred to Senate                                                                                                                                                                                                                                                                                                                                                                                                         |

|  |  |                                                                         |                                  |
|--|--|-------------------------------------------------------------------------|----------------------------------|
|  |  | to the interconnection process for certain grid supply solar facilities | Environment and Energy Committee |
|--|--|-------------------------------------------------------------------------|----------------------------------|

## 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. Pemberton Township's application for a wetlands general permit was received on April 14, 2024. The Pinelands Commission issued the Freshwater Wetlands General Permit 17 for the project on May 31, 2024. The Commission staff was copied on an email from Pemberton Township to NJDEP providing notice that Pemberton was starting preliminary site work for the project. Included with this email was a copy of a Right of Entry Agreement between the NJDEP, Pinelands Preservation Alliance and Pemberton Township that was issued on May 23, 2024. During review of the Right of Entry Agreement, staff noticed a number of inconsistencies between the terms of the Right of Entry Agreement and the MOA; most notably the absence of a revegetation plan for the 4,980 sq. ft. sand area adjacent to the Magnolia Road parking area and the use of flowers and shrubs in the 9,250 sq. ft. sand area adjacent to the Coleman's Road parking area when the MOA required the planting of a combination of pitch pine and shortleaf pine at an equivalent rate of 300-400 plants per acre. Staff is working with representatives of Pemberton Township and NJDEP to resolve these inconsistencies.
- 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 2024, Stafford Township submitted additional information, including an updated stormwater report. Staff reviewed this information and, by letter dated April 23, 2024, requested that a site inspection be scheduled to review the depth to seasonal high water table determination in the stormwater report. The staff letter also requested additional information and revisions to the stormwater plan. A site inspection was performed on May 6, 2024 to confirm depth to seasonal high water. Stafford Township submitted the requested stormwater information on May 8, 2024. Staff has completed its review of the new stormwater information and continues to draft a MOA. Staff anticipates presenting the draft MOA to the CMP Policy & Implementation Committee at its July 26, 2024 meeting.
- 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. The MOA is also proposed to address a number of outstanding violations in the

Preserve, where development was undertaken without application to, or approval by, the Commission. Township representatives met with Chair Matos and the Executive Director on January 17, 2024 and provided an overview of their proposal. After receiving the recommendation of the P&I Committee, the Township made a presentation to the Commission at its April 12, 2024 meeting regarding the project and need for a deviation MOA. The Commission authorized the staff to work with the Township to develop the draft MOA. Staff conducted a site inspection with representatives of Evesham Township on May 14, 2024.

- **South Jersey Transportation Authority (SJTA):** The Federal Aviation Administration (FAA) contacted Commission staff on May 21, 2024 regarding potential development at the Atlantic City International Airport. The FAA asked for a meeting with staff to discuss the potential resource impacts, challenges and possible mitigation for the potential development. FAA is currently assessing the appropriate level of environmental investigation for the potential development under the National Environmental Policy Act. The requested meeting occurred virtually on June 7, 2024. Atlantic City International Airport is the subject of a 2004 Memorandum of Agreement and an April 16, 2019 MOA Amendment between the Pinelands Commission and the South Jersey Transportation Authority. Both the MOA and MOA amendment afford deviations from the CMP's threatened or endangered wildlife standards because of development impacts to threatened and endangered bird species, among other things. To date, SJTA has not submitted an application or reached out to the Commission regarding any further development at the airport. It is highly likely that SJTA would need to propose another deviation MOA to accommodate additional development on the site.

### 1.3 HUMAN RESOURCES

- **Contract Negotiations:** Meetings with legal counsel and management were held on May 14 and May 29, 2024. A negotiation session was held with the Communication Workers of America Union (CWA) on May 20, 2024.
- **Recruitment:** In May, Amber Mallm, Planning Specialist 3, and Lori Friddell, Technical Assistant 2, started in the Land Use Programs office. Recruitment efforts are still underway for a second Planning Specialist vacancy in the Land Use Programs office. Recruitment began for a Research Scientist in mid-May. In-person interviews were conducted for the MIS 4 position in the Information Systems office and a candidate was hired. The start date will be June 3, 2024.
- **Trainings:** Staff participated in the following trainings: GoToWebinar – Reporting Retroactive Salaries for Local Education or Local Government Employers and GoToWebinar – When a Member Retires: Going the Extra Mile

## 2 INTERAGENCY COORDINATION

---

- **Interagency Council on Climate Resilience (IAC):** In May, staff from the New Jersey Office of Emergency Management presented an update of the New Jersey State All-Hazard Mitigation Plan.

- **NJDEP:** In May, NJDEP released its proposed NJPACT Resilient Environments and Landscapes (REAL) rule amendments for review. The REAL rules are designed to adjust coastal flood hazard areas, create an inundation risk zone, improve water quality and reduce flooding, encourage nature-based solutions, support renewable energy and improve state alignment with FEMA’s national flood insurance program. Staff attended a series of topical public webinars throughout May to learn more about the proposed rules and their potential applicability in the Pinelands Area. NJDEP anticipates publication of a formal rule proposal in the summer, followed by a 90-day public comment period and three public hearings.

### 3 LAND USE PROGRAMS

#### 3.1 CONFORMANCE ACTIVITY

|                                           | Monthly Total | Calendar Year to Date |
|-------------------------------------------|---------------|-----------------------|
| <b>Master Plans/Ordinances Received</b>   |               |                       |
| Adopted                                   | 19            | 42                    |
| Drafted or Introduced                     | 21            | 48                    |
| Total <sup>1</sup>                        | 12            | 50                    |
| <b>Master Plans/Ordinances Reviewed</b>   |               |                       |
| Substantial Issue Finding <sup>2</sup>    | 0             | 4                     |
| No Substantial Issue Finding              | 22            | 33                    |
| No Issue Finding                          | 2             | 6                     |
| Total                                     | 24            | 43                    |
| <b>Finding Letters Issued<sup>3</sup></b> | 11            | 23                    |

#### 3.2 CULTURAL RESOURCE ACTIVITY

| Activity              | Monthly Total | Calendar Year to Date |
|-----------------------|---------------|-----------------------|
| Applications Reviewed | 19            | 77                    |

<sup>1</sup>The 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).

<sup>2</sup> 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.

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

|                                          |   |    |
|------------------------------------------|---|----|
| Surveys Required                         | 0 | 12 |
| Surveys Reviewed                         | 4 | 13 |
| Certificates of Appropriateness Required | 0 | 1  |

**Notable Activity:**

- Fenwick Manor – Staff received a draft scope of work from the New Jersey Department of the Treasury and provided comments to the Department. This document, once finalized, will be used to hire a consultant to perform the rehabilitation work described in the Fenwick Manor Preservation Plan. The project is being funded by the Pinelands Commission with the help of a 50/50 match Capital II Preserve New Jersey Historic Preservation Trust Fund Grant, administered by the New Jersey Historic Trust.

### 3.3 PINELANDS DEVELOPMENT CREDIT (PDC) PROGRAM

| Activity                      | Monthly Total | Calendar Year to Date |
|-------------------------------|---------------|-----------------------|
| PDCs Allocated                | 7.62          | 19.37                 |
| 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                 | 1.25          | 9.00                  |

**Notable Activity:**

- PDCs were allocated to a total of 257.67 acres in the Agricultural Production Area in Winslow, Franklin and Monroe townships. PDCs were also allocated to 20 acres in the Preservation Area District in Galloway Township through an amendment of an unexpired Letter of Interpretation (LOI). Three LOIs were issued for allocations of less than 0.25 PDCs.
- PDCs were redeemed for residential development in Dennis, Egg Harbor, Galloway and Stafford townships.

### 3.4 SPECIAL PROJECTS

- **MS4 Model Tree Ordinance:** Pinelands municipalities are required to adopt tree removal and replacement ordinances to meet the requirements of the Tier A MS4 Permit. Staff has started to receive adopted ordinances as well as municipal inquiries seeking feedback on the NJDEP model tree ordinance's consistency with the CMP. In June, staff will do proactive outreach to Pinelands municipalities regarding any potential conflicts with the CMP. Staff will also engage with NJDEP staff as needed.
- **Long-term Economic Monitoring:** For economic and cultural resource projects funded through the National Park Service agreement, staff presented the work plan to the Policy and Implementation Committee. The presentation covered projects for the upcoming federal fiscal year starting in October 2024.

## 4 REGULATORY PROGRAMS

---

### 4.1 APPLICATION ACTIVITY

| Activity                          | Monthly Total | Calendar Year to Date |
|-----------------------------------|---------------|-----------------------|
| Pre-Application Conferences       | 4             | 35                    |
| Certificates of Filing            | 31            | 87                    |
| Public Development Reports        | 3             | 10                    |
| Forestry Certificates of Filing   | 0             | 2                     |
| PDC Letters of Interpretation     | 9             | 16                    |
| Non-PDC Letters of Interpretation | 0             | 1                     |
| MOA Consistency Determinations    | 7             | 24                    |
| Review of Agency Determinations   | 74            | 278                   |

### 4.2 NOTABLE APPLICATIONS

- **Bed and Breakfast Accessory to an Agricultural Use, Winslow Township (Applicant: White Horse Winery, App. No. 1989-0951.007):** This application proposes a bed and breakfast inn accessory to an existing winery. The winery includes 25 acres of vineyards and several agricultural processing buildings, including a building for public wine tasting, on a 59-acre parcel. The winery is located in a Pinelands Agricultural Production Area. The Commission was initially advised that the Township granted a use variance to allow the proposed use. By email dated December 5, 2023, the Commission staff advised that the granting of a use variance for a use not otherwise permitted in a Pinelands Agricultural Production Area raised a substantial issue



with the permitted land uses standards contained in the Township land use ordinance and the CMP. On March 11, 2024, the Commission staff discussed the permitted land use issue with an attorney representing the applicant. The Commission staff provided guidance regarding whether the proposed use could qualify as a permitted land use as an accessory use to the existing agricultural operation (winery) located on the parcel. On March 27, 2024, the applicant's attorney submitted information addressing how the proposed bed and breakfast inn could qualify as an accessory use to the existing winery. By letter dated May 17, 2024, the Commission staff responded to attorney's letter indicating that, if the Township agreed, it appeared that the proposed bed and breakfast inn could qualify as an accessory use to the existing winery. If it did, this should eliminate the need for a Township use variance to permit a commercial use that is not otherwise permitted in a Pinelands Agricultural Production Area.

- **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 Commission staff letter also inquired as to the source of the fill/soil material that was brought to the parcel for the purposes of improving the driveway. The Township land use ordinance and the CMP prohibit 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. By letter dated April 3, 2024, the Commission staff again requested that the property owner provide information addressing the source of the fill material. On April 5, 2024, the property owner submitted a voluminous amount of information. By letter dated May 13, 2024, the Commission staff requested that the property owner either identify the specific information contained in the April 5, 2024 submission that specifically addressed potential soil contamination or complete and submit the results of soil testing.
- **Public Safety Building, Mullica Township (Applicant: Mullica Township, App. No. 1991 - 0320.005):** On April 2, 2024, an application was initiated with the Commission for the proposed development of a 4,473 square foot public safety (police) building at the existing Mullica Township municipal complex. The municipal complex and the proposed building are located in the Pinelands Village of Elwood. On April 14, 2024, additional application information was

submitted to the Commission. By letter dated May 14, 2024, the Commission staff identified the information necessary to complete the application. Considering the public safety need for the proposed building, the Commission staff is coordinating its review of the application with both Mullica Township and the Atlantic County Improvement Authority (ACIA). The ACIA is providing funding for the proposed public safety building. As part of that effort, the ACIA is soliciting construction bids for the proposed public safety building prior to Commission approval of the proposed building.

- **Change in Use of Former Elementary School, Bass River Township (Applicant: Maple River, 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. On November 20, 2023, an application for the change in use was filed with the Commission. The Commission issued a Certificate of Filing on January 5, 2024. On April 19, 2024, the Commission staff received notice that the Bass River Land Use Board approved the proposed change in use. By letter dated May 15, 2024, the Commission staff advised that the Bass River Land Use Board approval for the proposed change in use could take effect.
- **Landfill Capping, Pemberton Township (Applicant: Pasadena Pemberton Solar Farm on behalf of Pemberton Township, App. No. 2021-0112.005):** An application proposing minimal vegetation clearing and minimal soil disturbance necessary for the delineation of the limits of a former Township landfill on a 27-acre parcel was previously approved by the Pinelands Commission. Threatened and endangered (T&E) species survey work undertaken as part of that application confirmed the presence of two T&E animal species on the parcel. The parcel is located in the Pinelands Preservation Area District. On April 24, 2024, an application was filed with the Commission for the proposed soil capping of the landfill. An application has also been initiated to develop a solar energy facility on the capped landfill. The soil capping application included additional T&E survey work. The additional T&E survey work documented the extensive presence of an endangered animal species on the parcel. A second threatened animal species was also documented on the parcel. By letter dated May 30, 2024, the Commission staff advised that based upon the information contained in the T&E survey, the parcel contains critical habitat for the survival of local populations of the two T&E animal species. The May 30, 2024 letter also indicated that it appeared the proposed soil capping of the existing landfill would result in an irreversible, adverse impact on habitats that are critical to the survival of the local populations of the two T&E animal species. The Commission staff's May 30, 2024 letter further advised that the proposed soil capping of the existing landfill required a Pinelands Commission Waiver of Strict Compliance based upon a compelling public need. To pursue such a waiver, the Commission staff letter requested information addressing whether any soil or groundwater contamination associated with the former landfill constituted a threat to public health or safety.
- **Communications Tower, Washington Township (Applicant: Lower Bank Volunteer Fire Company, App. No. 2022-0069.001):** On May 3, 2022, an application was initiated with the Commission for the proposed installation of a communications tower on a parcel containing the Lower Bank Volunteer Fire Company. The proposed tower is located in the Pinelands Village of Lower Bank. The application appeared to propose a tower for an AT&T FirstNet antenna. At that time, it was unclear whether the tower was proposed as an accessory use to the existing firehouse or as a principal use. On September 11, 2023, the Commission staff issued a Certificate of Filing for the proposed installation of a communications tower accessory to the Lower Bank

Volunteer Fire Company. On February 14, 2024, the Commission received notice of the Township Planning and Zoning Board approval of the proposed communication tower. By letter dated February 26, 2024, the Commission staff requested that certain additional information associated with the Township's approval be submitted to the Commission. The applicant responded to that request on February 28, 2024. By letter dated April 3, 2024, the Commission staff advised that the proposed development raised a substantial issue with permitted use standards and scheduled a public hearing to review the substantial issue. This issue is raised because the proposed tower is only a permitted land use in the Pinelands Village of Lower Bank if it qualifies as an accessory use to the existing Fire Company. The application form submitted to the Pinelands Commission indicated that the purpose of the proposed tower was to improve public safety coverage for the Fire Company. The Commission Certificate of Filing issued on September 11, 2023 specifically indicates that the tower is proposed as accessory to the existing fire company on the parcel. The Commission staff requested that the applicant submit the November 1, 2023 and August 2, 2023 Township Planning and Zoning Board meeting minutes to clarify whether the tower was proposed to the Board as accessory to the existing Fire Company and whether testimony was offered as to how the proposed tower qualified as an accessory tower to the existing Fire Company. The minutes reflect that no testimony was apparently offered regarding how the proposed tower would qualify as accessory to the Fire Company or why the proposed tower was necessary to improve public safety coverage for the Fire Company. The Township Planning and Zoning Board Resolution No. 5 indicates that the "Fire Company location was the best location as it satisfies the Pinelands requirements for a telecommunication tower," and "... the facility will be made available for co-locating by other carriers." The Township Planning and Zoning Board Resolution No. 6-2023 indicates that the applicant received a municipal use variance for a "proposed cell tower." If the proposed tower does not qualify as an accessory use and constitutes a principal use, the proposed tower is not a permitted land use in a Pinelands Village in the absence of a Pinelands Commission approved comprehensive plan for local communications facilities. On May 17, 2024, the applicant submitted information addressing the issues raised in the Commission staff's April 3, 2024 letter. In addition, by letter dated May 17, 2024, the Township Planning and Zoning Board Attorney provided a revised Township resolution of approval for the proposed communications tower. That information is currently under review.

- Marina, Washington Township (Applicant: MK3 Holdings, App. No. 2022-0004.001):** On April 6, 2022, the Commission staff received a request for a pre-application conference for the proposed expansion of an existing marina located on the Mullica River. The proposed expansion consisted of approximately 60 boat slips and 15 jet ski slips. The proposed marina expansion also included the dredging of approximately two acres of the Mullica River to a depth of approximately four feet below the existing riverbed. At that time, the Commission received public comment on the proposed marina expansion. A pre-application conference was conducted on May 5, 2022. The proposed marina expansion is located in the Pinelands Preservation Area District. By letter dated May 23, 2022, the Commission staff advised that the proposed development in the Mullica River is subject to the permitted land use standards of the Township's certified land use ordinance and the CMP and that the proposed development appeared to require a use variance from Washington Township. On September 13, 2023, an application was submitted to the Commission for the proposed marina. On October 4, 2023, the Commission received the required application fee to allow for review of the application. By letter dated December 1, 2023, the Commission staff identified the necessary information to complete the application. On January 31, 2024, the Commission staff met with the applicant and the applicant's

representatives to discuss the requirements to complete the application. The primary discussion items at that meeting were the proposed dredging and the information necessary to demonstrate that the proposed marina qualified for the provision contained in the CMP permitting the expansion of a pre-1981 existing intensive recreational use. By letter dated April 30, 2024, the application was amended to propose only the maintenance dredging of 1.25 acres of accumulated sediments from the Mullica River. On May 17, 2024, the Commission staff issued a Certificate of Filing for the proposed maintenance dredging.

- **Communications Tower, Dennis Township (Dennis Township Board of Education, App. No. 1988-0097.007):** On December 26, 2023 and January 2, 2024, information was submitted to the Commission on behalf of the Dennis Township Board of Education, proposing a 100 foot tall emergency services communication tower at the Dennis Township Elementary School. The proposed communications tower would be located in the Pinelands Village of Dennisville. The submitted information indicated that the proposed tower would be utilized for emergency communications by the Dennis Township School District and Dennis Township. The submitted information requested a determination whether the proposed tower is exempt from application to the Commission. By letter dated February 16, 2024, the Commission staff advised that regardless of whether the proposed communication tower did or did not require application to the Commission, the proposed communications tower must still meet the permitted use and environmental standards of the Township land use ordinance and the CMP. The Commission staff's February 16, 2024 letter further indicated that for a communications tower to be a permitted principal use, it must be located in a Pinelands Town, a Pinelands Regional Growth Area or be included in a Pinelands Commission approved comprehensive plan for local communications facilities in the Pinelands Area. This proposed tower would be located in a Pinelands Village and is not included in any Commission-approved comprehensive plan. The Commission staff's February 16, 2024 letter further indicated that for the proposed communications tower to be permitted, it would need to qualify as an accessory use to the existing elementary school on the parcel. To determine whether the proposed tower qualifies as an accessory use to the existing school, the February 16, 2024 letter requested the submission of additional information. On February 27, 2024, additional information was submitted. By email dated March 14, 2024, the Commission staff advised that it remained necessary to submit the previously requested information addressing the proposed geographic coverage area of the proposed communications tower. The geographic coverage information is necessary for the Commission staff to determine whether the proposed communications tower qualifies as an accessory use to the existing school. On May 6, 2024, the Commission staff received a request from the Township Board of Education to meet. During a subsequent telephone conversation, the Commission staff reiterated the need for the Board of Education to provide the previously requested geographic coverage information for the proposed communications tower. The Commission staff will issue a follow-up letter to the applicant indicating the need for the coverage area information.
- **Seasonal Agricultural Employee Housing, Town of Hammonton (Applicant: Glossy Fruit Farm, App. No. 1984-0389.011):** On October 23, 2023, the Commission sent a letter to the applicant indicating that the change in use of four agricultural storage buildings to seasonal agricultural employee housing on a 1.82-acre parcel required application to the Commission. The buildings are located in a Pinelands Agricultural Production Area. On October 26, 2023, an application for the change in use was submitted to the Commission. The parcel is serviced by an onsite wastewater disposal system. By letter dated November 23, 2023, the Commission staff advised

of the information necessary to complete the application. On April 17, 2024, the Commission staff met with the applicant and the applicant's representatives. By email dated April 23, 2024, the Commission staff advised that certain adjacent lands, currently subject to a PDC deed restriction that allows seasonal agricultural employee housing, could be further restricted for purposes of meeting CMP groundwater quality (septic dilution) standards. On May 10, 2024, the applicant submitted information addressing whether the four concerned agricultural storage buildings had been constructed in wetlands after the 1981 effective date of the Commission's regulations. That information is currently under review.

- **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 basins. By letter dated February 1, 2024, the Commission staff requested certain additional 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 review the information submitted on March 8, 2024 and issue a letter providing the results of its review. By letter dated April 16, 2024, the Commission staff advised that the proposed modification of the two stormwater management basins would not provide a sufficient volume of stormwater storage to allow either the existing residential development on Lot 5.01 or the proposed residential development on Lot 5.03 to meet the stormwater management standards. On May 20, 2024, the applicant submitted additional stormwater management information. That information is currently under review.
- **Lake Herbiciding, Town of 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 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 the subsurface mobility of the proposed herbicide, the Rutgers Agricultural Experiment Station, Pest Management Office Program regarding the subsurface mobility of the proposed herbicide and the applicant's consultant, all in an effort to assist Hammonton with developing a herbiciding proposal that will meet the T&E plant protection standard of the CMP. 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 was the Commission staff's understanding that Hammonton would be retaining the services of additional lake herbiciding expertise to address the question of the subsurface mobility of the proposed herbicide. A March 6, 2024 letter was submitted to the Commission from DuBois and Associates. A March 8, 2024 letter was submitted to the Commission from ARH Associates. An "updated" version of the March 6, 2024 DuBois and Associates letter dated March 11, 2024 was submitted to the Commission. By letter dated May 1, 2024, the Commission staff advised that the information contained in the three submitted letters regarding the subsurface mobility of the proposed herbicide summarized information that had previously been submitted to and reviewed by the Commission staff. The May 1, 2024 letter requested the submission of additional information addressing the subsurface mobility of the proposed herbicide. On May 30, 2024, the Commission staff received a request from the applicant to meet. On May 30, 2024, the staff discussed with the applicant's representative the meeting request. By email dated May 31, 2024, the Commission staff identified and summarized all the information that had been submitted to date addressing both the surface and subsurface the mobility of the proposed herbicide. The email requested confirmation of the Commission staff's summary of the submitted information. The email also requested that Hammonton submit any additional information that the Commission staff should consider in its evaluation of whether the proposed herbiciding would protect the local populations of the identified T&E plants.

- **Stormwater Management Basins, Barnegat Township (Applicant: Paramount, App. No. 2001-0245.003):** This application, approved by the Commission in 2000, proposed the development of 563 single family dwelling units on a 368-acre parcel in a Pinelands Regional Growth Area. Approximately 330 of the 563 single family dwellings have been constructed. Based on available information, two stormwater basins on the parcel are not functioning as designed. This constitutes a violation of the stormwater management standards of the Barnegat Township land use ordinance and the CMP. After discussion of the matter with the Barnegat Township Engineer, staff sent a letter to the developer on December 28, 2023 summarizing the situation and asked that the Township Construction Office refrain from issuing building permits for any of the remaining dwellings in this development until the stormwater management issue was addressed. By letter dated January 24, 2024, the applicant submitted a schedule to the Township and the Commission for preparation and implementation of a stormwater management basin remediation plan. On February 23, 2024, a copy of the proposed stormwater management basin remediation plan was submitted to the Commission. By letter dated April 3, 2024, the Commission staff advised that the proposed basin remediation plan was consistent with the stormwater management standards of the Pinelands Comprehensive Management Plan. The letter further indicated that the applicant could utilize a Certificate of Filing previously issued for this residential development application to pursue any necessary county or municipal permits and approvals that may be required for the proposed stormwater basin modifications. On May 20, 2024, the applicant submitted a revised proposal for remediation of the stormwater management basins. By letter dated May 29, 2024, the Commission staff requested additional stormwater management information regarding the revised proposal to remediate the two existing stormwater management basins.

## 5 SCIENCE

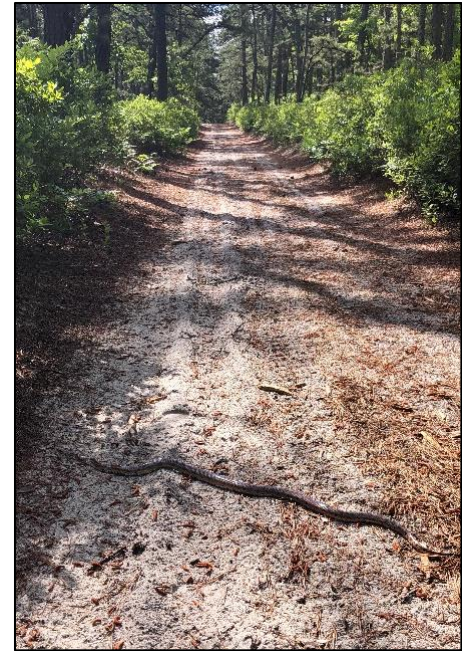
---

### 5.1 ENVIRONMENTAL MONITORING

- **Water Level Monitoring:** In May, 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 at seven ponds and a forest plot that are equipped with continuous data loggers.
- **Pinelands-wide Water Quality Monitoring:** With help from the Communications staff, Science staff completed the May round of measuring pH and specific conductance at the 37 ponds in the Commission network of long-term monitoring sites. This work is completed annually in April and May to assess trends in these two parameters in ponds over time.



- **Rare Snake Monitoring:** In May, Science staff began checking strategically placed cover boards for new snakes or snakes that were previously PIT tagged. A total of 15 corn snakes and 7 black racers were processed in May. Staff also surgically implanted transmitters or removed transmitters from several snakes. In collaboration with a Rutgers University graduate student, one



**Above:** This corn snake that was found crossing a sand road was originally found and PIT tagged in 2019.

of our scientists received training and is now certified to conduct surgeries on vipers, such as timber rattlesnakes. Similarly, our staff trained the Rutgers student to conduct surgeries on colubrids, such as pine snakes and corn snakes.

## 5.2 LONG TERM STUDIES

- **Box Turtle Study:** In May, staff continued to radio track turtles to determine the habitats used for foraging and nesting.
- **Snake Fungal Disease Monitoring:** Science staff continue to collaborate with researchers at Virginia Tech to swab Pinelands snakes for snake fungal disease.
- **Adenovirus Study:** Science staff continue to collaborate with Rutgers University researchers to swab Pinelands snakes for adenovirus.



**Above:** Radio tracked box turtles have used a variety of Pinelands forest types, including Atlantic white cedar swamps.



### 5.3 OTHER

- Science staff taught field radio telemetry methods to a Rutgers University Ecological Field Techniques Class. The class practiced using a receiver and antenna to locate animals equipped with transmitters.
- Science staff met with landowners and their forester to discuss forest management that has occurred on the property and how it may have affected corn snakes that Science staff are radio tracking on the property.



**Above:** Staff scientist discussing radio telemetry and data collection after locating a box turtle with Rutgers students.

## 6 COMMUNICATIONS

### 6.1 COMMUNICATIONS & PUBLICATIONS

- **Inquiries/Correspondence:**  
The Communications Office received and responded to approximately 86 inquiries from the public in May, including phone calls, e-mails, and media inquiries.
- **Website:** Commission staff made routine edits to the website in May.
- **Press Release:** On May 23, 2024, the Commission issued a press release to promote the 8<sup>th</sup> annual Pinelands Short Course.
- **Social Media Enhancements:**  
In May, staff shared 263 photos and seven videos on the Commission's Instagram site and 61 tweets and retweets on X (formerly known as Twitter). Nine of the Commission's photos were featured on other Instagram sites in May. Staff also used social media to promote current employment opportunities at the Commission and to highlight the agency's work.



**Above:** Commission staff shared 263 photos on Instagram in May 2024, including this macro photo of a native mountain laurel shrub blooming in the Pinelands.

- **Pinelands-themed Merchandise:** Staff processed \$18 in sales of Pinelands-themed merchandise in May. 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.



**Above:** Commission staff shared 61 tweets on its X account in May, including this newly captured photo of a native turkeybeard lily blooming in the Pinelands.

## 6.2 EVENTS, OUTREACH & INTERPRETIVE PROGRAMS

- **Pinelands Summer Short Course:** Registration for the 8<sup>th</sup> annual Pinelands Summer Short Course opened in May. The event will be held at Kramer Hall in downtown Hammonton on June 28, 2024. The event will feature 11 classroom sessions and four field trips. In addition to issuing a press release, staff has promoted the event in numerous social media posts.
- **Education Programs:** A member of the Communications Office educated approximately 640 people during six events in May.
- **Pinelands Municipal Training Session:** Seventy people participated in the Commission's in-person/virtual training session on May 15, 2024. Commission staff members delivered six presentations during the 3.5-hour event, which was designed for zoning officers and other municipal staff who are involved with the land development process in the Pinelands. Fifteen people attended the training session at Stockton University's Kramer Hall in downtown Hammonton, with an additional 55 participants attending via Zoom. The training session was very well-received. Following the event, Communications Office staff prepared and sent each participant a personalized, signed Certificate of Attendance. Attendees can send the certificate to Rutgers



**Above:** Seventy people attended the Commission's training session on May 15, 2024.

University, which will grant them three technical hours toward the renewal their Rutgers Planning/Zoning Board Secretary, Zoning Official, and Land Use Administrator certificate(s).

## **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 provided ongoing support for PCIS application-related issues.
- **Geographic Information Systems:** Geographic Information Systems (GIS) allow the Pinelands Commission to manage, analyze, and map relevant data. Staff continued migrating users to ArcGIS Pro so staff can take advantage of the numerous improvements. Staff moved to the final phase of transitioning to the new GIS server by moving all production links and data.
- **Cybersecurity:** Vigilance to protect the internal networks, hardware, and data of the Pinelands Commission is critical in today's networked world. Information Systems staff participated in the monthly call hosted by the New Jersey Cybersecurity & Communications Integration Cell (NJCCIC). Staff continued to work with members of NJCCIC to prepare for the mandatory transition from GoToMyPC to Zscaler Private Access (ZPA); New Jersey Office of Information Technology provisioned the necessary virtual machines to support the installation and staff began configuring the software for testing.
- **Conformance Tracking/Zoning system:** Staff worked with the Land Use Programs 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 Land Use Programs 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 continued the document scanning effort and updated the status report to include additional document types now being scanned.
- **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 participated in the PDC Bank Annual Report kick off meeting to discuss responsibilities and deadlines for providing necessary data, reports, and maps.
- **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. OIT staff toured the facilities to inventory the network hardware and devise a migration plan. Staff ordered and configured new workstations and laptops for new and upcoming hires. Staff also provided trial licenses of NearMap to all employees to allow the Pinelands Commission to evaluate the usefulness of near real time imagery for their processes.

## **8 BUSINESS OFFICE**

---

### **8.1 Financial Management**

- **Application Fees:** May 2024, Net Total: \$114,877.03 Fiscal Year to Date Total: \$977,727.60. This equates to 139.68% of the Fiscal Year 2024 anticipated fee revenue of \$700,000. The net total for May includes 17 online application payments totaling \$11,121.88.