



State of New Jersey
THE PINELANDS COMMISSION
PO Box 359
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(609) 894-7300
www.nj.gov/pinelands



PHILIP D. MURPHY
Governor
SHEILA Y. OLIVER
Lt. Governor

General Information: Info@pinelands.nj.gov
Application Specific Information: AppInfo@pinelands.nj.gov

LAURA E. MATOS
Chair
SUSAN R. GROGAN
Acting Executive Director

PINELANDS CLIMATE COMMITTEE MEETING

February 25, 2022

Immediately Following the 9:30 a.m. Policy & Implementation Committee Meeting

Pinelands Commission YouTube link:

<https://www.youtube.com/channel/UCBgpC8sbR3Acrjo7ppxs3Uw>

To Provide Public Comment, Please Dial: 929-205-6099 Meeting ID: 844 3799 7322

Agenda

1. Call to Order
2. Adoption of the December 1, 2021 Committee meeting minutes
3. Update on ongoing Pinelands Commission office initiatives
 - Local Government Energy Audit
 - Rain garden design and installation
4. Update on State initiatives
 - Interagency Council on Climate Resilience
 - Forest Stewardship Task Force
 - Natural and Working Lands Strategy
5. Discussion of draft resolution to acknowledge the goals of the NJ Global Warming Response Act and frame the discussion of future CMP amendments related to climate impacts
6. Public comment



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MEMORANDUM

To: Members of the Pinelands Climate Committee

From: Susan R. Grogan 
Acting Executive Director

Date: February 17, 2022

Subject: Meeting materials

Enclosed please find the agenda for the Committee's upcoming meeting on Friday, February 25, 2022. We have also included the following documents:

- The minutes from the December 1, 2021 Committee meeting; and
- A draft resolution amending Pinelands Commission Resolution PC4-20-37 to express the Commission's support of the goals of the New Jersey Global Warming Response Act and intention to implement strategies that will contribute to the State's meeting its 2050 greenhouse gas emission target. A copy of Resolution PC4-20-37 is also attached.

The Committee meeting will be conducted through Zoom.

The public will be able to view and participate in the meeting through the following YouTube link:
<https://www.youtube.com/channel/UCBgpC8sbR3Acrjo7ppxs3Uw>



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Pinelands Climate Committee Meeting

This meeting was conducted remotely.
All participants were present via Zoom conference.

YouTube link: <https://www.youtube.com/channel/UCBgpC8sbR3Acrjo7ppxs3Uw>

Minutes December 1, 2021

MEMBERS IN ATTENDANCE: Chairman Mark Lohbauer, Commissioner Edward Lloyd, Commission Chairman Richard Prickett

STAFF PRESENT: Acting Executive Director Susan R. Grogan, Ernest Deman, Stacey Roth, Jessica Lynch and Paul Leakan

Governor's Authority Unit: Rudy Rodas

1. Call to Order at 9:33 a.m.

2. Adoption of the September 15, 2021, Committee meeting minutes

Commissioner Lloyd moved the adoption of the minutes from the September 15, 2021, meeting. Chairman Prickett seconded the motion. The minutes were adopted with all voting in favor.

Chairman Lohbauer acknowledged the passing of former Commissioner Jay Mounier. He said he's never seen anyone so committed to the efforts of the Pinelands Commission.

Commissioner Lloyd said Mr. Mounier was a dedicated protector of the Pinelands.

Chairman Prickett said Mr. Mounier was friendly and approachable to everyone.

3. Update on the Commission's application for a Local Government Energy Audit

AED Susan Grogan said the application has been submitted and that the Commission has had some good conversations with the Board of Public Utilities (BPU) representatives. She said it would be good for the Committee to see the information that was gathered for the application.

Jessica Lynch, Business Services Manager, delivered a presentation on the Commission's Local Government Energy Audit (LGEA) application (*Attachment A to these minutes*).

AED Susan Grogan asked if a response time had been given upon submission of the application. Ms. Lynch said she had not received that information, but would ask.

Chairman Lohbauer asked what JCP&L and PSE&G are supplying. Ms. Lynch stated PSE&G supplies natural gas and JCP&L supplies electricity. She said that the Commission is part of a New Jersey state consortium. Chairman Lohbauer asked about the audit regarding lighting. Ms. Lynch said this will probably be in the next phase of the audit.

Chairman Prickett and Commission Lloyd asked why they requested the square footage of the parking lots. Ms. Lynch said she will find out that information.

4. Update on the design and installation of a rain garden at the Commission's offices

AED Susan Grogan said the Commission has put \$20,000.00 from the Katie Fund into the Fiscal Year 2022 budget to explore the possibility of siting, designing, and installing a rain garden that would also be an outdoor educational space. She said the Commission has had a successful beginning to that process.

Paul Leakan, Communications Officer, said it is critical to have experts determine where there are feasible locations for a rain garden. On November 22, 2021, Mr. Leakan and other Commission staff met with three representatives from the Rutgers Cooperative Extension Water Resources Program at the Commission's headquarters. He said they toured the grounds to assess possible sites for a rain garden. He said following that visit, the Rutgers representatives provided the Commission with a proposed scope of work for their services.

Under the first objective in the proposal, Rutgers would complete an engineering design for the rain garden, produce a detailed site survey, perform hydrology calculations, prepare a site plan and a landscape plan, and provide the Commission with detailed sheets and a cost estimate and materials list. The cost for the first objective would be \$2,500.00.

Under the second objective, Rutgers would provide construction oversight for the installation. He said the oversight includes having one of the designers from Rutgers on-site during the excavation of the rain garden as well as helping with the planting and mulching of the garden. The objective does not include material costs. The cost for the second objective is \$1,500.00.

He said that staff are still reviewing the proposal received last week. He said that since receiving the proposal, Rutgers has sent three concept plans and drawings for a rain garden, which Mr. Leakan screen-shared with the Committee. He said staff are looking favorably at concept three. He said if the Commission enters into an agreement with Rutgers, the Commission can have Rutgers staff come back to provide the Commission with more information and conduct tests. The Commission needs to do utility mark-outs and hire someone to do the digging for piping. He said it seems very positive for the location in concept three because of the terrain and the benefits for access for the public.

He said if the Commission proceeds to sign the agreement with Rutgers, he will reach out to a native nursery to get a cost estimate for that part of the project.

Mr. Leakan said that with the information the Commission has now, it seems very positive, and Rutgers is excited to work with the Commission. He said the garden could serve as a demonstration garden. He also said there are opportunities to put in a wayside panel that highlights the purpose and benefits of a rain garden.

Commissioner Lloyd said it is exciting and he can't imagine a better way to spend \$4,000.00. He said it will be interesting to see what the cost of construction will be.

AED Susan Grogan said Rutgers staff were wonderful to work with, and they were excited about the project. She said she was impressed with the knowledge and their suggestions, and how quickly they responded with the concept plans.

Chairman Lohbauer said it sounds like Rutgers's focus is on the drainage issues and the accumulation of rainfall. He asked if Rutgers will be involved in the selection of the plantings for the garden. Mr. Leakan replied that Rutgers would absolutely be involved. He said their expertise will be critical in plant selection. He said everything would be run by the Commission's Science office and others internally to determine plant selection.

Chairman Lohbauer asked if this can be an area that could have seating around the perimeter. Mr. Leakan said that's a good idea and a possibility. He said he feels the entire grounds can be a place for the public and the employees to enjoy.

Chairman Prickett asked, relative to the third concept plan, if the excess water would drain into the swale which then drains into the retention basin. Mr. Leakan said that is a question he will ask Rutgers.

Chairman Prickett asked if the precipitation from the Sullivan Center roof would end up in these areas and whether there would need to be piping all around the building. Mr. Leakan said that is something that needs to be asked.

Chairman Prickett said he would like to see a three-dimensional portrayal of what the rain garden might look like and asked whether Rutgers would provide that portrayal. Mr. Leakan said Rutgers will produce drawings, and the area they've selected in the third concept does not remove any existing planting.

Chairman Lohbauer thanked Mr. Leakan and said this will afford the Commission the opportunity to lead by example, demonstrating stormwater management on our site.

5. Selection of Committee meeting dates for 2022

AED Grogan suggested that the Committee not meet every month as that has proven very difficult. She suggested meeting every other month, starting in February, with a meeting

date in the middle of the month. She said meetings can always be added if necessary.

Commissioner Lloyd said it would be easier to schedule each month and cancel as needed rather than add a meeting when necessary. He asked if it is feasible to schedule the meeting the afternoon of a Policy & Implementation (P&I) Committee meeting when the Commissioners are already traveling here.

AED Grogan said that has been discussed in the past, the issue being the P&I meetings can be quite lengthy, going to lunchtime. At present time, during the P&I meetings we have Commissioners that are not able to remain in attendance for the full meeting, needing to leave meeting by 11 a.m. or 12 p.m., so this would be a concern. She said the Committee could try that depending on the given month's P&I agenda.

AED Grogan said as far as scheduling the meeting and canceling, canceling is not hard, but does cost the Commission money to advertise the canceled meeting.

Chairman Prickett said his thought is maybe clustering the meetings, meet for three months in a row, then taking some time off. He said it's good to have follow-up. The Committee could have a discussion during the first meeting, then follow-up on the next meeting on those discussions where further information was needed or going to be provided.

Chairman Lohbauer said he understands and agrees with AED Grogan in scheduling bi-monthly meetings for this Committee. He said in the past year the Committee has been gathering a lot of information from different sources to identify climate issues that should influence our policy-making in the Pinelands. He said he sees the Committee focusing efforts on trying to draft and recommend amendments to the Pinelands Comprehensive Management Plan (CMP) to the full Commission for passage. The CMP will then include language that will allow the Commission to take the climate crisis into consideration and the Commission's obligation to mitigate that climate crisis. He said it will be a lot of work for staff to prepare language and for committee members to review and decide which amendments to recommend to the full Commission. Holding bi-monthly meetings would give staff time to work on the language. He said the Committee can call for a meeting as issues and opportunities for discussion come up. He said he likes Commissioner Lloyd's suggestion of piggybacking the meeting with the P&I meeting.

AED Grogan said Chairman Lohbauer made some good points about scheduling bi-monthly meetings with the P&I meeting dates, thus minimizing travel for the Committee members. She said she is currently working on ways, once we are back having meetings in person, to have some type of hybrid opportunity so the Commissioners will still be able to participate remotely if necessary. She suggested to start the first of these dual meetings at the end of February. Meetings would be held February, April, June, August, October, and December after the P&I meeting. Normally, there isn't a P&I meeting in December, so December will probably be changed.

Commissioner Lloyd recommended the following meeting months: February, March, May, July, September, and November. This schedule takes into consideration not having a meeting in December, and considering August is a high vacation month, while still being able to schedule six meeting dates for 2022. The Committee agreed to proceed with this schedule for 2022.

6. Discussion of possible amendments to the Comprehensive Management Plan (CMP)

Chairman Lohbauer said he would like to invite everyone, including members of the public, to provide suggestions for the Committee to amend and improve the CMP so that climate mitigation issues are addressed.

Chairman Lohbauer suggested three items to get discussion started in this ongoing process:

1. The goals of the NJ Global Warming Response Act should be incorporated into the Comprehensive Management Plan.
2. Applications to the Pinelands Commission for development should address climate impacts, in terms of greenhouse gas emissions, of the proposed development and indicate what alternative measures might be utilized to avoid or minimize those impact.
3. The climate impacts, in terms of greenhouse gas emissions, of the operations of the offices of the Pinelands Commission should be identified, and measures taken to avoid or minimize those impacts.

The first, he feels, is the most important and probably the easiest to do. He suggested the Commission add a phrase to the CMP that would say something to the effect that the CMP would be consistent with the goals of the New Jersey Global Warming Response Act (NJGWRA), which was adopted in 2007. He said he is suggesting this as it allows the Commission to say and do something in the CMP without having to reinvent the wheel. Chairman Lohbauer gave a brief overview of the goal of the act and the three areas of concern in the NJGWRA: transportation, home and business heating and lighting, and electric power generation in New Jersey.

Commissioner Lloyd said he agrees with Chairman Lohbauer that it makes sense establish these goals as a first step. Adopting goals already established by the legislature is a great idea. He said the implementation and the application of those goals will be critical. He said he does not know if the Commission can use the goals in its decision-making processes without further CMP amendments.

Stacey Roth, Chief Legal and Legislative Affairs, said she agrees with Commissioner Lloyd. She said goals are normally reflected within the statute itself, rather than in regulations. In this case, that would be the Pinelands Protection Act. Regulatory language is then written to implement and interpret the statutory mandate. She said although we would have the goals in the CMP under Commissioner's Lohbauer's suggested approach, that would not provide the necessary regulatory nexus. She said the

Commission would need to identify specifically how the Commission would regulate to achieve the goals. Those specific standards and implementation measures are what belong in the CMP. That would tell the regulated community how to conform its behavior to meet those objectives. She said the goals are good, but she is not sure that it is going to be effective to just incorporate those goals. She said the Commission needs to get to the detail of how the Commission is going to incorporate the goals. She said the goals are the policy, and the rules are the implementation of that policy.

Chairman Lohbauer said Ms. Roth made an excellent point and he does not disagree. He said he was looking for a way for the Commission to do something quickly and should not oversimplify the process.

AED Grogan suggested that the Commission could adopt a resolution saying, "These are the goals, we support these goals as policy, and this is how we want to proceed." She said that is also number three on Chairman Lohbauer's list. She said the Commission previously took this approach with the initial Climate Committee resolution, and this would be building on that resolution. The resolution would state the goals and that the Commission intends to move forward with rulemaking to implement them. She said this would amount to a guiding resolution, adopted by the Commission, that would establish a path going forward to come up with the rules. She said it is great for the Commission to establish goals, but the CMP needs to have specific standards, and that is what needs to be put into the rules. She said having the guidance, the resolution, and the references could be done now, making the path clearer, which is what the Commission is working towards, in terms of rulemaking as well.

Chairman Lohbauer said he likes the suggestion to do a resolution for the full Commission, if it could pass regarding the NJGWRA. This would satisfy his concern for action to be taken quickly to make it clear that the Commission is not just talking about climate anymore, and it is being made part of the Commission's decision-making process. He said the Committee can then take the time to get regulatory steps done properly.

Chairman Prickett said he thinks a resolution is a good idea. He asked that staff consider developing a policy booklet or manual related to applications and land use standards. Items like the resolution now being discussed could be included in the booklet, along with other Commission policies, so that when Commissioners evaluate applications or consider CMP amendments, the information will be readily available.

Ms. Roth said while she thinks a policy booklet is a good idea for people to understand the goals of what the Commission is trying to achieve, provided it is not viewed as a regulatory document.

Chairman Prickett said it was not meant in his view to be a regulatory document for the public, rather it was meant for other Commissioners to reference to gain insight into making decisions on applications.

AED Grogan said a notebook of policies and procedures would be useful. In the past, the staff put together such notebooks for new Commission members as part of their initial orientation sessions. She said the staff's annual orientation for newly elected municipal officials also serves this purpose. She said a booklet could be compiled without having to create many new documents. It would be useful for new and existing Commissioners, as well as for the new staff being hired.

Chairman Prickett said he does not mean to add a bunch of work for staff. He said this could be done one step at a time. He said he likes to have these things at his fingertips to reference.

AED Grogan said the Commission at one time had talked about creating a special page on the Commission's website relating to climate change. It would include links to previous presentations at Climate Committee meetings, the initial resolution for the Climate Committee, as well as the new resolution being talked about now. She said the website page could be a real focal point for the goals that the Commission has established.

Chairman Lohbauer said that sounds great. He suggested to Chairman Prickett that maybe the Committee asks the staff to show them some language that they would like to put into the existing policy document. He said maybe just a paragraph needs to be added that says, "The Commission has made it clear that climate guides their decision making." He said he would like to see how specific the Commission could get about a direction for these three suggested amendment subjects. He asked if the three committee members present could agree with the AED Grogan's suggestion that a resolution would be appropriate, then could a practical timetable be given for staff to draft a resolution to bring to the Commission or should it come to the Climate Committee first for recommendation. He said, ideally, he would like something to happen as soon as possible, so that the Commission can say this is the direction in which we are going and we are taking a firm approach. He said he would prefer if the Commission could do that with as few interim steps as possible.

Commissioner Lloyd said with respect to the resolution, that is absolutely the way the Committee should go at this time. This could be done quicker and accomplish the same goals. He said the resolution should be posted on the website to address Chairman Prickett's concerns of educating new Commissioners, new staff and the public. He said when the Commission adopts the first substantive climate CMP Amendment, we can put the goals in the CMP at that time, so it is not duplicating another process.

Chairman Prickett said he agrees.

AED Grogan asked Chairman Lohbauer about how best to address Item #2, which would require applications to address climate impacts. She said it might be good to include topics that the Commission is going to investigate (for example, solar and wind). She suggested putting some language into the resolution, so it is not very general, but begins to get a little more specific.

Chairman Lohbauer said he thought the resolution would be regarding Item #1 only, the NJGWRA, and points two and three as being very specific regulatory language that the Commission would pose as amendments to the CMP, which would take time to do. He said how far the Committee could go with the amendments would be a matter of debate among the Committee members and then among the Commissioners.

AED Grogan said she thought the resolution could clearly address the goals in Item #1, as well as Item #3, because it specifically relates to the Commission's own operations and does not require rulemaking.

Chairman Lohbauer said he would not be opposed to that if fellow Commissioners were agreeable. He said he did not want to put a lot of controversial items into one vote that would make it difficult for the majority to agree.

AED Grogan said she thinks if the resolution speaks about the goals of the NJGWRA clearly and the need to incorporate those goals at some point in the CMP with specific standards attached, that's a great thing for the resolution to do. She said she also thinks Item #3 about the Commission's own operations belongs in a guiding resolution; this item does not belong in the CMP. She said her concern is Item #2, which is where more specific standards for development come into play and whether we have an interest in having the resolution mention possible subjects.

Chairman Lohbauer said he would not be opposed to it, adding that this is the direction he would like to go if a majority would agree.

Chairman Prickett said his perception is maybe the Commissioners and the public have changed their attitudes towards climate change over the last year or two, so he is a little more optimistic that the Committee would get the support of the full Commission on a resolution including Items #1 & #3. He encouraged the Committee to move forward in putting a resolution together to put on the February agenda.

Ms. Roth said the Commission has always directed its staff through resolution if it is something significant and there are points that the Commission wants to see. Regarding Item #3 and our own operations, she said she agrees with AED Grogan that the best way to handle that would be through resolution.

Chairman Prickett said, for Item #2 he would like to see some specific language or ideas that would be considered.

Chairman Lohbauer suggested including language in the resolution to direct the staff to draft such language.

Chairman Prickett said that is fine.

AED Grogan said she has enough to get started on a draft and will aim for the February agenda.

Commissioner Lloyd said he agrees that the resolution can include aspects of Items #1, #2 and #3, as the resolution is not regulatory. He said the big part will be the next step to get an amendment to the CMP. He said he thinks it will be supported by colleagues and it will not be controversial. He said it will be controversial when regulatory standards are talked about but as a first step, we should get a resolution in place that everybody agrees to and that should make the CMP amendments a little easier.

Chairman Lohbauer said he thinks the Committee has come up with a good direction and thanked the Committee. He asked if there were any additional suggestions for the amendment discussion.

Chairman Prickett suggested that Committee members look through the CMP for areas that may need to be tweaked.

Commissioner Lloyd said in respect to item #2, he would like the Committee to think about some regulation about the felling of trees in a development application. He said he would want to require at a minimum a significant alternative analysis that demonstrates the need to fell trees as part of a proposal. He said that would be for CMP amendment, but it could be a goal in the resolution as well. He said the Committee should start to think about applications that call for clearing of trees and when that is appropriate and when it may not be appropriate. He said there should be a high standard in his view before we allow an applicant to fell trees.

Chairman Lohbauer said on that topic, two or three months back, Director Charles Horner produced a document on forestry goals on state lands. Mr. Horner had seven goals that we should pursue, with pro-forestation being the first goal. He said he thought this is something the Committee should look into as a potential CMP amendment.

Commissioner Lloyd said he thinks some of those goals can be incorporated into the resolution.

Ms. Roth said, with regard to governmental development, there is a no net loss act regarding trees, and this may be something to review for guidance concerning private development.

Commissioner Lloyd said he would like to see that, noting that he is not aware of that act.

Ms. Roth said she will provide citations.

Chairman Lohbauer asked if staff had any suggestions to add to the discussion for other areas of the CMP amendment for the Committee to consider.

AED Grogan said packets are going out today, Dec. 1, 2021, for the December 10, 2021, Commission meeting and on the agenda is the adoption of proposed stormwater management rules. The Governor's office and the state Department of Transportation have given the go ahead to move forward.

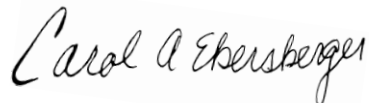
7. Public comment

Rhyan Grech of the Pinelands Preservation Alliance congratulated the Commissioners and staff for their work on the adoption of the proposed stormwater management rules. She said regarding the schedule for the Climate Committee meetings for the upcoming year, she understands the challenges, but she believes that this committee has not had a very regular schedule up until this point. She said with a regular schedule that there are many members of the public that would be very interested in participating in the meeting and would have a lot to contribute to the conversation. She asked the Committee take this into consideration. She said that it is great news about the rain garden the Commission is working on at the Commission facility. She recommended a possible CMP amendment for rain gardens larger than 1,000 square feet, which currently would require application to the Commission. She said she agrees with Chairman Lohbauer's recommendations in terms of incorporating the goals of the NJGWRA but cautions that these goals don't encourage easing environmental regulations to promote development of renewables.

Fred Akers of the Great Egg Harbor Water Association said he is a fan of the Climate Committee. He commended the Commission for establishing the Committee and the good work being done. He said he remembers that in the past there was a Science Committee meeting, which came and went, but the Climate Committee is picking up that work.

Chairman Prickett moved the adjournment of the meeting. Commissioner Lloyd seconded the motion, and all agreed. The meeting adjourned at 11:00 a.m.

Minutes submitted as true and correct.



Carol A. Ebersberger
Business Specialist

Date: January 11, 2022

LOCAL GOVERNMENT ENERGY AUDIT (LGEA) PROGRAM

for local & state governments and select non-profits

FY22 July 1, 2021 – June 30, 2022

PROGRAM SCOPE



The goal of the Local Government Energy Audit (LGEA) program is to provide applicants with a report on how their facilities use energy, identify energy conservation measures (ECMs), and present the results to applicants.

LGEA aims to support applicants so they are well positioned for next steps toward project implementation.

The LGEA program also guides applicants towards the appropriate rebate and incentive program(s) to help reduce the cost of implementing an energy efficiency project.

LOCAL GOVERNMENT ENERGY AUDIT (LGEA) SERVICES

Utility & Benchmarking Analysis	An analysis is conducted for the energy usage and cost information provided for each facility. This includes monthly utility profiles and determining the average blended utility rates. Benchmarking is provided by setting up an ENERGY STAR® Portfolio Manager® account for the applicant
Energy Audit	The energy audit will be scheduled with the applicant by the account manager. This stage of the process is a collaborative approach between the auditor and facility staff. It will include a facility interview and room by room data collection for all energy using systems and equipment. ECMs will be identified for analysis.

LOCAL GOVERNMENT ENERGY AUDIT (LGEA) SERVICES (continued...)

Facility & Existing Conditions	The building will be characterized by usage, occupancy profiles, size, and type. All energy systems and equipment will be described in detail including capacity, condition, efficiency, operation, and remaining useful life. This information is organized by system type and outline the energy baseline.
Energy Conservation Measures	The energy savings opportunities will be described in detail within the report. Each ECM will include an energy and economic analysis. Results include estimated material and labor costs, energy savings, annual energy cost savings, and simple payback periods.

LOCAL GOVERNMENT ENERGY AUDIT (LGEA) SERVICES (continued...)

Capital Improvements	Any additional energy savings opportunities that are cost and/or design intensive will be described in the report with the recommendation for further investigation. These potential improvements may be considered by applicants looking to take a comprehensive approach to energy efficiency and sustainability.
Distributed Energy Potential	A high-level assessment of renewable system installations will be performed. This includes distributed energy (DE) technologies such as photovoltaic (PV) systems and combined heat and power (CHP) systems. The assessment includes identifying key criteria to screen the facility for DE potential.

LOCAL GOVERNMENT ENERGY AUDIT (LGEA) SERVICES (continued...)

Energy Efficient Best Practices	A list of energy efficient best practices will be described in the report. These operational recommendations are low/no cost ways to save energy. They include recommended maintenance activities, energy conscious occupant behaviors, and operational strategies.
For Applicants interested in the Energy Savings Improvement Program (ESIP)	An LGEA satisfies the first step in the ESIP process. The audit will comply with the program requirements. The results of the LGEA position the applicant to pursue the ESIP program.

What is needed from the Pinelands Commission:

1. Identify which buildings will participate in the Energy Audit.
 - a. Richard J. Sullivan Center
 - b. Fenwick Manor
 - c. Carriage House
 - d. Barn
2. Provide 14 months of utility bills for each building selected. (Buildings must have a yearly average of 200 kW peak electrical demand.)
3. Obtain written approval of building owner (NJ Department of Treasury)
4. Submit application by June 30, 2022 to be considered in the current application period: FY 2022 – July 1, 2021 through June 30, 2022.



RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-22-_____

TITLE: Amending and Supplementing Resolution PC4-20-37 to Clarify the Objectives of the Pinelands Commission Relative to Climate Change in the Pinelands Area and the Responsibilities of the Pinelands Climate Committee

Commissioner _____ moves and Commissioner _____ seconds the motion that:

WHEREAS, the Chairman of the Pinelands Commission established the Land Use, Climate Impacts and Sustainability (LUCIS) Committee in December 2018; and

WHEREAS, in order to ensure that the policies, practices, regulations and actions of the Pinelands Commission serve to mitigate, not exacerbate, the impacts of climate change, the Commission adopted Resolution PC4-20-37 on November 13, 2020, setting forth the responsibilities and objectives of the LUCIS Committee and the Commission as a whole; and

WHEREAS, Resolution PC4-20-37 calls for the Executive Director and Chair of the Personnel & Budget Committee to examine all of the Commission's facilities, day-to-day operations and management practices, update the LUCIS Committee on the results of said examination and present to the Commission for its consideration recommended operational changes that would mitigate greenhouse gas emissions to the greatest extent feasible; and

WHEREAS, Resolution PC4-20-37 further specifies that the LUCIS Committee shall coordinate with the New Jersey Department of Environmental Protection, the Board of Public Utilities and other state agencies and departments on their efforts to mitigate the impacts of climate change in New Jersey; and

WHEREAS, Resolution PC4-20-37 also charges the LUCIS Committee with the responsibility of identifying existing Comprehensive Management Plan (CMP) standards that may be strengthened and new CMP standards that may be adopted to mitigate the effects of climate change on the Pinelands environment and to recommend such standards to the Commission for consideration as proposed amendments to the CMP; and

WHEREAS, Resolution PC4-20-37 specifies that the LUCIS Committee may also take other actions and make other recommendations to the Commission consistent with Resolution PC4-20-37, the Pinelands Protection Act and the CMP; and

WHEREAS, the LUCIS Committee was renamed as the Pinelands Climate Committee in April 2021; and

WHEREAS, at its December 1, 2021 meeting, the Pinelands Climate Committee discussed the mechanisms by which the Commission could best express its support for and intention to implement the goals of the New Jersey Global Warming Response Act of 2007; and

WHEREAS, the New Jersey Global Warming Response Act (P.L. 2007, c.112, P.L. 2019, c.197) requires that no later than January 1, 2050, Statewide greenhouse gas emissions shall be stabilized at or below 80 percent of the 2006 Statewide greenhouse gas emissions and shall not exceed that level thereafter; and

WHEREAS, on October 15, 2020, in response to the 2019 amendments to the Global Warming Response Act, the New Jersey Department of Environmental Protection issued its 80x50 Report containing strategies across seven emission sectors for reducing emissions to 80 percent below their 2006 levels by the year 2060; and

WHEREAS, at its December 1, 2021 meeting, the Pinelands Climate Committee also discussed the importance of developing standards that would allow for an evaluation of climate impacts when development applications are submitted to the Commission, as well as the identification of alternative measures that such applications might propose to avoid or minimize such impacts; and

WHEREAS, the Pinelands Climate Committee has recommended that the Commission amend and supplement Resolution PC4-20-37 to expressly reference the Global Warming Response Act and the development of CMP standards; and

WHEREAS, the Pinelands Commission wishes to amend and supplement Resolution PC4-20-37 accordingly; and

WHEREAS, pursuant to N.J.S.A. 13:18A-5h, no action authorized by the Commission shall have force or effect until ten (10) days, Saturdays, Sundays and public holidays excepted, after a copy of the minutes of the meeting of the Commission has been delivered to the Governor for review, unless prior to expiration of the review period the Governor shall approve same, in which case the action shall become effective upon such approval.

NOW, THEREFORE BE IT RESOLVED that Pinelands Commission Resolution PC4-20-37 is hereby amended and supplemented as follows:

1. The Pinelands Commission supports the goals of the New Jersey Global Warming Response Act of 2007, as amended, and is committed to implementing strategies through its daily operations and long-term planning and regulatory efforts that will contribute to the State’s meeting its 2050 greenhouse gas emission target.
2. The Pinelands Climate Committee shall consider, among other resources, the strategies included in the New Jersey Department of Environmental Protection’s 80x50 Report for meeting the Statewide greenhouse gas emission target as it develops and considers operational policies and potential CMP amendments related to climate change.

Record of Commission Votes

	AYE	NAY	NP	A/R*		AYE	NAY	NP	A/R*		AYE	NAY	NP	A/R*
Avery					Jannarone					Meade				
Christy					Lettman					Pikolycky				
Higginbotham					Lloyd					Quinn				
Holroyd					Lohbauer					Matos				
Irick					McCurry									

*A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission

Date: _____

 Susan R. Grogan
 Acting Executive Director

 Laura E. Matos
 Chair



RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-20- 37

TITLE: To Establish the Objectives of the Pinelands Commission Relative to Climate Change in the Pinelands Area and the Responsibilities of the Commission's Land Use, Climate Impacts and Sustainability Committee

**Commissioner Lohbauer moves and Commissioner Lloyd
seconds the motion that:**

WHEREAS, the Pinelands Protection Act of 1979 recognized the Pinelands Area as an area comprised of significant and unique natural, ecological, agricultural, scenic, cultural and recreational resources, among them pine-oak forests, cedar swamps and extensive surface and ground water resources of high quality that provide unique habitat for a wide diversity of rare plant and animal species; and

WHEREAS, to ensure protection of the Pinelands Area from the threat posed by development pressure, the Pinelands Protection Act directed the Pinelands Commission to adopt a comprehensive management plan designed to protect, preserve and enhance the significant values of the resources of the Pinelands Area; and

WHEREAS, since its adoption by the Commission in 1981, the Pinelands Comprehensive Management Plan (CMP) has encouraged appropriate patterns of growth as a means of protecting the overall Pinelands environment from the individual and cumulative impacts of scattered and piecemeal development; and

WHEREAS, through its implementation of the CMP, the Pinelands Commission has successfully safeguarded the core of the Pinelands Area while channeling growth toward designated areas with the infrastructure needed to support it; and

WHEREAS, collaborative efforts among the Commission, state, local, county and nonprofit organizations have preserved more than 50 percent (479,000 acres) of the land in the Pinelands Area to date; and

WHEREAS, these measures have not only protected the Pinelands ecosystem but have significantly benefited air and water quality, while protecting agricultural lands and vast wildfire-prone forests that serve to sequester carbon in the entire region when properly managed; and

WHEREAS, wetlands comprise approximately one-third of the Pinelands, and they play a critical role in filtering sediments, pollutants and nutrients from water, while also capturing and storing carbon, providing a buffer against sea level rise, and reducing the impacts of flooding and droughts; and

WHEREAS, the Pinelands Commission acknowledges there is ample scientific evidence documenting that climate change poses a new and severe threat to the Pinelands environment; and

WHEREAS, the Pinelands Commission endeavors to serve as an example for others as to how homeowners, businesses and local governments in the Pinelands Area should operate in order to mitigate and adapt to the significant challenges posed by climate change; and

WHEREAS, the Pinelands Commission is committed to building on the success of the CMP and the Pinelands protection program by refining the CMP so that climate change considerations may be incorporated in the Commission's future planning and permitting decisions; and

WHEREAS, to that end, the Chairman of the Commission established the Land Use, Climate Impacts and Sustainability (LUCIS) Committee in December 2018; and

WHEREAS, on October 9, 2019, New Jersey Governor Murphy signed Executive Order 89 which stated, in part: "WHEREAS, the severity of future impacts of climate change on our State will directly depend on the willingness and ability of communities, businesses, industries and *government entities*

[emphasis added] to integrate climate change considerations into planning and decision-making, and to become more resilient and adapt to the effects of climate change”; and

WHEREAS, on January 27, 2020, New Jersey Governor Murphy signed Executive Order 100 which stated, in part: “WHEREAS, it is the policy of this State that, as a key part of its efforts to curtail the serious impacts of global climate change caused by greenhouse gas emissions, New Jersey must pursue a just and smooth transition away from its reliance on fossil fuels as a primary energy source and build a stronger and fairer economy that relies primarily upon clean and renewable energy sources”; and

WHEREAS, in order to ensure that the policies, practices, regulations and actions of the Pinelands Commission serve to mitigate, not exacerbate, the impacts of climate change, it is now appropriate to detail the responsibilities and objectives of the LUCIS Committee and the Commission as a whole; and

WHEREAS, pursuant to N.J.S.A. 13:18A-5h, no action authorized by the Commission shall have force or effect until ten (10) days, Saturdays, Sundays and public holidays excepted, after a copy of the minutes of the meeting of the Commission has been delivered to the Governor for review, unless prior to expiration of the review period the Governor shall approve same, in which case the action shall become effective upon such approval.

NOW, THEREFORE BE IT RESOLVED that

1. The Pinelands Commission acknowledges the scientific consensus that human influence on the climate system is clear, recent anthropogenic emissions of greenhouse gases are the highest in history and recent climate changes have had widespread adverse impacts on human and natural systems.
2. The Pinelands Commission acknowledges the scientific consensus that the continued emission of greenhouse gases will cause further warming and long-lasting changes in all components of the climate system, increasing the likelihood of severe, pervasive and irreversible adverse impacts on people and ecosystems, including the Pinelands.
3. The Pinelands Commission further acknowledges that substantial and sustained reductions in greenhouse gas emissions are required, together with adaptation measures, to limit the risks of climate change.

BE IT FURTHER RESOLVED that

4. The Executive Director, in consultation with the Commission’s Personnel & Budget Committee, shall examine all of the Commission’s facilities, day-to-day operations and management practices. The Chair of the Personnel & Budget Committee shall update the LUCIS Committee on the results of said examination and shall present to the Commission for its consideration recommended changes that would mitigate greenhouse gas emissions to the greatest extent feasible.
5. The LUCIS Committee shall coordinate with the New Jersey Department of Environmental Protection, the Board of Public Utilities and other state agencies and departments on their efforts to mitigate the impacts of climate change in New Jersey.
6. The LUCIS Committee shall examine all Commission policies, including but not limited to those governing use of the Pinelands Conservation Fund, to determine those that may have an effect on climate change, those that serve to mitigate climate change and those that may be strengthened or otherwise amended to have such a mitigating effect, and shall recommend such changes to the Commission for its consideration.
7. The LUCIS Committee shall identify existing CMP standards that may be strengthened and new CMP standards that may be adopted to mitigate the effects of climate change on the Pinelands environment and shall recommend such standards to the Pinelands Commission for consideration as proposed amendments to the CMP. Such amendments may include the incorporation of language into the CMP that emphasizes the importance of mitigating the effects of climate change on Pinelands resources, in keeping with the goals set forth in the Pinelands Protection Act. The LUCIS Committee may also take such other actions and make such other recommendations to the Commission consistent with this mandate, the Pinelands Protection Act and the CMP as the Committee may deem appropriate.

8. The Pinelands Commission shall evaluate all proposed CMP amendments in terms of their potential impacts on greenhouse gas emissions and shall seek to include measures that will mitigate adverse impacts on the Pinelands environment.

Record of Commission Votes

	AYE	NAY	NP	A/R*		AYE	NAY	NP	A/R*		AYE	NAY	NP	A/R*
Avery	X				Irick	X				Pikolycky	X			
Christy			X		Jannarone	X				Quinn	X			
Earlen	X				Lloyd	X				Rohan Green			X	
Howell			X		Lohbauer	X				Prickett	X			

*A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission

Date: November 13, 2020



Nancy Wittenberg
Executive Director



Richard Prickett
Chairman

PINELANDS CLIMATE COMMITTEE MEETING

This meeting was conducted remotely

All participants were present via Zoom conference

The public could view/comment through Pinelands Commission YouTube link:

<https://www.youtube.com/channel/UCBgpC8sbR3Acrjo7ppxs3Uw>

Meeting ID: 844 3799 7322

February 25, 2022

Immediately following the 9:30 a.m. Policy & Implementation Committee Meeting

MINUTES

MEMBERS IN ATTENDANCE: Chairman Mark Lohbauer, Shannon Higginbotham, Jerome H. Irick, and Edward Lloyd

MEMBERS ABSENT: Alan Avery

OTHER COMMISSIONERS PRESENT: Chair Laura Matos, Theresa Lettman

STAFF PRESENT: Acting Executive Director Susan R. Grogan, Stacey P. Roth, Jessica Lynch, Charles Horner, Ed Wengrowski, Brad Lanute, Katherine Elliott, Steven Simone, Trent Maxwell, John Bunnell, Ernest Deman, Devin Walker, Paul Leakan, and Dawn Holgersen. Also present was Janice Venables, with the Governor's Authorities Unit.

1. Call to Order

Chairman Lohbauer called the Pinelands Climate Committee meeting to order at 10:39 a.m.

2. Adoption of minutes from the December 1, 2021 Pinelands Climate Committee meeting

Commissioner Higginbotham moved the adoption of the minutes of the December 1, 2021 Committee meeting. Commissioner Lloyd seconded the motion. All voted in favor.

3. Update on outgoing Pinelands Commission office initiatives

Local Government Energy Audit

Ms. Grogan said that the Commission was approved for the local government energy audit program. She said that Jessica Lynch, the Commission's Business Services Manager, hosted a site visit to inspect the Commission's offices.

Ms. Lynch said that on January 19, 2022, there was a full facility walkthrough. She said the consultant, through the Board of Public Utilities (BPU), was from The Research Corporation (TRC). She said they took many pictures during the visit.

She said that the Commission has received draft audit reports. She said it is in two parts. The first one is for the Richard J. Sullivan (RJS) Building. The second one is for the combined units of Fenwick Manor, the carriage house, and the barn, as they are on a campus meter. She said that the draft reports need to be reviewed within 30 days, then the reports will be finalized. She mentioned the possibility of having a presentation of the results to the Commission.

Chairman Lohbauer mentioned that the Batsto Visitors Center will be using a geothermal unit to provide their facility with heating and cooling. He suggested that it could be a guide for the Commission to use for more efficient heating and cooling.

Rain garden design and installation

Paul Leakan, the Commission's Communications Officer, provided an update on a project to install a rain garden at the Commission's office.

He said that, since the last meeting, the Commission has entered into an agreement with Rutgers Cooperative Extension to design and oversee the installation of the rain garden. He said the services will cost about \$4,000.

Mr. Leakan said that the preferred location has been selected for the placement of the rain garden. He said that it will be near the front and side entrances to the RJS Building. He said the rain garden will have an area of about 650 square feet. He said there will also be a bioswale, which is similar to a rain garden, but it conveys water and allows some infiltration.

He said that a concept drawing is forthcoming. He said the project manager came out on the same day as the energy audit. He said they conducted a two-hour survey. He said that they used a measuring tool that will upload information into architectural software. He mentioned that 181 photos were taken.

Mr. Leakan said that the drafted drawings should be completed by March 16th. He said those drawings will be reviewed for possible feedback. He said that upon signoff, the project will move on to receiving signed engineering drawings. From there, he said, there will be a determination of a contractor for any digging. He also said that plants will then be selected, and supplies will be ordered. He said he provided Rutgers with a list of native Pinelands plants.

He said that there will also be a decision on the placement of a wayside panel to educate visitors on the purpose of the rain garden. He suggested that the Commission staff could create the images for the panel.

In response to Chairman Lohbauer's question as to the timeframe for the project, Mr. Leakan said that Rutgers will provide a timeline, and it is anticipated that the project will start in the spring.

Chairman Lohbauer praised Mr. Leakan for providing a list of native Pinelands plants. Mr. Leakan emphasized the importance of the Commission's list to provide clarity on the subject. He said that the Commission is committed to using only native Pinelands plants in the construction of the rain garden.

Commissioner Irick commended Mr. Leakan for his work and asked if signage will be used to identify individual plants. Mr. Leakan replied that it has been done in other garden projects at the Commission's headquarters. He said that they will use the same types of markers.

4. Update on State initiatives

Ms. Grogan indicated that the state is involved in a number of initiatives. She said they were put on the agenda to make the Commissioners aware of the State's efforts and how the Commission fits in to them.

New Jersey Interagency Council on Climate Resilience

Ed Wengrowski, the Commission's Environmental Technical Coordinator, presented a slideshow on the New Jersey Interagency Council on Climate Resilience (NJIC) (*attached to these minutes*).

Mr. Wengrowski mentioned that the Commission had received an invitation to participate on the Council. He said that Commission staff will be asked to contribute to the work of the Council.

He said that the Council was created through Executive Order No. 89, which was signed on October 2019. He said that it was established to develop short- and long- term action plans to promote the long-term mitigation, adaptation and resilience of the State's economy, communities, infrastructure and natural resources.

He said the Council will support the development and implementation of the State's Climate Change Resilience Strategy.

Mr. Wengrowski said that the NJIC is Chaired by Jane Cohen, Executive Director of the Office of Climate Action and the Green Economy. He mentioned that the former Vice-Chair was the State's first Chief Resilience Officer, Dave Rosenblatt, who retired at the end of 2021. He said that the new Chief Resilience Officer is Nick Angarone of the New Jersey Department of Environmental Protection (NJDEP) Coastal Management Program.

He said that NJIC held its first meeting in December 2019 and the participating agency liaisons have met monthly since August 2021. He said that the Commission was invited to join the Council in October 2021.

He said that Susan Grogan, Acting Executive Director, serves as the Commission's Principal Member. Mr. Wengrowski is the Commission's Primary Liaison to the Council.

Mr. Wengrowski said the NJIAC issued the NJ Climate Change Resilience Strategy in October 2021. He said the six identified priorities are to build resilient and healthy communities, strengthen the resilience of NJ's ecosystems, promote coordinated governance, invest in information and increase public understanding, promote climate-informed investments and innovative financing, and development a coastal resilience plan.

He said that the Council has recently developed an Operating Principles document. He said that document establishes the NJIAC governance structure, outlines expectations for primary liaison members, and sets the meeting structure for cabinet-level meetings, primary liaison meetings, working group meetings and Steering Committee meetings.

He said the Council is currently developing a workplan document.

Mr. Wengrowski said that the Commission will be asked to develop an action plan for implementation that addresses the items identified in Executive Order No. 89. He said the Commission will also be asked to provide periodic updates to the Council on Commission actions in furtherance of meeting the objectives in the Executive Order.

He said that the work of the Climate Committee will be brought to the NJIAC.

Chairman Lohbauer asked if the NJIAC has given the Commission a timeframe to develop an action plan. Mr. Wengrowski replied that it has not been specified. He went on to say that the Vice-Chair is working through the agencies to provide updates. He said that it is likely that within the coming months, up to 12 months, the Commission will be asked to make a presentation.

Chairman Lohbauer also asked if the NJIAC has established an outline for what should be in the plan. Mr. Wengrowski said yes, and that it is in development. He said that all of the agencies are participating in the development of that outline.

In response to Chairman Lohbauer's question about Committee input, Mr. Wengrowski said that Commission staff will be looking to the Committee for the actions that will be presented to the Council.

Forest Stewardship Task Force

Chairman Lohbauer mentioned that last year there were several Legislative bills regarding forestry. He said that through Stacey Roth, the Commission's Chief of Legal and Legislative Affairs, the Committee had discussions on the matter. He said she kept them updated. He also said that those bills did not progress in the Legislature.

He said that Senator Bob Smith is interested in replacing the bills and may be seeking guidance from the Forest Stewardship Task Force. Chairman Lohbauer said that he is interested to see what role the Commission staff may have in the Task Force, considering how much the previous bills would have impacted the Pinelands.

Ms. Grogan said that there isn't much to update beyond what is already posted online and in newspapers. She said that Senator Smith recently announced the formation of the Task Force and named four co-chairs. She said the representatives are from the NJ Audubon Society, NJ Forestry Association, NJ Conservation Foundation, and Sierra Club. She said there has been no information on other members of the Task Force.

Ms. Grogan said that staff sent an email to the designated address, requesting an opportunity for the Commission to participate. She said the email outlined the importance of forestry in the Pinelands. She said that the Commission received a form response expressing thanks for showing interest.

She said the purpose of the Task Force is to study and identify ways the State can better manage forests in order to fight climate change, prevent forest fires, and to improve the ecosystem and water quality.

Ms. Grogan said that the Task Force will meet, gather feedback, and speak with stakeholders to compile a report to submit to the Senate Environment and Energy Committee. She said there is no timeline for this to occur.

She said that staff will monitor the Task Force for updates and may reach out to Senator Smith's office as well.

Commissioner Irick expressed disappointment in the generic response received from the Task Force. He said that the Commission should have a full seat at the table and suggested sending a formal letter to Senator Smith with a request for such.

Chairman Lohbauer commented that it seems that Senator Smith is aiming to receive input from the public on this matter. Ms. Roth confirmed that currently there are no agencies linked to the Task Force. She mentioned that the Commission could send a letter to Senator Smith or try to reach out to the co-chairs.

Commissioner Irick stressed that Senator Smith should be reminded of the importance of the forest protection plan in the Pinelands.

Chairman Lohbauer suggested that the letter to Senator Smith note the existence of the Climate Committee and its active interest in forestry management issues in the Pinelands. He said that he would like to see the Commission have a role in the Task Force.

Commissioner Lloyd and Chair Matos echoed the sentiment expressed by Commissioner Irick and Chairman Lohbauer. Chairman Lohbauer also mentioned that about half of the forested land in the state is in the Pinelands.

Natural and Working Lands Strategy

Ms. Grogan presented a slideshow on the Natural and Working Lands Strategy (NWLS) (*attached to these minutes*).

Ms. Grogan said that the Natural and Working Lands Strategy is a joint effort between NJDEP and the New Jersey Department of Agriculture.

She said that a scoping document was released on NJDEP's website in December 2021. She said there will be targeted stakeholder sessions held in spring/summer 2022. She said the goal is for a NWLS final document to be released later in the year.

Ms. Grogan said the scoping document identifies recommended strategies in the subject areas of forests, agricultural lands and aquaculture, grasslands, wetlands, developed lands, and aquatic resources and habitats.

She said that the scoping document topics for forestry will be to preserve forested areas to avoid conversion, forest restoration, pro-forestation, a wildfire tracking system and prescribed burns, active forest management best management practices (BMPs), and to continue forest stewardship programs for private landowners.

Ms. Grogan said the agricultural lands and aquaculture priorities are to incentivize climate-friendly agricultural practices, create landowner assistance programs, reduce tillage practices and disturbances to limit carbon loss, plant carbon-sequestering cover crops, encourage "precision agriculture" which minimizes inputs, adopt aquacultural practices that consider ocean acidification, and expand technical assistance and cost-share assistance to encourage conservation practices on farms. She said they are goals the NJDA and State Agriculture Development Committee (SADC) have been working on for years.

She said the topics outlined for grasslands are to preserve grasslands to avoid conversion, encourage the creation of grasslands, minimize soil disturbance in pastures to reduce carbon loss, restore degraded grasslands by increasing plant diversity and planting productive species, and to increase production of forage for livestock.

She said the wetlands goals are to create, enhance and restore tide marshes and Atlantic white cedar wetlands, protect and rebuild salt marsh edges with living shorelines, remove tidal restrictions to increase saltwater flow into wetlands, preserve upland areas that are expected to become salt marshes as sea levels rise, preserve tidal marshes to avoid conversion, and develop blue carbon BMPs.

Ms. Grogan said the focus for developed lands is to prioritize funding for good forest strategies in urban forests, promote urban greening and reduction of impervious surfaces, expand the Urban & Community Forestry program to encourage and protect planting, target preservation of forested and grassland areas in urban and developed areas, and to encourage green infrastructure such as stormwater BMPs.

She said the aquatic resources and habitats goals, which are primarily coastal, are to restore and protect seagrass habitat, extend Marine Conservation Zone to seagrass beds, and to develop an ocean acidification plan to address impacts to fisheries, aquaculture, and ocean resilience. She said that these subjects are not particularly related to the Pinelands.

Chairman Lohbauer asked if the outcome of the NWLS could lead to CMP amendments. MS. Grogan replied that it is possible, although it is uncertain whether the strategy will go into enough detail for that to happen. She said some items may lead to prioritization for funding or grants.

In response to a question from Commissioner Lloyd, Ms. Grogan said that CMP amendments related climate change will be included in the Policy & Implementation Committee's April discussion and prioritization of CMP amendments.

Chairman Lohbauer commented that he is glad to see other agencies working on these issues. He said that it removes some of the burden on Commission staff.

5. Discussion of draft resolution to acknowledge the goals of the NJ Global Warming Response Act and frame the discussion of future CMP amendments related to climate impacts

Chairman Lohbauer commented that the idea for this resolution came from a member of the public.

Ms. Grogan said that Chairman Lohbauer identified three goals at the last Committee meeting. She said they were to draft a formal acknowledgement of the NJ Global Warming Response Act, look at the Commission's operations to see what can be done in-house, and move forward with consideration of CMP amendments.

She said to start, she looked back at the original resolution that was introduced by the Committee. She said that it did create a good framework outlining the responsibilities of the Committee. She said that any new resolution should build upon it.

She said the resolution was drafted to amend and supplement the original resolution and to mention more about the NJ Global Warming Response Act. She said it also references the State's goals and the NJDEP 80x50 Report to reduce emissions to 80 percent below the 2006

levels by the year 2050. She said it is important for the Commission to formalize its commitment to meeting those goals.

Ms. Grogan said the Committee will consider the strategies in the NJDEP 80x50 Report as it develops and considers policies and possible CMP amendments relating to climate change.

She said that many state agencies are using the same wording and reports as they move forward. She said the resolution would be a good way for the Commission to formally recognize that it is looking at the same goals and documents.

Chairman Lohbauer expressed his appreciation in the approach taken for the resolution. He said it will be a good way to recognize that the Commission is mindful of maintaining consistency with the legislation in place.

Commissioner Lloyd moved the recommendation to forward the resolution to the full Commission. Commissioner Higginbotham seconded the motion. All voted in favor.

6. Public Comment

Fred Akers, from the Great Egg Harbor Watershed Association, mentioned an issue about dredge spoils. He said that during the last three months, he has processed three applications to take dredge spoils from the Brigantine/Atlantic City area and place it along the Tuckahoe River in Estell Manor and Corbin City. He said that the State has set up the process and it seems to be accelerating the amount of material being transferred from the coast to the Pinelands. He said, in those three months, the total cubic yards (cu. yd.) of material have been over 117,000. He said that at 20 cu. yd. per truck, it would amount to around 5,800 truckloads of dredge spoils moved to the Forest Area of the Pinelands.

He said that there is talk and work that has been done for engineering with nature and regional sediment management planning with the idea that, instead of digging dredge spoils and leaving a hole, to take that material and elevate marshes or expand islands that have been eroded to help with climate resilience. He said that he has made comments to the State and the Army Corps of Engineers and doesn't think he's getting anywhere. He said that he wanted to bring it to the attention of the Committee and the Commission. He is hoping that the Commission could help stop the dumping of dredge spoils in the Pinelands.

Chairman Lohbauer asked Mr. Akers if the activity had anything to do with the replenishment of beaches. Mr. Akers replied that it's in back bay areas that's relative to navigating boats. He said the sediment erodes off the marshes and builds up in the channels, making it shallow for the boats. He said it's an issue where Congressman Jeff Van Drew and the new Senator from Atlantic County are pushing for more dredging.

Chairman Lohbauer said that he is not aware of any applications relating to that activity. Mr. Akers said that Commission staff are aware of the situation.

Commissioner Irick asked if dredge spoils are moved to Estell Manor, would tree clearing be done to lay the spoils. Chairman Lohbauer said that he believes the Commission would not allow it.

Ms. Roth indicated that this activity is usually seen in the Pinelands National Reserve (PNR), where the Commission does not have primary jurisdiction. She said the Commission does provide comment to NJDEP on those matters. She said there is one application to the NJDEP to create a dredge spoils facility. She said that the Commission issued a letter stating that the facility would not be consistent with CMP water quality standards.

She went on to say that whenever fill is placed on a parcel in the Pinelands, it cannot exceed background in terms of its potential for contaminants or constituents within the soil. She said that comments are made to NJDEP when it relates to applications in the PNR. She said that NJDEP takes the position that applications do not have to be in strict compliance with the standards in the CMP; rather, they must be generally consistent with the Federal Act and intent, goals and objectives of the CMP.

To further answer Commissioner Irick's question, Ms. Roth said that NJDEP would be doing the permitting on tree clearing for those facilities. She said that staff is involved. Ms. Roth said that she and Branwen Ellis, a Commission Environmental Specialist, had discussions with NJDEP on the matter of placing dredge spoils. She said a recommendation was made that applications not be approved by NJDEP for placement of dredge spoils because of the possibility of contaminants in the soils.

In response to Chairman Lohbauer's question, Ms. Roth said that the matters she has seen have been in the PNR.

Charles Horner, the Commission's Director of Regulatory Programs, said that staff have received inquiries relating to the placement of dredge spoils. He said that upon receiving guidance that it must be demonstrated to be consistent with the CMP standard for non-degradation, the inquiries do not move forward to an application. He said that generally in the staff's experience, the dredge spoils have contained contaminants.

Rhyan Grech, from the Pinelands Preservation Alliance (PPA), mentioned the upcoming appearance being made by NJDEP Commissioner Shawn LaTourette at the Commission's March 11th meeting. She suggested that the Commission speak to Mr. LaTourette about the matter of dredge spoils and recommend aligning what happens in the PNR with the standards in the CMP. She said the Memorandum of Agreement (MOA) with NJDEP does state that it will uphold the goals and intent of the Pinelands Protection Act and the CMP. She said she would argue that non-degradation is an important goal.

Ms. Grech thanked Mr. Leakan for his update on the rain garden project. She said that it is wonderful that the project will use native Pinelands plants.

She mentioned that the PPA previously submitted a list of recommendations on climate change for consideration by the Commission. She said one of the recommendations is around plants. She said that under the CMP, no development can occur unless it avoids irreversible, adverse impacts to plants that are designated as endangered by the NJDEP. She said there is a list of 54 plant species. She said the PPA feels that the list is outdated. She recommends the language be amended to include plant populations listed as endangered and species of concern by the NJ Natural Heritage Program. She said it would align with the Highlands Protection standards.

Ms. Grech thanked the staff for the work being done with the State initiatives. She suggested that the Climate Committee meet monthly. She said it is critical to align with the State initiatives. She also said there is plenty that can be done in the Pinelands without waiting for the NJDEP or other State agencies. She said the situation with climate change calls for that kind of urgency.

Chairman Lohbauer thanked the PPA for its submission of recommendations. He said the recommendations have been circulated to all the Commissioners.

Jessica Rittler Sanchez said she is glad to see that the Commission is on the NJIAC.

She said regarding the Forest Stewardship Task Force, she had the opportunity to meet with Senator Jean Stanfield yesterday. She said she is interested in learning more about the Pinelands. She said Senator Stanfield is also supportive of the green amendments. She mentioned that Senator Stanfield is a member of the Senate Climate and Energy Committee. Ms. Rittler Sanchez suggested that Senator Stanfield may be a good contact regarding joining the Task Force.

Ms. Rittler Sanchez expressed concern that the NWLS only mentions protections for saltwater species, and not for freshwater.

She also asked how much stormwater runoff will be captured in the rain garden and if anything needs to be done for Fenwick Manor or the parking lot for future impacts.

Chairman Lohbauer commented that he didn't notice that the NWLS only addressed saltwater species. Ms. Grogan indicated there are specific sections on wetlands and aquaculture separate from the coastal goals. She said the freshwater goals may be grouped with the agricultural section of the document.

In response to Ms. Rittler Sanchez's question, Mr. Horner said when the RJS Building and parking area was constructed, a stormwater management basin was put in place to meet CMP standards. He said that while staff have not seen the final rain garden design, it will likely treat a small percentage of runoff. He said that it could be reviewed to see if another rain garden may be sited.

Ms. Grogan said that when Rutgers came to the property to inspect, they did identify options for additional rain gardens. She said one suggestion was to build a rain garden adjacent to Fenwick Manor. She said there were issues with large trees in between the buildings. She said it would be

something to look to in the future. She said the best approach was to tie in the rain garden with the newer building and existing stormwater basin.

Ms. Grogan mentioned that another meeting of the Climate Committee is scheduled for March 25, 2022. She said that suggestions can be made to herself or Chairman Lohbauer to be added to that agenda for discussion.


Chairman Lohbauer commented that he likes having the meetings monthly. He said that having the meeting after the P&I meeting has been successful.

Commissioner Irick complimented Ms. Grogan on her work managing all the challenges that have been brought to the Commission. Ms. Grogan replied with thanks and recognized the staff for their contribution. She said it was a group effort.

Chairman Lohbauer closed public comment at 11:50 p.m.

There being no further discussion, Commissioner Higginbotham moved the closing of the meeting. Commissioner Lloyd seconded the motion. The meeting concluded at 11:52 a.m.

Certified as true and correct

A handwritten signature in black ink, appearing to read "Dawn Holgersen", with a long, sweeping underline.

Dawn Holgersen
Office Assistant
March 15, 2022