



NEW JERSEY PINELANDS COMMISSION
MONTHLY MANAGEMENT REPORT



A native showy aster blooming at the Pinelands Commission's headquarters in October

OCTOBER 2021

1 EXECUTIVE OFFICE

1.1 ACTING EXECUTIVE DIRECTOR

1.1A COMMITTEE MEETINGS

- **Pinelands Climate Committee:** The Committee's October 13, 2021, meeting was canceled.
- **Policy & Implementation Committee:** The Committee met on October 29, 2021, and recommended adoption of a resolution to authorize the participation of four new advanced wastewater treatment technologies in the Alternate Design Treatment Systems Pilot Program. The Committee reviewed the public comments received on the Commission's proposed stormwater amendments and a draft adoption notice. In addition, the Committee reviewed an outline of recommended Pinelands Comprehensive Management Plan (CMP) amendments related to the Electric Transmission Right of Way Maintenance Pilot Program. Finally, the Committee began a discussion of potential CMP amendments and associated priorities and timelines.

1.1B RULEMAKING

- **Stormwater management:** The proposed CMP amendments were published in the July 19, 2021, issue of the New Jersey Register. A remote public hearing was held on September 1, 2021, with six individuals providing oral testimony. Written public comments were accepted through September 17, 2021 and received from 10 individuals and organizations. A draft adoption notice was prepared and reviewed with the Policy & Implementation Committee on October 29, 2021. Adoption of the amendments has been delayed to provide the Governor's Authorities Unit with an opportunity to schedule a meeting with the New Jersey Department of Transportation (NJDOT) to discuss the NJDOT's concerns regarding the impact of the amendments on public road projects.
- **Electric Transmission Right of Way Maintenance Pilot Program:** Staff presented a comprehensive evaluation of the Pilot Program at the Policy & Implementation Committee's September 24, 2021, meeting. Staff then shared an outline of recommended CMP amendments at the Committee's October 29, 2021, meeting, including application exemptions, new vegetation management standards and continued inspection and reporting requirements.
- **CMP Amendment Priorities and Timelines:** Staff prepared a comprehensive list of potential CMP amendments and made a presentation at the Policy & Implementation Committee's October 29, 2021, meeting. All Commissioners will be asked to forward their priorities and suggestions to the staff in preparation for continued discussion at the November 19, 2021, Committee meeting.

1.1C OPEN PUBLIC RECORDS ACT

- A total of nine Open Public Records Act (OPRA) requests were received in October. Of the nine requests, six were provided responsive material, two were advised that there was no responsive material, and the remaining one was sent a denial letter indicating it was an invalid request.

1.2 HUMAN RESOURCES

- **Return to Office:** In accordance with the Pinelands Commission Return to the Office plan, staff members reported to work at the Commission’s offices at least three days per week in October. When working in the office, staff members are required to take their temperatures and complete the Employee COVID-19 Daily Self-Screening form. The office remains closed to the public and all meetings continue to be conducted remotely. These policies and procedures will remain in place through November 28, 2021. All vaccinated employees submitted the required proof of vaccination to the Human Resources (HR) office by October 18, 2021. Unvaccinated employees will be required to submit to weekly COVID-19 testing beginning on November 29, 2021.
- **NJ Employees Charitable Campaign (NJECC):** Staff is promoting a different cause week each week as per the NJECC campaign directive. October’s cause weeks were Women & Girls, Arts & Culture, Mental Health, and Health & Research. Information is posted weekly on the HR Teams page.
- **Recruitment:** The Commission is currently recruiting for six vacant positions. The job announcement posting period closed October 17, 2021. Resumes are currently being reviewed.
- **State Health Benefits Program:** Open Enrollment was held during the month of October for staff needing to make any changes or updates to their health and/or dental plans.
- **Training:** Staff attended “Labor Negotiations 2021 – Understanding Collective Negotiations, Interest Arbitration and Chapter 78 Update” webinar hosted by the League of Municipalities.

2 INTERAGENCY COORDINATION

- **Interagency Council on Climate Change:** On October 5, 2021, the Pinelands Commission was invited to become a member of the Interagency Council on Climate Change established by the Governor through Executive Order 89 in 2019. The Council is charged with coordinating the efforts of Executive Branch departments and agencies to develop and implement a Statewide Climate Change Resilience Strategy. The Acting Executive Director will serve as a Principal member of the Council and attend Cabinet-level meetings. Ed Wengrowski has been designated as the Commission’s primary liaison to the Council; he will attend monthly working group meetings. Following a meeting on October 12, 2021, which the Acting Executive Director attended, the Council released the first statewide Climate Change Resilience Strategy on October 12, 2021 (see <https://www.nj.gov/dep/climatechange/resilience-strategy.html>)
- **New Jersey Board of Public Utilities (BPU):** On October 28, 2021, the BPU issued an order granting conditional approvals to 105 solar energy projects. These projects represent the approved applications for round two of BPU’s Community Solar Energy Pilot Program. The 105 projects represent a total of 164.69524 MWdc. Three of the selected projects are to be located on closed landfills in the Pinelands Area.

- **Compatible Use Study:** Ocean County is sponsoring the preparation of an updated Compatible Use Study for Joint Base McGuire-Dix-Lakehurst, focusing on land use issues around the installation and within the 10 municipalities surrounding the Base. The study is being funded through a grant from the Department of Defense, Office of Local Defense Community Cooperation. Commission staff attended a kickoff meeting of local officials and state agency stakeholders on October 27, 2021.

3 PLANNING

3.1 CONFORMANCE ACTIVITY

	Monthly Total	Calendar Year to Date
Master Plans/Ordinances Received		
Adopted	14	117
Drafted or Introduced	5	76
Total ¹	13	130
Master Plans/Ordinances Reviewed		
Substantial Issue Finding ²	0	2
No Substantial Issue Finding	8	49
No Issue Finding	2	41
Total	9	91
Finding Letters Issued³	6	58

3.2 CULTURAL RESOURCE ACTIVITY

Activity	Monthly Total	Calendar Year to Date
Applications Reviewed	11	71
Surveys Required	1	6
Surveys Reviewed	0	7
Certificates of Appropriateness Required	1	6

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

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

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

3.3 PINELANDS DEVELOPMENT CREDIT PROGRAM

Activity	Monthly Total	Calendar Year to Date
PDCs Allocated	7.75	67.45
PDCs Severed	0	20.75
Acres Protected	0	577
PDCs Extinguished	0	4.50
Acres Protected	0	152
PDCs Sold	0.25	30.75
Average Sales Price per PDC	\$80,000	\$57,226
Average Sales Price per right	\$20,000	\$14,307
PDCs Redeemed	0.25	44.50

Notable Activity:

- **PDC Allocations:** A total of 7.75 PDCs (31 rights) were allocated to parcels located in Franklin Township, Shamong Township, Hamilton Township and the Town of Hammonton.
- **PDC Redemptions:** 0.25 PDCs were redeemed for the development of a single-family detached dwelling on an undersized lot in Shamong Township’s Regional Growth Area.

3.4 SPECIAL PROJECTS

- **Septic Pilot Program:** The Acting Executive Director issued a report dated October 14, 2021, recommending that the Pinelands Commission approve four new advanced wastewater technologies to participate in the Commission’s Alternate Design Treatment Systems Pilot Program. The report recommends that the Fuji Clean USA Residential CEN Series system, the Waterloo Biofilter Residential Model system and the Busse Innovative Systeme Model MF-B-400 system be authorized to serve residential development on minimum one-acre parcels and that the Pugo system be authorized to serve residential development on minimum 1.26-acre parcels.
- **Pemberton-Browns Mills Road Corridor Study:** Pemberton Township has initiated a study to reevaluate the proposed land uses along the Pemberton-Browns Mills Corridor (County Route 530). The study is being funded through the Delaware Valley Regional Planning Commission’s Transportation & Community Development Initiative (TCDI). The Township engaged a consultant to analyze market demand, assemble environmental and land use data, assess development potential, develop a land use plan and prepare an implementation strategy. Commission staff attended the virtual kickoff meeting on September 23, 2021, and met separately with the Township’s consultants on October 14, 2021, to discuss zoning, Pinelands Development Credit requirements and permanently protected lands within the corridor.

4 REGULATORY PROGRAMS

4.1 APPLICATION ACTIVITY

Activity	Monthly Total	Calendar Year to Date
Pre-Application Conferences	7	107
Certificates of Filing	13	145
Public Development Reports	8	21
Forestry Certificates of Filing	0	8
PDC Letters of Interpretation	4	29
Non-PDC Letters of Interpretation	0	2
MOA Consistency Determinations	1	29
Review of Agency Determinations	58	740

4.2 NOTABLE APPLICATIONS

- **Tower North, Communications Tower on behalf of the Chatsworth EMS/Fire Company, Woodland Township (App. No. 1981-0162.002):** This application proposes a 120-foot-high local communications facility (tower) as accessory to an existing EMS/Fire Co. Station located on a parcel in the Chatsworth section of the Township. The proposed tower is not included in a Commission-approved local communications facilities (cell tower) plan. On November 17, 2020, the Commission staff received notice (Resolution No 2020-6) of the Township Land Use Board approval of the proposed tower. On November 25, 2020, the Commission staff issued a letter indicating that the Township approval raised a substantial issue with the permitted land use standards of the Township land use ordinance and the CMP. Specifically, the letter indicated that based upon the information contained in the approval, it had not been demonstrated that the proposed tower qualified as accessory to the existing EMS/Fire Station. The public hearing scheduled for Resolution No 2020-6 has been rescheduled several times. Currently, the public hearing for Resolution No. 2020-6 is scheduled for December 15, 2021. On September 23, 2021, the Commission staff received a second Township Resolution (Resolution No. 2021-8) of approval for the proposed tower. By letter dated October 8, 2021, the Commission staff advised that Resolution No. 2021-8 also raised a substantial issue with the permitted land use standards of the Township land use ordinance and the CMP. Specifically, the October 8, 2021, letter indicated that based upon the information contained in the approval, it had not been demonstrated that the proposed tower qualified as accessory to the existing EMS/Fire Station.
- **Communication Tower, Winslow Township (App. No. 19940391.007):** This application proposes a 157-foot-high local communication facility (tower) accessory to the existing Waterford Works Fire Station located in Winslow Township. The proposed tower is not included in a Commission approved local communications facilities (cell tower) plan. On September 3, 2021, the applicant submitted information demonstrating that the proposed tower qualifies as accessory to the

existing fire station. On October 8, 2021, the Commission staff issued a Certificate of Filing for the proposed tower.

- **NJDEP, NJ Forest Service, Bass River Township and Little Egg Harbor Township (App. No. 2007-0318.001):** This application proposes the thinning of approximately 1,304 acres of forested uplands and the creation of approximately 13 miles of 60-foot-wide forest firebreak within the rights-of-way of Oswego Road and Allen Road. The application proposes the use of herbicides. By memorandum dated October 29, 2021, the Commission staff requested additional information from the applicant to clarify certain aspects of the application. It is anticipated that the application will be on the Commission's December 10, 2021, agenda for action.
- **NJDEP, Division of Parks and Forestry, Spot Treatment of Herbicide, Bass River Township (App. No 1990-0868.033):** On June 17, 2021, the Commission staff issued a Public Development Application Report recommending approval of an application proposing the spot treatment of herbiciding to control invasive plant species on 16.4 acres that were previously cleared to restore visibility from the Bass River State Forest fire observation tower. At the August 13, 2021, monthly Commission meeting, the Commissioners discussed the application and requested that NJDEP further address certain aspects of the application. On August 27, 2021, the Commission staff accompanied several Commissioners on a site inspection of the acreage proposed to be herbicided. Thereafter, NJDEP amended the application and an Amended Report recommending approval of the application was issued by the Commission staff on September 9, 2021. The Commission considered the Amended Report at its September 10, 2021, meeting. The application did not receive the eight votes necessary for Commission approval. By e-mail dated September 28, 2021, the NJDEP requested an extension of time until October 9, 2021, for the Pinelands Commission to act on this application. On September 30, 2021, the NJDEP further amended and supplemented the application. On October 1, 2021, the Commission staff issued a Re-Amended Report recommending approval the application. At the Commission's October 8, 2021, meeting, the application did not receive the eight votes necessary for Commission approval.

4.3 OTHER ITEMS OF INTEREST

- **Pemberton Township Presidential Lakes Recreation Vehicle Inquiry:** By email dated September 16, 2021, Pemberton Township requested guidance from the Commission regarding techniques to discourage recreational vehicle use on Township-owned lands in the Presidential Lakes area. The lands in question were included as part of a 1989 Commission Waiver of Strict Compliance. As part of the Waiver, the lands were deed restricted by the applicant so that 103 dwellings could be developed elsewhere in the Presidential Lakes area. Subsequently, the Township took ownership of the deed restricted lands. The deed restricted lands are now being used by recreational vehicles. By letter dated October 25, 2021, the Commission staff provided the Township with suggested guidance regarding techniques other municipalities in the Pinelands Area have utilized to discourage unauthorized recreational vehicle use. The Commission staff letter also provided re-vegetation and restoration guidance for the existing cleared areas on the parcel that are being utilized for unauthorized recreational vehicle use.
- **Herbiciding, Burlington County, Woodland Township and Pemberton Township:** On August 20, 2021, the Commission staff received information, including photographs, indicating that

herbicide had apparently been applied around guard rails and signposts within certain Burlington County road rights-of-way in Pemberton Township and Woodland Township. The submitted information indicated that the herbiciding impacted known populations of a threatened plant species. By letter dated October 4, 2021, the Commission staff reminded the Burlington County Division of Roads and Bridges that the Commission's regulations prohibit the application of herbicides to a public road right-of-way in the Pinelands Area unless it is necessary to protect an adjacent agricultural activity.

- **Galloway Township Land Development Violation:** This matter involves development occurring on an approximately 8.5-acre parcel without completion of an application with the Pinelands Commission or obtaining Township site plan approval. The development that occurred on the parcel includes the clearing, grading, and paving of approximately 6.6 acres. Within that 6.6 acres, clearing and grading of approximately 1.6 acres occurred within the required buffer to wetlands and approximately 14,000 square feet of wetlands was cleared and filled. The Commission staff first wrote to the property owner in September 2018 regarding this significant violation. On October 28, 2021, the Commission staff attended a municipal court hearing on the violation. At that municipal court hearing, the responsible individual entered a guilty plea to undertaking the development prior to securing all necessary approvals and permits. The individual was fined and given until April 1, 2022, to complete an application for the proposed development and secure all necessary approvals and permits.
- **Orsted Offshore Wind Projects Onshore Cable Routes, Upper Township, Lacey Township and Ocean Township:** On October 27, 2021, the Commission staff attended a meeting with representatives of the applicant and NJDEP to discuss the proposed onshore cable routes for two offshore wind projects. One proposed onshore cable route located in Upper Township will deliver offshore wind generated energy to the former BL England power plant site. A second proposed onshore cable route located in Lacey Township and Ocean Township will deliver offshore wind-generated energy to the former Oyster Creek Nuclear power plant site. The two proposed cable routes are not located in the state-designated Pinelands Area. Both proposed cable routes are located, at least partially, in the federally designated Pinelands National Reserve. Upon NJDEP receipt of a formal application, the Commission staff will provide comments to NJDEP regarding the consistency of the proposed development with the intent, policies and objectives of the National Parks and Recreation Act of 1978 creating the Pinelands National Reserve and the Pinelands Protection Act of 1979. The cable route for the BL England offshore wind project is located in a Pinelands Regional Growth Area and the Parkway Overlay District. The cable route for the Oyster Creek offshore wind project is proposed in a Pinelands Rural Development Area and a Pinelands Forest Management Area. The Commission staff advised that the proposed onshore cables must meet the permitted land use, wetlands protection, threatened and endangered species, stormwater, and cultural resource protection standards of the CMP.

4.4 OFF-ROAD VEHICLE ROUTE MAP APPROVALS

- **Application # 19823054.091**
Pine Barrens Adventure Camp, LLC
Approval Issued: 10/12/2021
Event Name: Pine Barrens 400
Event Date: October 15 - 17, 2021
Municipality: Various
Lands Utilized: Brendan T. Byrne, Penn & Wharton State Forests
Route Length: 450 miles
- **Application # 19810686.029**
Ocean County Competition Riders, MC
Approval Issued: 10/15/2021
Event Name: Scrub Pine Enduro
Event Date: October 24, 2021
Municipality: Manchester Township, Pemberton Township, Woodland Township
Lands Utilized: Brendan T. Byrne State Forest
Route Length: 68 miles
- **Application # 19880757.067**
Tri-County Sportsmen Motorcycle Club, Inc.
Approval Issued: 10/28/2021
Event Name: AMA National Dual Sport Ride
Event Date: November 6, 2021
Municipality: Corbin City, Dennis Township, Estell Manor City, Maurice River Township, Upper Township, Woodbine Borough
Lands Utilized: Belleplain State Forest, US Silica
Route Length: 78 miles

5 SCIENCE

5.1 ENVIRONMENTAL MONITORING

- **Water Level Monitoring:** In October, Science staff measured water levels at forest plots and ponds in the Commission network of long-term monitoring sites. This work is completed each month typically in cooperation with the Communications Office.
- **Pinelands-wide Water Quality Monitoring:** Staff completed the October round of pH and specific conductance sampling at the 47 stream sites. This sampling occurs four times each year to monitor temporal trends in these two variables and has been completed for 2021

5.2 LONG TERM STUDIES

- **Kingsnake Study:** Staff continued to radio track kingsnakes in October. Most snakes are getting close to or are inside their winter dens.

- **Joint Corn Snake Study:** Staff continued to monitor the drift fence for animals found under the wood and metal cover, in box traps, and in the pitfall traps established along the fence array. The entire drift fence array is checked seven days per week from April - October. The fence array and traps were closed for the winter on October 28th. A Rutgers student has been testing the possibility of using environmental DNA (eDNA) to detect ground skinks under the wood and metal cover at the drift fence array. These methods have been used successfully in aquatic situations where water can be filtered and eDNA left behind on the filter used to determine the presence of various species but detecting eDNA in terrestrial situations is more difficult. The results of the Rutgers testing at the drift fence have shown that eDNA can be used to detect the presence of ground skinks under wood and metal cover and that combining eDNA with simple visual detection significantly improves the detection of skinks. We are looking into the possibility of using eDNA to improve the detection of rare snakes during snake surveys.
- **Rare Snake Monitoring:** Staff continued to track corn snakes, pine snakes, and a hognose snake to locate their dens for long-term monitoring. In October, most snakes moved close to or into their winter dens. Since early October, staff has been unable to hear a signal for the single hognose snake being tracked and are unsure if it is missing or dead.
- **Eastern Box Turtle Study:** In October, staff continued to track box turtles. A new female and a new male box turtle were found, transmitters were glued to their shells, and staff began tracking them. A total of 18 turtles are currently being tracked as part of this study.

6 COMMUNICATIONS

6.1 COMMUNICATIONS & PUBLICATIONS

- **Website:** The Pinelands Commission's website was viewed 15,079 times in October 2021.
- **Inquiries/Correspondence:** The Communications Office received and responded to 110 inquiries from the public in October 2021, including phone calls, e-mails, and media inquiries.
- **2022 Pinelands National Reserve Wall Calendar:** In October, Communications Office staff compiled and categorized dozens of photos for use in the new calendar. All of the photos were taken by Commission staff. The 2022 calendar will highlight plant and animal species in the Pinelands. Staff voted on the front and back cover images in late October. Communications Office staff will send 38 photos to the Rowan College at Burlington County's print shop in early November, along with researching and writing photo captions with assistance from the Science Office. Staff also confirmed that a total of more than 800 calendars will be printed this year, and the calendars will be distributed free-of-charge at Bass River State Forest, Batsto and Brendan Byrne State Forest in December.
- **Office Support:** In October, Communications Office staff assisted other offices by reformatting PowerPoint presentations, reformatting and creating fillable forms, and hosting virtual meetings on October 8th and October 29th.

6.2 EVENTS, OUTREACH & INTERPRETIVE PROGRAMS

- **Pinelands Exhibits:** In October, Communications and Science Office staff collected native banded and blackbanded sunfish that will be displayed in the Commission’s 90-gallon aquarium in the Candace McKee Ashmun Pinelands Education Exhibit. Staff used seining nets to catch the fish, which are shown in the photo to the right. The fish were caught according to the provisions of the Commission’s Scientific Collection Permit from the New Jersey Division of Fish and Wildlife. The fish will help to raise awareness and appreciation of the Pinelands.



- **Pinelands Speaker Series Webinars:** Staff hosted a webinar entitled, “Cranberries! History of Cultivation, Harvest Highlights and Health Benefits” on October 21st and a webinar entitled, “Eww, Gross. Tell Me More” on October 28th. Staff will host a webinar entitled, “How Do You Grow a Rain Garden?” on November 18, 2021.
- **Pinelands Short Course:** Staff continued to secure several presentations for the Pinelands Short Course, which is scheduled for March 12, 2022.

- **Pinelands-themed World Water Monitoring Challenge:** Due to the unfortunate, nationwide shortage of bus drivers, the Pinelands Commission postponed this year’s event, which was set to occur on October 22nd.



- **Education Programs:** In October, a Communications Office staff member facilitated a bus tour of the Pinelands for a New Jersey History class at Barnegat High School.

- **Education-related Meetings:** A Communications Office staff member participated in a virtual Barnegat Bay Partnership meeting on October 27, 2021.

Above: Staff shared 51 photos on Instagram in October 2021, including this photo of fall foliage at Whitesbog Village.

- **Social Media Enhancements:** Staff continued to enhance the Commission’s social media pages in October 2021. Staff posted 51 photos and two videos on the Commission’s Instagram site and shared 20 tweets on the agency’s Twitter account. In an effort to raise awareness and appreciation of the Pinelands, staff created an Instagram site on behalf of the Jersey Devil. Staff shared 25 posts on the Jersey Devil’s site in October. The videos on the Commission’s YouTube Channel were viewed 1,861 times in October, with a total watch time of 360 hours. Staff also

used social media and Constant Contact to promote virtual Commission meetings, the management report and job postings.

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 desktop support, implemented enhancements and bug fixes to streamline operations and facilitate remote work. PCIS was updated by staff to integrate forms changes with those published by Communications directly to the website, eliminating the need for internal duplicates. Staff modified the electronic resolution log system to make the information easier to search.
- **Cybersecurity:** Vigilance to protect the internal networks, hardware, and data of the Pinelands Commission is critical in today's networked world, especially due to the added complexities of supporting employees working from home. The Information Systems office participated in the periodic New Jersey Cybersecurity Communication and Integration Cell (NJCCIC) monthly meeting. October was Cybersecurity Awareness Month and materials were shared for educating users of all experience levels. SSL Certificates for Pinelands servers were renewed by staff.
- **Office 365 Migration:** The Information Systems Office provides a stable and secure desktop environment. Staff completed the migration to Office 365 for all Pinelands Commission users.
- **Permanent Land Protection (PLP) Data System:** The PLP system manages the data related to all the preserved land in the Pinelands National Reserve. The new PLP data system is now being used as the system of record for all preserved lands. Staff can enter new restrictions and search records with the new capabilities in this system. Staff is developing the functionality to allow record editing and maintenance.
- **Technology Enhancements:** Staff members continually evaluate emerging technologies for how they can impact or enhance the office environment. Training was held on the new, large-format scanner for staff. It immediately saw practical use, allowing the staff to scan several large plans to share with applicants. An outdated Windows 7 scanning workstation was taken offline and replaced.

8 BUSINESS OFFICE

8.1 FINANCIAL MANAGEMENT

- **Application Fees:** October 2021, Net Total: \$47,397.62; Year to Date Total: \$360,297.17
- The Auditors have completed the data sampling portion of the Fiscal Year 2020 Audit.

8.2 FACILITIES MANAGEMENT

- RJS received its first high efficiency toilet bowl replacement.

- The large format scanner was delivered, and staff received training on its operation.
- The annual fire extinguisher inspection was performed.