

PINELANDS CLIMATE COMMITTEE MEETING

This meeting was conducted in-person and available remotely.

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

<https://www.youtube.com/c/PinelandsCommission>

Zoom Meeting ID: 861 7042 1150

July 29, 2022

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

MINUTES

MEMBERS IN ATTENDANCE: Chairman Mark Lohbauer, Alan W. Avery, Jr., and Jerome H. Irick and Laura E. Matos

MEMBERS ABSENT: Edward Lloyd

OTHER COMMISSIONERS PRESENT: Theresa Lettman

STAFF PRESENT: Susan R. Grogan, Stacey P. Roth, Ed Wengrowski, Steven Simone, Ernest Deman, Paul Leakan, and Dawn Holgersen.

1. Call to Order

Chairman Lohbauer called the meeting to order at 11:36 a.m.

2. Adoption of the May 27, 2022 Committee meeting minutes

Commission Chair Matos moved the adoption of the minutes of the May 27, 2022 Committee meeting. Commissioner Avery seconded the motion. All voted in favor.

3. Continued discussion and recommendations concerning the Local Government Energy Audit Reports

Chairman Lohbauer expressed his desire to make a recommendation to the full Commission for a response to the audit report.

Commission Chair Matos suggested the Committee should pull recommendations from the audit report to use for taking future action. She said that the next discussion topic may cover those recommendations.

In response to Ms. Grogan's question regarding the intent of the recommendation to the full Commission, Chairman Lohbauer said it is important for the Commission to have a response

from the Committee on the recommendations made in the report and how well or poorly it may fit in with the climate mission.

Ms. Grogan said the purpose of the audit report was to provide a baseline set of potential recommendations, as a beginning step. She said that a formal resolution would give the report more significance than necessary. She suggested that a presentation be made to the full Commission with the Committee's findings.

Ms. Grogan said that some of the topics in the audit report relate to matters more appropriate for the Personnel and Budget (P&B) Committee. She said that discussions of the recommendations will occur as a matter of course in making decisions for facility improvements.

Commissioner Irick said that there are points of interest in the report that should be discussed with the P&B Committee for feasibility and that a resolution was not necessary.

Commissioner Avery agreed and said, for example, when the HVAC system needs to be replaced, a geothermal heat pump could be considered. He suggested an evaluation be made for to the potential of solar power at the Commission.

Commission Chair Matos said that those matters will also apply on the next topic of discussion as they relate to incorporating them into the Commission's climate mission and making decisions for facility improvements when they are necessary.

Chairman Lohbauer said that his intent is to advise the full Commission to look at the audit from the climate perspective and take the recommendations into account when it is time to plan for replacement of items at the Commission. He also said that he agrees with Commissioner Avery's suggestion that an evaluation be made, by an industry professional, for the potential of solar energy generation at the Commission.

He said that the Committee should inform the Commission of the Committee's view of the audit and the P&B Committee should advise the Commission as to the feasibility of implementing recommended changes.

Ms. Grogan delivered a presentation on the Climate Committee's 2023 Fiscal Year (FY2023) Work Plan (*attached to these minutes*).

Ms. Grogan said the P&B Committee will meet in August. She suggested that a recommendation be made to establish a reserve account for climate-based projects and upgrades as part of the FY2023 budget. She noted that the Commission's lawnmower is broken, and it would be a good opportunity to consider a climate-friendly replacement. She said the special account would be a way of formalizing the Commission's commitment to climate awareness.

Chairman Lohbauer and Commissioners Irick and Avery all expressed agreement with Ms. Grogan's recommendation.

Ms. Grogan said that she is working with Jessica Lynch, the Commission's Business Services Manager, on a draft budget. She said Ms. Lynch is aware of the initiative and will work to identify funding that can be set aside to support it.

Commissioner Avery said the Governor's Office and the Legislature's thoughtful appropriation for the restoration of the exterior of Fenwick Manor will help to free other funds that could be used for climate-related purchases.

Chairman Lohbauer asked for a motion to forward the Committee's recommendation of a climate reserve account to the P&B Committee. Commissioner Irick made the motion. Commission Chair Matos seconded the motion. All voted in favor.

4. Continued discussion of CMP Amendments and the FY2023 Climate Committee work plan

Chairman Lohbauer identified a petition received from the Pinelands Preservation Alliance (PPA) urging the Committee to act on climate-related amendments to the CMP.

Ms. Grogan continued the presentation for the Committee's FY2023 Work Plan.

Ms. Grogan said the Committee should focus on making specific recommendations to the Policy & Implementation (P&I) Committee for CMP amendments that the Committee is interested in pursuing.

She said that an analysis of Pinelands management area boundaries was recommended in the PPA's climate change white paper. She said a comprehensive review had occurred many years ago using information provided by the Ecological Integrity Assessment. The amendment recommendation to change the management area for the Black Run watershed in Evesham came from that earlier review and is already on the P&I Committee's list of priorities. She said there may be other areas that should be in different management areas based on potential climate-related impacts.

Ms. Grogan said the New Jersey Department of Environmental Protection (NJDEP) and the State Planning Commission are doing a similar review in the Coastal Area Facility Review Act (CAFRA) area as municipalities seek to renew their coastal center designations.

In response to a question from Commissioner Avery, Ms. Grogan said that the Commission had adopted an amendment to change the management area in the Oyster Creek watershed from the Rural Development Area (RDA) to the Forest Area (FA). She said it was about a 4,000-acre area involved in the change. She said the Black Run area is a similar situation.

Ms. Grogan listed some potential CMP amendments regarding solar. She said one could be to exempt principal solar facilities on rooftops and parking lots. She said another amendment could be to expand siting areas for principal solar facilities in the RDA and Agricultural Production Area (APA), and at mines in the Preservation Area District (PAD) and FA.

She said another amendment could be to establish specific limitations on clearing and tree removal for principal solar facilities. She said that possible examples would be to require installation on existing impervious surfaces before allowing clearing and to require tree replacement on or off-site.

She said another amendment could be to require certain types of new development to incorporate solar energy facilities.

Ms. Grogan listed some other potential CMP amendments that are climate-related. She said that one could be to place limitations on tree removal for certain types of development. She said another could be to have requirements for tree planting and reforestation.

She said some of the listed CMP amendment suggestions came from questions that frequently arise during the Commission's review of public development applications. She said that the CMP does not currently contain specific standards for those matters.

Chairman Lohbauer agreed that management areas may need to be modified in anticipation for climate impacts.

He said he had thirteen recommendations, split into four categories in his memo. He said the first section would be preamble language to establish climate mitigation as a basis for decision making. He said there is no language in the CMP that mentions climate. He said that while he didn't have specific language to recommend, he said that it should reference the New Jersey Global Warming Response Act.

He said the Pinelands Area and the Pinelands National Reserve are the largest forested areas in the State, which make them a critical carbon sink.

Chairman Lohbauer suggested adding climate-related definitions for reference when reviewing development applications. He also suggested adding policies for climate mitigation, carbon sequestration, energy, and stormwater management.

He said the Governor's Office is looking at a set of emergency regulations, beyond the newly enacted regulations stemming from new data regarding climate-related rainfall. He suggested the possibility of doing the same at the Commission level.

Chairman Lohbauer recommended an evaluation of operations at the Commission offices. He said his recommendation includes making modifications to reduce the use of energy. He also suggested moving away from the use of fossil fuels and toward clean, renewable energy.

He recommended the introduction of electric vehicles to the Commission fleet and to install a charging station onsite. He also recommended the installation of battery systems to sustain solar energy.

Chairman Lohbauer said that the recommendations in Ms. Grogan's presentation, combined with his suggestions, are a lot to consume at once. He recommended the Committee review the recommendations and be prepared to discuss them at the next meeting. He also suggested the information be made available to the public for comment. He said that he also welcomes feedback from the staff.

He said he would like to see these recommendations be reviewed and put into a set of items that the staff can use to craft amendments to the CMP.

Commissioner Irick suggested to submit information to the P&B Committee on the operation of the Commission facilities for them to evaluate and establish budgetary numbers and priorities on

what can be accomplished. He also recommended the combination of Chairman Lohbauer and Ms. Grogan's recommendations so the Committee could prioritize objectives at the next meeting.

Commissioner Avery questioned whether the Commission has regulatory authority for building construction requirements. He expressed concern with any potential legal conflicts that could arise. Ms. Grogan said that it would require research to establish the practicality of those requirements.

Commissioner Irick suggested that Ms. Roth evaluate to see what recommendations are feasible.

Ms. Grogan asked for clarification on Chairman Lohbauer's recommendation for establishing a preference or incentives for applications that conserve energy. Chairman Lohbauer said that he did not have specific recommendations but mentioned that an incentive could be something other than financial such as planning allowances.

Chairman Lohbauer expressed interest in hearing from Ms. Roth on the feasibility of implementing some of these recommendations. He suggested that incentives could be used where restrictions could not be made.

Commissioner Irick said that some recommendations can be seen as aggressive. He also recognized that some recommendations may not be accomplished. He suggested that a list of priorities be established to present to the full Commission.

Chairman Lohbauer said that his most controversial recommendation would be to restrict the expansion of commercial fossil fuel infrastructure. He said that while it may not be something the Committee agrees on, he would like to see it discussed publicly.

Commissioner Avery said that he is concerned with the recommendation of no net loss of trees. He said some amount of clearing may be necessary to accommodate permitted development. He questioned where trees could be planted.

Chairman Lohbauer said that he struggled with the idea as well. He said that a creative solution would be needed. He suggested that a mechanism be put in place for a developer to compensate for the loss of trees. He mentioned the possibility of requiring trees to be planted or an equivalent contribution to the Pinelands Conservation Fund (PCF).

Commissioner Avery complimented the idea of a contribution to the PCF. He said the Commission should focus on permanently preserving forested areas.

Chairman Lohbauer expressed interest in receiving public input on the matter. He also suggested further discussion at the next meeting.

5. Public comment

There was no public comment.

Chairman Lohbauer stated that public comments could be made by email if anyone was unable to do so during the meeting. He said they would be addressed at the next meeting.

There being no further discussion, Commissioner Avery moved to adjourn the meeting. Commissioner Irick seconded the motion. The meeting concluded at 12:26 p.m.

Certified as true and correct:

A handwritten signature in black ink, appearing to read "Dawn Holgersen", with a long horizontal flourish extending to the right.

Dawn Holgersen
Office Assistant
September 20, 2022



1

**Recommendation to
P&B Committee**

- Establish special “Climate” reserve account as part of FY23 budget
 - Office equipment: new and replacement
 - Solar energy facility consultant
 - Electric vehicle charging station
 - New Commission vehicles
 - Long-term plan for replacement of HVAC, etc.

2

Recommendations to P&I Committee

- CMP Amendments
- Pinelands management area boundary analysis

3

CMP Amendments

- Exempt principal solar facilities on rooftops and parking lots
- Expand siting opportunities for principal solar facilities in the RDA and/or APA and/or at old mines in PAD and FA
- Establish specific limitations on clearing and tree removal for principal solar facilities
 - Require installation on existing impervious surfaces (rooftops and parking lots) before allowing clearing for ground-mounted facilities
 - Require tree replacement on- or off-site
- Require that certain types of new development incorporate solar energy facilities
 - Major residential, commercial, industrial, public, redevelopment

4

CMP Amendments

- **Tree removal limitations for various types of development**
- **Tree replanting/reforestation requirements**
- **Management area boundaries (RGA, PV, PT)**