

**CMP POLICY & IMPLEMENTATION COMMITTEE MEETING**

This meeting was conducted both remotely and in-person  
The public could view/comment through Pinelands Commission YouTube link:

[www.youtube.com/c/PinelandsCommission](http://www.youtube.com/c/PinelandsCommission)

Richard J. Sullivan Center  
15C Springfield Rd  
New Lisbon, New Jersey 08064  
**April 25, 2025 – 9:30 a.m.**

**MINUTES**

**Members in Attendance:** Jerome Irick, Chair Laura E. Matos, Jessica Rittler Sanchez

**Members in Attendance (Zoom):** Alan W. Avery, Jr., Douglas Wallner

**Members Absent:** Theresa Lettman, Mark S. Lohbauer

**Staff Present:** Gina Berg, John Bunnell, Katie Elliott, Lori Friddell, Susan R. Grogan, Chuck Horner, Brad Lanute, Paul Leakan, Amber Mallm, and Stacey P. Roth.

**Also in attendance:** Alexis Franklin with the Governor's Authorities Unit (Zoom)

**1. Call to Order**

Chair Matos called the meeting to order at 9:30 a.m.

**2. Adoption of minutes from the March 28, 2025 CMP Policy & Implementation Committee Meeting**

Commissioner Rittler Sanchez moved the adoption of the March 28, 2025 meeting minutes. Commissioner Irick seconded the motion. All Ayes. The motion passed.

**3. Pinelands Conservation Fund 2025 Land Acquisition Grant Round**

*Attachment A to these minutes and posted on the Commission's website at the following address:*  
[https://www.nj.gov/pinelands/home/presentations/P\\_I%20PCF%20April%202025.pdf](https://www.nj.gov/pinelands/home/presentations/P_I%20PCF%20April%202025.pdf)

Commissioner Avery recused himself from this portion of the meeting due to his role as Chair of the Ocean County Natural Lands Trust.

Gina Berg, Director of Land Use Programs, reviewed the Pinelands Conservation Fund Land Acquisition program and asked for Committee feedback on the project priorities, funding levels and anticipated schedule for a new round of grant offerings. Ms. Berg said the Pinelands Conservation Fund (PCF) was established with the objective of increasing permanent land protection focused within Commission identified Section 502 areas or one of the other 21 acquisition target areas. She reviewed current funding amounts and sources.

Ms. Berg presented the staff's recommended land acquisition priorities and project criteria and reviewed the matrix of scoring factors that would be used to evaluate submitted land acquisition projects. Factors include location, threatened and endangered (T&E) habitats, size, contiguity, partnership contribution of acquisition costs, maintenance and stewardship, and Environmental Justice/Overburdened Community (EJ/OBC) stressors identified by the New Jersey Department of Environmental Protection (NJDEP).

Commissioner Wallner sought clarification of the point value for grassland and contiguity with preserved land under the medium point value. It was noted that grassland habitat is also listed in higher point scoring under the T&E habitat factor. Ms. Berg said contiguity focuses more on creating larger areas of preserved land.

Ms. Berg reiterated the focus to select projects in Section 502 areas or in one of the other 21 acquisition target areas. She said additional points will be awarded for projects that are intended to preserve open space and maintain grassland habitat or that occur in an EJ/OBC municipality.

Ms. Berg reviewed the recommended funding structure and the proposed change from two prior rounds for additional funding to support stewardship projects. That structure was intended to aid in identifying projects for a stewardship grant proposal to the America the Beautiful program. She said that the grant proposal was not successful. She said the 2025 funding round will still encourage stewardship in the evaluation criteria point structure but would no longer add additional funding for stewardship matching costs.

Ms. Berg reviewed the 2025 schedule, anticipating opening the application round on May 1<sup>st</sup>, a submission deadline of Sept 19<sup>th</sup> and project recommendations to the P&I Committee on October 31<sup>st</sup>. She noted staff is trying to encourage electronic submissions.

Executive Director (ED) Susan Grogan added that it is important for project proposals to be complete. Ms. Berg said proposals should include mapping, landowner consent and appraisals and noted that the website and the application form will highlight those requirements.

Commissioner Rittler Sanchez inquired regarding funding thresholds and soft costs exclusion.

Discussion continued with Green Acres funding and the NJDEP ability to fund soft costs.

ED Grogan explained that most applicants have multiple grant sources, and that the PCF program has always been intended to cover a small portion of overall funding.

Ms. Berg concluded based upon Commissioner feedback that the program would follow the proposed schedule, and staff will report on any project proposals in October.

Commissioner Matos recommended in addition to email and website notification that legislators also be engaged to make them aware and allow them to share program application information.

There being no further discussion, Commissioner Avery returned to the meeting at 9:54 a.m.

#### 4. Permanent Land Protection Summit Update

*Attachment B to these minutes and posted on the Commission's website at the following address:*  
<https://www.nj.gov/pinelands/home/presentations/2025%20Summit%20Summary%20P1%20-%20PL%20edits.pdf>

Amber Mallm, Planning Specialist, provided a summary of the Commission's 2025 Permanent Land Protection Summit themed on "Creating Accessible Trails in the Pinelands Area" and reported on the overall success of the summit and in the collaboration of partners.

Ms. Mallm said current Pinelands Comprehensive Management Plan (CMP) rules would require a Memorandum of Agreement (MOA) for a deviation from CMP standards if a public entity wished to resurface or improve an existing trail in the Pinelands wetlands or wetlands buffer. She added that the deviation MOA is only available to public agencies and not to private entities. She said it would be beneficial to all parties to provide a clear and simpler process by setting CMP standards for accessible trail improvements.

Ms. Mallm said the summit offered an opportunity to start discussion and gain feedback from invited participants including non-profit, state and local partners, as well as accessibility advocacy groups. She reviewed the summit presentation topics which focused on various aspects of implementing a successful trail. She remarked on Stafford Township's presentation and their example of an accessible trail improvement. She also noted that the NY/NJ Trail Conference offered their trail construction guidance document as a resource.

Ms. Mallm outlined feedback from roundtable discussion on accessible trail standards in the Pinelands. She said discussion was prompted by moderators with questions on topics of trail materials and construction, impacts to natural surroundings, and accessibility documentation. She noted that discussion focused on improvements to existing trails, not new trails in the wetlands and buffers. She said participants remarked on trail materials, trail maintenance, and consideration of site-specific conditions, such as threatened or endangered species habitats, and stormwater and erosion management. Ms. Mallm also said that participants discussed existing codes and grant requirements for trail accessibility that may require a 10-foot paved width for trails.

Ms. Mallm said additional topics were discussed, including outreach opportunities to engage communities and ensure that trail design is based on the needs of a particular community, accessibility documentation through removal of barriers, such as stumps and obstacles, and also consideration of different application requirements for public, non-profit and private applicants.

She said the staff will review feedback from attendees as they work on possible CMP amendments to allow improvements to existing, permitted trails in wetlands and wetlands buffers.

Commissioner Rittler Sanchez questioned the impact of a 10-foot-wide minimum trail requirement and possible infringement on habitat and on maintaining the character of a site. She asked if any suggestions were offered on how to manage that requirement.

Director of Land Use Programs, Gina Berg, responded that two participants expressed interest in 10-foot-wide paths because they have received federal funding with standards requiring the wider trails. She said those funding sources encourage multi-modal use. She said she does not believe the 10-foot-wide trails are workable within Pinelands wetlands and wetland buffers.

ED Grogan said having specific standards regarding what is permitted helps to navigate these issues. She said the Summit generated a good variety of perspectives and suggestions.

Commissioner Rittler Sanchez inquired if the trail width was aimed mainly for barrier-free accessibility.

ED Grogan said yes, the topic was introduced because there are existing trails that are not barrier-free and there is interest in turning those existing trails into accessible trails. Ms. Grogan said current rules allow trails; but paving and surfacing of those trails in wetlands and buffers is not consistent with the CMP.

Commissioner Rittler Sanchez said standards and oversight are needed.

Commissioner Irick said there is a process for special interest exemption through the American Disabilities Act (ADA). Regarding Commission standards, he said he would like to see the same standards apply to non-profit, public and private entities to avoid confusion.

Commissioner Avery inquired if there was a consensus on what a minimum trail width should be.

Ms. Berg said the U.S. Forest Service guidance suggests that trails be at a minimum width of 4 feet with a bump out.

Commissioner Avery said all projects funded through the Department of Transportation grants, such as Rails to Trails, require a 10-foot-wide paved trail, which he noted invites road traffic.

Commissioner Wallner remarked that he likes the idea of developing a matrix to prioritize where trails are more suitable. He referred to the Black Run as an example of where existing wide trails could be used for ADA trails. He said a matrix to identify appropriate places for accessible trails is a useful tool.

Commissioner Avery inquired if there was any discussion on whether all trails that public agencies build must be ADA accessible or if only a portion can be ADA accessible.

Ms. Berg said it was not discussed at the Summit.

Chief Legal and Legislative Analyst Stacey Roth said the statute provides for exceptions where there is a conflict with environmental resources. She said there are instances where a municipality can make a demonstration that it cannot comply with ADA because of potential negative environmental impact.

Commissioner Rittler Sanchez inquired if the NY/NJ trail construction guidance document provides answers to some of these questions.

ED Grogan said the document is more oriented to construction and applies more to the northern region of the state, which has a very different geography.

## **5. Pinelands Conservation Fund Stewardship Monitoring Report**

*Attachment C to these minutes and posted on the Commission's website at the following address:*  
<https://www.nj.gov/pinelands/home/presentations/PCF%20Monitoring%20Visits%20Dec%202024.pdf>

Katie Elliott, Planning Specialist, presented a report on the PCF monitoring visits that she conducted in December 2024 to three sites that received PCF funds and are deed-restricted as open space. She explained that site visits are being conducted to see the current condition of the property and to determine whether the organization that preserved the land is having stewardship challenges.

She reported on the 16-acre Clayton-Ridgeway site located in Jackson Township. She said the site is split between the Pinelands Forest Area in the south and the Pinelands Rural Development Area in the north and is in the Toms River Corridor Permanent Land Protection (PLP) acquisition target area. She said the site is owned by Ocean County Natural Lands Trust and was preserved in 2009. She reported the site was in good condition, remains very wooded with no marked trails and that the County allows hunting on the parcel.

Ms. Elliott reviewed the Clayton 2010B, Tract 3 site also in Jackson Township. She said this site is a larger, 331-acre parcel that was preserved in 2010 in the Pinelands Rural Development Area and is also within the Toms River Corridor PLP acquisition target area. She said the site, also owned by Ocean County Natural Lands Trust, is adjacent to the Clayton mine. There are also ponds and trails onsite. She said hunting and fishing are permitted. Ms. Elliott noted that the property is adjacent to a sports complex. There is no private vehicle access; however, the site has a dirt road that is used near the quarry. She reported that the property has an ongoing issue with illegal off-road vehicle (ORV) damage despite fencing, signage and cameras. As a result, she noted scattered trash and debris as well as trail destruction. She documented ORV tracks and dirt ramps. She said she met with landowner representatives and county staff and reported that they are aware of the situation and actively trying to prevent further damage.

Ms. Elliott said the Great Egg Harbor River Greenway Project in Winslow Township is a 79-acre parcel in Camden County split between the Pinelands Forest Area and the Rural Development Area. She said the site is located in the Great Egg Harbor "Wild and Scenic" River Corridor PLP target area and was preserved in 2009. She said it is a wooded site with no marked trails and hunting is not permitted. She reported that the site is not in good condition and has an ongoing problem with the dumping of tires, construction material and debris. She spoke with County representatives who have plans to remove the debris and further monitor the site.

Ms. Elliott summarized the visits and noted that sites with more consistent monitoring and usage are better maintained and illegal ORV use that causes damage is proving difficult for landowners to prevent or control.

Commissioner Matos asked what mechanism is in place for follow-up from prior site visits. Ms. Elliott said Commission staff will revisit and follow up with land managers on previously identified issues.

Commissioner Rittler Sanchez remarked that other entities provided funding for acquisition of these sites and inquired if those entities are also doing site inspections and monitoring reports. She said Green Acres has strict standards for their projects and suggested working in tandem. She inquired if points on the matrix could be deducted for poor stewardship.

Ms. Berg responded that while the Commission does not deduct points for a history of poor stewardship, additional points in the matrix are added in recognition of a history of good stewardship. She noted that the Commission has only started monitoring sites in the last two years, which has allowed the Commission to begin to identify existing problems and good stewards.

Executive Director Grogan said a grant proposal was submitted to help fund additional staff for stewardship and maintenance projects and plans. She said the grant was not funded; however, the land preservation community recognizes ongoing concerns such as ORV use, trespassing and dumping and the need to monitor and maintain property. She said it can be difficult, especially for non-profit organizations to take on managing more land.

Discussion followed on Green Acres notification of inspections and the possibility of creating a feedback loop with other acquisition funding agencies.

Commissioner Avery said, as an example, the Natural Lands of Ocean County now owns over 40 square miles of preserved property and cannot do site visits for every acre.

Commissioner Avery left the meeting at 10:38 a.m.

Commissioner Irick suggested requiring a yearly report on stewardship of the property as a condition in the grant application process. Ms. Berg said that perhaps it could be required in the deed restriction.

## **6. NJDEP Mitigation Rule Proposal Summary**

*Attachment D to these minutes and posted on the Commission's website at the following address:*

[https://www.nj.gov/pinelands/home/presentations/NJDEP%20-%20StakeholderPresentation%20Slides%20for%20Wetlands%20Mitigation%20Rule%20Changes%20\(1\).pdf](https://www.nj.gov/pinelands/home/presentations/NJDEP%20-%20StakeholderPresentation%20Slides%20for%20Wetlands%20Mitigation%20Rule%20Changes%20(1).pdf)

Ms. Roth presented a summary of the NJDEP mitigation rule proposal, which amends the mitigation requirements under the Coastal Zone Management rules, Freshwater Wetlands Protection Act rules and Flood Hazard Area Control Act rules. The proposal involves five main topics of amendment.

Ms. Roth explained the interaction between the Commission and the mitigation rules. She said the Commission, through an existing MOA, issues freshwater wetlands general permits for the NJDEP. She said NJDEP requires mitigation for impacts associated with certain general permits.

Ms. Roth said the intertidal subtidal shallows (ISS) mitigation requirements to be amended under the Coastal Zone Management rules proposes to allow applicants to use a mitigation bank instead of requiring a monetary contribution to the Mitigation Council for impacts to the ISS.

She reviewed the existing mitigation hierarchy and the change to eliminate the distinction between larger and smaller development projects. Ms. Roth said the proposed change restructures the hierarchy to make use of a mitigation bank the first option. In contrast, the current rule requires the first mitigation option to be onsite or offsite mitigation.

Ms. Roth explained the mitigation banking process and issuance of credits.

She presented the Freshwater Wetlands rule change involving the elimination of the single-family monetary contribution option, explaining the justification for the original rule was no longer valid and the change equalized contribution requirements.

Ms. Roth reviewed the current rules under the Flood Hazard Area Control Act regarding mitigation for impacts of major development along a C-1 waterway. She explained this as occurring in the riparian corridors adjacent to the regulated waters. She said current rules require mitigation to occur along the same regulated water as the disturbance or at an upstream tributary. Ms. Roth said the NJDEP found this requirement to be infeasible since the current rules offered no other alternative. She said the proposed change would now allow the use of a mitigation bank, if mitigation along the same water or upstream is not possible.

Commissioner Rittler Sanchez inquired if this would pertain to dam installation or removal projects. Ms. Roth said not to removal but possibly to dam installation.

Ms. Roth said the Commission, under the MOA, can issue Flood Hazard Area Control Act permits, formerly known as stream encroachment permits. She confirmed with Chuck Horner, Director of Regulatory Programs, that the Commission does not often issue these permits.

Commissioner Rittler Sanchez remarked on a past public comment received regarding flooding and dams. She inquired if this rule is related.

Executive Director Grogan said the requirements become applicable only when a permit for development in a wetlands area is required from NJDEP. Ms. Roth added that the requirements also apply when approval is sought for a permanent disturbance in a stream water corridor.

Ms. Roth discussed a proposed rule amendment to the Coastal Zone Management and Freshwater Wetlands mitigation rules. She said NJDEP proposes to add the preservation of wetlands, in addition to uplands, under the mitigation hierarchy for both rules. She said the topic is controversial and there are concerns that the state is losing more wetlands than mitigation can recoup. Additionally, this will allow the preservation of higher resource value wetlands.

Ms. Berg said wetlands preservation provides better protection than the flood hazard or GP rules.

Discussion followed on the NJDEP ratio for standard mitigation projects. Ms. Roth advised that NJDEP's guidance document for freshwater wetlands mitigation recommends a 27 to 1 ratio for preservation of wetlands acres to development impact.

Ms. Roth reviewed the NJDEP's criteria for determining if an area of wetlands could be preserved for mitigation purposes. She indicated that a wetland need not meet all criteria to qualify as a mitigation project. Rather, DEP will look at which factors are present and determine if wetlands preservation is appropriate.

She also discussed the factor that the wetland to be preserved drain into a Freshwater 1 (FW1), Category 1 (C1), or a public drinking water source, noting that there is no reference to Pinelands (PL) waters. Ms. Roth said that although PL waters are not listed in this one factor, the remaining criteria would likely apply so wetlands preservation within the Pinelands Area would be a mitigation option.

She summarized the potential impacts of the rule proposal regarding the Commission's issuance of Freshwater Wetland General Permits for the NJDEP, mitigation requirements for those permits, if needed, and the preservation of wetlands in the Pinelands Area.

Ms. Roth said she anticipates comments from the environmental community will be submitted to the NJDEP concerning the long-term viability of large wetlands banking sites.

Commissioner Rittler Sanchez, referencing the option of preserving wetlands, inquired if only the wetlands would be preserved, noting that impacts from development in uplands presents impacts to the wetlands.

Ms. Berg explained that in the past if an applicant wanted to use land preservation as a mitigation tool, they only received credit for the upland portion. She said the change will be beneficial to wetland protection.

Commissioner Rittler Sanchez commented that this intends to be permanent protection.

ED Grogan inquired on mechanics of the process and ultimate deed restriction for a private applicant for a general permit. Ms. Roth said these are minor changes to a pre-existing program and private applicant wetland preservation in the hierarchy would not be the preferred option.

Chair Matos thanked staff for all presentations.

## **7. Public Comment**

There was no public comment.

Commissioner Rittler Sanchez asked that the topic of artificial turf be added to a future Policy & Implementation Committee meeting. She referenced a presentation by the Sierra Club and partners on the subject and noted that new legislation has been introduced. She remarked it would be beneficial if the Commission were on the forefront of the issue, rather than waiting for the legislature or others to act.



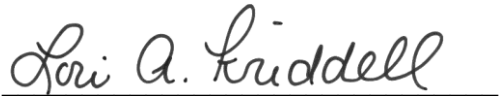
Chair Matos said the Commission would first need to confirm what its jurisdiction is on the subject.

Commissioner Rittler Sanchez added that artificial turf projects are often public projects such as schools and could come before the Commission. She said the topic involves climate considerations, water quality aspects, and public health.

## **8. Adjournment**

There being no other business, Commissioner Irick moved to adjourn the meeting. Commissioner Wallner seconded the motion. All voted in favor. The meeting was adjourned at 11:20 a.m.

Certified as true and correct:

A handwritten signature in cursive script that reads "Lori A. Friddell". The signature is written in dark ink and is positioned above a horizontal line.

Lori Friddell  
Land Use Programs Technical Assistant

Date: May 1, 2025