

AN OUTLINE FOR DEVELOPMENT OF CLIMATE-RELATED AMENDMENTS TO THE NJ PINELANDS COMPREHENSIVE MANAGEMENT PLAN

TO: Susan Grogan, Acting Executive Director, NJ Pinelands Commission
Laura Matos, Chairperson, NJ Pinelands Commission

FROM: Mark Lohbauer, Chairman, NJ Pinelands Climate Committee

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The Climate Committee's agenda for tomorrow includes a discussion of amendments to the C.M.P. As we have no amendments proposed at this time, I would like to introduce the outline below to the Climate Committee for their consideration as a framework for such amendments. The outline does not include actual amendment language, but rather goals for such amendments. This outline should stimulate a discussion among the Committee members, staff, and interested members of the public and will hopefully result in a direction from the Committee to the staff to draft amendment language for each of the items in the outline that the Committee may agree to support.

Preamble language, establishing climate mitigation as a basis for decision making.

Amending CMP Section 7:50-1.3 General purpose and intent

1. Establishing climate mitigation as a standard that must be observed by the NJ Pinelands Commission in evaluating all development applications, crafting policy, and implementing its own operations. This amendment should refer to the NJ Global Warming Response Act (P.L. 2007 c.112; P.L. 2018 c.197) and note that the current climate crisis requires mitigation of ever-increasing levels of carbon dioxide and other greenhouse gases in the atmosphere, and that the NJ Pinelands Area and National Reserve are the largest forested areas in New Jersey, which makes it a critical carbon sink.

Amending CMP Section 7:50-2.11 Definitions

2. Inserting all necessary definitions within Section 7:50-2.11 to clarify terms used in these proposed amendments, including "battery storage system," "carbon sequestration," "climate change," "climate mitigation," "geothermal HVAC system," "no net loss of trees," and "renewable energy"

Development policy

Amending CMP Section 7:50-4.1 et seq. Development Review

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3. Requiring private and public development applicants to address climate mitigation as an element of their application, indicating the net effect of their proposed development on climate and proposing mitigating features to compensate for them.
4. Requiring all new development projects that include creation of new paved surfaces for driveways and parking areas to utilize pervious materials for these surfaces.

Climate mitigation policy

Create new Part XVI under Sub-chapter Six Management Programs and Minimum Standards CMP Section 7:50-6.159 et seq. entitled “Climate Mitigation Policy” to include the following new policy sections:

A. Carbon sequestration policy

5. Establishing policies that will mitigate climate impacts in the Pinelands Area by reducing or restricting fossil fuel use and enhancing measures that sequester airborne carbon. Among other things, this section should note the importance of cover crops in agricultural areas as carbon sinks and our encouragement of their use.
6. Expanding carbon sequestration capacity through no net loss of trees policy and through favoring development applications that provide a net gain of carbon sequestration capacity. This policy would acknowledge that while tree removal is permitted by the CMP, a system of replacement would require either planting of trees of comparable carbon sequestration value, or payment into the Pinelands Conservation Fund for the purpose of preserving equivalent forested area in the Pinelands. The system would require identification of the carbon sequestration value of the trees to be removed so that trees of comparable sequestration value would be used as replacement.
7. This policy should also indicate the Commission’s preference for development to occur on lands already disturbed, rather than on forested areas that would require tree clearance.

B. Climate-related energy policy

8. Requiring renewable energy (solar or wind as practicable) installations on all new residential (of at least four or more dwelling units), commercial, institutional or industrial development projects unless the applicant may show that site conditions make renewable energy installations impractical on the site.

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9. Expressing a preference (or providing incentives, if possible) for project applications that conserve energy use for heating/cooling/lighting and/or implement geothermal systems for heating and cooling.
10. Expressing a preference (or providing incentives, if possible) for project applications that utilize energy storage systems, such as battery-storage systems, in lieu of fossil fuel-based emergency power generation systems.
11. Restricting expansion of commercial fossil fuel-related infrastructure in the Pinelands including, but not limited to gasoline filling stations; pipelines that carry crude oil, natural gas or other petroleum products, and petroleum-based fuel storage tanks.

C. Climate-related stormwater management policy

12. Requiring all development projects to include flood planning and stormwater management systems that recognize the increased frequency and intensity of rainfall in the Pinelands related to climate change. [Staff is directed to craft a standard that incorporates the increased rainfall levels expressed in the D.E.P.'s climate-impacted rainfall projections for the Pinelands.]

D. Operations of the Pinelands Commission

13. Requiring the Pinelands Commission to reduce and ultimately eliminate its fossil fuel-based energy consumption inherent in its own operations through the following measures, to be implemented as promptly and as practically possible:
 - a) Replace all incandescent or fluorescent lighting fixtures with light emitting diode (L.E.D.) fixtures as practicable.
 - b) Replace natural gas fueled water heating systems with electric water heating.
 - c) Replace fossil fuel-based space heating systems with electric space heating systems, and/or with geo-thermal HVAC systems.
 - d) Apply state-of-the-art insulating materials, insulated window glazing, and such other insulating practices designed to minimize the amount of energy needed to heat or cool Commission buildings.
 - e) Install a solar energy power generation system sufficient to supply all power needs of the Commission.
 - f) Install a battery storage system designed to work with the solar energy power generation system sufficient to provide all necessary power to the Commission when solar power is not being generated.
 - g) Replace the existing combustion-engine-powered motor vehicles in the Commission's fleet with appropriate electric vehicles (that support the

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Commission's usage requirements) as each such combustion-engine vehicle requires replacement.

- h) Install sufficient Level 2 or higher electric vehicle charging equipment in the Commission's parking lot to allow for charging of the Commission's fleet, as well as access to the public so that they may charge their electric vehicles while visiting the Pinelands Commission offices.