MEMORANDUM OF AGREEMENT
BETWEEN
THE NEW JERSEY PINELANDS COMMISSION
AND
RICHARD STOCKTON COLLEGE OF NEW JERSEY

I. PURPOSE

This Memorandum of Agreement (MOA) between Richard Stockton College of New Jersey (hereinafter Stockton) and the New Jersey Pinelands Commission (hereinafter referred to as the "Commission") is intended to establish the procedures for the review of development activities undertaken by Stockton on the 1560 acre of state-owned college campus in Galloway Township, within the Pinelands Area. In accordance with N.J.A.C. 7:50-4.52(c), the Commission "may enter into intergovernmental memoranda of agreement with any agency of the federal, state or local government which authorize such agency to carry out specified development activities without securing individual development approval from the Commission" under the Pinelands Comprehensive Management Plan (N.J.A.C. 7:50-1 et seq.).

II. MUTUAL AGREEMENTS

A. The Commission and Stockton agree that Stockton may proceed with the following activities without filing a formal application with the Commission or without submitting notice of the activity to the Commission, provided that the activity does not require a statewide general permit authorization or individual freshwater wetlands permit authorization under the Freshwater Wetlands Protection Act or any other permit required by the Department of Environmental Protection (DEP) for development in wetlands:

1) the resurfacing of a right-of-way, access road or driveway constructed of an impervious material which will not result in an increase in the width of the existing impervious surface;
2) the installation of scientific monitoring and research equipment such as weather and temperature monitoring equipment, water quality monitoring equipment and other similar scientific devices;
3) installation of lighting and electrical utilities along existing walkways, pathways, roadways and parking lots;

4) the maintenance of the surface of existing parking areas which does not result in an expansion of the parking area and which does not result in a change in the composition of the parking surface;

5) the replacement and installation of directional signs, facility identification signs, parking lot directory signs, ADA signs and traffic signs;

6) the installation of fencing provided that no more than 1500 square feet of clearing will occur.

B. The Commission and the Stockton agree that:

1) the following development activities will not require the filing of a formal application for the approval of the Commission pursuant to the Pinelands Comprehensive Management Plan provided that the activity does not require a statewide general permit authorization or individual freshwater wetlands permit authorization under the Freshwater Wetlands Protection Act or any other permit required by the DEP for development in wetlands:

   a. the development of a trail or pathway in existing cleared areas provided that the width does not exceed 4 feet;

   b. clearing of areas along roads and at the edges of existing recreational fields provided that the clearing does not exceed 5000 square feet;

   c. the installation or construction of equipment storage sheds and maintenance sheds provided the area of disturbance does not exceed 1,500 square feet;

   d. the installation of satellite dishes and antennas provided that the area of disturbance does not exceed 1,500 square feet and the antennas are located within the portion of the site that is a Pinelands Regional Growth Area;

   e) the repair, renovation or rehabilitation of existing culverts, stormwater inlets and stormwater piping;


2) Stockton shall notify the Commission 15 days in advance of the undertaking of those activities defined in (B.1.) by providing the Commission with the following:

a) a narrative description of the proposed activity;

b) a copy of a U.S.G.S. quadrangle and campus map on which the location of the activity has been indicated.

3) Within 15 days of the receipt of the notice provided for in (B.2), the Commission will notify Stockton if the proposed activity is consistent with the terms of this MOA and the Pinelands Comprehensive Management Plan (CMP). If the Commission fails to notify Stockton of its determination within the prescribed time frame, Stockton may proceed with the activity as proposed.

4) If it is determined by the Pinelands Commission that any portion of a proposed activity submitted pursuant to (B.1.) is found to be inconsistent with the requirements of the Comprehensive Management Plan, Stockton agrees that the project will be modified until the Commission staff determines that the proposed development is consistent with the standards of the Pinelands Comprehensive Management Plan. No development shall occur until the Commission staff determines the development is consistent. If Stockton disagrees with a determination of inconsistency by the Commission, it may submit a formal application pursuant to paragraph (D).

C. The Commission and Stockton agree that:

1) the following development activities will not require the filing of a formal application for the approval of the Commission:

a) any type of activity identified in II.A or II.B which requires a statewide general per-
mit authorization or individual freshwater
wetlands permit authorization under the
Freshwater Wetlands Protection Act or any
other permit required by the DEP;
b) the development of new sidewalks, trails and
pathways involving clearing;
c) expansion of existing gravel or paved
roads;
d) the installation of an underground or above
ground storage tank which results in greater
than 1500 square feet but less than 5000
square feet of disturbance.

2) for all proposed projects defined in (C.1), Stock-
ton shall submit the following information to the
Commission at least forty-five (45) days prior to
the commencement of any of these activities:
a) a narrative description of the proposed ac-
tivity;
b) a copy of a U.S.G.S. quadrangle and a campus
map on which the location of the proposed
development has been indicated;
c) a copy of the plans for the project;
d) an analysis of whether the project will im-
pact on any cultural resources or Pinelands
threatened or endangered species.

3) Within thirty (30) days of receipt of the informa-
tion submitted pursuant to (C.2.), the Commission
staff will provide comments regarding the consist-
tency of the proposal with the requirements of the
Pinelands Comprehensive Management Plan. If the
Commission fails to notify Stockton of its deter-
mination within the prescribed time frame, Stock-
ton may proceed with the activity as proposed.

4) If it is determined by the Pinelands Commission
that any portion of a proposed activity submitted
pursuant to (C.1.) is inconsistent with the
requirements of the Comprehensive Management Plan,
Stockton agrees that the project will be modified
until the Commission staff determines that the
proposed development is consistent with the stan-
dards of the Pinelands Comprehensive Management
Plan. No development shall occur until the Com-
mission staff determines the development is con-
sistent. If the Stockton disagrees with a deter-
mination of inconsistency by the Commission, it
may submit a formal application pursuant to paragraph (D).

D. Stockton understands that:

1) any activity not identified in (II.A.1, II.B.1 or II.C.1) will require an application to the Commission; and

2) in accordance with N.J.A.C. 7:50-4.52(b), the proposed development may not occur until an application has been completed and the Commission has approved the project.

E. The Commission and the Stockton agree to meet at least annually to discuss this MOA, the status of specific projects and other issues of mutual concern.

III. EFFECTIVE DATE OF AGREEMENT AND DURATION

A. This Memorandum of Agreement shall take effect upon approval by the authorized representative of both parties and subsequent to the Governor's review for a period of ten (10) days.

B. This agreement shall remain in effect until otherwise amended by both parties or terminated by either party upon sixty (60) days written notice.

IV. SIGNATURES

[Signatures]

Approved as to form by:

[Signature]

Deputy Attorney General
State of New Jersey

Date: 11/26/96

11/27/95