



# NEW JERSEY PINELANDS COMMISSION

## MONTHLY MANAGEMENT REPORT



A much-needed rainstorm in Brendan T. Byrne State Forest in the Pinelands, as photographed in November

**NOVEMBER 2024**

# 1 EXECUTIVE OFFICE

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## 1.1 EXECUTIVE DIRECTOR

### 1.1A COMMITTEE MEETINGS

- **Personnel & Budget (P&B) Committee:** The Committee did not meet in November.
- **Pinelands Climate Committee:** The Committee did not meet in November.
- **Policy & Implementation (P&I) Committee:** The Committee met on November 22, 2024 and reviewed an ordinance adopting a redevelopment plan for a former industrial-use site in the Forest Area of Hamilton Township. The Committee recommended the Ordinance to the full Commission for certification. In addition, staff presented a draft model ordinance for regulating off road vehicles. The Committee discussed potential revisions to the draft ordinance and noted that the finalized model would be offered as a resource to Pinelands municipalities.

### 1.1B RULEMAKING

- **Water Management (Kirkwood-Cohansey):** In March, staff finalized and distributed municipal model ordinances implementing the December 2023 Pinelands Comprehensive Management Plan (CMP) water management amendments. Pinelands municipalities have until December 4, 2024 to adopt the ordinance. As of the end of November, 47 municipalities had submitted adopted ordinances to the Commission. Commission staff continues to engage with the three municipalities that still need to adopt the model ordinance.

### 1.1C OPEN PUBLIC RECORDS ACT

- A total of six Open Public Records Act (OPRA) requests were received in November. Four were provided responsive material, one was advised that there were no responsive documents, and one was advised that a file review could be scheduled.

### 1.1D PINELANDS MUNICIPAL COUNCIL

- The Pinelands Municipal Council did not meet in November.

## 1.2 LEGAL AND LEGISLATIVE AFFAIRS

### 1.2A LITIGATION

- **In Re Challenge of Clayton Sand Company to December 4, 2023 Amendments to N.J.A.C. 7:50-1.1 et seq., A-001476-23** – On February 26, 2024, the Attorney General’s office notified the Commission that Clayton Sand Company had filed a Notice of Appeal of the amendments to the Water Management Rules at N.J.A.C. 7:50-6.86(d)2 of the Pinelands CMP (i.e. the Kirkwood-Cohansey rules). The appeal challenges the rule adoption as procedurally and substantively defective. The Statement of Items Comprising the Record has been filed with the Court and a

briefing schedule established. Clayton’s Brief was filed and accepted by the Appellate Division on July 31, 2024. A motion to extend the time for the Commission to file its brief was granted on October 31, 2024. The Commission’s brief is now due on November 29, 2024. Winslow Township filed a Motion to Intervene or, in the alternative, to appear as an *Amicus Curiae* in this appeal on September 16, 2024. A letter was submitted to the Court on September 26, 2024 advising that the Commission took no position regarding Winslow’s motion. The merits brief on behalf of the Commission was filed on November 26, 2024. Because it was over 50 pages, a motion to file an overlength brief was filed concurrently with the merits brief. Winslow Township filed its amicus brief and appendix on November 12, 2024. On November 29, 2024, a Motion to Strike Winslow’s Brief and Appendix was filed on behalf of the Commission, because Winslow’s appendix included documents that were not part of the rulemaking record and such documents were referenced as part of its arguments in its brief.

- **Hovsons, Inc. et.al. v. Babbit, et. al., Civil Action No. 00-3943 (MLC/TJB)** – Earlier this year, Hovsons, Inc. filed a motion with the Federal Court seeking to enforce the terms of the 2004 settlement agreement between Hovsons, the New Jersey Department of Environmental Protection (NJDEP), the Pinelands Preservation Alliance and the Commission related to development of the Heritage Minerals tract in Manchester Township. At a status conference on May 14, 2024, the Judge ordered the parties to engage in mediation. The parties agreed to use Ralph Marra as the mediator. Mediation sessions occurred on September 5, 2024 and September 10, 2024. At the conclusion of the mediation session on September 10<sup>th</sup>, Hovsons agreed to provide NJDEP with a reassessment of the vegetative cover calculation and an overlay of current site conditions. That information was submitted on November 4, 2024. A third mediation session is scheduled for December 12, 2024.

**1.2B LEGISLATION**

A summary of legislation specific to the Pinelands Area or Commission is provided below. A summary of other pending legislation potentially related to the Pinelands is attached at the end of the document (Attachment 1).

**Pinelands Specific Legislation**

| <b><u>Bill No.(s)</u></b> | <b><u>Prime Sponsor(s)</u></b> | <b><u>Synopsis</u></b>  | <b><u>Current Status</u></b>   |
|---------------------------|--------------------------------|---|--|
| A4162/S2424               | Calabrese, Hall Smith, McKeon  | Establishes various programs in the New Jersey Department of Environmental Protection (NJDEP) concerning management of publicly owned forested land; appropriates \$60 million. | Assembly Bill – Introduced, Referred to Assembly Environment, Natural Resources, and Solid Waste Committee on 4/8/24.<br><br>Senate Bill - Reintroduced, Referred to Senate Environment and Energy Committee on 1/29/24. |

## 1.2C INTERGOVERNMENTAL AGREEMENTS

- **Pemberton Township:** This Memorandum of Agreement (MOA) between the Township and the Commission authorizes a deviation from CMP wetlands and wetlands buffer standards to accommodate surfacing of an existing trail at Pemberton Lake for accessibility purposes. The Commission approved execution of this MOA at its January 12, 2024 meeting. The MOA specifies that the Township must complete and submit its revegetation plans, rain garden plan, wetlands general permit and right of entry approval from NJDEP before the trail improvement project may commence. The Commission issued a Freshwater Wetlands General Permit 17 for the project on May 31, 2024. On June 3, 2024, the Commission staff was copied on an email from Pemberton Township to NJDEP providing notice that Pemberton was starting preliminary site work for the project. Included with this email was a copy of a Right of Entry Agreement between the NJDEP, Pinelands Preservation Alliance (PPA) and Pemberton Township that was issued on May 23, 2024. Review of the Right of Entry Agreement revealed a number of inconsistencies with the MOA. After discussions with NJDEP, staff emailed the Township on July 9, 2024 to provide details on the inconsistencies and request that the missing items be submitted. Revised revegetation plans were submitted to the Commission on September 4, 2024. These plans, however, did not include a replacement plan for vegetation that did not survive. Staff sent Pemberton Township and PPA an email on September 20, 2024, advising of the need to submit such a plan. A revised revegetation plan, including a plan for the required rain garden, was submitted to the Commission on October 10, 2024. On November 6, 2024, the Commission's Executive Director issued a letter to Pemberton Township finding that the amended revegetation plan was substantially consistent with the requirements of the MOA and permitting the development to proceed, provided any other necessary approvals and permits are obtained.
- **Stafford Township:** This MOA between the Township and the Commission authorizes a deviation from CMP wetlands buffer standards to accommodate paving of an existing trail around Forecastle Lake for accessibility purposes. The Commission approved execution of the MOA at its September 13, 2024 meeting. On October 16, 2024, the Stafford Township Council passed a resolution authorizing the Mayor, or his designee, to execute the MOA. Stafford Township's Mayor executed the MOA on October 15, 2024. The Executive Director signed the MOA on November 14, 2024. A copy of the fully executed MOA is posted on the Commission's website.
- **Evesham Township:** The Township is proposing an MOA that would accommodate surfacing of an existing trail and parking improvements within wetlands and wetlands buffers in the Black Run Preserve. The MOA also proposes to address a number of outstanding violations in the Preserve, where development was undertaken without application to, or approval by, the Commission. Township representatives met with Chair Laura E. Matos and the Executive Director on January 17, 2024 and provided an overview of their proposal. After receiving the recommendation of the P&I Committee, the Township made a presentation to the Commission at its April 12, 2024 meeting regarding the project and need for a deviation MOA. The Commission authorized the staff to work with the Township to develop the draft MOA. Staff conducted a site inspection with representatives of Evesham Township on May 14, 2024. On June 19, 2024, Evesham provided additional maps and asked for guidance concerning the

threatened and endangered (T&E) species work that needs to be conducted on the site. Staff provided the Township such guidance on July 9, 2024. Evesham Township submitted additional information on July 25, 2024. Commission staff and representatives of Evesham Township met on August 27, 2024 at the Commission's offices to discuss the threatened or endangered species work and other application submittals required as part of the MOA process. A conference call between staff and representatives of Evesham occurred in early September to discuss the portions of the Black Run Preserve that were subject to a 2008 Deed Restriction. Evesham Township subsequently provided a list of Blocks and Lots that comprise the Preserve and the full acreage of same.

- **South Jersey Transportation Authority (SJTA):** Atlantic City International Airport is the subject of a 2004 Memorandum of Agreement and an April 16, 2019 MOA Amendment between the Pinelands Commission and the SJTA. Both the MOA and MOA amendment allow deviations from the CMP's threatened or endangered wildlife standards because of development impacts to threatened and endangered bird species, among other things. On September 20, 2024, staff met with SJTA to discuss proposed development at the airport, in the Auxiliary Development Area and the former Grassland Conservation Management Area. Additional information concerning the proposed development within the Auxiliary Development Area was submitted by SJTA on October 22, 2024. Staff provided guidance on potential alternatives and procedural options by letter dated November 19, 2024. A meeting with SJTA staff and its representatives is scheduled for December 6, 2024.

### 1.3 HUMAN RESOURCES

- **Recruitment:** In November, recruitment efforts continued for a Resource Planning Specialist in the Land Use Programs Office and an Environmental Specialist in the Regulatory Programs Office.
- **Contract Negotiations:** Meetings between management and the Commission's outside labor counsel were held on November 4, 2024 and November 14, 2024. A negotiation session was held with the Communication Workers of America, Local 1040 Negotiating Team on November 6, 2024. Management and the Negotiating Team reached agreement on the terms of a new contract to cover the period July 1, 2023-June 30, 2027 on November 20, 2024. The next steps in the process are ratification by the three employee bargaining units and approval by the Commission.
- **Training:** Staff attended the following Webinar trainings: GoToWebinar -PERS and TPAF Pension Payment Options and GoToWebinar- PERS and TPAF Retirement Estimates.

## 2 INTERAGENCY COORDINATION

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- **Interagency Council on Climate Resilience (IAC):** Staff participated in the monthly IAC meeting. The IAC has requested member agencies to submit information on agency efforts toward climate resilience undertaken during the 2024 calendar year to be compiled in an IAC annual report. Staff will compile and submit related information in November. The Vulnerability Assessments work group met in October. The work group shares member approaches to

developing vulnerability assessments at monthly meetings. The October meeting included a presentation by New Jersey Meadowlands staff about a vulnerability assessment prepared by Rutgers University for the Meadowlands Commission. The assessment looked at community assets, affordable housing, infrastructure, and other community needs for a return to normalcy after a flooding event, as well as community assets that are within areas of anticipated sea level rise.

**NJDEP Infrastructure Administrative rules:** Staff assisted NJDEP with finalizing draft rule amendments as they pertain to administration of projects funded through the Pinelands Infrastructure Trust. Staff also joined a NJDEP internal launch meeting as they anticipate a formal rule proposal in the summer of 2025.

### 3 LAND USE PROGRAMS

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#### 3.1 CONFORMANCE ACTIVITY

|   | Monthly Total | Calendar Year to Date |
|---|---------------|-----------------------|
| <b>Master Plans/Ordinances Received</b>   |               |                       |
| Adopted                                   | 10            | 159                   |
| Drafted or Introduced                     | 4             | 83                    |
| Total <sup>1</sup>                        | 11            | 176                   |
|   |               |                       |
| Substantial Issue Finding <sup>2</sup>    | 0             | 5                     |
| No Substantial Issue Finding              | 5             | 115                   |
| No Issue Finding                          | 2             | 27                    |
| Total                                     | 7             | 147                   |
| <b>Finding Letters Issued<sup>3</sup></b> | 5             | 92                    |

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<sup>1</sup>The 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).

<sup>2</sup> 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.

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

### 3.2 CULTURAL RESOURCE ACTIVITY

| Activity                                 | Monthly Total | Calendar Year to Date |
|--|---------------|-----------------------|
| Applications Reviewed                    | 6             | 151                   |
| Surveys Required                         | 1             | 21                    |
| Surveys Reviewed                         | 2             | 24                    |
| Certificates of Appropriateness Required | 0             | 1                     |

#### Notable Activity:

- Fenwick Manor Rehabilitation:** In late November, staff participated in fee negotiations with the consultant who scored highest on the proposal evaluations and are working with the Department of Property Management and Construction towards awarding the contract.

### 3.3 PINELANDS DEVELOPMENT CREDIT (PDC) PROGRAM

| Activity                      | Monthly Total | Calendar Year to Date |
|-------------------------------|---------------|-----------------------|
| PDCs Allocated                | 31.0          | 60.12                 |
| PDCs Severed                  | 0.25          | 12.00                 |
| Acres Protected               | 20            | 281.06                |
| PDCs Extinguished             | 0             | 0.25                  |
| Acres Protected               | 0             | 1.83                  |
| PDCs Sold                     | 0.25          | 10.25                 |
| Average Sales Price per PDC   | \$96,000      | \$83,659              |
| Average Sales Price per right | \$24,000      | \$20,915              |
| PDCs Redeemed                 | 1.00          | 12.50                 |

#### Notable Activity:

- Allocations:** A PDC Letter of Interpretation (LOI) was issued allocating 30.0 PDCs (120 rights) to a 603.11 acre parcel in the Special Agricultural Production Area of Washington Township. A second LOI allocated 1.0 PDCs (4 rights) to a 21.92 acre parcel in the Agricultural Production Area of Mullica Township.

- **Severances:** 0.25 PDCs were severed in Galloway Township, permanently protecting 20 acres in the Preservation Area District.
- **Redemptions:** 1.0 PDCs were redeemed for a 657-unit residential project in Egg Harbor Township’s Regional Growth Area.

### 3.4 SPECIAL PROJECTS

- **Zoning System Update:** Improvements to the Commission’s internal zoning system reached a milestone that was marked with a demonstration and testing of the new user interface on a limited set of zones. Staff from offices that routinely use or maintain the zoning information, including Regulatory Programs, Land Use Programs, and the MIS offices, participated. Participants were asked to provide feedback on screen layout and design, as well as the information presented. The Land Use Programs staff and MIS staff will continue to refine the database and user interface as they prepare for an internal launch of the new system in the coming months.

## 4 REGULATORY PROGRAMS

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### 4.1 APPLICATION ACTIVITY

| Activity                          | Monthly Total | Calendar Year to Date |
|-----------------------------------|---------------|-----------------------|
| Pre-Application Conferences       | 1             | 51                    |
| Certificates of Filing            | 7             | 177                   |
| Public Development Reports        | 0             | 17                    |
| Forestry Certificates of Filing   | 0             | 2                     |
| PDC Letters of Interpretation     | 3             | 26                    |
| Non-PDC Letters of Interpretation | 1             | 3                     |
| MOA Consistency Determinations    | 1             | 36                    |
| Review of Agency Determinations   | 44            | 605                   |

### 4.2 NOTABLE APPLICATIONS

- **Bed and Breakfast, Winslow Township (Applicant: White Horse Winery, App. No. 1989-0951.007):** This application proposes a change in use of an existing single family dwelling to a bed and breakfast. The bed and breakfast is proposed as an accessory use to an existing vineyard and winery on a 59-acre parcel. The parcel is located in a Pinelands Agricultural Production Area. To be a permitted use in a Pinelands Agricultural Production Area, the



Township must determine that the proposed bed and breakfast qualifies as an accessory use to the existing vineyard and winery. On September 11, 2024, the Winslow Township Zoning Board of Adjustment made that determination and granted approval. On November 21, 2024, the Commission staff issued a letter indicating that the Township approval for the proposed bed and breakfast as an accessory use to the existing vineyard and winery could take effect.

- **Wetlands Delineation Letter of Interpretation, Southampton Township (Applicant: Artistic Materials, App. No. 1997-0010.003):** On April 12, 2024, an application for a wetlands delineation Letter of Interpretation (LOI) was initiated with the Commission for a 60.79-acre parcel located in a Pinelands Agricultural Production Area. After an exchange of correspondence and two Commission staff site inspections, the Commission staff issued the LOI on November 14, 2024. The LOI concluded that the Commission staff did not agree with the applicant's wetlands delineation. On November 27, 2024, the applicant filed an appeal of the LOI. The application will now be transferred to the New Jersey Office of Administrative Law for a hearing.
- **Solar Energy Facility Accessory to a Resource Extraction Operation, Upper Township (Mojave Materials, App. No. 1983-9222.005):** The 14.6-acre lot subject of this application is located in a Pinelands Forest Area. In general, the Township land use ordinance and the CMP limit resource extraction in a Pinelands Forest Area to parcels or areas with a Commission-approved resource extraction operation prior to 1995. This 14.6-acre lot is located adjacent to such a resource extraction operation. To respond to the applicant's proposal, the Commission staff reviewed the over 40-year application and approval history of the existing resource extraction operation to determine what lands were included in prior resource extraction approvals. By letter dated November 27, 2024, the Commission staff advised that the 14-acre lot did not qualify for resource extraction or accessory uses to resource extraction. The Commission staff suggested that the applicant may wish to discuss the zoning of the 14-acre lot with Township officials.
- **Ten Warehouse Buildings, Manchester Township (Applicant: AASTMA Property, App. No. 1981-1470.009):** This application proposes the development of 1,113,840 square feet of warehouse space. The 244-acre parcel subject of the application is located in a Pinelands Regional Growth Area. On August 28, 2024, the Commission issued a Certificate of Filing for the proposed development. On October 17, 2024, the Manchester Township Environmental Commission provided comments to the Commission addressing a number of concerns with the proposed development, including the redevelopment plan, health of Pine Lake, drainage and threatened and endangered species surveys. By letter dated November 13, 2024, the Commission staff responded to the submitted concerns. The Commission staff's letter also suggested that the Environmental Commission may wish to provide its comments and concerns to the Township Planning Board and participate in the Township Planning Board public hearing for the application.
- **Stockton University Elevated Potable Water Tank Replacement, Galloway Township (Applicant: Stockton University, App. No. 1981-1833.093):** By letter dated November 25, 2024, Stockton University requested emergency authorization from the Commission to replace an existing deteriorating elevated potable water storage tank. The water storage tank is located in a Pinelands Rural Development Area. The water storage tank provides potable water and fire suppression water supply to the University. It is the sole water storage tank serving the University. The proposed replacement elevated water storage tank will be located immediately adjacent to the existing water storage tank. The existing/proposed potable water storage tanks

are located in the portion of the Stockton University 1,586-acre parcel that is currently subject of a conservation deed restriction. However, a pending and imminent amendment to the conservation deed restriction will remove the area of the existing and proposed water storage tank from the conservation area. An application for the proposed replacement water tank has been completed with the Pinelands Commission. The application will likely be acted on at the Commission's February 2025 monthly meeting. The University indicated that construction of the replacement water storage tank is anticipated to begin on December 16, 2024. The Commission staff is currently reviewing the emergency authorization request.

- **Residential Development, Hamilton Township (Applicant: William Guerro, 4 G's of Hamilton, App. No. 2003-0269.002):** On August 28, 2007, a Township final subdivision approval for the development of 60 single family dwellings on a 37-acre parcel was approved in accordance with the CMP. The parcel is located in a Pinelands Regional Growth Area. The development was not constructed. On August 5, 2015, the same applicant completed an application for the development of 73 single family dwellings on the parcel. By letter dated June 30, 2017, the Commission staff scheduled a public hearing on the Township's preliminary approval for the 73 single family dwellings. The public hearing was necessary to review inconsistencies with the then stormwater management and landscaping standards of the Township land use ordinance and the CMP. The applicant did not respond to the Commission's June 30, 2017 letter and the public hearing did not occur. Approximately seven years later on August 23, 2024, the Commission received notice of Township final approval for the proposed development. After submission of the required Township approval information, the Commission staff issued a letter on October 25, 2024 indicating that a public hearing was necessary to review both the Township preliminary and final development approvals. The public hearing was necessary to review the proposed development for its consistency with the Commission's current stormwater management regulations that became effective on January 18, 2022 and threatened and endangered species information that became available to the Commission staff subsequent to the June 30, 2017 letter scheduling a public hearing on the Township's preliminary approval. A meeting is scheduled for December 4, 2024 with the applicant to discuss the issues.
- **Landfill Soil Cap, Hamilton Township (Applicant: Hamilton Township, App. No. 1984-1306.002):** This application proposes a soil cap on a closed, municipal landfill. The landfill is located on a 38-acre parcel within the Hamilton Township Industrial Park in a Pinelands Regional Growth Area. After capping, the installation of an approximately 20-acre solar energy facility is proposed. A threatened and endangered (T&E) animal species survey completed for the application identified the presence of a threatened animal species on the parcel. Although the application is complete, by letter dated July 15, 2024, the Commission staff advised the applicant that either additional T&E species survey work was required or revisions to the proposed site layout were required to demonstrate consistency with the T&E animal species protection standard. The Commission staff letter suggested the provision of forested corridors outside of the limits of the actual proposed landfill cap and solar facility to address the T&E species issue. By letter dated August 1, 2024, the applicant advised that the Commission staff's suggested approach was not practical and would jeopardize the landfill capping and proposed solar facility. By letter dated October 11, 2024, the Commission staff advised that it remained necessary to demonstrate that the proposed development meets the T&E animal species protection standard. The October 11, 2024 Commission staff letter indicated that the applicant may wish to pursue one of the two site design options provided in the Commission's July 15, 2024 letter. Alternatively, the applicant could either request that the Commission vote on the

application based upon the currently proposed site design or, if the proposed development cannot be designed to meet the T&E animal species protection standard, complete a Commission application for Waiver of Strict Compliance (Waiver). A Waiver application must demonstrate that the landfill cap is required to address a compelling public need. Any such Waiver application requires the approval of the Commissioners. The Commission received an October 17, 2024 email from the Hamilton Township Administrator requesting information and guidance regarding the Waiver application process. By letter dated November 25, 2024, the Commission staff provided its initial guidance that the development proposed in this application may not qualify for a compelling public need Waiver because it appears that the design of the proposed development could be revised to address the inconsistency with the T&E animal species protection standard. The letter also identified the information that the Township could submit to demonstrate that such a Waiver was required to address a public health and safety issue. Thereafter, the Commission staff contacted the Mayor and Township Administrator to arrange a meeting to further discuss the matter. The meeting is scheduled for December 16, 2024.

- **Stormwater Management Basins, Barnegat Township (Applicant: Paramount, App. No. 2001-0245.003):** This application, approved by the Commission in 2000, proposed the development of 563 single family dwelling units on a 368-acre parcel in a Pinelands Regional Growth Area. Approximately 330 of the 563 single family dwellings have been constructed. Based on available information, two stormwater basins on the parcel are not functioning as designed. This constitutes a violation of the stormwater management standards of the Barnegat Township land use ordinance and the CMP. By letter dated April 3, 2024, the Commission staff advised that a proposed basin remediation plan was consistent with the stormwater management standards of the CMP. On May 20, 2024, the applicant submitted a different proposal for remediation of the stormwater management basins. By letter dated July 16, 2024, the Commission staff advised that the May 2024 stormwater management remediation plan did not meet CMP wetlands protection standards. This was because the stormwater remediation plan proposed to discharge stormwater into and store stormwater in a wetlands area adjacent to the two stormwater management basins that are not functioning. By letter dated July 16, 2024, the applicant submitted information addressing why, in their opinion, the concerned area was not a wetland. By letter dated July 31, 2024, the Commission staff indicated that based upon review of the submitted information and a site inspection, the concerned area is a wetland and was delineated as such in 2000. A site meeting was held with the applicant's representatives on September 18, 2024. By letter dated September 24, 2024, the Commission staff advised that the area of concern was a wetland. On October 1, 2024, a meeting was held with the applicant and interested parties, including the Stafford Township Administrator. At the meeting, the Commission staff reiterated that the discharge of stormwater into, and storage of stormwater in, a wetland was inconsistent with CMP wetland protection standards. On October 25, 2024, a revised stormwater remediation plan was submitted to the Pinelands Commission. By letter dated November 22, 2024, the Commission staff advised of certain revisions that were necessary to the proposed stormwater basin remediation plan. The letter also indicated that the applicant should proceed directly to the Township to review the proposed remediation plan. On November 27, 2024, the Homeowners Association (HOA) submitted engineering review comments to the Commission regarding the proposed remediation plan. The Commission staff will be responding to the HOA's submission.

- **Improvements to an Existing Agricultural Access Driveway, Pemberton Township (App. No. 1983-9180.004):** On February 7, 2024, the Commission staff received a report that an existing driveway that provided access to an existing agricultural operation was being improved and widened. The parcel is located in a Pinelands Agricultural Production Area. On February 21, 2024, the Commission staff issued a letter to the property owner indicating that any widening of the existing driveway would be inconsistent with the wetlands protection standards contained in the Pemberton Township land use ordinance and the CMP. The February 21, 2024 Commission staff letter also indicated that although the CMP provides that improvements to a driveway exclusively for agricultural purposes do not require application to the Commission, the proposed driveway improvements must still meet the wetlands protection standards of the Township land use ordinance and the CMP. The February 21, 2024 Commission staff letter also inquired as to the source of the fill/soil material that was brought to the parcel for the purposes of improving the driveway. The Township land use ordinance and the CMP prohibit the placement of fill/soil material on a parcel that would result in the degradation of ground or surface water quality. If any fill/soil material placed on the parcel contains contaminants that would degrade surface or groundwater, it must be removed from the parcel. On July 19, 2024, the property owner submitted the results of the fill/soil material testing. The test results indicate that the fill/soil material does not exceed certain applicable NJDEP regulatory standards levels. However, the test results show that the material deposited on the parcel contains contaminants, such as semivolatile organic compounds, pesticides, metals and extractable petroleum hydrocarbons. By letter dated August 5, 2024, the Commission staff advised that within 30 days, the property owner complete certain additional groundwater, surface water and soil testing or a proposal must be submitted to remove all fill/soil material from the parcel by September 15, 2024. By email dated August 13, 2024, the property owner appeared to indicate that all fill/soil material would be removed from the parcel. The August 13, 2024 email requested an extension of time until December 30, 2024 to remove the fill/soil material from the parcel. By letter dated September 9, 2024, the Commission staff advised that since the concerned fill/soil material has already been located on the parcel for approximately eight months and provided Pemberton Township and the NJDEP were in agreement, the Commission would grant an extension of time until November 1, 2024 to remove all fill/soil material from the parcel. By email dated September 11, 2024, the property owner advised that they were unable to meet the November 1, 2024 deadline. The September 11, 2024 email posed additional questions and sought guidance on completing water quality testing to demonstrate that the concerned fill/soil that had been deposited on the parcel met the CMP water quality non-degradation standards. During a September 30, 2024 meeting with NJDEP staff regarding this matter, the Commission staff was advised that the property owner was currently in the process of removing all fill/soil material from the parcel. The Commission staff conducted a telephone conference with the property owner on October 16, 2024. During that telephone conference, the property owner indicated that all soil/fill material, including asphalt product, placed on the parcel was being removed. The property owner indicated that certain “natural stone” was being kept on the parcel as a surface material for a pre-existing stone driveway. On November 6, 2024 and November 21, 2024, the Commission staff sent letters to the property owner seeking confirmation that all soil and asphalt products are being removed from the parcel, requesting information regarding the ‘natural stone’ that will be kept on the parcel and clarifying the deadline for the removal of all fill/soil material from the parcel. The property owner responded by email on November 15, 2024 and November 29, 2024. The property owner’s responses suggest, but are not clear, that all fill/soil material will be removed from the parcel by December 31, 2024. An adjacent property owner has written to express their concern over possible ground

and surface water contamination and impacts to wetlands. In an effort to resolve the violation, the NJDEP is scheduling a meeting to be held in December 2024 with the property owner, NJDEP staff and Commission staff.

- **Landfill Capping and Solar Energy Facility, Pemberton Township (App. No. 2021-0112.001 and App. No. 2021-0112.005):** A closed municipal landfill is located on this 27.21-acre parcel in the Pinelands Preservation Area District. On October 14, 2023, the Commission approved limited soil and vegetation disturbance on the parcel to facilitate delineation of the limits of the existing landfill. Two threatened and endangered (T&E) animal species are located on the parcel within the limits of the approximately 17-acre landfill. An application was filed with the Commission on April 24, 2024 to place a soil cap on the landfill. By letter dated May 24, 2024, the Commission staff advised that the proposed capping of the landfill was inconsistent with the T&E species protection standards. A meeting was held with the applicant and the applicant's representatives on October 2, 2024. At the meeting, the applicant reiterated their position that the existing landfill was not critical habitat for the concerned T&E animal species due to the waste material buried in the landfill. At the meeting, the applicant presented a minor change to the layout of the proposed solar facility in an effort to address the Commission staff's concerns with the T&E animal species. The Commission staff advised the applicant that it would respond in writing to the proposed minor changes in the layout of the proposed solar facility. The Commission staff then received an October 16, 2024 letter from the applicant requesting a Commission Waiver of Strict Compliance based upon a compelling public need for the proposed landfill capping. Such a Waiver requires the completion of a separate application and approval by the Commissioners. The Commission staff has been working and consulting with NJDEP staff to determine whether any contaminant levels that have been reported to NJDEP constitute a public health or safety issue that may qualify for such a Waiver.
- **Residential Development, Pemberton Township (Applicant: Equity Enterprises, App. No. 1981-0640.001):** This application proposes 578 dwelling units on an approximately 700-acre parcel. Approximately 340 acres of the parcel are located in a Pinelands Regional Growth Area and the balance of the parcel is located in a Pinelands Forest Area. The development is proposed on an approximately 180-acre portion of the parcel located in the Pinelands Regional Growth Area. A Certificate of Filing for this application was issued on June 27, 2005. On July 7, 2007, the applicant received a 12-year Township General Development Plan approval. On December 6, 2018, the Township approved a General Development Plan approval extension until June 7, 2027. Both Township approvals, somewhat equivalent to a municipal preliminary approval, raise substantial issues with the minimum standards of the CMP. At the applicant's request, both Township approvals are currently pending with the Commission for transfer to the New Jersey Office of Administrative Law (NJ OAL) for a hearing. By email dated September 16, 2024, the Township requested the Commission staff's assistance in site inspecting an area of the parcel and providing an opinion whether an approximately 0.5-acre area constituted a wetland. The applicant has delineated, and the Commission staff has confirmed approximately 290 acres of wetlands on the 700-acre parcel. By letter dated September 20, 2024, the Commission staff advised that, based upon its site inspection, the 0.5-acre area was not a wetland. At the Township's request, a representative of the Commission staff attended the September 23, 2024 Pemberton Township Planning Board meeting and fielded questions regarding various aspects of the application. On October 16, 2024, the Planning Board Solicitor forwarded to the Commission staff an October 15, 2024 letter from an attorney representing a municipal objector to the application. The objector's attorney sought Commission staff answers to 17 specific

questions regarding the Commission staff's September 20, 2024 letter determining that a 0.5-acre area on the parcel was not a wetland. The Commission staff responded by letter dated October 28, 2024, indicating that the CMP provides that the Commission must review any Planning Board approval that may be granted for the proposed development. Therefore, the Commission staff must refrain from answering the 17 questions posed in the October 15, 2024 objectors attorney's letter to preserve the independence of the Planning Board in rendering its own decision on the particular wetland question and the application itself. The Commission staff's October 28, 2024 letter did provide additional supporting information addressing the basis for the Commission staff's determination that the 0.5-acre area was not a wetland. It is the Commission staff's understanding that a vote on the application may occur at the Planning Board's December 5, 2024 meeting.

### 4.3 OFF-ROAD VEHICLE EVENT APPROVALS

- **Application # 1982-3054.102**  
**Pine Barons Enduro Riders**  
Approval Issued: 11/12/2024  
Event Name: Clock Run Enduro  
Event Date: November 24, 2024  
Municipality: Bass River Township, Little Egg Harbor Township, Tabernacle Township, Washington Township, Woodland Township  
Lands Utilized: Bass River, Penn, and Wharton State Forests  
Route Length: 121 miles

## 5 SCIENCE

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### 5.1 ENVIRONMENTAL MONITORING

- **Water Level Monitoring:** In November, staff measured water levels at 43 forest plots and 30 ponds in the Commission network of long-term monitoring sites. This work is completed each month with assistance from the Communications Office. All ponds remained dry in November due to ongoing drought conditions.

For the second time this year, a long-term monitoring pond was damaged by an off-road vehicle. The vehicle was driven through the woods and into the pond, crushing wetland vegetation and destroying a



**Above:** The cracked and deeply fissured substrate at this long-term monitoring pond reflect many weeks of negligible rainfall.

water-level staff gage. New Jersey State Park Police and NJ State Park Service superintendents are investigating the matter.

- **Rare Snake Monitoring:** In November, Science Office staff continued to radio-track corn snakes and pine snakes to identify potential hibernation sites and habitats. These transmitter-outfitted snakes led to the discovery of several new snake hibernation sites in November.

## 5.2 LONG TERM STUDIES

- **Box Turtle Study:** By the end of November, turtle movements were minimal as the animals near hibernation. Most turtles have already entered hibernation burrows.
- **King Snake Study:** The EPA is reviewing staff request of a one-year, no-cost extension of the project period to finish analyzing the data and write the final report.
- **Snake Fungal Disease Monitoring:** Science staff continue to collaborate with researchers at Virginia Tech to swab Pinelands snakes for snake fungal disease. In November, several snakes were brought back to the lab to obtain a late-season disease sample.
- **Adenovirus Study:** Science staff continue to collaborate with Rutgers University researchers to swab Pinelands snakes for adenovirus. In November, several snakes were brought back to the lab to obtain a late-season disease sample.

## 5.3 OTHER

- In November, Research Scientist Christine Healy became the newest member of the Science Office staff. Christine earned a master's degree in wildlife and conservation biology from the University of New Hampshire and worked with reptiles and amphibians as a wildlife biologist with Conserve Wildlife Foundation of New Jersey.



**Above:** Drought conditions in November worsened. This graphic indicates the amount of precipitation needed for the region to climb out of drought.



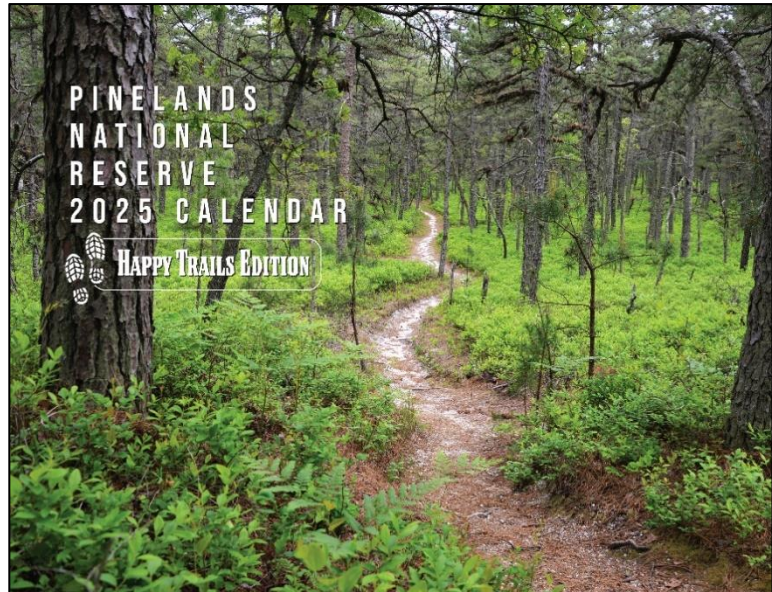
**Above:** Christine Healy joined the Science Office staff in November.

## **COMMUNICATIONS**

### **6.1 COMMUNICATIONS & PUBLICATIONS**

- **Inquiries/Correspondence:** The Communications Office received and responded to approximately 79 inquiries from the public in November, including phone calls, e-mails, and media inquiries.
- **Website:** Commission staff made routine edits to the website in November.

- **Pinelands Calendar:** In November, staff finalized the 28 photo selections, the captions, and the design of the 2025 Pinelands National Reserve wall calendar. The calendar features a theme of “Happy Trails,” while showcasing numerous trails in the Pinelands. A total of 1,188 copies of the calendar were printed in late November, with funding from the National Park Service. The calendars will be distributed free-of-charge at Bass River State Forest, Batsto Village, Belleplain State Forest, Brendan T. Byrne State Forest, Cloverdale Farm County Park, Estell Manor Park, Jakes Branch County Park, the Richard J. Sullivan Center, Wells Mills County Park, and Whitesbog Village in early December.



**Above:** The front cover of the 2025 Pinelands National Reserve wall calendar places a spotlight on the 53-mile Batona Trail.

- **Pinelands Annual Report:** In November, Communications Office staff started to design the Commission’s 2024 Annual Report.
- **Social Media Enhancements:** In November, staff shared 124 photos and two videos on the Commission’s



**Above:** Commission staff shared 124 photos on its Instagram account in November 2024, including this photo of a plane seemingly soaring toward the moon above Wharton State Forest in the Pinelands.



Instagram site and 71 tweets and retweets on X.

- **Pinelands merchandise:** Staff processed \$373.20 in sales of Pinelands-themed merchandise in November. All proceeds from sales will go to a fund for native Pinelands plants.

## 6.2 EVENTS, OUTREACH & INTERPRETIVE PROGRAMS

- **Pinelands Education Programs:** A member of the Communications Office educated a total of about 80 seventh grade students at the Joseph R. Bolger Middle School in Keansburg, NJ, on November 18, 2024 and 60 seventh grade students at Assumption Regional Catholic School in Galloway, NJ, on November 22, 2024.
- **Pinelands Short Course:** Communications Office staff met with staff at Stockton University's Center on Successful Aging on November 12, 2024 to discuss plans for the 36<sup>th</sup> annual Short Course, which will be held on March 8, 2025. Stockton's Office of Continuing Studies & Adult Education have worked with Commission staff to organize and staff the event. Staff with the Stockton Center on Successful Aging will help to organize and staff the event going forward. Commission staff continue to secure presentations for the Short Course and are currently finalizing the edits to the program descriptions.

## 7 INFORMATION SYSTEMS

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- **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 ongoing support for PCIS application-related issues. Staff continued to collaborate with the Regulatory Programs office on annual report changes. Staff worked on new ad hoc reports that summarize grant and escrow information.
- **Geographic Information Systems:** Geographic Information Systems (GIS) allow the Pinelands Commission to manage, analyze, and map relevant data. Staff presented draft maps and updated symbology on existing maps for internal review and received feedback. Staff worked to update the GIS software to the latest version. Staff continued to work on the zoning layer to integrate changes with the new zoning system that is under development. Staff participated in the New Jersey Geospatial Forum monthly meeting.
- **Cybersecurity:** Vigilance to protect the internal networks, hardware, and data of the Pinelands Commission is critical in today's networked world. Information Systems staff participated in the monthly call hosted by the New Jersey Cybersecurity & Communications Integration Cell (NJCCIC). Staff worked with Zscaler customer support to continue the successful roll out of the system.
- **Conformance Tracking/Zoning system:** Staff participated in the initial release of the new Zoning system to obtain feedback from all Pinelands Commission offices. Staff participated in weekly meetings with the Land Use Programs Office to receive feedback on new development and minor changes were made based upon this.

- **Legacy Document Scanning:** The New Jersey Pinelands Commission was established in 1979, long before the revolutions in information systems that have taken place since then. All Commission applications and relevant documents from the earlier years were stored in paper format. The Document Scanning project was established to increase the efficiency of evaluating applications and conducting business by ensuring that all applicable documents are available electronically. Staff continued the document scanning effort and updated the status report to include additional document types now being scanned.
- **Pinelands Development Credit Bank:** The Pinelands Development Credit (PDC) Bank is the processing agency for the Pinelands Development Credit Program, one of the oldest and most successful transfer of development rights (TDR) programs in the world. The Information Systems staff provides ongoing operational support to the PDC Bank.
- **Permanent Land Protection (PLP) Data System:** The PLP system manages the data related to all the preserved land in the Pinelands National Reserve. Staff supported the Land Use Programs Office in maintaining PLP records on an as-needed basis.
- **Technology Enhancements:** Staff members continually evaluate emerging technologies for how they can impact or enhance the office environment. Staff continued the required migration of legacy data and Oracle database to new server, working with Oracle support on hosting details. Staff worked with the Office of Information Technology (OIT) to plan the required next steps to upgrade the Active Directory servers and replace Hewlett Packard network switches with OIT compliant hardware. Staff obtained quotes from Dell to replace rack-mounted Uninterruptable Power Supply (UPS) units for onsite servers to replace those at the end of their service life.

## **8 BUSINESS OFFICE**

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### **8.1 Financial Management**

- **Application Fees:** November 2024, Net Total: \$77,307.81; Fiscal Year to Date Total: \$334,961.72. This equates to 44.66% of the Fiscal Year 2025 anticipated fee revenue of \$750,000. The net total for November includes 13 online application payments totaling \$24,517.86.

### **8.2 Facilities Management**

- The annual Fire Inspection was performed by the state Department of Community Affairs (DCA). The inspection includes review of the fire suppression equipment (RJS Sprinkler System and Fire extinguishers), fire notification equipment (horns, strobe lights and heat/fire/smoke detectors), and emergency lighting systems. All buildings passed the Fire Inspection.

**Attachment 1:**

**Pinelands Related Legislation**

| <b><u>Bill No.(s)</u></b> | <b><u>Prime Sponsor(s)</u></b>                 | <b><u>Synopsis</u></b>  | <b><u>Current Status</u></b>  |
|---------------------------|--|---|---|
| A575/S2751                | Stanley,<br>Karabinchak,<br>Conaway/Greenstein | Directs DEP to develop guidelines concerning State and local government purchase of goods from recycled materials   | Assembly Bill: Passed by the Assembly on 9/26/24. Received in Senate, Referred to Senate Environment and Energy Committee on 9/30/24<br><br>Senate Bill: Introduced, referred to Senate Environmental and Energy Committee on 2/15/24 |
| A682/S699                 | Kean/Singer                                    | Establishes a program, in NJDEP, for acquisition of development easements on privately-owned woodlands.   | Assembly Bill - Reintroduced and Referred to Assembly Environment Natural Resources and Solid Waste Committee on 1/9/24.<br><br>Senate Bill - Reintroduced, Referred to Senate Environment and Energy Committee.                      |
| S257                      | Smith  | Authorizes State Treasurer to appoint Garden State Preservation Trust acting executive director under certain conditions.   | Senate Bill – Reintroduced, Referred to Senate Environment and Energy Committee   |
| A1253/S2859               | Sauickie/Greenstein                            | Prohibits planting of non-native species in landscaping at State parks and forests; establishes grant program to support use of native plants at local parks and forests; appropriates \$250,000. | Reintroduced, Referred to Assembly Environment, natural Resources and Solid Waste Committee on 1/9/24.  |

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|             |                |  | Senate Bill – Introduced, referred to Senate Environment and Energy Committee on 3/4/24   |
| A1219/S2979 | Sauickie/Tiver | Requires NJ Clean Energy Program incentives to be made available to commercial farms   | Assembly Bill – Introduced, Referred to Assembly Environment, Natural Resources and Solid Waste Committee on 1/9/24.<br><br>Senate Bill – Introduced, Referred to the Senate Environment and Energy Committee |
| A1300       | Sauickie       | Provides CBT (Corporate Business Tax) credit for construction or retrofitting of warehouses to meet certain green building standards.  | Reintroduced, Referred to Assembly Commerce, Economic Development and Agriculture Committee on 1/9/24.  |
| A1301       | Sauickie       | Requires State Planning Commission to adopt model buffer ordinances detailing different regulatory options for siting warehouses; allows conforming updates to municipal master plans and zoning ordinances. | Reintroduced, Referred to Assembly Community Development and Women’s Affairs Committee on 1/9/24.   |
| A1302       | Sauickie       | Requires certain warehouses to obtain air pollution control permits from NJDEP.  | Reintroduced, Referred to Assembly Environment, Natural Resources and Solid Waste Committee on 1/9/24.  |

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| A1303/S1074 | Sauickie/Greenstein            | Requires NJDEP to evaluate cumulative impact of stormwater when reviewing applications associated with warehouses and other high-density development projects. | Reintroduced, and Referred to Assembly Environment, Natural Resources and Solid Waste Committee on 1/9/24.<br><br>Senate Bill introduced and referred to Environment and Energy Committee on 1/9/24.                  |
| A2792/S1106 | Greenwald, Wimberly/Timberlake | Concerns development and use of accessory dwelling units   | Assembly Bill – Introduced, Referred to Assembly Housing Committee on 1/9/24<br><br>Senate Bill – Introduced, Referred to Senate Community and Urban Affairs Committee, Combined with S2347 on 2/15/24                |
| A3070/S2690 | Guardian/Cruz-Perez, Corrado   | Requires State entities to recycle certain materials and provide recycling bins  | Assembly Bill – Introduced, Referred to Assembly Environment, Natural Resources and Solid Waste Committee on 1/9/24.<br><br>Senate Bill – Introduced, Referred to Senate Environment and Energy Committee on 2/12/24. |
| A3645/S2425 | Calabrese/McKeon, Smith        | Establishes a low carbon transportation fuel standard program in NJDEP   | Assembly Bill – Introduced, Referred to Assembly Environment, Natural Resources and Solid   |

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|             |   |   | <p>Waste Committee on 2/12/24.</p> <p>Senate Bill – Introduced, Referred to Senate Environment and Energy Committee on 1/29/24.</p>  |
| A3697/S2792 | Spearman, Park, Simmons/Cruz-Perez, Turner            | Appropriates \$500,000 from constitutionally dedicated CBT revenues and “2009 Farmland Preservation Funds” to the State Agriculture Development Committee for municipal planning grants for farmland preservation purposes. | <p>Assembly Bill – Reported out of the Assembly Appropriations Committee on 3/14/24, Second Reading. Substituted by S2792 on 6/28/24</p> <p>Senate Bill – Passed by Senate and Received in Assembly without Reference, Second Reading on 5/13/24. Passed both Houses on 6/28/24</p> <p>Signed by the Governor on 7/10/2024, P.L. 2024, c. 29</p> |
| A3698/S2793 | Reynold-Jackson, Freiman, Fantasia/Cruz-Perez, Turner | Appropriates \$1.723 Million from constitutionally dedicated CBT revenues and “2009 Farmland Preservation Fund” to the State Agriculture Development Committee for grants to non-profits for farmland preservation purposes | <p>Assembly Bill – Reported out of Assembly Appropriation Committee on 3/14/24, Second Reading. Substituted by S2793 on 6/28/24</p> <p>Senate Bill – Passed by Senate and Received in the Assembly without Reference, Second Reading on 5/13/24.</p>   |

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|             |                |  | <p>Passed both Houses on 6/28/24</p> <p>Signed by the Governor on 7/10/2024, P.L. 2024, c. 30</p>   |
| A3784/S2455 | McCoy/Bucco    | Makes \$100 million in federal funds available to NJDEP for grants to local governments for drinking water, wastewater and stormwater infra-structure projects | <p>Assembly Bill – Introduced, Referred to Assembly Environment, Natural Resources, and Solid Waste Committee on 2/22/24.</p> <p>Senate Bill – Introduced, Referred to Senate Environment and Energy Committee on 2/5/24.</p> |
| A3820/S609  | Fantasia/Tiver | Excludes farmland from definition of “redevelopment area” and “rehabilitation area” in local Redevelopment and Housing Law                                     | <p>Assembly Bill – Introduced, Referred to the Assembly Commerce, Economic Development and Agriculture Committee on 2/22/24.</p> <p>Senate Bill – Introduced, Referred to Senate Economic Growth Committee on 1/9/24.</p>     |
| A3831       | Sauickie       | Expands definition of “qualifying land” for purposes of determining where a rural microenterprise may be permitted on a preserved farm                         | Introduced, Referred to Assembly Commerce, Economic Development and Agriculture Committee on 2/22/24.   |

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| A3833       | Sauickie              | Requires the Office of Planning Advocacy to publish certain information concerning warehouses over 100,000 sq. ft. on its website   | Introduced, Referred to Assembly Commerce, Economic Growth and Agriculture Committee on 2/22/24.  |
| A3914/S3268 | Katz/Steinhardt       | Permits agriculture-related events on preserved farmland  | <p>Introduced, Referred to Assembly Commerce, Economic Development and Agriculture Committee on 2/27/24.</p> <p>Senate Bill – Introduced, Referred to Senate Economic Growth Committee on 5/16/24</p>   |
| A3951/S2594 | Fantasia/Bucco, Smith | Appropriates \$28,670,924 in 2003 and 1992 bond monies for loans for dam restoration and repair projects and inland waters projects | <p>Assembly Bill – Introduced, Referred to Assembly Environment, Natural Resources and Solid Waste Committee on 3/4/24</p> <p>Senate Bill – Reported from Senate Environment and Energy Committee with Amendments, Second Reading on 3/4/24, Senate Amendment (Voice), Passed by Senate and Referred to Assembly Environment, Natural Resources, and Solid Waste Committee on 5/20/24</p> |



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| A4117/S2857 | Calabrese,<br>Conway/Greenstein,<br>Smith   | Provides corporation business tax credit to taxpayers that develop qualified native pollinator habitat on undeveloped property   | Assembly Bill – Proposed for Introduction on 4/4/24.<br><br>Senate Bill – Introduced on 3/4/24, Referred to Senate Environment and Energy Committee  |
| A4137/S1029 | Calabrese,<br>Conway, Atkins/<br>Greenstein | Prohibits sale, distribution, import, export or propagation of certain invasive species without permit from Department of Agriculture; Establishes NJ Invasive Species Council | Assembly Bill – Proposed for Introduction on 4/4/24.<br><br>Senate Bill – Introduced 1/9/24, Referred to Senate Environment and Energy Committee   |
| A4145/S3065 | Lopez/McKeon,<br>Smith                      | Excludes environmentally sensitive and flood-prone lands from designation as vacant or available lands for affordable housing construction                                     | Assembly Bill – Introduced, Referred to Assembly Housing Committee on 4/4/24<br><br>Senate Bill – Reported from Senate Environment and Energy Committee with Amendments, Second Reading on 5/13/24 |
| A4200/S3078 | Azzariti Jr.,<br>Kanittra/Schepisi          | Prohibits collecting of certain costs associated with offshore wind projects from ratepayers   | Assembly Bill – Introduced, Referred to Assembly Telecommunications and Utilities Committee on 5/2/24<br><br>Senate Bill – Introduced, Referred to Senate  |

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|             |                             |   | Environment and Energy Committee on 4/11/24  |
| A4223/S3114 | Sampson/Cruz-Perez          | Establishes certification program for zoning officers and land use board administrators                             | Assembly Bill – Introduced, Referred to Assembly State and Local Government Committee on 5/2/24<br><br>Senate Bill – Introduced, Referred to Senate Community and Urban Affairs Committee on 4/15/24 |
| A4260       | Ingamort, Kanitra, Peterson | Prohibits NJDEP from requiring certain municipalities to adopt ordinance that controls tree removal and replacement | Assembly Bill – Introduced, Referred to Assembly Environment, Natural Resources and Solid Waste Committee on 5/2/24  |
| A4370/S2347 | Lopez/Singleton, Timberlake | Concerns development of accessory dwelling units and related municipal land use regulations                         | Assembly Bill – Introduced, Referred to Assembly Housing Committee on 5/16/24<br><br>Senate Bill – Reported from Senate Community and Urban Affairs Committee, Second Reading on 2/15/24             |
| A4383/S3364 | Moen/Polistina              | Directs NJDEP to develop motor vehicle driving maps for State Forests   | Assembly Bill – Introduced, Referred to Assembly Tourism, Gaming and Arts Committee on 5/16/24<br><br>Senate Bill – Introduced, Referred   |

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|             |  |  | to Senate Environment and Energy Committee on 6/3/24  |
| A4569/S2788 | Freiman, Katz, Simmons/ Cruz-Perez, Turner | Appropriates \$128.241 million from constitutionally dedicated CBT revenues to State Agricultural Development Committee for farmland preservation purposes   | Assembly Bill: Substituted by S2788 on 10/28/24<br><br>Senate Bill: Received on Senate, Second Reading on Concurrence on 10/28/24<br><br>Passed both houses on 10/28/24                                     |
| A4789       | Sauickie                                   | Requires public utilities to develop vegetation management plans   | Introduced, Referred to Assembly Telecommunications and Utilities Committee   |
| A4791       | Sauickie                                   | Requires municipal planning boards and zoning boards of adjustment to incorporate recommendations from certain local environmental commissions on applications for development   | Introduced, Referred to Assembly Commerce, Economic Development and Agriculture Committee   |
| A4847/S3715 | Fantasia/Space                             | Requires establishment and implementation, in certain circumstances, of wildlife management plans for open space and farmland, and authorizes use of constitutionally dedicated CBT revenues to finance activities undertaken pursuant to such plans | Assembly Bill: Introduced, Referred to Assembly Commerce, Economic Development and Agriculture Committee<br><br>Senate Bill: Introduced, Referred to the Senate Environment and Energy Committee on 10/7/24 |

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| A4850       | Danielsen       | Prohibits procurement of single use plastic beverage containers by State and local government entities   | Introduced, Referred to the Assembly Environment, Natural Resources and Solid Waste Committee  |
| A4862/S1593 | Freiman/Zwicker | The “New Jersey Town Center Microgrid Pilot Program Act”   | Assembly Bill:<br>Introduced, Referred to Assembly Telecommunications and Utilities Committee on 9/23/24<br><br>Senate Bill:<br>Introduced, Referred to Senate Community and Urban Affairs Committee on 1/9/24 |
| A5047/S3840 | Burzichelli     | Requires certain large developments, to be used as retail facility or warehouse, to be designed and constructed to accommodate load associated with solar panels | Assembly Bill:<br>Pending Introduction<br><br>Senate Bill:<br>Introduced, Referred to Senate Community and Urban Affairs Committee on 10/24/24   |
| S2816       | Smith/McKeon    | Requires electric public utilities to submit to BPU and implement electric infrastructure improvement plans  | Reported from Senate Committee on 3/4/24, Second Reading. Passed by the Senate on 5/20/24. Received in Assembly, and Referred to the Assembly Telecommunications and Utilities Committee on 5/20/24            |
| S3308/A4513 | Scutari/Speight | Requires electric public utilities to implement certain improvements   | Assembly Bill – Introduced, Referred to Assembly   |

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|             |                                      | to the interconnection process for certain grid supply solar facilities  | Telecommunications and Utilities Committee on 10/28/24<br><br>Senate Bill – Introduced, Referred to Senate Environment and Energy Committee. Reported from Committee on 6/20/24. Passed by Senate on 10/28/24.                                    |
| S3464       | Smith                                | Requires electric public utilities to upgrade certain portions of electric transmission and distribution system with advanced conductors | Senate Bill – Introduced, Referred to Senate Environment and Energy Committee on 6/20/24  |
| S3480       | Zwicker                              | Permits municipalities to adopt more stringent site improvement standards for stormwater management related to residential developments  | Senate Bill – Introduced, Referred to Senate Community and Urban Affairs Committee on 6/20/24   |
| A4926/S3618 | Calabrese, Clinton/Smith, Greenstein | Directs DEP and DOT to establish “Wildlife Corridor Action Plan”; appropriates \$90,000  | Assembly Bill – Introduced, Referred to Assembly Commerce, Economic Development and Agriculture Committee 10/21/24<br><br>Senate Bill - Introduced, Referred to Senate Environment and Energy Committee on 9/19/24; Passed by Senate on 10/28/24. |
| S3656       | Testa, Polistina                     | Requires regional representation for members of BPU  | Introduced, Referred to the Senate  |

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|  |  |  | Economic Growth<br>Committee on<br>9/26/24 |
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