

DRAFT COASTAL CONSISTENCY STATEMENT
TOWNSHIP OF BARNEGAT
MARCH 2011

INTRODUCTION

The New Jersey Department of Environmental Protection requires municipalities to prepare and submit a Coastal Consistency Statement in order to demonstrate that Coastal Area Facility Review Act (CAFRA) Centers, CAFRA Cores and proposed Planning Area changes are consistent with the Goals of the Coastal Zone Management Rules (N.J.A.C. 7:7E-1.1(c)1 through 8) and the purposes of the Coastal Area Facility Review Act (N.J.S.A. 13:19-1 et seq.). This Coastal Consistency Statement is organized into two sections. The first section demonstrates that the Township's ordinance and Master Plan are consistent with the Goals and supplemental policies of the Coastal Zone Management Rules. The second section demonstrates consistency with the CAFRA legislation.

DEMONSTRATION OF CONSISTENCY WITH THE COASTAL ZONE MANAGEMENT RULES - N.J.A.C. 7:7E

In 1972 the Coastal Zone Management Program (CZMP) was created. The CZMP is a federal/state partnership that provides for the protection, restoration and management of the United States' important and diverse coastal communities and resources. In New Jersey, the Coastal Area Facility Review Act results in a specific coastal zone being identified and regulated. The eastern portion of Barnegat Township is located in that regulated coastal zone. Within the CAFRA zone, the CZMP applies and CZMP is administered by the New Jersey Department of Environmental Protection (NJDEP) through the Coastal Zone Management Rules and the Coastal Permit Program Rules.

These policies and rules focus on the complex resource management problems of the coast. They establish a comprehensive approach to problem solving that balances the often competing and conflicting demands of coastal resource use, economic development, and resource conservation.

Barnegat Township's Initial Plan Endorsement Action Plan sets forth a requirement for the preparation of a Coastal Consistency Statement (CCS) that "...addresses natural resource protection and coastal management demonstrating consistency of local plans and ordinances with the goals of the Coastal Zone Management Program." The Goals and supplemental policies of the Coastal Zone Management Program are listed below.

1. Healthy coastal ecosystems.
 - i. Protect, enhance and restore coastal habitats and their living resources to promote biodiversity, water quality, aesthetics, recreation and healthy coastal ecosystems; and
 - ii. Manage coastal activities to protect natural resources and the environment;
2. Effective management of ocean and estuarine resources.

- i. Develop and implement management measures to attain sustainable recreational and commercial fisheries;
 - ii. Manage commercial uses to reduce conflict between users and encourage water dependent uses; and
 - iii. Administer the safe and environmentally sound use of coastal waters and beaches to protect natural, cultural and aesthetic resources, promote safe navigation, and provide recreational opportunities;
3. Meaningful public access to and use of tidal waterways and their shores.
 - i. Preserve public trust rights to tidal waterways and their shores;
 - ii. Preserve and enhance views of the coastal landscape to enrich aesthetic and cultural values and vital communities;
 - iii. Conserve and increase safe, environmentally sound, and meaningful public access from both the land and water to the tidal waterways and their shores for recreation and aesthetic experiences;
 - iv. Enhance public access by promoting adequate affordable public facilities and services;
 - v. Balance diverse uses of tidal waterways and their shores; and
 - vi. Protect, enhance and promote waterfront parks;
4. Sustained and revitalized water-dependent uses.
 - i. Encourage, sustain and enhance active port and other water-dependent facilities, and maritime uses;
 - ii. Encourage the redevelopment of inactive and under-utilized waterfront facilities for port, water-dependent and maritime uses;
 - iii. Conserve waterfront sites for water-dependent activities; and
 - iv. Manage dredging in an environmentally sound manner, promote environmentally sound and economically feasible dredge material management practices and preserve historic dredged material placement sites;
5. Coastal open space.
 - i. Preserve, enhance and restore open space including natural, scenic, historic and ecologically important landscapes that:
 - (1) Provide opportunities for passive and active recreation;
 - (2) Protect valuable wildlife and plant habitats and ecosystem health, foster aesthetic and cultural values;
 - (3) Minimize natural hazards; and
 - (4) Abate impacts from nonpoint sources of pollution;
 - ii. Promote and enhance public access to and use of open space where appropriate; and
 - iii. Promote strategies for the creation of open space;
6. Safe, healthy and well-planned coastal communities and regions.
 - i. Manage coastal activities and foster well-planned communities and regions that:
 - (1) Encourage mixed-use redevelopment of distressed waterfront communities including underutilized, abandoned and contaminated sites;
 - (2) Promote concentrated patterns of development;

- (3) Ensure the availability of suitable waterfront areas for water dependent activities;
 - (4) Sustain coastal economies;
 - (5) Create vibrant coastal communities and waterfronts;
 - (6) Conserve water supply;
 - (7) Protect the natural environment;
 - (8) Minimize the threat of natural hazards to life and property;
 - (9) Provide meaningful public access to tidal waterways and their shores; and
 - (10) Preserve and restore significant historic and cultural resources and aesthetic coastal features;
- iii. Maintain, enhance and encourage maritime uses (Section “ii” does not exist within the rules);
 - iv. Preserve and enhance beach and dune systems and wetlands, and manage natural features to protect the public from natural hazards;
 - v. Promote public health, safety and welfare;
 - vi. Promote and implement strategies for the development of hazard mitigation plans; and
 - vii. Promote and implement strategies that eliminate or reduce risks to human health and the ecosystem from coastal activities;
7. Coordinated coastal decision-making, comprehensive planning and research.
- i. Promote the attainment of the New Jersey Coastal Management Program goals by encouraging other government agencies to employ the policies which supplement the goals;
 - ii. Encourage incorporation of the coastal goals and supplemental policies into State, regional and municipal land use management, funding and acquisition programs within the coastal zone;
 - iii. Coordinate cooperative government sponsored and academic coastal research and information dissemination to foster informed decision-making;
 - iv. Ensure opportunities for public participation in coastal decision-making;
 - v. Encourage the preparation of comprehensive plans, including:
 - (1) Land acquisition plans that further the goals and supplemental policies of New Jersey’s Coastal Management Program; and
 - (2) Special area management plans that protect significant natural resources and provide the opportunity for sound coastal dependent economic development; and
8. Coordinated public education and outreach.
- i. Coordinate education and outreach activities on coastal issues; and
 - ii. Encourage coastal related education and participation opportunities for the public.

Barneget Township supports diverse natural habitats and environmental features and is impacted by numerous jurisdictions including areas under the purview of the Pinelands Commission, United States Fish and Wildlife Service (This entity manages the Edwin B. Forsythe National Wildlife Refuge), and areas regulated by NJDEP in accordance with the Coastal Area Facilities Review Act and the Coastal Zone Management Rules. Additionally,

approximately 15% of Barnegat Township is made up of a variety of tidal and fluvial bodies of water and watercourses, and extensive freshwater and tidal wetlands.

The Township has developed and implemented numerous ordinances and policies that insure the environmental resources of the Township are protected and that development activities are consistent with the various jurisdictions and regulated areas described above. Specifically, a number of ordinances and polices have been developed to ensure consistency with Coastal Area Facility Review Act, N.J.S.A. 13:19-1 et seq., Coastal Zone Management Rules (N.J.A.C. 7:7E) and the Coastal Permit Program Rules (N.J.A.C. 7:7). A summary of existing ordinances that provide environmental protection for coastal resources is included below:

1. The Township has adopted an updated Environmental Impact Statement (EIS) ordinance.
2. The Township has adopted a Stormwater Management Plan and Ordinance that is consistent with the CZM Rules.
3. The Township has adopted an updated Steep Slopes ordinance.
4. The Township has adopted a Riparian Zone Ordinance to further enhance protections for riparian zones and water resources.
5. Section 55-32, Cluster Development, sets forth the requirements for the implementation of the cluster development option within the PW (Preserved Waterfront) and RC-7.5 (Residential Cluster) zone districts. This ordinance allows reduction of lot size without increasing gross density and mandates that at least 20 percent of the lot area should be preserved as open space. Additionally, this option can be exercised on one (1) or more contiguous tracts of land containing not less than 30 acres.
6. Section 55-126.6, Floodplain Regulations, discusses the implementation of the land use rules and regulations promulgated by the NJDEP for floodways and the flood-fringe portion of a flood hazard area.
7. Section 55-126.9, Shade Trees, sets forth the standards for planting trees throughout the entire Township.
8. Section 55-162.2, Landscaping, sets forth the standards for landscape requirements to the east of the Parkway, including standards for open space areas and plantings for detention basins.
 - a. Paragraph E sets forth standards for open space, wherein it is encouraged that open space areas be included in all developments. This section recommends a preservation open space in areas adjacent to and inclusive of wooded areas, wetlands, and streams, etc. and a recreational open space comprised of lands for active and passive recreation.
 - b. Paragraph J requires all land development plans to identify and locate potential historic resources as well as natural amenities, such as specimen trees, waterbodies, streams, wetlands, and groves of trees.

- c. Paragraph L regulates the clearing and protection of vegetation in order to maximize the opportunity to incorporate significant areas of existing vegetation into the design of the development and to minimize damage to vegetated areas.
 - d. Paragraph M sets forth the standards to preserve and protect specimen trees. Specimen trees include the largest known individual trees of each species in the State of New Jersey as included on the list of said trees maintained by the NJDEP Bureau of Forestry, and the Shade Tree Commissions of Ocean County and Barnegat Township.
9. Section 55-162, Buffers, mandates the preservation of natural wooded tracts as an integral part of all site plans and requires that these tracts be calculated as part of the required buffer area. Additionally, Section 55-162 includes reforestation of stormwater management areas as a design option, which creates a revegetated natural stormwater management asset over time. Indigenous species are required to be utilized in the reforestation design. Further, this Ordinance includes measures for selective clearing and protection of vegetation and the preservation of specimen trees.
10. Section 55-295, Vegetation, Landscaping and Screening, regulates cutting trees and precludes clearing wooded areas, including New Jersey's Record Trees as published by the NJDEP. The ordinance requires that existing vegetation be incorporated into the landscape design where practical.

Barnegat Township has also proposed a number of measures to provide enhanced environmental protection to coastal resources through the Initial Plan Endorsement process. Included below is a list of those proposed measures:

- 1. Request a redesignation of certain land areas in the northeastern portion of the Township from the PA2 to the PA5 Planning Area.
- 2. Designate certain wetlands, stream corridor and steep slope areas as Critical Environmental Sites.
- 3. The Township is in the process of preparing a Wellhead Protection Area Ordinance in order to further enhance and protect the Township's groundwater quality.
- 4. The Township has prepared a draft amendment to the Preserved Waterfront Zone ordinance that would remove uses that are associated with large areas of disturbance, such as schools and golf courses, from being permitted uses within the PW Zone.
- 5. The Township is currently working with Ocean County and NJDEP to update its Sewer Service Areas in order to encourage more compact development and protect environmental resources.
- 6. The Township's Master Plan sets forth an Objective to adopt a Green Building and Environmental Sustainability Element.

The following section provides a summary of how the Township's existing and proposed ordinance and planning documentation address each Goal of the CZM rules.

Goal 1: Healthy coastal ecosystems.

This Goal is intended to serve to “protect, enhance and restore coastal habitats and their living resources to promote biodiversity, water quality, aesthetics, recreation and healthy coastal ecosystems” and “manage coastal activities to protect natural resources and the environment.” The existing and proposed measures identified above serve to promote this Goal and the associated supplemental policies by focusing development within the proposed Town Center and Commercial Core areas and directing development away from the surrounding environs. The newly adopted EIS, Stormwater, Steep Slope and Riparian Ordinances provide a high level of protection for environmentally sensitive lands within the Township. Additionally, the Master Plan provides the foundation for these and other ordinances and lists a large number of goals and objectives that promote environmental protection and preservation.

Goal 2: Effective management of ocean and estuarine resources.

The Township promotes this Goal through its Stormwater Management Plan and Ordinance, and its Marine Commercial (CM) Zone District. The Stormwater Management Plan and Ordinance requires measures to improve water quality and reduce runoff that would adversely impact Barnegat Bay and the many estuaries it contains. The CM zone is designed to encourage the implementation of water dependent uses. For example, the Township’s public beach area and many privately held marinas are located within the CM Zone. These uses combine to form a vibrant marine oriented recreational and commercial waterfront that provides valuable recreational and employment opportunities to the Township and surrounding area while operating in accordance with applicable environmental regulations.

Goal 3: Meaningful public access to and use of tidal waterways and their shores.

The Township’s CM Zone District and the Edwin B. Forsythe National Wildlife Refuge area provide substantial opportunity for public access to the waterfront. The Refuge area contains a vast estuary and can be accessed at multiple locations throughout the eastern portion of the Township. The CM Zone provides access to the Barnegat Bay, associated marinas and Barnegat’s public beach.

Goal 4: Sustained and revitalized water-dependent uses.

As mentioned previously, the CM Zone contains marinas, the Township’s public beach and other water dependent uses. Barnegat is seeking funding and technical support from the State for the enhancement of its public beach and walkway area through its Planning Implementation Agreement. Additionally, the Township is supportive of its water dependent uses and encourages the enhancement and rehabilitation of these uses.

Goal 5: Coastal open space.

The Edwin B. Forsythe Refuge area provides a vast expanse of coastal open space that is accessible to the public. Additionally, the Township's public beach area and the surrounding marinas provide access to Barnegat Bay. These large areas provide a multitude of opportunities for active and passive recreation. In addition to these coastal open space areas, the extensive freshwater wetlands complexes and associated stream corridors located within the eastern portion of the Township provide a substantial amount of open space. The Township also maintains a park and trail system that provides convenient opportunities for recreation. Barnegat Township's Open Space and Recreation Plan contains a detailed plan for the development of open space within the Township. The Master Plan also contains Goals and Objectives that promote the preservation of open space.

Goal 6: Safe, healthy and well-planned coastal communities and regions.

The proposed CAFRA Town Center and Core promote compact development in accordance with the tenets of smart growth. The vision for the eastern portion of the Township is to direct future development into the Center and Core areas and away from the environs. This approach is anticipated to help protect environmentally sensitive lands. This approach also involves encouraging mixed-use development that is anticipated reduce dependence on passenger vehicles and promote alternative transportation methods thereby reducing emissions from vehicles to help improve air quality.

The proposed CAFRA Town Center contains the Township's Historic District. The Historic Preservation Element of the Master Plan contains Goals and Objectives that help enhance and preserve these important historic resources. One of the proposed measures includes the adoption of a Transition Area Overlay Zone that would require new structures adjacent to the Historic District to incorporate aesthetic features that are in character with and that compliment structures in the Historic District.

Goal 7: Coordinated coastal decision-making, comprehensive planning and research.

The Township has promoted this Goal through the adoption and implementation of its many environmental ordinances, including the Riparian Zone, Steep Slopes, EIS and Stormwater Ordinances. Additionally, the Township's Environmental Commission is very active and effective in identifying opportunities for protecting coastal resources. Further, the Township's participation in the Initial Plan Endorsement process and the preparation of this CCS demonstrate Barnegat's commitment to coordinating land use decisions and comprehensive planning with NJDEP and other entities in order to promote and enhance protections for the coastal environment.

With regard to public participation, the Township has held more than 100 Master Plan Subcommittee (MPSC) meetings as well as other meetings on various aspects of the Initial Plan Endorsement process and Action Plan items that were open to the public. These public meetings provided an opportunity for the MPSC to obtain public input on ordinances and Master Plan sections that pertain to protecting the coastal environment.

Goal 8: Coordinated public education and outreach.

As mentioned previously, the MPSC has held more than 100 public meetings which enabled the Township to obtain public input on the various ordinances and Master Plan sections that pertain to protecting environmentally sensitive lands and coastal resources. These meetings also provided an opportunity to educate the public by presenting environmental information and answering their questions. The Township intends to hold public hearings for its Planning Implementation Agreement items, as required, in order to promote awareness of coastal resource issues, obtain public input and educate the public about protecting coastal resources.

The information presented within this section of the CCS demonstrates that the Township's ordinances, Master Plan and Zone Districts are consistent with the Goals of the CZM rules. A statement of consistency with the CAFRA legislation is included within the next section.

DEMONSTRATION OF CONSISTENCY WITH THE CAFRA LEGISLATION - N.J.S.A. 13:19

The New Jersey Legislature adopted the Coastal Area Facility Review Act in 1973 in order to provide enhanced protection for the coastal area in the southern portion of the State. The Statute states that:

"...it is in the interest of the people of the State that all of the coastal area should be dedicated to those kinds of land uses which promote the public health, safety and welfare, protect public and private property, and are reasonably consistent and compatible with the natural laws governing the physical, chemical and biological environment of the coastal area."

"encourage the development of compatible land uses in order to improve the overall economic position of the inhabitants of that area within the framework of a comprehensive environmental design strategy which preserves the most ecologically sensitive and fragile area from inappropriate development and provides adequate environmental safeguards for the construction of any developments in the coastal area."

The CZM Rules built upon this legislation and established the standards by which the NJDEP will evaluate new or changed boundaries to coastal planning areas or centers as indicated in N.J.A.C. 7:7E-5B.3(b):

*"(b) Whenever the State Planning Commission formally approves any new or changed Planning Area boundary, any new or changed community development boundary, or any new or changed core or node boundary, the Department shall evaluate the new or changed boundary **to determine whether it is consistent with the purposes of the Coastal Area Facility Review Act, N.J.S.A. 13:19-1 et seq., and this chapter.** The Department shall not reject or reject and revise a boundary unless it finds that accepting the State Planning Commission approved boundary would result in unacceptable harm to the coastal ecosystem or the resources of the built or natural environment, or would otherwise be clearly inconsistent with the purposes of the Coastal Area Facility Review*

Act, N.J.S.A. 13:19-1 et seq., or this chapter. For those new or changed community development boundaries or new or changed core or node boundaries which are located within the Pinelands National Reserve, the Department shall also, in consultation with the New Jersey Pinelands Commission, determine whether the boundaries are consistent with the intent, policies and objectives of the National Parks and Recreation Act of 1978, P.L. 95-625, section 502, creating the Pinelands National Reserve, and the State Pinelands Protection Act of 1979 (N.J.S.A. 13:18A-1 et seq.).”

Consistency with the CAFRA Legislation:

Barnegat Township seeks to establish a CAFRA Town Center and a CAFRA Commercial Core in order to encourage future development to locate in these areas and direct development away from the surrounding environs. As part of this effort, the Township also proposes to redesignate portions of the existing Planning Area 2 area to Planning Area 5 and establish CES areas over environmentally sensitive lands within the existing PA2 area. As mentioned previously, the Township has also adopted environmental ordinances, such the Riparian Zone Ordinance, in order to promote the public health, safety and welfare, and protect public and private property, while preserving ecologically sensitive and fragile areas.

The Township contains three Planning Areas, which include the Suburban Planning Area (Planning Area 2), Environmentally Sensitive Planning Area (Planning Area 5) and the Parks and Natural Areas Planning Area (Planning Area 8). The following section discusses the Township’s compliance and consistency with the CAFRA legislation and the Policy Objectives of each of these planning areas.

Coastal Suburban Planning Area Policy Objectives

The Coastal Suburban Planning Area is generally located adjacent to the more densely developed Coastal Metropolitan Planning Area, but can be distinguished by a lack of high intensity centers and by a more dispersed and fragmented pattern of development. The existing inventory of undeveloped and underdeveloped land in this Coastal Planning Area should be sufficient to accommodate much of the market demand for future growth and development in the CAFRA area. Internally oriented, mixed-use centers should be encouraged in the Coastal Suburban Planning Area. While development patterns are well established here, development intensities should be highest within CAFRA centers to concentrate development and take advantage of infrastructure efficiencies. Development in the Coastal Suburban Planning Area outside of centers should be less intense than in centers and less intense than in the Coastal Metropolitan Planning Area. Development in areas not in centers and not in or adjacent to an existing sewer service area should be less intense than in other parts of the Coastal Suburban Planning Area. The policy objectives for the Coastal Suburban Planning Area are as follows:

Encourage mixed-use development and redevelopment in compact centers.

- One of the key objectives of Barnegat Township’s Petition for Initial Plan Endorsement is to establish a CAFRA Town Center and CAFRA Commercial Core. The proposed

Center encourages compact, mixed-uses and is intended to contain much of the future development and redevelopment within the Township. The Center is also envisioned to direct development away from the environs which would reduce development in the environs. The proposed Commercial Core is anticipated to contain compact commercial development to serve the disproportionately large share of residential development within the southern portion of the Township. The Core is also anticipated to direct commercial development away from the environs.

Guide opportunities for economic development and employment in centers, and promote seasonal and year-round travel and tourism activities in the coastal resort areas.

- Barnegat Township currently maintains a disproportionately large amount of residential development relative to commercial development. In an effort to address this issue the Township has set forth Goals and Objectives within its Master Plan to encourage additional commercial development. The Township is also proposing the establishment of a CAFRA Town Center and a CAFRA Commercial Core, which are anticipated to provide opportunities for a substantial amount of commercial development and associated employment opportunities.
- The Township's CM Zone provides opportunities for tourism, as it contains the Township public beach area and several marinas. The proximity of the CM to the Edwin B. Forsythe National Wildlife Refuge area also provides additional opportunities for active and passive recreation.
- Additionally, the Township's Historic District provides opportunities for tourism. The Historic Preservation Element of the Master Plan sets forth Goals and Objectives to protect and enhance the Historic District. Additionally, the Township is proposing the establishment of a Historic District Transition Area Overlay to protect the character of the Historic downtown by encouraging adjacent property owners to utilize materials and designs that are consistent and compatible with the Historic District properties.

Encourage links from coastal suburban areas to employment centers with public transit, and promote transportation systems that address the special seasonal demands of travel and tourism along the coast.

- Barnegat Township maintains access to New Jersey Transit bus service along the Route 9 Corridor, which provides access to regional employment centers and provides an alternative transportation mode for tourists. The Township also maintains its own bus shuttle service for residents. The Circulation Element of the Master Plan encourages additional bus transportation as well as water, rail and air transportation. The Township intends to continue to discuss the potential for establishing and expanding each of these transportation modes with State and County representatives.

Ensure adequate wastewater treatment capacity, and minimize off-site stormwater runoff by encouraging the use of best management practices that protect the character of natural drainage systems.

- Barnegat Township is currently working with Ocean County and NJDEP to update its Wastewater Management Plan. The updated Plan is envisioned to provide adequate access to public wastewater services while encouraging development in more compact forms through the removal of sewer service areas from environmentally sensitive lands.
- With regard to stormwater management, the Township has adopted a Stormwater Management Plan and Ordinance that is in compliance with all applicable State regulations. This Plan and Ordinance requires that best management practices be utilized in the design of new stormwater management systems. The Plan and Ordinance also encourage the simulation of natural drainage systems to manage runoff, which serves to protect the character of natural drainage systems.

Coastal Environmentally Sensitive Planning Area Policy Objectives

The Coastal Environmentally Sensitive Planning Area generally has large contiguous land and water areas with critical coastal ecosystems, wildlife habitats, geological features, and other valuable coastal resources. Some of these lands have remained rural and relatively undeveloped, while others have been dominated by development for many years, such as the coastal barrier islands and spits. The barrier islands represent a major public investment in infrastructure systems that should be maintained while protecting the economic and ecological value of adjacent coastal resources. Centers on the barrier islands are almost all served by public wastewater facilities whereas centers in other environmentally sensitive areas are often not. Centers are usually linked by rural roads and separated by open spaces, or linked to the mainland by State highways crossing coastal wetlands and waterways. Areas outside of centers in the Coastal Environmentally Sensitive Planning Area are by definition more vulnerable to disturbance from new development. Damage may include fragmentation of landscapes, degradation of aquifers and potable water supplies, habitat destruction, extinction of plant and animal species, and destruction of other irreplaceable resources that are vital to the preservation of the ecological integrity of the coastal area. The Coastal Environmentally Sensitive Planning Area also supports recreation and tourism industries, and resource based industries such as mining and forestry. The policy objectives for the Coastal Environmentally Sensitive Planning Area are as follows:

Protect environmentally sensitive features by guiding development into centers and maintaining low intensity development patterns elsewhere, carefully link the location, character and magnitude of development to the capacity of natural and built environments to support new growth, accommodate development at higher intensities in the Coastal Environmentally Sensitive Planning Area barrier island centers, compatible with development patterns in existing centers, and discourage the development of public infrastructure facilities outside of centers.

- As mentioned previously, the proposed CAFRA Town Center and CAFRA Commercial Core are anticipated to contain much of the future development within the eastern portion of the Township. These areas, in conjunction with the proposed PA2 to PA5 Planning

Area changes and the establishment of CES areas, are anticipated to direct development away from Planning Area 5 (PA5) areas and protect environmentally sensitive lands.

- Additionally, the Township is currently working with Ocean County and NJDEP to update its Wastewater Management Plan and sewer service areas to discourage development within environmentally sensitive land areas and direct development in to the Planning Area 2 and the proposed Center and Core areas.
- The Township has also adopted and amended a substantial number of ordinances to help protect the PA5 areas, including the adoption of Riparian and Steep Slope Ordinances.

Locate economic development opportunities in centers that serve the surrounding region and the travel and tourism industry and accommodate in other areas appropriate seasonal, recreational, and natural resource based-activities that have a minimal impact on environmental resources.

- Barnegat Township anticipates that the proposed CAFRA Center and Core areas will absorb a significant amount of future development which will fuel economic development within the Township. This development would provide additional commercial and residential space to accommodate future increases in tourism.
- Seasonal, recreational and natural resource based activities are anticipated to continue to occur along the waterfront, Edwin B Forsythe National Wildlife Refuge, Barnegat Bay and in the various parks and natural areas in and around Barnegat. No intrusive or destructive development is envisioned or proposed in any of these areas, as the Township's Master Plan and Ordinances encourage the protection of these areas.

Protect sensitive natural resources critical to the maintenance of coastal ecosystems by maintaining large contiguous areas of undisturbed habitat, open space and undeveloped land, maintain the balance of ecological systems and growth, and protect the areas outside of centers from the effects of development by maintaining it as open space.

- The single largest open space area within the eastern portion of Barnegat Township is the Edwin B. Forsythe National Wildlife Refuge and contiguous lands that are located primarily within the Preserved Waterfront Zone. This contiguous land area is comprised of approximately 4,560 acres. As the Wildlife Refuge is permanently preserved and the PW Zone has a severely limited development potential due to the presence of extensive wetlands complexes, this contiguous land area is anticipated to remain intact and protected under existing environmental regulations.
- Another large open space area is located within the northeastern portion of the Township adjacent to Ocean Township. This land area contains a large swath of contiguous habitat. The Township has proposed to redesignate this area from PA2 to PA5 in order to enhance protection. This land area contains approximately 400 acres of contiguous habitat.

- It is important to note that the majority of the Township is located within the Pinelands Area, which is predominantly zoned as Pinelands Preservation and Preserved Forest Area Zones. These Pinelands Zoning designations serve to protect this vast contiguous habitat area from development.

Coastal Parks and Natural Areas

The Parks and Natural Areas Planning Area (PA8) has been established to promote the preservation and enhancement of areas with historic, cultural, scenic, open space and recreational value. Unlike the other Planning Areas, the PA8 area does not have objectives for housing or economic development, rather the PA8 area has specific objectives for resource preservation and the provision of recreational opportunities. The PA8 area includes State and federally owned and managed areas as well as County and local parks that have been identified through the Cross-Acceptance process.

- The Edwin B. Forsythe National Wildlife Refuge comprises the Township's only existing PA8 Planning Area. This Refuge provides opportunities for passive recreation and education.
- The Township is currently working with the Office of Planning Advocacy to establish two additional PA8 areas, which include a municipal park along Bengal Boulevard and a County park along Barnegat Boulevard. These areas are anticipated to expand the recreational opportunities within the Township and the region.

Natural Resource and Environs Protection Measures Consistent with the CAFRA Legislation and the CZM Rules

- Barnegat Township adopted an updated Environmental Resource Inventory in March 2009 that provides a detailed summary of environmental resources located within the Township. This document serves as technical foundation for the Master Plan and a resource for making land use decisions.
- The updated Master Plan contains Goals and Objectives, Land Use Plan, Historic Preservation Plan and Circulation Plan elements that set forth numerous goals, objectives and policies that encourage the preservation of environmentally sensitive lands and promote the intent and purpose of the CAFRA statute and the CZM Rules.
- As mentioned previously and outlined within the first section of this Statement, the Township has adopted numerous ordinances that enhance protection to environmentally sensitive lands and proposes to adopt additional environmental ordinances and obtain Planning Area changes that will provide additional protection to environmental resources.
- An updated Wastewater Management Plan is currently being prepared which is anticipated to encourage future development to locate within the proposed Center, Core and existing PA2 areas and discourage development within the environs.

Planning and Implementation Agreement

Barnegat Township's Planning and Implementation Agreement sets forth additional objectives that are consistent with the purposes of the CAFRA legislation and the CZM Rules. The key objectives that maintain consistency are listed below.

- The Township intends to adopt Town Center and Commercial Core ordinances within 6 months of Endorsement in order to implement the zoning that is anticipated to achieve more compact development and enhance protection for environmentally sensitive areas.
- The Township intends to continue to work with the NJDEP and Ocean County to adopt sewer service areas that encourage growth within the Center and Core areas and limit growth within the environs.
- The Township intends to adopt Wellhead Protection and On-site Septic Systems Ordinances to protect groundwater quality.
- The Township plans to adopt an Updated Open Space and Recreation Element that will set forth a plan for the acquisition of additional open space and recreation areas and additional lands for preservation.
- The Township intends to prepare a Recycling Statement that promotes best practices in recycling in accordance State and County regulations.
- The Township plans to adopt a Conservation Element that will set forth a plan for the preservation, conservation and utilization of natural resources.
- A Public Health Impact report will be prepared based upon information provided by the NJDEP in order to identify any issues from contamination that may adversely affect public health, especially with respect to any disproportionate impacts upon minority and/or low-income populations.
- The Township will prepare a Source Water Protection Plan and Water Conservation Ordinance in order to help protect and conserve the Township's water supply.

Conclusion

This Coastal Consistency Statement demonstrates that the Township's Petition for Initial Plan Endorsement, including the establishment of the Proposed CAFRA Town Center and CAFRA Commercial Core, are consistent with the purposes of the Coastal Area Facility Review Act (N.J.S.A. 13:19-1 et seq.) and the Coastal Zone Management Rules. Additionally, the information presented above supports a finding that the proposed Center and Core areas would not result in unacceptable harm to the coastal ecosystem or resources of the built or natural environment. To the contrary, the implementation of the proposed CAFRA Town Center and CAFRA Commercial Core Areas, in conjunction with the recently adopted environmental ordinances and proposed Planning Area changes, would focus

development in the Center and Core areas and direct development away from environmentally sensitive lands thereby providing additional protection for coastal ecosystems.