



**PINELANDS COMMISSION  
MONTHLY MANAGEMENT REPORT  
JULY 2019**

# TABLE OF CONTENTS

<b>1 EXECUTIVE OFFICE</b>	<b>1</b>
1.1 EXECUTIVE DIRECTOR	
1.1A COMMITTEE MEETINGS	1
1.1B PINELANDS MUNICIPAL COUNCIL	1
1.1C OTHER ITEMS OF INTEREST	1
1.2 LEGAL AND LEGISLATIVE AFFAIRS	2
1.2A LITIGATION (STATE; FEDERAL; OFFICE OF ADMINISTRATIVE LAW; OTHER)	2
1.2B LEGISLATION	2
1.2C MEMORANDA OF AGREEMENT	2
1.2D OPEN PUBLIC RECORDS ACT	2
1.3 HUMAN RESOURCES	3
<b>2 LAND USE &amp; TECHNOLOGY PROGRAMS</b>	<b>3</b>
2.1 CONFORMANCE ACTIVITY	3
2.2 CULTURAL RESOURCE ACTIVITY	4
2.3 PINELANDS DEVELOPMENT CREDIT PROGRAM	4
2.4 SPECIAL PROJECTS	4
<b>3 INFORMATION SYSTEMS</b>	<b>5</b>
<b>4 REGULATORY PROGRAMS</b>	<b>5</b>
4.1 APPLICATION ACTIVITY	5
4.2 NOTABLE APPLICATIONS	6
<b>5 SCIENCE</b>	<b>6</b>
5.1 ENVIRONMENTAL MONITORING	6
5.2 LONG TERM STUDIES	7
5.3 OTHER ITEMS OF INTEREST	7
<b>6 COMMUNICATIONS</b>	<b>8</b>
6.1 COMMUNICATIONS & PUBLICATIONS	8
6.2 EVENTS, OUTREACH, INTERPRETIVE PROGRAMS	8
<b>7 BUSINESS OFFICE</b>	<b>9</b>
7.1 FACILITIES	9
7.2 FINANCIAL MANAGEMENT	9

# 1 EXECUTIVE OFFICE

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## 1.1 EXECUTIVE DIRECTOR

### 1.1A COMMITTEE MEETINGS

- **Land Use, Climate Impacts and Sustainability Committee:** The Committee met on July 17, 2019. The Committee was provided with two documents prepared by Commission staff; Possible Climate Change Actions Plan and Potential Impacts of Climate Change on the New Jersey Pinelands. The Committee discussed next steps including quantifying impacts to the Pinelands, benefits provided by the Pinelands, and identifying 3 or 4 action items to focus on now. Staff provided an overview of solar installations in the Pinelands including a map showing the location and size of each (See Section 3- Information Systems). The Committee also heard from members of the public.
- **Policy & Implementation (P&I) Committee:** Staff reviewed the Commission's 2012 solar energy facility regulations with the P&I Committee on July 26, 2019. A summary of significant solar facility applications in the Pinelands Area was also provided. In addition, Annika Colston, President of AC Power, made a presentation to the Committee on the State's Community Solar Pilot Program, including upcoming deadlines, procedures and Pinelands applications in process.

### 1.1B PINELANDS MUNICIPAL COUNCIL

- The Pinelands Municipal Council met at the Commission's offices on July 23, 2019. The Commission's staff held the annual Orientation for Newly Elected Officials during the meeting. Please see Section 6 (Communications) for more information.



### 1.1C OTHER ITEMS OF INTEREST

- **Prescribed Burn Act:** The Executive Director and Chief Scientist attended a meeting held at the NJ Department of Environmental Protection (NJDEP) to discuss the status of implementing the Prescribed Burn Act. Assemblyman Dancer, a sponsor of the legislation, convened the meeting. The Assemblyman was pleased with the progress made by NJDEP that included proposed staffing for drafting the necessary rule proposal and developing maps and a 10-year plan for prescribed burns. Staff advised that the Comprehensive Management Plan exempts prescribed burns, but associated clearing requires application to the Commission.

## 1.2 LEGAL AND LEGISLATIVE AFFAIRS

### 1.2A LITIGATION (STATE; FEDERAL; OFFICE OF ADMINISTRATIVE LAW; OTHER)

#### STATE:

#### NEW JERSEY NATURAL GAS APPEALS

- **In the Matter of New Jersey Pinelands Commission's Approval of New Jersey Natural Gas's (NJNG) Application (No. 2014-0045.001) for the Installation and Operation of the Southern Reliability Link, Docket No. A-001004-17T1:** This is one of a number of appeals that were filed involving the Commission's approval of New Jersey Natural Gas Company's application to construct a portion of its Southern Reliability Link project in the Pinelands. This appeal was filed by the Pinelands Preservation Alliance (PPA) on October 26 2017, and is a substantive challenge of the Commission's approval. (There were three additional appeals of the Commission's approval of NJNG application filed by the New Jersey Sierra Club, Chesterfield Township and Bordentown Township, respectively.) PPA also filed an appeal of the process used by the Commission to review this application and the denial of its third-party hearing request. (Three individuals, Daniel and Patricia Caruso and Jean Kovath also filed an appeal challenging the Commission's denial of their third-party hearing requests.)

On July 1, 2019, the Appellate Division denied PPA's, the Kovaths' and Jean Caruso's motions to supplement the record on appeal. The Appellants submitted their respective substantive briefs on July 16, 2019. New Jersey Natural Gas subsequently filed a Motion for Summary Disposition against Bordentown Township on July 24, 2019 on the basis that Bordentown lacked standing to pursue an appeal.

### 1.2B LEGISLATION

- The Legislature is recessed for the summer.

### 1.2C MEMORANDA OF AGREEMENT

- **Lake Lenape Park, Hamilton Township:** On July 30, 2019, staff met with representatives of Atlantic County to discuss their need for safety related improvements at Lake Lenape. These improvements would require an amendment to a 1998 Memorandum of Agreement with the County.

### 1.2D OPEN PUBLIC RECORDS ACT

- A total of thirteen Open Public Records Act requests were received this month. Five of these requests were requests to review files and the file reviews were held. Two requests were deemed too broad and clarification was requested. The six remaining requests were processed and responsive material was sent to the requestors.

### 1.3 HUMAN RESOURCES

- **Union Negotiations:** A contract negotiation meeting was held with Communication Workers of America (CWA) representatives on July 15, 2019.
- **Employee Evaluations:** The 2018-2019 evaluation period has concluded. All final evaluations and 2019-2020 objectives were due to Human Resources by July 15, 2019. Submitted evaluations are being reviewed.
- **Employee Benefits On-Site Meetings:** Prudential representatives were on site for employee questions, enrollments, and changes on July 31, 2019; and ABCO Federal Credit Union Representatives were on site on July 30, 2019.
- **EAS Webinars:** Staff participated in the two Employee Advisory Service (EAS) Webinars offered in July: “Building Positive Relationships at Work” and “Strengthening the Team.”
- **Health Benefits:** Medicare Part B reimbursements for retirees have been processed for the second quarter of 2019.

## 2 LAND USE & TECHNOLOGY PROGRAMS

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### 2.1 CONFORMANCE ACTIVITY

	Monthly Total	Calendar Year to Date
Ordinances/Master Plans Received	10	79

#### Notable Ordinances:

- **Bass River Township:** The Township adopted and submitted its 2018 Master Plan for Commission review. The Master Plan makes a series of recommendations aimed at increasing development potential in and around the Pinelands Village of New Gretna. One such recommendation calls for the removal of 6,000 acres from the Pinelands Area. After alerting the Mayor municipality that changes to the Pinelands Area boundary may only be made by the New Jersey State Legislature, staff sent a letter to the Township on July 29, 2019 offering to assist with the identification of zoning or management area changes that might help achieve the municipality’s goals. An analysis of such changes, taking into consideration extensive wetlands and State ownership, is underway.
- **Egg Harbor City:** The City is pursuing a redevelopment designation for the Renault Winery/Tuscany House property and surrounding areas in order to facilitate the development and expansion plans of the new owner. The City provided the Commission with a report entitled “Preliminary Investigation of an Area in Need of Development” on July 15, 2019. Staff responded with questions and comments on July 19, 2019. Subsequent discussions were held with the planning consultant representing the Renault Winery owner to ensure that all parties are aware of the Commission’s Off-Site Clustering Pilot Program and associated open space requirements.

- Mullica Township:** The Township is in the process of adopting an ordinance to address a number of lots that are currently split between the Rural Development and Pinelands Town management areas. The lots are located along the White Horse Pike extending from the Township's border with Hammonton. While the lot frontage is located in the Pinelands Town zoning district, the rear portion of the lots are located in the Rural Development Area. The Township has prepared an ordinance that redesignates the lots, in their entirety, to the Pinelands Town. The Township is also evaluating permitted uses in the existing Pinelands Town zoning district to determine if changes could be made to encourage commercial and other nonresidential development.

## 2.2 CULTURAL RESOURCE ACTIVITY

Activity	Monthly Total	Calendar Year to Date
Application Submissions Reviewed	10	62
Surveys Required	1	4

## 2.3 PINELANDS DEVELOPMENT CREDIT PROGRAM

Activity	Monthly Total	Calendar Year to Date
PDCs Allocated	60.75	82.5
PDCs Severed	0	0
Acres Protected	0	0
PDCs Extinguished	0	2
Acres Protected	0	158
PDCs Sold	0	10.75
PDCs Redeemed	0	68

### Notable Activity:

- Of the 60.75 PDCs allocated in July 2019, 60.25 are associated with a 6,236-acre parcel in the Preservation Area District of Lacey and Ocean townships that was recently acquired by Ocean County. The County has made initial inquiries about the PDC severance process.

## 2.4 SPECIAL PROJECTS

- Pine Barrens Byway:** Staff attended a Scenic Byways Workshop organized by the New Jersey Department of Transportation (NJDOT) to discuss the New Jersey Scenic Byway Strategic Marketing Plan and the sustainability status of each State byway. NJDOT has hired a consultant to develop a Marketing Tool Kit, overview book and website. On July

16, 2019, staff met with Cindy Bloom-Cronin from NJDOT to discuss future administrative arrangements and opportunities for the Pine Barrens Byway. A meeting with the marketing consultants hired by NJDOT has been scheduled for October 17, 2019.

### 3 INFORMATION SYSTEMS

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- **PDC Bank Annual Report:** Information Systems staff began preparing the data tables, charts and maps to be included in the PDC Bank annual report.
- **Dynamic Online Solar Map:** Staff used available solar application submission/inquiry data to create a dynamic, interactive map depicting the locations of all solar applications and inquiries received by the Pinelands Commission to date. Staff presented the first draft of the map at the inaugural Land Use, Climate Impacts and Sustainability Committee meeting on July 17, 2019.
- **Geographic Information Systems (GIS) Modernization:** The Information Systems team is working to upgrade the GIS tools and software available to Pinelands Commission employees and provide professional development opportunities to appropriate staff. An internal staff meeting was held on July 23, 2019 to obtain feedback on staff needs with regard to GIS technical capabilities and training for staff.
- **Pinelands Commission Information System Upgrades:** Weekly internal meetings were held to discuss Regulatory Programs processes to identify areas for improvement. Long term projects are being formulated. Staff is currently creating an improved system to address the Commission’s public comment process for Public and Waiver Applications. When possible, immediate enhancements and bug fixes were created, tested, and released.

### 4 REGULATORY PROGRAMS

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#### 4.1 APPLICATION ACTIVITY

Activity	Monthly Total	Calendar Year to Date
Pre-Application Conferences	6	49
Certificates of Filing	10	85
Public Development Reports	8	18
Forestry Certificates of Filing	2	9
PDC Letters of Interpretation	2	13
MOA Consistency Determinations	3	34
Review of Agency Determinations	53	384

## 4.2 NOTABLE APPLICATIONS

- **Pinelands Development Credit Letter of Interpretation (PDC LOI), Ocean County (App. No. 1983-4180.006):** The staff issued a PDC LOI allocating 60.25 PDCs to a 6,235.52 acre parcel in Lacey and Ocean Townships; one of the largest PDC LOIs ever issued by staff. The parcel, commonly referred to as the “Brunetti” parcel, was acquired by the County in 2019.
- **Construction of a solar energy facility, Aero Haven Solar, LLC (App. No. 1985-0104.015):** An application has been submitted to construct a 22 acre, 6.5 MW ground mounted solar energy facility on the capped Aerohaven landfill in Evesham Township. The staff is currently reviewing information submitted on July 16, 2019.
- **Construction of a solar energy facility, Pettinos Solar, LLC (App. No. 1987-1207.013):** An application has been submitted to construct a 7 acre, 2.25 MW ground mounted solar energy facility on a capped landfill in Winslow Township. The staff is currently reviewing information submitted on July 11, 2019.
- **Construction of recreational fields, Egg Harbor Township (App. No. 1999-0485.005):** The Township proposes to construct recreational fields on a parcel that has been deed restricted to meet the groundwater quality (septic dilution) standards for existing residential development on an adjacent parcel. The Township proposes to relocate the deed restricted area. The Commission staff has been providing guidance to the Township on the proposal.
- **Widening of Jimmie Leeds Road, Atlantic County (App. No. 2018-0036.001):** The County submitted an application for the widening of 5,700 linear feet of Jimmie Leeds Road from the Garden State Parkway to Vera King Farris Drive. On July 12, 2019, the staff issued a letter requesting additional information to complete the application.

## 5 SCIENCE

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### 5.1 ENVIRONMENTAL MONITORING

- **Forest Plot and Pond Monitoring:** Each year on a monthly basis, we measure ground water levels at 35 forest plots and pond water levels at 37 ponds. We also conduct nighttime surveys of calling frogs and toads at 22 ponds monthly from March through June. This information can be used to assess temporal changes in water levels and frog and toad assemblages. We completed the July round of water level monitoring and began to enter and proof the frog and toad survey data. Part of the proofing process includes comparing the species heard in the field to those heard in the digital recordings made during each survey.
- **Watershed Assessments:** In 2019, we are measuring pH and specific conductance and conducting biological surveys at stream and impoundment sites in the Mullica River Watershed. This will allow for a current assessment of the aquatic integrity of the watershed and for a comparison to the results of previous Mullica River Watershed



surveys. We completed the July rounds of water quality sampling and began to enter and proof the frog and toad survey data collected from March through June.

## 5.2 LONG TERM STUDIES

- **Endocrine Disruption Study:** In collaboration with New Jersey and West Virginia U.S. Geological Survey (USGS) scientists, we are investigating the potential effect of endocrine disrupting compounds (EDCs) from surrounding land use and sewage treatment plants on fish and frogs in the Pinelands. The endocrine system is a collection of tissues in animals that produces hormones to regulate essential life processes, such as metabolism, reproduction, and development. Many natural and synthetic chemicals are known to disrupt endocrine function. In a last-minute decision, the Medford Lakes Colony Club denied access for us to sample two of their lakes for fish. The Commission has been working with representatives from Medford Lakes Borough and the Medford Lakes Colony Club to establish an access agreement to sample the lakes for water quality and fish.
- **Microorganism Study:** In collaboration with the NJ USGS, we are comparing nutrients, heavy metals, pesticides, algal growth, and diatom, phytoplankton, zooplankton, and aquatic insect assemblages between natural ponds, excavated ponds, and stormwater basins. This study is an extension of a previous comparison of the plant, fish, and frog and toad assemblages between natural ponds, excavated ponds, and stormwater basins. In July, we executed an agreement between the Commission and New Jersey Department of Environmental Protection (NJDEP) for NJDEP to process chlorophyll a and identify diatoms and macroinvertebrates from samples that Commission scientists collected.
- **Joint Corn Snake Study:** In collaboration with Herpetological Associates, The College of New Jersey, and the NJDEP, we are using radio telemetry to study the state endangered corn snake. At one location, we are using a drift fence to assess the survival of natural vs headstarted corn snake hatchlings and to compare the effectiveness of using a drift fence, box traps, and artificial cover to detect corn snakes and other species of snakes. In July, we continued to monitor the drift fence and radio track corn snakes. To date, a total of 1,201 reptiles, amphibians, and mammals were identified along the drift fence, under the artificial cover, or in the box traps. A total of 10 species of snakes have been captured, including 12 corn snakes.

## 5.3 OTHER ITEMS OF INTEREST

- In June, Science staff submitted a proposal to the Environmental Protection Agency to conduct a radio telemetry study of the eastern kingsnake and began tracking several kingsnakes in preparation for obtaining funding. We are currently tracking seven kingsnakes and have two more kingsnakes in which to implant radio transmitters.
- Science staff attended the Northeast Partners for Amphibian and Reptile Conservation (NEPARC) conference and, with New Jersey Conservation Foundation staff, co-led a corn and pine snake radio tracking field trip for a group of NEPARC attendees.

## 6 COMMUNICATIONS

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### 6.1 COMMUNICATIONS & PUBLICATIONS

- **Website Activity:** The Pinelands Commission's website received a total of 11,943 page views in July 2019.
- **Inquiries/Correspondence:** The Communications Office received and responded to 108 inquiries from the public, including phone calls, e-mails and questions posed by visitors. Most of the inquiries pertained to recreation, the Pinelands Summer Short Course and general information about the Pinelands Commission.

### 6.2 EVENTS, OUTREACH & INTERPRETIVE PROGRAMS

- **Pinelands Summer Short Course:** Commission staff organized and carried out the third annual Pinelands Summer Short Course on July 18, 2019 at Stockton University's Kramer Hall in Hammonton. The event featured seven field trips and eight classroom presentations that showcase the region's history, ecology, culture and music. A total of approximately 90 people attended the event. Online course evaluations have been overwhelmingly positive, with 98% of respondents rating the event as either excellent or good.



**Above:** The Pinelands Summer Short Course featured a blacksmithing demonstration at Batsto Village.

- **Pinelands Orientation for Newly Elected Officials:** Communications staff organized and executed the annual Pinelands Orientation for Newly Elected or Appointed Officials in the Richard J. Sullivan Center on July 23, 2019. A total of approximately 25 municipal officials attended the event, which featured presentations by staff from the Communication, Regulatory Programs and the Land Use and Technology Programs offices.
- **In-class Education Programs:** Staff presented five Pinelands-themed education programs at the Brick High School and Warren Wolf Elementary School in July 2019, educating a total of 180 students.
- **Pinelands World Water Monitoring Challenge:** Staff continued to plan the World Water Monitoring Challenge, which will be held at Batsto Lake on October 25, 2019.

## **7 BUSINESS OFFICE**

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### **7.1 FACILITIES**

- **HVAC Repairs** – Repairs have been made to Fenwick and Barn HVAC Units.

### **7.2 FINANCIAL MANAGEMENT**

- July Application Fees Net Total: \$31,097.68
- FY 2020 Budget Preparation – Work In Process